

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

Eighth session: 7 October 2004: 14h10-17h05

Chairman: M. Brasher (United Kingdom)

Secretariat: W. Wijnstekers
J. Barzdo
J. Sellar
J. Vasquez.
M. Yeater

UNEP: N. Rotich

Rapporteurs: J. Gray
R. Mackenzie
A. Stattersfield
P. Wheeler

Interpretation and implementation of the Convention

Review of Resolutions and Decisions

17. Review of Decisions

The Secretary-General reported that, following an informal discussion with the delegation of the United States of America regarding the deletion of Decisions, the Secretariat withdrew its proposal to delete Decisions 9.38 and 12.79 and the latter delegation confirmed that the other Decisions about which they were concerned had been dealt with under other agenda items.

General compliance issues

24. Revision of Resolution Conf. 11.3 on Compliance and enforcement

The delegation of Kenya introduced document CoP13 Doc. 24 (Rev. 1), announcing further amendments as follows: insertion of Regarding the provisions on enforcement below the title of the document; deletion of paragraphs 13, 14 and 15; and, in the Annex, changing "formulate" to consider formulating in paragraph a) ii) under the section "Regarding compliance, control and cooperation"; replacing "Parties" with the Secretariat in consultation with the Standing Committee in paragraph d) under "Regarding communication of information and coordination"; and deleting the second paragraph c) under "Regarding additional actions to promote enforcement". The delegation of Zambia requested a further change to the Annex, namely adding and prosecuting between "enforcement" and "agencies" in paragraph e) under "Regarding communication of information and coordination". Following a request for clarification from the delegation of Liberia, the Secretariat explained that the deletion of paragraph c) described above was justified because it was not possible for ICPO-Interpol to establish an international association of wildlife law enforcement officers. The delegation of Israel noted that they would withdraw their request to establish a working group harmonizing decisions made under this agenda item with those made under agenda item 23 if the proposed revisions to Resolution Conf. 11.3 were accepted.

The Secretariat recommended adoption of the draft resolution in the Annex as amended. The delegations of Botswana, Ghana, Jordan, Liberia, the United States, and the observer from IFAW also supported the amended draft resolution. The Netherlands, on behalf of the 25 Member States of the European Community, expressed some concerns, but the draft resolution in the Annex to document CoP13 Doc. 24, as amended by the delegations of Kenya and Zambia, was then agreed by consensus.

25. Guidelines on compliance with the Convention

The delegation of the Netherlands, on behalf of the Member States of the European Community, presented document CoP13 Doc. 25, explaining that, since the Working Group on Compliance established by the Standing Committee at its 50th meeting was already operational, there was no longer a need to establish a compliance working group at this meeting, as suggested in the document. The Chairman of the Working Group on Compliance (Norway) summarized the group's progress to date, reporting that there was general agreement that the revised draft guidelines for compliance in document SC50 Doc. 27, contained within document CoP13 Doc. 25, were useful, although there were several aspects that needed further consideration.

The delegation of Mexico urged revision of the existing guidelines for compliance, believing that non-compliance was the result of a lack of administrative capacity and of scientific information. They supported the positive approach to compliance and enforcement in Resolution Conf. 11.3. The delegation of Canada hoped that the group's work would be presented at CoP14. The delegation of the Russian Federation thought the compliance guidelines needed further work. The observer from David Shepherd Wildlife Foundation, speaking also on behalf of IFAW, praised the progress made by the Working Group and stressed the need for a balance between incentives and deterrents. The delegation of Norway then invited those with precise comments to submit them in writing, preferably that day, to assist the Working Group in its future work. The Committee noted document CoP13 Doc. 25.

Species trade and conservation issues

26. Trade in and conservation of great apes

The delegation of the Netherlands, on behalf of the Member States of the European Community, introduced document CoP13 Doc. 26. The delegation of the United Kingdom of Great Britain and Northern Ireland gave further information on the topic, and called for support for the draft resolution in Annex 1 and the draft decision in Annex 2, welcoming the drafting changes to the draft resolution proposed by the Secretariat. The delegation of Uganda, while broadly supporting the draft resolution, expressed the view that in certain aspects it infringed the sovereign right of countries to manage their own resources. In their view, it also failed to give proper consideration to the linkage between poverty and effective conservation, and did not adequately take into account the traditional and cultural importance of the great apes to some communities in the range States. They further proposed the deletion of paragraph d) under "URGES" in the draft resolution and the delegations of Burundi, Cameroon, Nigeria and the United Republic of Tanzania made suggestions for modifying this paragraph. The observers from IFAW and WWF supported retention of the paragraph.

The delegation of the United States, supported by the delegation of Indonesia, noted that domestic trade, referred to in paragraph a) under "URGES" in the draft resolution, lay beyond the mandate of CITES. They also suggested that the words other appropriate partners be added after every occurrence of "GrASP" in the draft resolution, except in paragraph a) under "DIRECTS the Secretariat", and this was supported by the observer from Born Free Foundation.

