

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

Sixteenth session: 12 October 2004: 19h07-21h00

Chairman: H. Dublin

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

UNEP: N. Rotich

Rapporteurs: J. Caldwell
H. Gillett
J. Gray
T. Inskipp

Interpretation and implementation of the Convention

Amendment of the Appendices

60. Proposals to amend Appendices I and II

The delegation of Fiji introduced proposal CoP13 Prop. 33, regarding the inclusion of *Cheilinus undulatus* in Appendix II, co-proposed with Ireland, on behalf of the 25 Member States of the European Union, and the United States of America. They stressed that they were speaking from the perspective of a range State that was also a Small Island Developing State. They noted that they were involved in various conservation activities regarding the species but that, despite these, its population was continuing to decline. The delegation of Palau supported the proposal, stressing the high cultural value of the species in their country. The delegations of Ireland, on behalf of the Member States of the European Union, and the United States discussed the species's vulnerability, habitat, threats and ease of identification. The delegations of Iceland, Indonesia, Kenya and Norway also supported the proposal. The delegation of China did not dispute the biological data in the supporting statement, but drew attention to potential difficulties in controlling trade in specimens of species introduced from the sea. The delegation of the Seychelles opposed the proposal, pointing out that no data had been provided for their region of the Indian Ocean. They were concerned that adoption of the proposal would lead to other reef fish species being listed in the Appendices, and felt that the responsibility for management of these species should be left to other organizations, such as the Food and Agriculture Organization of the United Nations (FAO), rather than CITES. The observer from FAO confirmed that their *ad hoc* Expert Advisory Panel had concluded that the available evidence supported the inclusion of the humphead wrasse based on Annex 2 a. The proposal was accepted.

The delegation of Slovenia with their co-proponent, the delegation of Italy, introduced proposal CoP13 Prop. 35, for the inclusion of *Lithophaga lithophaga* in Appendix II, on behalf of the Member States of the European Community. The proposal was supported by the delegations of Croatia, Monaco, and Serbia and Montenegro. The observer from FAO reported that the proposal highlighted a genuine problem but stressed that the species was not in danger of extinction in the near future. The FAO Expert Panel considered that an Appendix-II listing would not prevent illegal trade, some of which occurred between Member States of the European Community. These concerns were shared by the delegations of Japan and Norway, and the delegation of Canada, which did not believe the

criteria for listing in Appendix II as set out in Resolution Conf. 9.24 (Rev. CoP12) had been met. While wishing their concerns to be recorded, these delegations, noting the wide approval for this proposal within the Committee, did not further oppose it, and it was accepted.

The Chairman directed the Committee to reconsideration of three plant proposals. She reported that the working group charged with trying to combine proposals CoP13 Prop. 40, Prop. 41 and Prop. 42 had failed to reach consensus on a way forward: the three proposals therefore stood separately.

The delegation of Thailand introduced document CoP13 Doc. 60 Addendum 2, an amendment to proposal CoP13 Prop. 40. The delegations of Mexico and Ecuador opposed the amended proposal, citing identification problems and believing the proposal to be premature. The delegations of Malaysia and Switzerland supported it, the latter considering that it would ease the burden placed on importing and exporting countries in issuing permits for hybrids. Seeing that there was no consensus, the Chairman and the delegation of Thailand wished to move to vote on the amended proposal, which was accepted, with 60 votes in favour, 20 against and 11 abstentions (Annex 1).

The delegation of Switzerland then introduced proposal CoP13 Prop. 41, stressing that they believed their proposal was not theoretically difficult to implement and that the acceptance of proposal CoP13 Prop. 40 did not render theirs redundant. They recommended that, if their proposal were accepted, the Plants Committee work on reconciling it with proposal CoP13 Prop. 40. The delegation of Mexico opposed the Swiss proposal for the same reasons they had opposed the Thai proposal and sought clarification over the interrelation between the two. The Secretariat expressed concern that there could be two regimes applying to orchid hybrids and that this might not be practical. The delegation of Switzerland strove to convince the Committee that there was no overlap between their proposal and that from Thailand just accepted. The Chairman of the Plants Committee clarified that the Swiss proposal addressed a different form of trade and was therefore not redundant for consideration. Reluctantly, the delegation of Australia opposed the Swiss proposal, as it did not appear to limit the quantity of orchids implicated, while the Thai proposal did not appear to exclude specimens in flower. On these grounds, they suggested deferring the Swiss proposal until it could be made more supportive of the Thai one. The delegation of the United States fully supported proposal CoP13 Prop. 41, on the grounds that the specimens involved would be readily recognizable. Recognizing some confusion in the Committee, they also clarified that this proposal and the previous proposal did not overlap with regard to the genera *Miltonia*, *Odontoglossum* and *Oncidium* as these were excluded from the annotation agreed by the Committee in accepting the amended proposal CoP13 Prop. 40 but included in the present proposal. However, in order to bring the scope of the present proposal closer into line with the previous proposal, the delegation of the Netherlands, on behalf of the Member States of the European Community, proposed that these three genera be removed from proposal CoP13 Prop. 41.

