# 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

Fifteenth session:	12	October	2004:	14h05-17h35
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Chairman:	H. Dublin
Secretariat:	J. Armstrong T. De Meulenaer D. Morgan M. Schmidt
UNEP:	M. Collins
Rapporteurs:	J. Caldwell T. Inskipp A. St. John A. Stattersfield

## Interpretation and implementation of the Convention

#### Amendment of the Appendices

#### 60. Proposals to amend Appendices I and II

The delegations of Mexico and the United States of America introduced proposal CoP13 Prop. 14, for the inclusion of *Passerina ciris* in Appendix II. They had received favourable comments from several range States: Costa Rica, Cuba, Guatemala and Honduras. The delegations of the Bahamas and Belize, two range States of the species, expressed strong support for the proposal, echoed by the delegation of Israel.

The delegation of Switzerland, supported by the delegations of Japan and Norway, opposed the proposal, explaining that, in their view, the small amount of known trade could not affect the large population of the species. They suggested that, as an additional measure, Mexico should consider the withdrawal of trapping permits for the species. The delegation of the Netherlands, on behalf of the 25 Member States of the European Community, also expressed opposition to the proposal and suggested that the proponents should consider listing the species in Appendix III.

The delegation of the United States responded that, in their view, an Appendix-III listing would be inadequate because it would not address the issue of sustainable use of the species. They expressed a wish to pursue the proposal so the Chairman called for a vote. The proposal was <u>rejected</u>, with 40 votes in favour, 50 votes against and 30 abstentions (see Annex 1).

The delegation of Madagascar introduced proposal CoP13 Prop. 15, regarding the transfer of *Pyxis* arachnoides from Appendix II to Appendix I. The delegation of the Netherlands, on behalf of the Member States of the European Community, stated that they had originally believed the species did not meet the criteria for inclusion in Appendix I, however, information received at this meeting had reversed this view and they now supported the proposal. Further support was expressed by the delegations of the Central African Republic, Egypt, Ghana, Senegal and Thailand. The delegation of Japan believed there was insufficient information to judge whether the species met the criteria for inclusion in Appendix I as set out in Resolution Conf. 9.24 (Rev. CoP12) but did not wish to block a consensus. The proposal was accepted.

The delegation of Japan expressed their concern regarding the necessity to review the effectiveness of an Appendix-II listing of tortoises and freshwater turtles.

Proposal CoP13 Prop. 16 regarding the inclusion of *Malayemys* spp. in Appendix II was introduced by the delegation of the United States, who outlined their reasons for wishing to have the listing at a higher taxonomic level than species. They further explained that the following proposal, CoP13 Prop. 17, submitted by Indonesia, was the same in principle but referred to the only species currently known in that genus, *Malayemys subtrijuga*. The delegation of Indonesia announced they could accept the proposal submitted by the United States. The delegation of the Netherlands, on behalf of the Member States of the European Community, also favoured listing at the higher taxonomic level and noted that they could support the other similar proposals, CoP13 Prop. 18, Prop. 20 and Prop. 21. Delegations of other range States of the species, namely China, Malaysia, Thailand, and Viet Nam, while agreeing that CITES-listing was necessary, could not accept the proposal unless reference was made to the single species rather than the genus. In response, the delegation of the United States withdrew their proposal in favour of proposal CoP13 Prop. 17.

Proposal CoP13 Prop. 17 for the inclusion of *Malayemys subtrijuga* in Appendix II was <u>accepted</u>.

The delegation of the United States <u>withdrew</u> proposal CoP13 Prop. 18 in favour of proposal CoP13 Prop. 19, the inclusion of *Notochelys platynota* in Appendix II, submitted by Indonesia. Proposal CoP13 Prop. 19 was <u>accepted</u>.

The delegation of the United States introduced proposal CoP13 Prop. 20 regarding the inclusion of *Amyda* spp., another monospecific genus, in Appendix II. They noted that India had been supportive of their proposal but that other range States had shown less enthusiasm. The delegation of India, noting the views expressed earlier by range States, explained that they would prefer the proposal to refer specifically to *Amyda cartilaginea* and this proposed amendment was supported by the delegations of Indonesia, Thailand and Viet Nam. The proposed amendment was acceptable to the delegation of the United States and proposal CoP13 Prop. 20 was <u>accepted</u> as amended.

The delegation of the United States <u>withdrew</u> proposal CoP13 Prop. 21 in favour of proposal CoP13 Prop. 22, the inclusion of *Carettochelys insculpta* in Appendix II, submitted by Indonesia. Proposal CoP13 Prop. 22 was <u>accepted</u> by consensus.

