

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA

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Twelfth meeting of the Conference of the Parties  
Santiago (Chile), 3-15 November 2002

Committee I meeting

Tenth session: 12 November 2002: 14h10-17h30

Chairman: D. Morgan (United Kingdom)

Secretariat: W. Wijnstekers  
J. Armstrong  
T. De Meulenaer  
M. Lindeque  
G. van Vliet

Rapporteurs: T. Inskipp  
C. Lippai  
A. St. John  
T. Van Norman

The Chairman asked for corrections to document CoP12 Com. I Rep. 8. Written text was provided to the Secretariat to be incorporated into the final report.

**Consideration of proposals for amendment of Appendices I and II**

**66. Proposals to amend Appendices I and II**

The delegation of South Africa introduced proposal Prop. 12.8 as amended by Prop. 8 Amendment, to amend annotation °604 regarding South Africa's population of *Loxodonta africana*. They wished to amend Prop. 8 Amendment in line with the amendments to Botswana's Prop. 6 Amendment and Namibia's Prop. 7 Amendment, as follows:

Under b) the word "re-introduction" should be replaced by in-situ conservation programmes. Under d) insert for non-commercial purposes after "goods". Under e) iii) replace current wording with Not before May 2004 and in any event not before the Secretariat has verified the prospective importing countries and MIKE has reported to the Secretariat on the baseline information (e.g. elephant population numbers, incidence of illegal killing); insert a new paragraph e) vi. only after the Standing Committee has agreed that the above conditions have been met. Delete paragraph f) and the first sentence of the following paragraph.

The delegation of South Africa also introduced additional amendments specific to their proposal. The first sentence under paragraph e) was amended to read: Trade in registered raw ivory (whole tusks and cut pieces of ivory that are both 20 cm or more in length and one kilogramme or more in weight).

The delegation of Kenya said that it was difficult to follow the amendments without having the documents provided and noted that this was particularly of concern for translations. They suggested establishing a working group to clarify the terms 'in situ conservation', 'baseline data' and 'detrimental

impacts' used in the amendments. The delegations of Botswana, Cuba, Namibia, Qatar, the United Republic of Tanzania and Zimbabwe supported the proposal as amended. Denmark on behalf of the Member States of the EU supported the amendments to the proposal. The delegation of Cameroon as Chairman of the African elephant Dialogue meeting noted that the amended proposal was fully in accordance with what had been agreed at the dialogue meeting.

The observers from the International Fund for Animal Welfare (IFAW) and the Fund for Animals raised concerns regarding the implementation of CITES in South Africa, the presence of culled elephant ivory in South Africa's stockpile, recent reports of elephant poaching and the lack of information supporting that funds generated from previous ivory sales benefited elephant conservation.

In response to concerns raised, the delegation of South Africa noted that they had been classified as a Category-II country in the national legislation project and explained that they had provincial legislation for implementing CITES. They also clarified that they had not used culling as an elephant management tool since 1994. They then called for a secret ballot. The result of the vote was 65 in favour, 24 against and 25 abstentions and the proposal was approved.

The delegation of Zimbabwe introduced proposal Prop. 12.10 as amended by Prop. 10 Amendment, to amend annotation ° 604 regarding Zimbabwe's population of *Loxodonta africana*.

They introduced amendments specific to their proposal. Paragraphs d) and e) were combined to read as follows: d) trade in ivory carvings and leather goods for non-commercial purposes. Accordingly, paragraph f) became paragraph e) and paragraph g) became paragraph f).

They also agreed to amend Prop. 10 Amendment in line with the amendments to the proposals from Botswana, Namibia and South Africa as follows:

Under b) the word "re-introduction" should be replaced by in-situ conservation programmes. Under d) insert for non-commercial purposes after "goods". Under e) iii) replace current wording with Not before May 2004 and in any event not before the Secretariat has verified the prospective importing countries and MIKE has reported to the Secretariat on the baseline information (e.g. elephant population numbers, incidence of illegal killing);. Insert a new paragraph e) vi. Only after the Standing Committee has agreed that the above conditions have been met. Delete paragraph f) and the first sentence of the following paragraph.

The delegations of Antigua and Barbuda, Botswana, Cameroon, Cuba, South Africa, the United Republic of Tanzania and Zambia fully supported the proposal. The delegation of the United Republic of Tanzania urged Zimbabwe to accede to the Lusaka Agreement.

The delegation of Kenya again asked that a working group be established to clarify the terms 'in situ conservation', 'baseline data' and 'detrimental impacts' used in the amended proposals. They questioned Zimbabwe's capacity to manage elephant populations on the ground and noted the recent reports of poaching. The delegation of the United States of America, whilst recognizing the importance of wildlife and sustainable use to the people of Zimbabwe, echoed the concerns of the delegation of Kenya and said they could not support the proposal.

The observer from the IWMC-World Conservation Trust, in response to the concerns aired by the delegations of Kenya and the United States, noted that mechanisms existed within the proposal to enable the Secretariat to react to any elephant management problems arising in Zimbabwe. The observer from the World Association of Zoos and Aquariums explained the reason for the change in terminology in paragraph b) from 're-introduction' to in-situ conservation, explaining that *in-situ* conservation included re-introduction, translocation and reinforcement of existing populations. The observer from the Environmental Investigation Agency raised concerns regarding the domestic ivory market in Zimbabwe and urged Parties to reject the proposal.