The Chairman moved to vote on proposal CoP13 Prop. 41, as amended by the proposal from the delegation of the Netherlands, on behalf of the Member States of the European Community. The result was 33 votes in favour, 16 against and 45 abstentions (see Annex 2) and the proposal, amended to exclude the genera *Miltonia*, *Odontoglossum* and *Oncidium* (interspecific hybrids within the genera and intergeneric hybrids), was accepted.

The delegation of Brazil, noted that they had voted in favour but registered their support for other Parties within the region, and their grave concern at the measures taken. They considered that the proposal was unenforceable in practice.

In light of the acceptance of the above two proposals, proposal CoP13 Prop. 42 was withdrawn by the Chairman of the Plants Committee.

Document CoP13 Com. I. 11, relating to proposal CoP13 Prop. 49 to list *Aquilaria* spp. and *Gyrinops* spp. in Appendix II, was introduced by the Chairman of the working group established to consider the proposal (United States). They noted that it had been agreed to recommend a capacity-building workshop. The Secretariat suggested addition of prior to the 14th meeting of the Conference of the Parties at the end of paragraph a), in response to a query from the delegation of Qatar regarding timing. The document was accepted, as amended.

The session was closed at 21h00.

Agenda item 60 – Result of the vote on proposal CoP13 Prop. 40, as amended by document CoP13 Doc. 60 Addendum 2.

COP 13 12.10.2004		Delegate Details List		COP 13 12.10.2004		Delegate Details List			
11. Vote #8	1494/1494	ID Name	Card/Unit	Selection	In Database	ID Name	Card/Unit	Selection	In Database
101	00101	Afghanistan	00101	Not Voted	Y	152	00152	Fiji	Y
102	00102	Albania	00102	Y	Y	153	00153	Finland	Y
103	00103	Algeria	00103	Not Voted	Y	154	00154	France	Y
104	00104	Antigua and Barbuda	00104	Y	Y	155	00155	Gabon	Not Voted
105	00105	Argentina	00105	Not Voted	Y	156	00156	Gambia	Not Voted
106	00106	Australia	00106	Y	Y	158	00158	Germany	Y
107	00107	Austria	00107	Y	Y	159	00159	Ghana	A
108	00108	Azerbaijan	00108	Not Voted	Y	161	00161	Grenada	Not Voted
109	00109	Bahamas	00109	N	Y	162	00162	Guatemala	N
110	00110	Bangladesh	00110	Y	Y	164	00164	Guinea - Bissau	Not Voted
111	00111	Barbados	00111	A	Y	165	00165	Guyana	Y
112	00112	Belarus	00112	Not Voted	Y	166	00166	Honduras	Not Voted
113	00113	Belgium	00113	Y	Y	167	00167	Hungary	Y
114	00114	Belize	00114	N	Y	168	00168	Iceland	A
115	00115	Benin	00115	Not Voted	Y	169	00169	India	N
116	00116	Bhutan	00116	Y	Y	170	00170	Indonesia	Y
117	00117	Bolivia	00117	N	Y	171	00171	Iran (Islamic Republic of)	Not Voted
118	00118	Botswana	00118	Not Voted	Y	172	00172	Ireland	Y
119	00119	Brazil	00119	N	Y	173	00173	Israel	N
120	00120	Brunei Darussalam	00120	Y	Y	174	00174	Italy	Y
121	00121	Bulgaria	00121	Y	Y	175	00175	Jamaica	A
122	00122	Burkina Faso	00122	Not Voted	Y	176	00176	Japan	Y
123	00123	Burundi	00123	Not Voted	Y	177	00177	Jordan	Y
124	00124	Cambodia	00124	Y	Y	178	00178	Kazakhstan	Not Voted
125	00125	Cameroon	00125	Not Voted	Y	179	00179	Kenya	Y
126	00126	Canada	00126	N	Y	180	00180	Kuwait	A
127	00127	Central African Republic	00127	Not Voted	Y	181	00181	Lao Peoples Democratic Republic	Not Voted
128	00128	Chad	00128	Not Voted	Y	182	00182	Latvia	Y
129	00129	Chile	00129	N	Y	183	00183	Lesotho	Not Voted
130	00130	China	00130	Y	Y	184	00184	Liberia	Not Voted
131	00131	Colombia	00131	N	Y	185	00185	Libyan Arab Jamahiriya	Not Voted
132	00132	Comoros	00132	Y	Y	186	00186	Lichtenstein	Y
133	00133	Congo	00133	Not Voted	Y	187	00187	Lithuania	Y
134	00134	Costa Rica	00134	Not Voted	Y	188	00188	Luxembourg	Y
135	00135	Cote d'Ivoire	00135	Not Voted	Y	190	00190	Madagascar	Y
136	00136	Croatia	00136	Y	Y	191	00191	Malawi	Not Voted
137	00137	Cuba	00137	Not Voted	Y	192	00192	Malaysia	Y
138	00138	Cyprus	00138	Y	Y	193	00193	Mali	Not Voted
139	00139	Czech Republic	00139	Y	Y	194	00194	Malta	Y
140	00140	Democratic Republic of the Congo	00140	Not Voted	Y	195	00195	Mauritania	Not Voted
141	00141	Denmark	00141	Y	Y	196	00196	Mauritius	Not Voted
142	00142	Djibouti	00142	Not Voted	Y	197	00197	Mexico	N
143	00143	Dominica	00143	Y	Y	198	00198	Mono	N
144	00144	Dominican Republic	00144	N	Y	199	00199	Mongolia	Not Voted
145	00145	Ecuador	00145	N	Y	200	00200	Morocco	Not Voted
146	00146	Egypt	00146	Not Voted	Y	201	00201	Mozambique	Y
147	00147	El Salvador	00147	Not Voted	Y	202	00202	Myanmar	Y
148	00148	Equatorial Guinea	00148	Not Voted	Y	203	00203	Namibia	Y
149	00149	Eritrea	00149	Y	Y	204	00204	Nepal	Not Voted
150	00150	Estonia	00150	Y	Y	205	00205	Netherlands	Y
151	00151	Ethiopia	00151	Y	Y	206	00206	New Zealand	Y
						207	00207	Nicaragua	Not Voted
						208	00208	Niger	Not Voted

