

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

Fourteenth session: 12 October 2004: 09h10-12h05

Chairman: H. Dublin

Secretariat: W. Wijnstekers
T. De Meulenaer
D. Morgan
M. Schmidt

UNEP: M. Collins

Rapporteurs: H. Corrigan
J. Gray
T. Inskipp
A. Stattersfield

Strategic and administrative matters

12. Cooperation with other organizations

12.2 CITES listing of whale stocks and the International Whaling Commission

Introducing document CoP13 Doc. 12.2, the delegation of Japan said they accepted the Secretariat's proposed amendments in the document to the draft resolution in the Annex. They believed the International Whaling Commission (IWC) to be on the edge of implosion and saw the exhortation in the draft resolution as a means of restoring its viability. They told Parties that opposition to proposal CoP13 Prop. 4 should be no barrier to acceptance of this draft resolution. The draft resolution was defended by the delegations of Gabon, Iceland, Namibia and Saint Kitts and Nevis. The delegation of Iceland believed that delays in completion of the Revised Management Scheme (RMS) were hindering the application of scientific listing criteria to whales under CITES. The delegation of Saint Kitts and Nevis saw the IWC as dysfunctional and characterized opposition to the draft resolution as opposition to the rights of developing countries to trade in their national resources.

The delegation of New Zealand drew attention to Resolution Conf. 11.4 (Rev. CoP12) concerning the relationship with the IWC and stated that they believed that the draft resolution taken at the IWC annual meeting in Sorrento, Italy, in 2004 rendered Japan's draft resolution unnecessary. The delegation of the United States of America echoed this view. The delegation of the United Kingdom of Great Britain and Northern Ireland, on behalf of the 25 Member States of the European Community, stated that the IWC remained internationally recognized and was not dysfunctional. The delegate of Norway, speaking on behalf of the IWC, reported on the progress towards completion of the RMS and noted that the intention was to have a draft text and technical details of the RMS ready for consideration and possible adoption in 2005.

Observing that consensus would not be achieved, the Chairman called for a vote on the draft resolution, as amended by the changes recommended by the Secretariat in document CoP13 Doc. 12.2. At the request of the delegation of Japan a secret ballot was held. The result was 57 in favour and 63 against, with 13 abstentions. The proposal, as amended, was rejected.

The delegations of Australia and the United States stated that, in the interests of transparency they were opposed to the use of secret ballots and further stated that they had voted against the proposal. The delegation of Qatar noted that they had voted in support of the proposal.

Interpretation and implementation of the Convention

Amendment of the Appendices

60. Proposals to amend Appendices I and II

The delegation of Japan introduced proposal CoP13 Prop. 4, to transfer the Okhotsk Sea - West Pacific Stock, the north-east Atlantic stock, and the north Atlantic central stock of *Balaenoptera acutorostrata* from Appendix I to Appendix II. The delegations of Guinea, Namibia and Saint Lucia supported the proposal, the delegation of Namibia stating that the species did not meet the scientific criteria for inclusion in Appendix I. The delegation of Denmark asked that the representative of Greenland on their delegation be allowed to make a brief statement, and the latter expressed support for the proposal, declaring that its defeat would undermine the credibility of CITES. The delegation of Denmark further noted that they did not support the proposal but, because of Greenland's views, would abstain from voting. The delegation of Cambodia believed that, if accepted, the transfer to Appendix II would not lead to an increase in whaling and trade.

The delegations of Australia and Georgia opposed the proposal, the latter noting that it increased the problem of a split-listing for the species, and that it would be difficult to distinguish between whales from separate stocks, especially in areas where the stocks mixed. The delegation of Brazil and that of the United Kingdom, on behalf of the Member States of the European Community, expressed their opposition to the proposal.

The delegation of Qatar, on a point of order, requested to be allowed to speak but the Chairman, having previously indicated that she was limiting the time for discussion of each proposal, ruled that she was closing the debate. A vote on the Chairman's ruling resulted in 85 votes in favour, 14 against and 10 abstentions (see Annex 1). Her ruling was accepted.

The Chairman called for a vote on proposal CoP13 Prop. 4 and Japan requested and obtained a secret ballot. The proposal was rejected, with 55 votes in favour, 67 against and 14 abstentions.

The delegation of the Republic of Korea made a point of order, referring to issues over nomenclature of the sea area between the Korean peninsula and Japan, requesting that "Sea of Japan" be replaced by East Sea/Sea of Japan in all relevant documents for the meeting. The Chairman ruled that this was not a point of order or an explanation of vote, but the Republic of Korea's intervention would be recorded in the summary report of the session.

