

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

Thirteenth meeting of the Conference of the Parties
Bangkok (Thailand), 2-14 October 2004

Sixth session: 6 October 2004: 14h10-17h10

Chairman: M. Brasher (United Kingdom)

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Interpretation and implementation of the Convention

Review of Resolutions and Decisions

16. Review of Resolutions

The Secretariat outlined the work it had undertaken, in consultation with Malta and the United States of America, in preparation of document CoP13 Doc. 16 (Rev. 1). It informed the meeting that Annex 6, relating to a review of Resolution Conf. 11.11, had been withdrawn, explaining that this issue would be considered in document CoP13 Doc. 51 in Committee I. It further requested that Annex 5, relating to a review of Resolutions Conf. 10.16 (Rev.) and Conf. 12.10, be considered after other items on captive breeding had been discussed in Committee I. The Secretariat then presented Annexes 1, 2, 3, 4 and 7 which contained reviews and draft revisions of Resolutions.

Annex 1 b was the draft revision of Resolution Conf. 4.6 (Rev. CoP12) on submission of draft resolutions and other documents for meetings of the Conference of the Parties. The delegation of the United States of America suggested an additional paragraph to the preamble in that Annex as follows:

OBSERVING that Article XV, paragraph 1(a) of the Convention requires Parties to communicate the text of proposed amendments to Appendices I and II to the Secretariat at least 150 days before meetings of the Conference of the Parties.

Annex 1 b, including the additional preambular paragraph, was agreed.

Annex 2 a was a draft resolution on the issue of 'pre-Convention' specimens, updating Resolution Conf. 5.11. The delegation of New Zealand supported this draft resolution but remarked that Parties would need to be able to check easily when a species had first been included in the Appendices. The delegation of Suriname suggested that species included in Appendix III be exempt from this resolution. The Secretariat stated that Resolution Conf. 5.11 had applied to all species in Appendices I, II and III and, since the purpose of the review was only to simplify the text, it urged the Parties to agree it as presented. The delegation of Saint Lucia proposed an amendment to the second paragraph b) so that it would read Parties only accept pre-Convention certificates that have been issued in compliance with this Resolution; With support from the delegation of the United States and Suriname, Annex 2 a, as amended, was agreed.

Annex 3 b was agreed.

In Annex 4 b, under 'RECOMMENDS', the delegation of the United States proposed changing paragraph b) to include the word permits after 'export', changing paragraph e) by deleting the word 'wildlife', and, under 'URGES', deleting paragraph b) to prevent duplication of paragraph d) under 'RECOMMENDS'. Annex 4 b, as amended, was agreed. The Secretariat noted that, should amendments to Resolution Conf. 12.9 be adopted later in the meeting under agenda item 55 (covering documents CoP13 Doc. 55.1, 55.2 and 55.3), then these should apply to the consolidated resolution. The delegation of the Netherlands, on behalf of the 25 Member States of the European Community, and the observers from IFAW - International Fund for Animal Welfare and International Environmental Law Project, requested the urgent establishment of a drafting group to consider the consolidation of all these documents. The Chairman noted this request for a working group.

Annex 7 b was agreed.

17. Review of Decisions

The Secretary-General introduced document CoP13 Doc. 17, which listed Decisions proposed for deletion, because they were no longer relevant, or proposed for incorporation into existing resolutions or new resolutions, because they were of long-term applicability.

The delegation of the United States, referring to Decision 12.3, sought clarification on whether the Parties would decide which Decisions were still in force and which had been completed or whether at the end of each meeting of the Conference of the Parties the Secretariat would decide. The Secretary-General explained that it had been the practice since CoP9 that the Secretariat made that determination, publishing the outcome both in the Handbook and on the CITES website.

The incorporation of Decisions 9.26, 12.2, 9.24, 9.27, 12.3 and 12.4 into Resolution Conf. 4.6 was agreed.

The draft resolution based on Decisions 12.5 and 12.6 in document CoP13 Doc. 17 was agreed.

Regarding Decision 12.8, which was proposed for incorporation into Resolution Conf. 11.1 (Rev. CoP12), the delegation of the United States considered that the proposed rewording narrowed the meaning of the Decision, suggesting that the original wording should be retained, with 'the Standing Committee Working Group' being changed to any Standing Committee working group. The Secretary-General indicated that that would extend the scope of Decision 12.8 rather than limit it, and would also have financial implications. The Chairman suggested that the new wording proposed in the document should end at 'the Standing Committee'. The incorporation of Decision 12.8 into Resolution Conf. 11.1 (Rev. CoP12), with this amendment, was agreed.