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Delegate Details List

ID Name	Card/Unit	Selection	In Database
209 Nigeria	00209	A	Y
210 Norway	00210	Y	Y
212 Palau	00212	Y	Y
213 Panama	00213	Y	Y
214 Papua New Guinea	00214	Not Voted	Y
215 Paraguay	00215	A	Y
216 Peru	00216	Not Voted	Y
217 Philippines	00217	Not Voted	Y
218 Poland	00218	Not Voted	Y
219 Portugal	00219	Not Voted	Y
220 Qatar	00220	Y	Y
221 Republic of Korea	00221	N	Y
222 Republic of Moldova	00222	N	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	Not Voted	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	Not Voted	Y
233 Seychelles	00233	Not Voted	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	Y	Y
239 South Africa	00239	Not Voted	Y
240 Spain	00240	Y	Y
241 Sri Lanka	00241	Y	Y
242 Sudan	00242	Not Voted	Y
243 Suriname	00243	Not Voted	Y
244 Swaziland	00244	A	Y
245 Sweden	00245	Y	Y
246 Switzerland	00246	Y	Y
247 Syrian Arab Republic	00247	Y	Y
248 Thailand	00248	Not Voted	Y
249 The Former Yugoslav Republic of Mac	00249	Y	Y
250 Togo	00250	Not Voted	Y
251 Trinidad and Tobago	00251	Not Voted	Y
252 Tunisia	00252	N	Y
254 Uganda	00254	Y	Y
255 Ukraine	00255	A	Y
256 United Arab Emirates	00256	Not Voted	Y
257 United Kingdom of Great Britain and	00257	Y	Y
258 United Republic of Tanzania	00258	Ireland	Y
259 United States of America	00259	N	Y
260 Uruguay	00260	N	Y
261 Uzbekistan	00261	Not Voted	Y
262 Vanuatu	00262	A	Y
263 Venezuela	00263	Not Voted	Y
264 Viet Nam	00264	Y	Y

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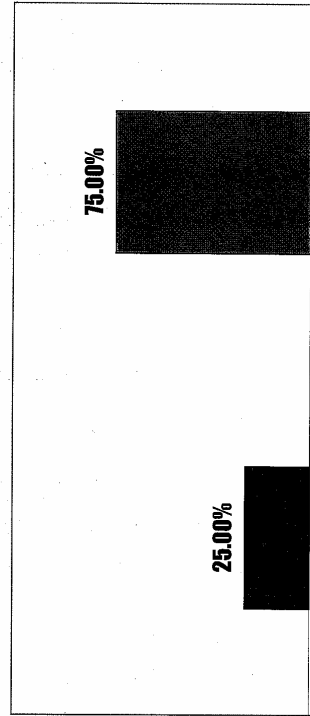
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Delegate Details List