The delegations of Australia and the United States stated that, in the interests of transparency they were opposed to the use of secret ballots and also stated that they had voted against the proposal. The delegation of Qatar stated that they had voted in support of the proposal.

The delegation of Swaziland introduced proposal CoP13 Prop. 9, concerning Swaziland's population of white rhinoceros and referring participants to relevant additional information in document CoP13 Inf. 59. They also proposed that the annotations be amended to read:

1. *Swaziland's annual harvest and export of live white rhino to appropriate and acceptable destinations will be limited to an upper limit of 7% of the population. Such take-off will go to National Parks, Game Reserves, Game Farms and other conservation projects. Most of the animals should go to Southern Africa and remain part of the managed metapopulation. There would also be an exchange of animals for genetic management reasons.*
2. *Only post reproductive males and identified problem animals will be exported as trophies, but not more than 1% of the population will be exported annually for this purpose, and then only if the live removal option is not practical.*
3. *All exported specimens will be marked with microchips.*

The delegation of the Netherlands, on behalf of the 25 Member States of the European Community, indicated that, despite previously having had some concerns, they would support the proposal in its original form with the proposed amendments used as guiding principles, to be recorded in the report of the Committee as an assurance of Swaziland's intentions. The delegations of Israel and Kenya opposed the proposal, the latter stating that Swaziland's legislation was in category 3 under the National Legislation Project, that trophy hunting could lead to an erosion of genetic diversity, and that other management options were available. The delegations of Mozambique, Namibia and South Africa supported the proposal.

The Chairman asked the Committee to vote on proposal CoP13 Prop. 9 with the annotation as set out in document CoP13 Doc. 60, Annex 1. The result was 88 in favour, 15 against and 21 abstentions. The proposal was accepted (see Annex 2).

The delegation of the United States introduced proposal CoP13 Prop. 10 to transfer *Haliaeetus leucocephalus* from Appendix I to Appendix II. They noted that the species no longer met the biological criteria for inclusion in Appendix I as set out in Resolution Conf. 9.24 (Rev. CoP12) and drew attention to the strict laws already in place to protect the species, including the prohibition of all forms of trade without appropriate permits. In their view, the necessary precautionary measures for a transfer from Appendix I to Appendix II, as specified in Annex 4 of that Resolution, were in place. The proposal was accepted.

The delegation of Indonesia presented proposal CoP13 Prop. 11 to transfer *Cacatua sulphurea* from Appendix II to Appendix I. The delegation of the United States supported the proposal, believing this would help Indonesia and other Parties to put more stringent controls in place, including the registration of captive-breeding facilities. The delegations of Germany, the Netherlands on behalf of the Member States of the European Community, and Mali also supported the proposal. The delegation of Japan, supported by the delegation of Qatar, accepted that the species might meet the criteria for such a listing but considered that there were no clear merits in making this change, believing that assistance should be sought to control trade under the current Appendix-II listing. No further objections were raised and the proposal was accepted.

The delegation of the United States introduced proposal CoP13 Prop. 12 to delete *Agapornis roseicollis* from Appendix II, jointly proposed with Namibia. They listed some of the characteristics that set this species apart from other similar *Agapornis* species, and said that they were prepared to work on identification materials to help in this regard. The delegation of the Netherlands, on behalf of the Member States of the European Community, supported the proposal, noting that only five wild specimens had been recorded in international trade in 10 years and that acceptance of the proposal would decrease administrative burdens. In their view, and that of the delegation of Namibia, Customs officers would be able to distinguish this species from others. The delegation of Mexico were concerned about the lack of information on the wild population in the proposal. As no further objections were raised, the proposal was accepted.

The delegation of Mexico presented proposal CoP13 Prop. 13 to transfer *Amazona finschi* from Appendix II to Appendix I. They were aware that, should the transfer take place, it would need to be complemented by other conservation measures. The delegations of Ghana, Liberia and Peru supported the proposal. The delegation of Qatar opposed the proposal believing that more effective conservation management was needed under the current Appendix-II listing. The delegation of Switzerland noted that they viewed a transfer from Appendix II to Appendix I as a failure to enforce the rigorous controls possible under an Appendix-II listing; and believed that an Appendix-I listing foreclosed some management options, while not helping to combat illegal harvesting, nor addressing the issues of habitat loss or domestic trade. As no further objections were raised, the proposal was accepted.

The meeting was closed at 12h05.