The delegation of Cuba introduced proposal CoP13 Prop. 24 regarding the transfer of the population of *Crocodylus acutus* of Cuba from Appendix I to Appendix II, in accordance with Resolution Conf. 9.24 (Rev. CoP12) Annex 4, paragraph B. 2 e) and Resolution Conf. 11.16. Support for the proposal was expressed by delegations of other range States, namely Colombia, Ecuador, Peru and Venezuela, who noted that Cuba was managing the species sustainably. The delegation of Spain, on behalf of the Member States of the European Community, noted that the proposal was based on good scientific research and indicated a strong commitment to sustainable use. The proposal was also supported by the delegations of Brazil and Uruguay. Proposal CoP13 Prop. 24 was accepted.

The delegation of Namibia introduced proposal CoP13 Prop. 25, regarding the transfer of the population of *Crocodylus niloticus* of Namibia from Appendix I to Appendix II. Drawing attention to document CoP13 Inf. 26, they highlighted the transboundary conservation efforts in the region and stated that they would establish annual sport hunting trophy quotas in consultation with the IUCN Crocodile Specialist Group. They believed the quotas would be likely to be around 10-20 animals per year. The delegations of Botswana, Cuba, Egypt, Venezuela, Zambia, and Zimbabwe expressed support for the proposal, which was accepted.

After announcing that they would set an annual voluntary quota of 300 *Crocodylus niloticus* and had begun a consultative process with TRAFFIC and the IUCN Crocodile Specialist Group, the delegation of Zambia <u>withdrew</u> proposal CoP13 Prop. 26.

The delegation of Madagascar introduced proposal CoP13 Prop. 27, regarding the inclusion of *Uroplatus* spp. in Appendix II, also drawing attention to documents CoP13 Inf. 32 and Inf. 55. The delegations of Côte d'Ivoire, Kenya, Mali, the Netherlands, on behalf of the Member States of the European Community, and the United States supported the proposal, which was <u>accepted</u>.

The delegation of Madagascar <u>withdrew</u> proposals CoP13 Prop. 28 and CoP13 Prop. 29, recognizing that their supporting statements contained insufficient information.

The delegation of Kenya introduced proposal CoP13 Prop. 30, regarding the inclusion of *Atheris desaixi* in Appendix II. The delegations of the Congo, Ethiopia and Rwanda supported the proposal, with the delegation of Ethiopia pointing to the high market demand for endemic species. The delegations of Lesotho, the Netherlands, on behalf of the Member States of the European Community, Switzerland, and the United Republic of Tanzania opposed the proposal, noting that it would be more appropriate for Kenya to list the species in Appendix III. In view of the comments received, the delegation of Kenya <u>withdrew</u> proposal CoP13 Prop. 30 and the following proposal, CoP13 Prop. 31, regarding *Bitis worthingtoni,* noting that it would list the two species in Appendix III.

## Species trade and conservation issues

## 35. Conservation and management of sharks

The Chairman (New Zealand) of the working group established to amend the draft decisions in Annex 3 to document CoP13 Doc. 35 presented their work as two new draft decisions in document CoP13 Com. I. 7. He explained that these draft decisions were the result of a common understanding by the group of the further work needed to fulfil the requirements of Resolution Conf. 12.6.

Regarding the draft decision directed to Parties, he introduced two amendments: remove the square brackets around paragraph a) ii) as unanimity on this had been reached by the group; and add <u>or other relevant national instruments</u> to the end of paragraph b). He noted that paragraph e) was enclosed in square brackets as the group was still divided on this issue. The Chairman of Committee I invited the meeting to consider this specific point. The delegations of Australia and the Netherlands, on behalf of the Member States of the European Community, supported the draft text in paragraph e). The delegations of Japan and Singapore opposed the draft text, believing that there was no need for a decision to refer to stricter domestic measures. The Secretariat clarified that, in its opinion, paragraph e) was not central to the issue and duplicated text included in Article XIV of the Convention. The Committee <u>agreed</u> to the amendments to paragraph a) ii, and paragraph b) and to delete paragraph e).

Regarding the draft decision directed to the Animals Committee, the delegations of Dominica and Singapore expressed general concern about CITES involvement in marine fisheries believing this to be the responsibility of the Food and Agriculture Organization of the United Nations (FAO). More specifically, they objected to paragraph b) relating to the identification of specific cases where trade is having an adverse impact on sharks. The Chairman noted that Resolution Conf. 12.6 already directed the Animals Committee to do this. The Chairman then asked the meeting to vote on the retention of paragraph b) and with 71 in favour, 24 against and 28 abstentions (see Annex 2), this was <u>accepted</u>. There being no further objections, the draft decisions in document CoP13 Com. 1. 7 were accepted, as amended for the one directed to Parties.