The delegation of Zimbabwe, in response to a number of issues raised, noted that the internal ivory market had been in place before Zimbabwe had acceded to CITES and that it was strictly monitored. They also highlighted a recent report had determined that Zimbabwe's enforcement was some of the best. They assured the delegation of the United Republic of Tanzania that they were working to accede to the Lusaka Agreement and acknowledged that it would enhance regional cooperation for elephant conservation. In conclusion, they asked for a vote by secret ballot. The results of the vote were 60 in favour, 45 against, 10 abstentions and one spoilt. The proposal was rejected.

The delegation of Antigua and Barbuda explained their vote and deplored the rejection of the proposal.

The delegation of Zambia introduced proposal Prop. 12.9 to transfer the Zambian population of *Loxodonta africana* from Appendix I to II subject to certain conditions. After clarification by the Chairman and the Secretary-General that a proposed amendment to paragraph b) expanded the focus of the proposal and was not allowable under the rules of procedures, the following amended language was proposed:

At the end of paragraph a), the word "re-introduction" should be replaced by in-situ conservation programmes.

In paragraph b), the words "and pieces" should be deleted.

In paragraph b) ii), the word to should be insert after "Only" and the word "CITES" should be deleted.

Paragraphs b) iii) and iv) should be deleted and replaced by the following:

*iii) Not before May 2004, and in any event not before the Secretariat has verified the prospective importing countries and MIKE has reported to the Secretariat on the baseline information (e.g., elephant population numbers, incidence of illegal killing);*

Paragraph b) v) became b) iv) and under strict supervision of the Secretariat should be added to the end of the sentence.

The first sentence in the penultimate paragraph should be deleted and the words partially or completely should be inserted after "this trade to" and the word elephant inserted between "other" and "populations".

The delegations of Antigua and Barbuda, Botswana, Cameroon, Cuba, Japan, Malawi, Namibia and South Africa, and the observer from IWMC-World Conservation Trust, expressed support for the amended proposal. There was general consensus among these delegations that the transfer of Zambia's elephant population from Appendix I to II and the sale of ivory would provide needed financial resources to allow for the successful management of the populations.

The delegation of the United States, supported by the delegations of Denmark, on behalf of the Member States of the EU, and Kenya, stated that they could not support the amended proposal because the Zambian population did not meet the requirements for transfer from Appendix I to II. They expressed concern that the elephant population was declining in Zambia and that the Zambian Government did not have the capacity to monitor elephant populations or to control illegal hunting adequately. The delegation of Denmark on behalf of the Member States of the EU proposed that Zambia improve their control of illegal hunting and control of stockpiles and consider resubmitting the proposal at CoP13.

On a request from the delegation of Israel to clarify a report of misconduct by an NGO in Zambia, the observer from the David Shepherd Conservation Foundation contested allegations of mismanagement of funds raised from the 1992 burning of ivory stockpiles in Zambia.

The delegation of Zambia responded to the statements from various delegations regarding the management of elephant populations in Zambia and reiterated the need for financial resources to further conservation efforts. They countered the statement from the David Shepherd Conservation Foundation and noted that they had offered to meet with them to discuss the issue further. They concluded by requesting a vote by secret ballot.

The results of the vote were 57 for the proposal, 54 against, and seven abstentions. The proposal was rejected.

The delegation of the United States, in the interests of transparency, explained their votes on all of the elephant proposals. They had voted for Props. 12.7 and 12.8, against Props. 12.9 and 12.10 and favoured their own amendments relating to Prop. 12.6. They also expressed support of regional conservation efforts and called on other Parties to do likewise.

The Chairman introduced proposal Prop. 12.11, noting that in accordance with Rule of Procedure 23.6, this proposal was no longer admissible owing to the decisions already made on the status of elephant populations in Botswana, Namibia and South Africa. The delegations of India and Kenya reiterated key points from the supporting statement of the proposal and then withdrew it. The Secretary-General explained to the delegation of Kenya how to craft a draft decision for a later session.

The delegation of Switzerland introduced Prop. 2 Amendment referring to colour morphs of various parrot species. The Chairman called for an immediate vote. The results were 21 for the proposal and 31 against. The proposal was rejected.

The Chairman introduced various proposals where no opposition had been previously expressed. All of the following were agreed by consensus.

Proposal Prop. 12.48 to transfer *Dudleya traskiae* from Appendix I to II

Proposal Prop 12.49 to transfer *Aloe thorncroftii* from Appendix I to II

Proposal Prop 12.53 to delete *Lewisia maguirei* from Appendix II

Proposal Prop. 12.60 to include *Ravenea rivularis*, *R. louvelii*, *Satranala decussilvae*, *Lemurophoenix halleuxii*, *Marojejya darianii*, *Beccariophoenix madagascariensis* and *Voanioala gerardii* in Appendix II. The Chairman clarified that the proposal did not call for the standard annotation for Appendix-II plants and, therefore, control of seeds would be covered.

Proposal Prop. 12.17 to transfer *Amazona oratrix* from Appendix II to I

Proposal Prop. 12.20 to include *Platysternon megacephalum* in Appendix II

Proposal Prop. 12.21 to include *Annamemys annamensis* in Appendix II

Proposal Prop. 12.23 to include *Hieremys annandalei* in Appendix II

Proposal Prop. 12.25 to include *Leucocephalon yuwonoi* in Appendix II

Proposal Prop. 12.26 to include *Mauremys mutica* in Appendix II

Proposal Prop. 12.27 to include *Orlitia borneensis* in Appendix II

Proposal Prop. 12.29 to include *Siebenrockiella crassicollis* in Appendix II

Proposal Prop. 12.34 to delete *Cnemidophorus hyperythrus* from Appendix II

The session closed at 17h30.