Agenda item 60 – Result of the vote on the ruling by the Chairman to close debate on proposal CoP13 Prop. 4.

COP 13 12.10.2004		Delegate Details List		COP 13 12.10.2004		Delegate Details List	
ID Name	Card/Unit	Selection	In Database	ID Name	Card/Unit	Selection	In Database
152 Fiji	00152	Y	Y	101 Afghanistan	00101	Y	Y
153 Finland	00153	Not Voted	Y	102 Albania	00102	Y	Y
154 France	00154	Y	Y	103 Algeria	00103	Not Voted	Y
155 Gabon	00155	N	Y	104 Antigua and Barbuda	00104	N	Y
156 Gambia	00156	Not Voted	Y	105 Argentina	00105	Not Voted	Y
158 Germany	00158	Y	Y	106 Australia	00106	Y	Y
159 Ghana	00159	Y	Y	107 Austria	00107	Y	Y
161 Grenada	00161	Not Voted	Y	108 Azerbaijan	00108	Not Voted	Y
162 Guatemala	00162	Y	Y	109 Bahamas	00109	Y	Y
163 Guinea	00163	A	Y	110 Bangladesh	00110	Y	Y
164 Guinea - Bissau	00164	Not Voted	Y	111 Barbados	00111	A	Y
165 Guyana	00165	Y	Y	112 Belarus	00112	Not Voted	Y
166 Honduras	00166	Not Voted	Y	113 Belgium	00113	Y	Y
167 Hungary	00167	Y	Y	114 Belize	00114	Y	Y
168 Iceland	00168	N	Y	115 Benin	00115	Y	Y
169 India	00169	Not Voted	Y	116 Bhutan	00116	Y	Y
170 Indonesia	00170	Y	Y	117 Bolivia	00117	A	Y
171 Iran (Islamic Republic of)	00171	Y	Y	118 Botswana	00118	Y	Y
172 Ireland	00172	Y	Y	119 Brazil	00119	Not Voted	Y
173 Israel	00173	Y	Y	120 Brunei Darussalam	00120	Y	Y
174 Italy	00174	Y	Y	121 Bulgaria	00121	Y	Y
175 Jamaica	00175	Not Voted	Y	122 Burkina Faso	00122	Not Voted	Y
176 Japan	00176	N	Y	123 Burundi	00123	A	Y
177 Jordan	00177	A	Y	124 Cambodia	00124	Y	Y
178 Kazakhstan	00178	Not Voted	Y	125 Cameroon	00125	Y	Y
179 Kenya	00179	Y	Y	126 Canada	00126	Not Voted	Y
180 Kuwait	00180	Y	Y	127 Central African Republic	00127	Not Voted	Y
181 Lao Peoples Democratic Republic	00181	Not Voted	Y	128 Chad	00128	Not Voted	Y
182 Latvia	00182	Y	Y	129 Chile	00129	Y	Y
183 Lesotho	00183	Not Voted	Y	130 China	00130	Y	Y
184 Liberia	00184	Not Voted	Y	131 Colombia	00131	Y	Y
185 Libyan Arab Jamahiriya	00185	Not Voted	Y	132 Comoros	00132	Not Voted	Y
186 Lichtenstein	00186	Y	Y	133 Congo	00133	Not Voted	Y
187 Lithuania	00187	Not Voted	Y	134 Costa Rica	00134	Y	Y
188 Luxembourg	00188	Y	Y	135 Cote d'Ivoire	00135	N	Y
190 Madagascar	00190	Y	Y	136 Croatia	00136	Y	Y
191 Malawi	00191	N	Y	137 Cuba	00137	Not Voted	Y
192 Malaysia	00192	Not Voted	Y	138 Cyprus	00138	Not Voted	Y
193 Mali	00193	Y	Y	139 Czech Republic	00139	Y	Y
194 Malta	00194	Y	Y	140 Democratic Republic of the Congo	00140	Y	Y
195 Mauritania	00195	N	Y	141 Denmark	00141	Y	Y
196 Mauritius	00196	Y	Y	142 Djibouti	00142	Not Voted	Y
197 Mexico	00197	Y	Y	143 Dominica	00143	N	Y
198 Monaco	00198	Y	Y	144 Dominican Republic	00144	Not Voted	Y
199 Mongolia	00199	Y	Y	145 Ecuador	00145	Not Voted	Y
200 Morocco	00200	Not Voted	Y	146 Egypt	00146	Not Voted	Y
201 Mozambique	00201	Not Voted	Y	147 El Salvador	00147	Y	Y
202 Myanmar	00202	Y	Y	148 Equatorial Guinea	00148	Not Voted	Y
203 Namibia	00203	Not Voted	Y	149 Eritrea	00149	Y	Y
204 Nepal	00204	Y	Y	150 Estonia	00150	Y	Y
205 Netherlands	00205	Y	Y	151 Ethiopia	00151	Not Voted	Y
206 New Zealand	00206	Y	Y				
207 Nicaragua	00207	Not Voted	Y				