ID Name	Card/Unit	Selection	In Database
265 Yemen	00265	Not Voted	Y
266 Zambia	00266	Not Voted	Y
267 Zimbabwe	00267	A	Y
163 Guinea	00295	Not Voted	Y
253 Turkey	00296	Not Voted	Y
157 Georgia	00297	Y	Y
160 Greece	00298	Y	Y
228 Saint Vincent and The Grenadine	00299	Not Voted	Y
211 Pakistan	00300	Not Voted	Y

Vote #8 12/Oct/2004

NO	Yes	Abstain
20	60	11
25.00%	75.00%	



Agenda item 60 – Result of the vote on proposal CoP13 Prop. 41, as amended.

COP 13 12.10.2004		Delegate Details List		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	Not Voted	Y
153 Finland	00153	A	Y	102 Albania	00102	Not Voted	Y
154 France	00154	A	Y	103 Algeria	00103	Not Voted	Y
155 Gabon	00155	Not Voted	Y	104 Antigua and Barbuda	00104	Y	Y
156 Gambia	00156	Not Voted	Y	105 Argentina	00105	Y	Y
158 Germany	00158	A	Y	106 Australia	00106	N	Y
159 Ghana	00159	Y	Y	107 Austria	00107	A	Y
161 Grenada	00161	Not Voted	Y	108 Azerbaijan	00108	Not Voted	Y
162 Guatemala	00162	N	Y	109 Bahamas	00109	N	Y
164 Guinea - Bissau	00164	Not Voted	Y	110 Bangladesh	00110	Not Voted	Y
165 Guyana	00165	Y	Y	111 Barbados	00111	A	Y
166 Honduras	00166	Not Voted	Y	112 Belarus	00112	Not Voted	Y
167 Hungary	00167	A	Y	113 Belgium	00113	N	Y
168 Iceland	00168	Y	Y	114 Belize	00114	A	Y
169 India	00169	Y	Y	115 Benin	00115	N	Y
170 Indonesia	00170	Y	Y	116 Bhutan	00116	Y	Y
171 Iran (Islamic Republic of)	00171	Not Voted	Y	117 Bolivia	00117	A	Y
172 Ireland	00172	A	Y	118 Botswana	00118	Not Voted	Y
173 Israel	00173	N	Y	119 Brazil	00119	Y	Y
174 Italy	00174	A	Y	120 Brunei Darussalam	00120	Y	Y
175 Jamaica	00175	A	Y	121 Bulgaria	00121	Y	Y
176 Japan	00176	A	Y	122 Burkina Faso	00122	Not Voted	Y
177 Jordan	00177	A	Y	123 Burundi	00123	Not Voted	Y
178 Kazakhstan	00178	Not Voted	Y	124 Cambodia	00124	A	Y
179 Kenya	00179	Y	Y	125 Cameroon	00125	Not Voted	Y
180 Kuwait	00180	A	Y	126 Canada	00126	Y	Y
181 Lao Peoples Democratic Republic	00181	Not Voted	Y	127 Central African Republic	00127	Not Voted	Y
182 Latvia	00182	A	Y	128 Chad	00128	Not Voted	Y
183 Lesotho	00183	Not Voted	Y	129 Chile	00129	Y	Y
184 Liberia	00184	Not Voted	Y	130 China	00130	N	Y
185 Libyan Arab Jamahiriya	00185	Not Voted	Y	131 Colombia	00131	Y	Y
186 Lichtenstein	00186	Y	Y	132 Comoros	00132	Not Voted	Y
187 Lithuania	00187	Not Voted	Y	133 Congo	00133	Not Voted	Y
188 Luxembourg	00188	A	Y	134 Costa Rica	00134	Not Voted	Y
190 Madagascar	00190	Not Voted	Y	135 Cote d'Ivoire	00135	Not Voted	Y
191 Malawi	00191	Y	Y	136 Croatia	00136	A	Y
192 Malaysia	00192	Not Voted	Y	137 Cuba	00137	Not Voted	Y
193 Mali	00193	Not Voted	Y	138 Cyprus	00138	A	Y
194 Malta	00194	A	Y	139 Czech Republic	00139	A	Y
195 Mauritania	00195	Not Voted	Y	140 Democratic Republic of the Congo	00140	Not Voted	Y
196 Mauritius	00196	Not Voted	Y	141 Denmark	00141	A	Y
197 Mexico	00197	N	Y	142 Djibouti	00142	Not Voted	Y
198 Monaco	00198	Not Voted	Y	143 Dominica	00143	Y	Y
199 Mongolia	00199	Not Voted	Y	144 Dominican Republic	00144	Y	Y
200 Morocco	00200	Not Voted	Y	145 Ecuador	00145	Y	Y
201 Mozambique	00201	A	Y	146 Egypt	00146	Not Voted	Y
202 Myanmar	00202	Not Voted	Y	147 El Salvador	00147	Not Voted	Y
203 Namibia	00203	Y	Y	148 Equatorial Guinea	00148	Not Voted	Y
204 Nepal	00204	Not Voted	Y	149 Eritrea	00149	A	Y
205 Netherlands	00205	A	Y	150 Estonia	00150	A	Y
206 New Zealand	00206	N	Y	151 Ethiopia	00151	A	Y
207 Nicaragua	00207	Not Voted	Y				
208 Niger	00208	Not Voted	Y				