The incorporation of Decision 12.51 into Resolution Conf. 12.7 was agreed.

The incorporation of Decision 9.21 into Resolution Conf. 11.1 (Rev. CoP12) was agreed.

Regarding Decision 9.33, proposed for incorporation into Resolution Conf. 12.8, the delegation of the United States suggested that or other appropriate experts should be added after 'IUCN'. The delegation of Mexico said that it was important for the technical committees to be involved in the conduct of field studies. The Secretary-General suggested the addition of where appropriate, in consultation with the Chair of the Animals Committee or the Plants Committee before 'to contract IUCN or other appropriate experts'. The incorporation of Decision 9.33 into Resolution Conf. 12.8, with this amendment, was agreed.

Regarding the Decisions proposed for inclusion in Resolution Conf. 12.3, the delegation of the United States suggested that the proposed wording based on Decisions 9.10 and 9.11 should be amended to stipulate the responsibilities of the Parties as well as those of the Secretariat as follows:

URGES Parties to check with the Secretariat (a) when they have serious doubts about the validity of permits accompanying suspect shipments; and (b) before they accept imports of live specimens of Appendix-I species declared as bred in captivity or artificially propagated.

The delegation of the United States suggested that e-mails should be added before 'telexes' in proposed new paragraph (j) of Resolution Conf. 12.3, based on Decision 9.23.

The delegation of the United States also suggested revising the proposed wording based on Decision 9.7 to be incorporated in Resolution Conf. 12.3 to make it less confusing. The Chairman read out a revised version, as follows:

Parties verify the origin of Appendix-I specimens to avoid issuing export permits when the use is for primarily commercial purposes and the specimens did not originate in a CITES-registered breeding operation.

The incorporation of Decisions 9.35, 9.29, 9.30, 9.9, 9.10, 9.11, 9.23, 9.6, 9.7, and 9.8 into Resolution Conf. 12.3, with the amendments above, was agreed.

Regarding the Decisions proposed for incorporation into a revised Resolution Conf. 11.3, the delegation of the United States suggested that the proposed wording based on Decision 9.31 should be revised to add at each Standing Committee meeting and before 'the Conference of the Parties'. The observer from the IWMC-World Conservation Trust drew attention to an error in the French version of that paragraph which referred to infractions instead of enforcement. The incorporation of Decisions 10.30, 10.118, 9.31, 9.13 and 9.12 into Resolution Conf. 11.3, with the amendment above, was agreed.

Following a discussion on the appropriateness of transferring Decision 9.15 into Resolution Conf. 12.9 on personal and household effects, it was agreed to leave it in place and not incorporate it into the Resolution. The delegation of the United States said that it would consider submitting a draft resolution based on this Decision to CoP14.

The incorporation of Decisions 11.89 and 11.37 into Resolution Conf. 11.7 and of Decision 9.32 into Resolution Conf. 9.5 was agreed.

The draft Resolution in document CoP13 Doc. 17 based on Decisions 11.125, 11.126, 11.14, 11.127, 11.70, 11.71, 11.73, 11.128 and 11.124 was agreed.

The Committee agreed, after some clarification from the Secretary-General, to incorporate Decision 9.39 in Resolution Conf. 12.11.

The delegation of the Netherlands, on behalf of the Member States of the European Community, proposed changes to the suggested text in document CoP13 Doc. 17 of a resolution on Trade in alien species incorporating Decisions 10.54, 10.76 and 10.86. The Chairman deferred consideration of this until the proposed changes were available in writing to all members of the Committee.

The delegation of the United States was not in favour of the deletion of Decisions 9.14, 9.38, 11.1, 12.36 and 12.39 but agreed to discuss this informally with the Secretariat before consideration of the agenda item was completed.

Regular and special reports

18. Reporting requirements

The Secretariat introduced document CoP13 Doc. 18. The document incorporated a report from the Working Group on reporting requirements established at the 49th meeting of the Standing Committee. The Secretariat mentioned the link with the Committee's agenda item 45 on Electronic permitting systems for CITES specimens. It also said, in relation to the consolidation of existing reporting requirements, that Committee I had agreed to include reporting on the conservation of and trade in tortoises and freshwater turtles as part of the biennial report.

The Committee accepted Annexes 1, 2 and 4 of document CoP13 Doc. 18. They also accepted Annex 3 of the document after the inclusion of the following decision, as proposed by the delegation of the Netherlands, on behalf of the Member States of the European Community, and the representative from UNEP World Conservation Monitoring Centre:

The Secretariat shall continue to collaborate with the secretariats of other biodiversity-related conventions in order to ensure the harmonization of information management and reporting.

The session closed at 17h10.