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Delegate Details List

ID Name	Card/Unit	Selection	In Database
208 Niger	00208	Y	Y
209 Nigeria	00209	Y	Y
210 Norway	00210	Y	Y
212 Palau	00212	N	Y
213 Panama	00213	Not Voted	Y
214 Papua New Guinea	00214	Y	Y
215 Paraguay	00215	Not Voted	Y
216 Peru	00216	Not Voted	Y
217 Philippines	00217	Not Voted	Y
218 Poland	00218	Y	Y
219 Portugal	00219	Y	Y
220 Qatar	00220	N	Y
221 Republic of Korea	00221	N	Y
222 Republic of Moldova	00222	Y	Y
223 Romania	00223	Y	Y
224 Russian Federation	00224	Y	Y
225 Rwanda	00225	Not Voted	Y
226 Saint Kitts and Nevis	00226	N	Y
227 Saint Lucia	00227	N	Y
229 Sao Tome and Principe	00229	Not Voted	Y
230 Saudi Arabia	00230	Not Voted	Y
231 Senegal	00231	Not Voted	Y
232 Serbia and Montenegro	00232	Y	Y
233 Seychelles	00233	Y	Y
234 Sierra Leone	00234	Not Voted	Y
235 Singapore	00235	Y	Y
236 Slovakia	00236	Y	Y
237 Slovenia	00237	Y	Y
238 Somalia	00238	Not Voted	Y
239 South Africa	00239	Y	Y
240 Spain	00240	Y	Y
241 Sri Lanka	00241	Y	Y
242 Sudan	00242	Y	Y
243 Suriname	00243	Not Voted	Y
244 Swaziland	00244	Not Voted	Y
245 Sweden	00245	Y	Y
246 Switzerland	00246	Y	Y
247 Syrian Arab Republic	00247	Not Voted	Y
248 Thailand	00248	A	Y
249 The Former Yugoslav Republic of Mac	00249	Not Voted	Y
250 Togo	00250	Y	Y
251 Trinidad and Tobago	00251	Not Voted	Y
252 Tunisia	00252	Y	Y
254 Uganda	00254	Y	Y
255 Ukraine	00255	Y	Y
256 United Arab Emirates	00256	Not Voted	Y
257 United Kingdom of Great Britain and N	00257	Ireland	Y
258 United Republic of Tanzania	00258	Not Voted	Y
259 United States of America	00259	Y	Y
260 Uruguay	00260	Not Voted	Y
261 Uzbekistan	00261	A	Y
262 Vanuatu	00262	Y	Y
263 Venezuela	00263	Not Voted	Y

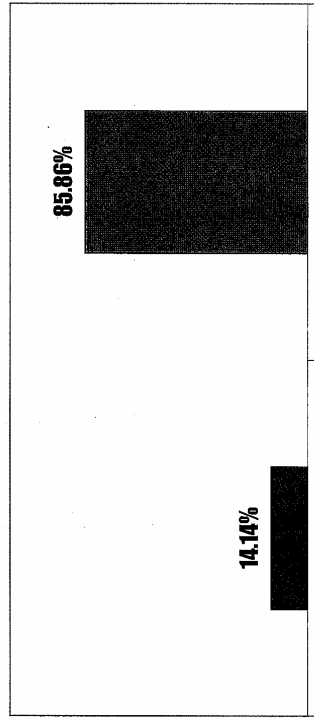
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Delegate Details List

ID Name	Card/Unit	Selection	In Database
264 Viet Nam	00264	A	Y
265 Yemen	00265	A	Y
266 Zambia	00266	Y	Y
267 Zimbabwe	00267	A	Y
268 Turkey	00268	Y	Y
157 Georgia	00297	Y	Y
160 Greece	00298	Y	Y
228 Saint Vincent and The Grenadine	00299	Not Voted	Y
211 Pakistan	00300	N	Y

Vote #2 12/Oct/2004

No	Yes	Abstain
14	85	10
14.14%	85.86%	



Yes

No

Agenda item 60 – Result of the vote on proposal CoP13 Prop. 9, with the annotation as set out in document CoP13 Doc. 60, Annex 1.