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Delegate Details List

ID Name	Card/Unit	Selection	In Database
209 Nigeria	00209	A	Y
210 Norway	00210	Y	Y
212 Palau	00212	N	Y
213 Panama	00213	Not Voted	Y
214 Papua New Guinea	00214	N	Y
215 Paraguay	00215	A	Y
216 Peru	00216	Not Voted	Y
217 Philippines	00217	Y	Y
218 Poland	00218	A	Y
219 Portugal	00219	A	Y
220 Qatar	00220	N	Y
221 Republic of Korea	00221	N	Y
222 Republic of Moldova	00222	Not Voted	Y
223 Romania	00223	A	Y
224 Russian Federation	00224	Not Voted	Y
225 Rwanda	00225	Not Voted	Y
226 Saint Kitts and Nevis	00226	Not Voted	Y
227 Saint Lucia	00227	Not Voted	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	A	Y
233 Seychelles	00233	Not Voted	Y
234 Sierra Leone	00234	Not Voted	Y
235 Singapore	00235	Y	Y
236 Slovakia	00236	A	Y
237 Slovenia	00237	A	Y
238 Somalia	00238	Not Voted	Y
239 South Africa	00239	N	Y
240 Spain	00240	A	Y
242 Sudan	00242	Not Voted	Y
243 Suriname	00243	Not Voted	Y
244 Swaziland	00244	A	Y
245 Sweden	00245	A	Y
246 Switzerland	00246	Y	Y
247 Syrian Arab Republic	00247	Y	Y
248 Thailand	00248	Y	Y
249 The Former Yugoslav Republic of Mac	00249	Not Voted	Y
250 Togo	00250	Not Voted	Y
251 Trinidad and Tobago	00251	N	Y
252 Tunisia	00252	Y	Y
254 Uganda	00254	A	Y
256 Ukraine	00255	Not Voted	Y
256 United Arab Emirates	00256	Y	Y
257 United Kingdom of Great Britain and Ireland	00257	A	Y
258 United Republic of Tanzania	00258	Y	Y
259 United States of America	00259	Y	Y
260 Uruguay	00260	N	Y
261 Uzbekistan	00261	Not Voted	Y
262 Vanuatu	00262	N	Y
263 Venezuela	00263	Not Voted	Y
264 Viet Nam	00264	A	Y

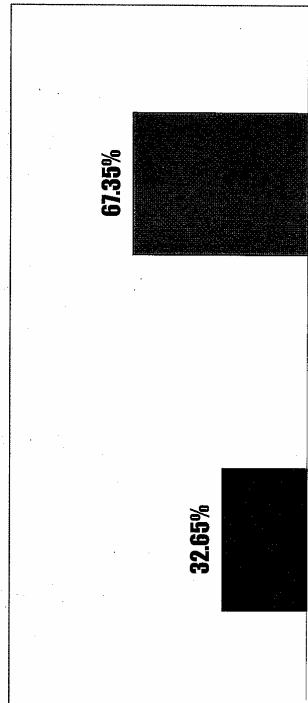
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Delegate Details List

ID Name	Card/Unit	Selection	In Database
265 Yemen	00265	A	Y
266 Zambia	00266	Not Voted	Y
267 Zimbabwe	00267	A	Y
163 Guinea	00295	Not Voted	Y
253 Turkey	00296	Not Voted	Y
157 Georgia	00297	A	Y
160 Greece	00298	A	Y
228 Saint Vincent and The Grenadine	00299	Not Voted	Y
211 Pakistan	00300	Not Voted	Y

Vote #9 12/Oct/2004

No	Yes	Abstain
16	33	45
32.65%	67.35%	



No **Yes**