

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

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

Committee I meeting

Thirteenth session: 13 November 2002: 14h05-17h15

Chairman: D. Morgan (United Kingdom)

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

Rapporteurs: J. Caldwell
T. Inskipp
C. Lippai
T. Van Norman

Responding to a point of order from the delegation of Cuba, the Chairman explained rule 17 of the Rules of Procedures concerning delegations' right to speak.

Consideration of proposals for amendment of Appendices I and II

66. Proposals to amend Appendices I and II

The delegation of Nicaragua introduced proposal Prop. 12.50, to include bigleaf mahogany *Swietenia macrophylla* in Appendix II, believing that the current Appendix-III listing was inadequate to address many of the concerns raised by trade in the species. They noted that the latter listing had not been made by all of the range States and that this had led to problems with the implementation of the Convention. They stressed that only populations occurring in the Americas would be covered by the proposed Appendix-II listing. The delegation of Guatemala, as co-proponent, suggested the proposal be amended so that the Appendix-II listing would not take place until one year after CoP12.

The Secretary-General explained that the current Appendix-III listing placed differing implementation requirements on the range States and noted that that an Appendix-II listing would require that a non-detriment finding be made.

The delegation of Costa Rica, speaking on behalf of the Central American Commission for Environment and Development, and supported by the delegations of Ecuador and Mexico, were in favour of the proposal, noting that populations were still declining and that an Appendix-II listing would support sustainable use, a point echoed by the delegation of the United Kingdom. The delegation of Denmark on behalf of the Member States of the EU stated that an Appendix-II listing would not be used to ban imports. The delegation of Indonesia and the observer from Greenpeace also supported the proposal.

The delegation of Bolivia outlined their new forestry management system. They stated that mahogany was not threatened in Bolivia and urged the range States that had not yet done so to list the species in Appendix III and follow Bolivia's lead in reducing illegal trade. Neither they nor the delegations of Brazil or Peru could support the proposal. The delegation of Ghana believed that the International Tropical Timber Organization was the

more appropriate body for managing the species and also opposed the proposal. The delegations of Bolivia and Brazil, supported by the International Wood Products Association, called for the mahogany working group to continue.

Noting there was no consensus, the delegation of Guatemala requested a vote. The delegation of Brazil proposed the vote be conducted by secret ballot, the result of which was 68 in favour, 30 opposed, 14 abstentions, and three spoiled votes. The proposal was accepted.

The delegation of the United States explained that they had voted in favour of the proposal because, as a major importer, the United States supported efforts to ensure sustainability.

Interpretation an implementation of the Convention

Species trade and conservation issues

43. Conservation of seahorses and other members of the Family Syngnathidae

The Chairman of the Animals Committee introduced document CoP12 Doc. 43, focussing the discussion on the recommendations on page 12 and 13. He believed that some of these recommendations, which had not been discussed by the Animals Committee in detail, were overly optimistic. He suggested the following recommendations become decisions as follows:

76 b) v) directed to the Animals Committee;

76 b) vi), vii), and viii) directed to the Parties;

76 b) ix) directed to the Nomenclature Committee; and

76 c) vii) directed to the Secretariat.

He suggested all other recommendations be deleted.

The delegation of the United States supported this suggestion. The draft decisions were agreed and the Chairman called on the Secretariat to formulate them in a clear format.

Consideration of proposals for amendment of Appendices I and II

66. Proposals to amend Appendices I and II

The delegation of the United States introduced proposal Prop. 12.38, to include *Cheilinus undulatus* in Appendix II, noting that there were no current or planned regional management plans, that the species was not being aquacultured. They believed that listing the species would support domestic legislation.

The delegation of Malaysia, supported by the delegation of the Russian Federation, opposed the proposal believing that the Food and Agriculture Organization of the United Nations (FAO) should be the responsible agency for commercial fish stocks. They also believed that, if accepted, the proposal would be difficult to implement. The delegation of Japan, citing limited data sources, could not support the proposal. The observer from the IWMC-World Conservation Trust expressed the view that a CITES listing would not address destructive fishery practices, which were the major cause of the decline in the species.

The delegations of Denmark on behalf of the Member States of the EU, and Canada supported the proposal. In response to comments from the delegations of Israel and Switzerland, the observer from IUCN – The World Conservation Union clarified that the species was traded as live whole fish, was easily recognizable in all stages of growth, was not aquacultured and was exclusively wild-caught.