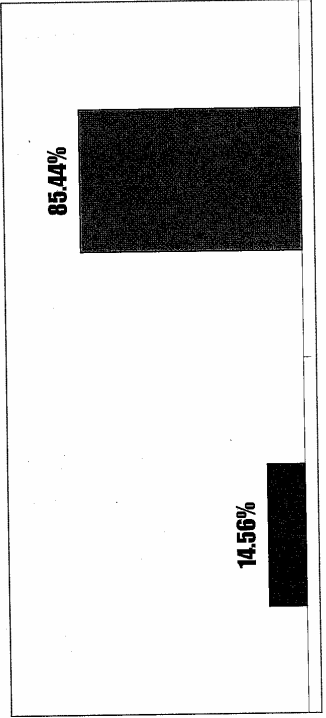
COP 13 12.10.2004		Delegate Details List		COP 13 12.10.2004		Delegate Details List		
7. Vote #4	ID Name	Card/Unit	Selection	In Database	ID Name	Card/Unit	Selection	In Database
	101 Afghanistan	00101	A	Y	152 Fiji	00152	N	Y
	102 Albania	00102	A	Y	153 Finland	00153	Y	Y
	103 Algeria	00103	Not Voted	Y	154 France	00154	Y	Y
	104 Antigua and Barbuda	00104	Not Voted	Y	155 Gabon	00155	Not Voted	Y
	105 Argentina	00105	Not Voted	Y	156 Gambia	00156	Not Voted	Y
	106 Australia	00106	A	Y	158 Germany	00158	Y	Y
	107 Austria	00107	Not Voted	Y	159 Ghana	00159	A	Y
	108 Azerbaijan	00108	Not Voted	Y	161 Grenada	00161	Not Voted	Y
	109 Bahamas	00109	Y	Y	162 Guatemala	00162	N	Y
	110 Bangladesh	00110	Y	Y	163 Guinea	00163	Y	Y
	111 Barbados	00111	Y	Y	164 Guinea - Bissau	00164	Not Voted	Y
	112 Belarus	00112	Not Voted	Y	165 Guyana	00165	Y	Y
	113 Belgium	00113	Not Voted	Y	166 Honduras	00166	N	Y
	114 Belize	00114	Y	Y	167 Hungary	00167	Y	Y
	115 Benin	00115	Y	Y	168 Iceland	00168	Y	Y
	116 Bhutan	00116	Y	Y	169 India	00169	A	Y
	117 Bolivia	00117	N	Y	170 Indonesia	00170	Y	Y
	118 Botswana	00118	Y	Y	171 Iran (Islamic Republic of)	00171	Not Voted	Y
	119 Brazil	00119	Y	Y	172 Ireland	00172	Y	Y
	120 Brunei Darussalam	00120	Y	Y	173 Israel	00173	N	Y
	121 Bulgaria	00121	Y	Y	174 Italy	00174	Y	Y
	122 Burkina Faso	00122	Not Voted	Y	175 Jamaica	00175	Y	Y
	123 Burundi	00123	Y	Y	176 Japan	00176	Y	Y
	124 Cambodia	00124	Y	Y	177 Jordan	00177	Not Voted	Y
	125 Cameroon	00125	Y	Y	178 Kazakhstan	00178	Not Voted	Y
	126 Canada	00126	Y	Y	179 Kenya	00179	N	Y
	127 Central African Republic	00127	Not Voted	Y	180 Kuwait	00180	N	Y
	128 Chad	00128	N	Y	181 Lao Peoples Democratic Republic	00181	Not Voted	Y
	129 Chile	00129	N	Y	182 Latvia	00182	Y	Y
	130 China	00130	N	Y	183 Lesotho	00183	Y	Y
	131 Colombia	00131	N	Y	184 Liberia	00184	N	Y
	132 Comoros	00132	Not Voted	Y	185 Libyan Arab Jamahiriya	00185	Not Voted	Y
	133 Congo	00133	Not Voted	Y	186 Lichtenstein	00186	Y	Y
	134 Costa Rica	00134	A	Y	187 Lithuania	00187	Not Voted	Y
	135 Cote d'Ivoire	00135	Not Voted	Y	188 Luxembourg	00188	Y	Y
	136 Croatia	00136	Y	Y	190 Madagascar	00190	Y	Y
	137 Cuba	00137	Y	Y	191 Malawi	00191	Y	Y
	138 Cyprus	00138	Not Voted	Y	192 Malaysia	00192	A	Y
	139 Czech Republic	00139	Y	Y	193 Mali	00193	Not Voted	Y
	140 Democratic Republic of the Congo	00140	Not Voted	Y	194 Malta	00194	Y	Y
	141 Denmark	00141	Y	Y	195 Mauritania	00195	Y	Y
	142 Djibouti	00142	Not Voted	Y	196 Mauritius	00196	Y	Y
	143 Dominica	00143	Y	Y	197 Mexico	00197	A	Y
	144 Dominican Republic	00144	Y	Y	198 Monaco	00198	A	Y
	145 Ecuador	00145	Y	Y	199 Mongolia	00199	A	Y
	146 Egypt	00146	Y	Y	200 Morocco	00200	Not Voted	Y
	147 El Salvador	00147	Not Voted	Y	201 Mozambique	00201	Y	Y
	148 Equatorial Guinea	00148	Not Voted	Y	202 Myanmar	00202	Y	Y
	149 Eritrea	00149	Not Voted	Y	203 Namibia	00203	Y	Y
	150 Estonia	00150	Y	Y	204 Nepal	00204	A	Y
	151 Ethiopia	00151	N	Y	205 Netherlands	00205	Y	Y
					206 New Zealand	00206	Y	Y
					207 Nicaragua	00207	A	Y