The delegation of Nigeria pointed out that the problem of consumption of great ape meat was a livelihood issue, which called for a more elaborate conservation strategy than CITES could provide. The delegation of Senegal said that while poaching and smuggling were significant causes for the decline in great ape populations, of much greater significance was the loss of their habitat, and proposed that paragraph b) should encourage Parties to provide support for habitat conservation activities. The delegation of Burundi suggested that a paragraph be added to the draft resolution, directing the Secretariat to work in close cooperation with the Secretariat of the Convention on Biological Diversity in order to present suitable recommendations for *ex situ* conservation of the great

apes to the Parties to the two Conventions. The representative of UNEP welcomed the draft resolution, noting that GrASP was a joint initiative of UNEP and UNESCO, supported by over 30 non-governmental organizations and most of the range States. He pointed out that initiatives to preserve the great apes brought benefits to the communities in the vicinity of their habitats.

The delegation of the United States, in expressing support for the draft decision in Annex 2 of the document, noted that the continued proliferation of species-specific resolutions concerning Appendix-I species represented a considerable administrative burden. The observer from WWF urged Parties not to accept the draft decision.

The Chairman requested delegations to give their proposed amendments to the delegation of the Netherlands, and requested that delegation to submit a revised version of the draft resolution by the end of the Committee's ninth session.

27. Conservation of and trade in bears

The Secretariat introduced document CoP13 Doc. 27, noting that the document provided a progress report and reassuring the Parties that it would continue to monitor conservation of and trade in bears. The delegation of Cambodia stressed the importance of bear conservation, and the delegation of India provided an update on protection of bears under their national law, as well as on the establishment of rescue centres. The observer from the Wildlife Trust of India noted the significance of agenda item 23 to this issue. Document CoP13 Doc. 27 was noted.

28. Conservation of and trade in Asian big cats

The Secretariat introduced document CoP13 Doc. 28. With regard to paragraph 5, it noted that it was now only waiting for reports from Mongolia and Sri Lanka. The delegation of Sri Lanka indicated that it would submit its report to the Secretariat in due course. The Secretariat referred to two matters that had been brought to its attention since the document was prepared. First, after a period in which illicit trade in Asian big cat skins had appeared to be dropping, there now seemed to be an alarming increase in such trade, and in this regard the Secretariat proposed a meeting of relevant members of the CITES Tiger Enforcement Task Force to examine such trade and consider ways to improve information exchange and coordinate investigations. Secondly, the Secretariat had received reports of significant levels of illicit trade in Asian big cat skins in Afghanistan, and had received a request from UNEP for assistance in providing capacity-building and training to law enforcement officers and border control officers in that country. External funding was required for this activity.

The delegations of Afghanistan, Bangladesh, Bhutan, China, India, Nepal and Sri Lanka provided information and updates on measures taken to promote conservation of and combat illegal trade in big cats. The delegations of Bangladesh, China, India and Nepal highlighted transboundary cooperation mechanisms. The delegations of Bangladesh, Bhutan, India and Nepal emphasized the need for and efforts to involve local communities in big cat conservation initiatives. The need for financial and technical support was stressed by the delegations of Afghanistan and Bangladesh. The observer from the World Association of Zoos and Aquariums, speaking also on behalf of American Zoo and Aquarium Association, clarified that the institution mentioned in paragraph 8 of document CoP13 Doc. 28 was not a member of their Association, and indicated that they could provide information on the affiliation of institutions that might assist Parties to make appropriate status determinations.

In response to a suggestion of the delegation of the Netherlands, on behalf of the Member States of the European Community, the Chairman asked the Secretariat to produce a draft decision on convening a meeting of the CITES Tiger Enforcement Task Force. The Secretariat proposed the following draft decision for consideration at a later session:

13.xx The Secretariat shall seek external funding to enable it to convene a meeting of relevant members of the CITES Tiger Enforcement Task Force to examine, in particular, the issue of illicit trade in Asian big cat skins with a view to facilitating and improving the exchange of enforcement information and the coordination of investigations.

31. Conservation of and control of trade in Tibetan antelope

The Secretariat introduced document CoP13 Doc. 31, and drew attention to the recommendations in paragraphs 7 and 8 to amend Resolution Conf. 11.8 (Rev. CoP12). The delegation of India provided an update on developments in the conservation of Tibetan antelope, and the delegations of China and Nepal expressed appreciation for India's efforts. The delegation of India suggested that the proposed amendment to paragraph a) under URGES in Resolution Conf. 11.8 (Rev. CoP12), contained in paragraph 7 of the document, should not be accepted and, on this basis, it was withdrawn. The delegation of China recommended the insertion of a new paragraph b) in the DIRECTS section of the Resolution as follows:

- b) the Standing Committee to undertake a regular review of the enforcement measures taken by the Parties in eliminating the illicit trade in Tibetan antelope products on the basis of the Secretariat's report and report the results at each meeting of the Conference of the Parties.*

The deletion of existing paragraphs b) and c) from the DIRECTS section of Resolution Conf. 11.8 (Rev. CoP12), and the insertion of new paragraph b) in that section as proposed by China was agreed.

The session was closed at 17h05.