The delegation of the United States, in response to several comments, stressed that listing the species would ensure sustainable fisheries practices and would assist in implementing domestic legislations. On a call for a

vote, the delegation of Japan requested that the vote be made by secret ballot. The results of the vote were 65 in favour, 42 opposed, five abstentions, and one spoiled ballot. The proposal was therefore rejected.

Strategic and administrative matters

16. Cooperation with other organizations

a) Cooperation between CITES and the Commission for Conservation of Antarctic Marine Living Resources (CCAMLR) regarding the trade in the toothfish

The delegation of Chile introduced document CoP12 Doc. 16.1 incorporating Annex (Rev. 1). The delegation of Australia, as the Depository Government for the Commission for Conservation of Antarctic Marine Living Resources (CCAMLR), strongly supported the proposal to increase cooperation between CITES and CCAMLR. The delegation of Denmark, on behalf of the Member States of the EU, New Zealand and the Russian Federation, and the observer from the Antarctic and Southern Ocean Coalition supported the revised draft resolution. The delegations of China, Iceland, Japan, Norway and Uruguay supported increased cooperation between CITES and CCAMLR but wished to retain the original text in the draft resolution, as they felt that adoption of the revised text would lead to CITES encroaching on the remit of CCAMLR.

The Secretariat, supported by the delegation of Iceland, suggested that the elements in the draft resolution that specified a time-frame be put into a separate draft decision. The Secretary-General expressed concern at the difficulty in obtaining the relevant information, the additional workload, and the extra financial resources that would be required if the revised draft resolution were to be adopted.

The observer from CCAMLR welcomed cooperation between CITES and CCAMLR and said that whilst CCAMLR was the appropriate body for management of toothfishes, she considered CITES would complement and extend conservation efforts. The observer from the International Coalition of Fisheries Associations said that if the Catch Documentation Scheme (CDS) were adopted by all CCAMLR parties, this would help to reduce illegal fishing. The delegation of the United States of America noted that current reporting through the CDS was confined to the relatively few Parties to CCAMLR. Inclusion of the toothfish in the CITES Appendices would mean that all CITES Parties would be required to report on their trade.

In response to a request from the delegation of Chile to clarify the restructuring of Annex (Rev. 1), the Secretariat clarified as follows: on page 4, the underlined words in paragraph 1 and all of paragraphs 2 and 3 should be incorporated into a new draft decision, to be drafted by the Secretariat. The penultimate paragraph on page 4 with the word "Urges" should be moved to the preamble.

The draft resolution with amendments was adopted by consensus.

The delegation of Argentina stated for the record their declaration of sovereignty over the Malvinas, Georgias del Sur, Sandwich del Sur and their surrounding waters. They asked that the Secretariat use the United Nations (UN) approved nomenclature for these disputed areas. The delegation of the United Kingdom agreed that such UN terminology should be used in CITES documents. They affirmed their sovereignty of the Falkland Islands, South Georgia, the South Sandwich Islands and their surrounding waters.

Consideration of proposals for amendment of Appendices I and II

66. Proposals to amend Appendices I and II

The delegation of Australia withdrew proposal Prop. 12.39 to list *Dissostichus eleginoides* and *D. mawsonii* in Appendix II and document CoP12 Doc. 12.44 on conservation of and trade in *Dissostichus* species. They also apologized for incorrectly naming certain islands in the south Atlantic.

The delegation of the United States withdrew proposal Prop. 12.47 to transfer *Sclerocactus spinosior* ssp. *blainei* from Appendix II to I, explaining that there were problems with the taxonomy of this plant and that they, together with the Plants Committee, would consider reviewing the entire genus.

The delegation of the United States introduced proposal Prop. 12.51 to annotate six genera of Orchidaceae in Appendix II to exclude artificially-propagated specimens. They amended the proposal by restricting it to the genus *Phalaenopsis*. They proposed a companion decision urging the Plants Committee to monitor the impact of the exclusion on any increased illegal trade and report at CoP13. The Chairwoman of the Plants Committee spoke in favour of the proposal. The delegations of India, Indonesia, Malaysia, Mexico and Peru were concerned about implementation problems that would be created if this proposal were to be adopted, particularly those of distinguishing non-flowering specimens of wild-collected species from artificially propagated hybrids. The delegation of the United States asked for a vote on the issue, which was carried out by a roll call. The proposal was accepted, with 48 votes in favour, 20 against and 45 abstentions.

The session was closed at 17h15.