

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

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

Fourth session: 5 October 2004: 14h02-16h55

Chairman: H. Dublin

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

Rapporteurs: H. Corrigan  
J. Gray  
A. Stattersfield  
P. Wheeler

## Interpretation and implementation of the Convention

### Species trade and conservation issues

#### 35. Conservation and management of sharks

After a suspension of the session, the Chairman of the Animals Committee introduced document CoP13 Doc. 35 and its three Annexes. He noted that Decisions 12.47, 12.48 and 12.49, directed to the Animals Committee and the Secretariat, had been completed. He reported that further work was needed to fulfil the requirements of Resolution Conf. 12.6, including updating the list of taxa in the table of Annex 2, and proposed changing the operative text "13th meeting of the Conference of the Parties" to 14th meeting of the Conference of the Parties. The Chairman of the Shark Working Group of the Animals Committee provided additional details, emphasizing the slow progress on the implementation of the IPOA-Sharks, and the importance of improving collaboration between CITES and fishery management bodies. He suggested the establishment of another intersessional working group to complete the work started by the Shark Working Group. The Secretariat reported that, in relation to Decision 11.151, no reply had been received from the World Customs Organization.

The delegation of the United States of America questioned the practicality of adopting the draft decisions in Annex 3 to document CoP13 Doc. 35. They drew attention to document CoP13 Inf. 53 and suggested that consideration of this along with the former document might provide a way forward. The delegations of Canada, Iceland, Indonesia, Japan and Norway did not support the draft decisions in Annex 3, variously citing that they would result in duplication of the work of the Food and Agriculture Organization of the United Nations (FAO) and regional fishery organizations, would go beyond the mandate of CITES and would further constrain the budget. The delegation of Guinea thought that it would be premature to take further measures related to sharks under CITES and called for the adoption and implementation of the draft Memorandum of Understanding between FAO and CITES.

The delegation of Brazil fully supported the draft decisions in Annex 3 of document CoP13 Doc. 35 as did the observer from Ocean Conservancy. The delegations of Australia, Chile, Namibia and the Netherlands, on behalf of the 25 Member States of the European Community, stressed the importance of collaboration between CITES and other bodies relevant to the conservation of sharks. The delegations of Fiji, Japan and Namibia were supportive of the IPOA-Sharks. The delegation of Australia believed that the IPOA-Sharks could be an important tool, but that its effectiveness was limited by a low level of implementation by individual States. They urged Parties to reinforce

domestic measures for regulating trade in CITES-listed sharks. The delegation of the Netherlands, on behalf of the Member States of the European Community, suggested that CITES and FAO establish a working group jointly and that the draft decisions in Annex 3 should be redrafted to reflect this. The delegation of Germany cited the spiny dogfish (*Squalus acanthias*) and the porbeagle shark (*Lamna nasus*) as examples of declining shark species affected by international trade and referred to the data in document CoP13 Inf. 16 as the basis for possible future inclusions in the CITES Appendices.

The observer from FAO believed that any CITES resolutions would founder without collaboration from other bodies concerned with fishery matters. He noted that his organization would need permission from the Committee on Fisheries in order to lead a technical consultation on conservation and management of sharks, as described in document CoP13 Inf. 53, and that a final decision on this would not be possible before March 2005. The observer from IUCN-The World Conservation Union said she could welcome the technical consultation proposed only if it were headed jointly by FAO and CITES. She believed that CITES should continue to focus on shark conservation and management and also urged Parties to address these issues through their own national or regional measures.

During discussions, several Parties had expressed a desire for involvement in a working group to discuss some of the issues debated. The Chairman duly established such a working group, chaired by New Zealand and including Australia, Brazil, Chile, Fiji, Japan, Namibia, the Netherlands on behalf of the Member States of the European Community, the United States, FAO and IUCN-The World Conservation Union, with Canada and Norway joining if they saw fit. The Chairman asked the group to focus on amendment of the draft decisions of Annex 3 to document CoP13 Doc. 35, as appropriate in the light of the debate and to report to the Committee by Thursday morning. She added that the group could take document CoP13 Inf. 53 into account in its deliberations but that it was not an official document of Committee I.

### 37. Sea cucumbers

The Committee agreed to consider agenda items 37.1 and 37.2 together.

37.1 Trade in sea cucumbers in the families Holothuriidae and Stichopodidae; and

37.2 Implementation of Decision 12.60

The Chairman of the Animals Committee introduced document CoP13 Doc. 37.1 and the delegation of Ecuador introduced document CoP13 Doc. 37.2 highlighting the draft decisions contained in each of the Annexes.

The Secretariat noted that, in accordance with Decision 12.61, a workshop had taken place, hosted by Malaysia. The Secretariat was concerned that it might not be able to secure the necessary funding for the completion of the discussion document as proposed by Ecuador and the Animals Committee. The delegation of the United States noted that following the 12th meeting of the Conference of the Parties, the Parties had taken action to investigate the threats to sea cucumbers from international trade. It had been clear at the workshop that many taxa of sea cucumbers were threatened by international trade. However, the full proceedings of the workshop were not yet published, budgetary and time constraints had prevented the Animals Committee from completing its work, and it might consequently be premature to adopt new decisions. They supported the proposal from Ecuador in the Annex to document CoP13 Doc. 37.2 to extend the deadline to CoP14 for production by the Animals Committee of the discussion paper.

The delegation of Indonesia suggested that the focus under the Convention should be CITES-listed species. They considered that conservation of sea cucumbers was a matter of fishery management that should be addressed by each State individually, in consultation with expert bodies such as FAO. That view was supported by the delegations of China, Cuba, Ecuador, Gabon, Guinea, Japan, Mauritania, Namibia, Qatar and the Republic of Korea.

The delegation of the Netherlands, speaking on behalf of the Member States of the European Community, and supported by the delegations of Australia, Brazil, Colombia, Cuba, Guatemala, India, the Islamic Republic of Iran, Kenya, the United States, Uruguay and Venezuela and the observer from TRAFFIC supported the proposal of Ecuador.

After some further discussion, the draft decisions contained in the Annex to document CoP13 Doc. 37.2 were agreed.

39. Conservation of bigleaf mahogany: report of the Working Group

The Secretariat introduced document CoP13 Doc. 39, but the Chairman of the Bigleaf Mahogany Working Group was unavailable to present the report contained in the Annex and this item was deferred until the following session.

The summary report of the first session of Committee I in document CoP13 Com. I Rep. 1 was adopted with the following amendments:

- a) Under agenda item 19.1, insert 25 between 'Netherlands on behalf of the' and 'Member States'.
- b) Under agenda item 19.3, change '(also speaking on behalf of Saint Lucia)' to , Saint Lucia,.

The session closed at 16h55.