# Amendment of the Appendices

# 60. Proposals to amend Appendices I and II

The delegations of Australia and Madagascar introduced proposal CoP13 Prop. 32 to include *Carcharodon carcharias* in Appendix II, amending it to withdraw the proposed zero annual export quota. The delegation of Australia recounted that after CoP11 they had listed the species in Appendix III but, in their opinion, it met the biological criteria for inclusion in Appendix II. They said that they had developed an identification manual and a simple DNA technique for identification of great white shark parts in trade. The delegation of the Netherlands, on behalf of the Member States of the European Community, supported the proposal, believing that there would not be enforcement problems. The delegations of Brazil, Ecuador, Kenya, Thailand and Uruguay supported the proposal, although the delegation of Thailand was concerned that difficulties of identification could hamper the legitimate shark trade.

The delegation of Saint Lucia, supported by the delegations of Guinea, Japan and Qatar, opposed the proposal believing that the management of sharks should be the responsibility of FAO and Regional Fisheries Management Organizations (RFMOs), and conducted within the framework of the International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks). They also believed there was insufficient information to determine whether the species met the criteria for inclusion in Appendix II under Resolution Conf. 9.24 (Rev. CoP12). The delegations of China, Norway and Saint Lucia also opposed the proposal, believing that international trade was not a primary threat to the species.

The observer from FAO reported that an FAO panel of experts had reviewed the CoP13 proposals dealing with marine species and drew attention to the results contained in document CoP13 Doc. 60 Annex 3. In relation to the great white shark, he said that the panel had concluded that, given the available information, it was not possible either to oppose or support the proposal. The observer from IUCN-The World Conservation Union highlighted the rarity of the species and concomitant scarcity of information. She stressed that where trend data were available, they indicated the species was declining, and that this could be attributed to both fisheries and trade.

The Chairman then asked the meeting to vote on the proposal. The delegation of Japan asked for and obtained a secret ballot. There were 87 in favour and 34 against with 9 abstentions, and the proposal was accepted as amended.

## Species trade and conservation issues

## 32. Conservation of Saiga tatarica

The delegation of Germany, on behalf of the Member States of the European Community, introduced document CoP13 Com. I. 6, noting that it had been agreed by consensus in the working group, which had included representatives of all the major range States. Following some discussion, the document was <u>accepted</u>.

The session closed at 17h35.

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Agenda item 60 – Result of the vote on proposal CoP13 Prop. 14.

				COP 13 12	12.10.2004		Delegate Details List	Details Lis
ID Name	Card/Unit	Selection In Database	Database	ID Name		Card/Unit	Selection In Database	ר Databas
209 Nigeria	00209	≻:	≻>	265 Yemen		00265	Not Voted	
210 Norway	00210	Z	≻ >	266 Zambia		00266	۷	~
212 Palau	21200	Not Voted	- >	267 Zimbabwe	we	00267	۷	≻
213 Panama	00213	A	~ >-	103 Guinea		00295	A	>;
214 Papua New Guinea	00215	A	≻	157 Georgia		00200		~ >
210 Falaguay 216 Peru	00216	Not Voted	≻;	160 Greece		00298	- Z	- >
217 Philippines	00217	Not Voted	≻ ≻	228 Saint Vi	228 Saint Vincent and The Grenadine	00299	:≻	· ≻
218 Poland	00210	ZZ	- >-	211 Pakistaı	e		A	≻
219 Portugal	00220	Not Voted	~					
220 Qatar 224 Domiblic of Korea	00221	A	≻:	1. 10.10				
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223 Romania	00223	Not Voted	~ >					
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225 Rwanda	00225	Not Voted	≻ >					
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227 Saint Lucia	12200		- >	:				
229 Sao Tome and Principe	00220	Not Voted	- >-		Vnte #5 12/Nct/2004	C1/21114		
230 Saudi Arabia	00231	A	· ·					
231 Senegal	00232	Not Voted	· >-					
232 Serbia and Mortenegro	00233	A	~					•
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235 Singapore		ZZ	≻ >	2	<b>SD</b>			
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238 Somalia		Z	≻					
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247 Syrian Arab Republic	00247	- <	- >					
248 Thailand	00248	Not Voted	- >-	25.56%				
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259 United States of America	00229	->	- >					
260 Uruguay	00200	- >	- >-	NO			Yes	
261 Uzbekistan	10200	- 4	- >-					
262 Vanuatu	00263	Not Voted	7					
203 Venezuela 264 Viet Nam	00264	z	> <sup>L</sup>					

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**Agenda item 35** – Result of the vote on a proposal to maintain paragraph b) in the draft decision directed to the Animals Committee in document CoP13 Com. I. 7.

COP 13 12.10.2004		Delegate Details List	etails List	COP 13 12.1	12.10.2004		Delegate Details List	etails Li
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200 Nicovio	00200	A	~	265 Yemen		00265	z	
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