ID Name	Card/Unit	Selection	In Database
208 Niger	00208	A	Y
209 Nigeria	00209	Y	Y
210 Norway	00210	Y	Y
212 Palau	00212	Y	Y
213 Panama	00213	Not Voted	Y
214 Papua New Guinea	00214	Y	Y
215 Paraguay	00215	Not Voted	Y
216 Peru	00216	Not Voted	Y
217 Philippines	00217	Not Voted	Y
218 Poland	00218	Y	Y
219 Portugal	00219	Y	Y
220 Qatar	00220	Y	Y
221 Republic of Korea	00221	A	Y
222 Republic of Moldova	00222	Not Voted	Y
223 Romania	00223	Not Voted	Y
224 Russian Federation	00224	Y	Y
225 Rwanda	00225	Not Voted	Y
226 Saint Kitts and Nevis	00226	Not Voted	Y
227 Saint Lucia	00227	Y	Y
229 Sao Tome and Principe	00229	Not Voted	Y
230 Saudi Arabia	00230	Not Voted	Y
231 Senegal	00231	Y	Y
232 Serbia and Montenegro	00232	Y	Y
233 Seychelles	00233	A	Y
234 Sierra Leone	00234	Y	Y
235 Singapore	00235	Y	Y
236 Slovakia	00236	Y	Y
237 Slovenia	00237	Y	Y
238 Somalia	00238	Not Voted	Y
239 South Africa	00239	Y	Y
240 Spain	00240	Y	Y
241 Sri Lanka	00241	A	Y
242 Sudan	00242	Y	Y
243 Suriname	00243	Y	Y
244 Swaziland	00244	Y	Y
245 Sweden	00245	Y	Y
246 Switzerland	00246	Y	Y
247 Syrian Arab Republic	00247	Not Voted	Y
248 Thailand	00248	A	Y
249 The Former Yugoslav Republic of Macedonia	00249	Not Voted	Y
250 Togo	00250	Not Voted	Y
251 Trinidad and Tobago	00251	Y	Y
252 Tunisia	00252	A	Y
254 Uganda	00254	Y	Y
255 Ukraine	00255	Y	Y
256 United Arab Emirates	00256	Y	Y
257 United Kingdom of Great Britain and Northern Ireland	00257	Y	Y
258 United Republic of Tanzania	00258	Y	Y
259 United States of America	00259	Y	Y
260 Uruguay	00260	Y	Y
261 Uzbekistan	00261	Not Voted	Y
262 Vanuatu	00262	Y	Y
263 Venezuela	00263	Not Voted	Y

ID Name	Card/Unit	Selection	In Database
264 Viet Nam	00264	N	Y
265 Yemen	00265	A	Y
266 Zambia	00266	Y	Y
267 Zimbabwe	00267	Y	Y
253 Turkey	00296	Y	Y
157 Georgia	00297	Y	Y
160 Greece	00298	N	Y
228 Saint Vincent and The Grenadine	00299	Y	Y
211 Pakistan	00300	N	Y

Vote #4 12/Oct/2004

No	Yes	Abstain
15	88	21
14.56%	85.44%	



No **Yes**