

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

Sixth session: 6 October 2004: 14h10-17h10

Chairman: H. Dublin

Secretariat: D. Morgan
T. De Meulenaer

UNEP: N. Rotich

Rapporteurs: J. Caldwell
T. Inskipp
R. Mackenzie
A. St. John

Strategic and administrative matters

9. Committee reports and recommendations

9.2 Plants Committee

9.2.1 Report of the Chairman

The Chairman of the Plants Committee introduced the recommendations in the Annex to her report (document CoP13 Doc. 9.2.1) concerning *Aquilaria* spp., noting that the Plants Committee had concluded that some work was still required regarding these taxa. The following four draft decisions were accepted:

Directed to the Secretariat

13.xx The Secretariat should invite IUCN to re-evaluate the threatened status of all agarwood-producing taxa according to the IUCN criteria (Version 3.1).

Directed to the Parties

13.xx The DNA work currently being undertaken by the National Herbarium of the Netherlands under contract with the Secretariat should continue and should be aimed at investigating the options for the development of identification tools based on molecular analysis.

*13.xx As the trade is in the readily-identifiable product of agarwood, studies should include all known agarwood-producing taxa and not only the CITES-listed species *A. malaccensis* and the possible inclusion of all agarwood-producing taxa in Appendix II needs to be discussed.*

13.xx Further field research should be conducted on trade dynamics, including in the major import and re-exporting States and territories of Southeast Asia, East Asia and the Middle East.

The Chairman of the Plants Committee introduced the draft decision regarding *Harpagophytum* spp., included in the Annex to her report and it was accepted.

The delegation of the Netherlands, on behalf of the 25 Member States of the European Community, introduced their draft decision, contained in document CoP13 Plen. 2, relating to the evaluation of tree species under Decision 12.10. The Chairman of the Plants Committee supported the draft decision, which was accepted.

Interpretation and implementation of the Convention

Exemptions and special trade provisions

56. Operations that breed Appendix-I species in captivity for commercial purposes

56.1 Evaluation of the process for registration

The Chairman of the Animals Committee presented document CoP13 Doc. 56.1, noting that the review and evaluation of the process for registration had been going on for some time. The Animals Committee recommended the deletion of Decision 12.78, and the retention of Resolution Conf. 12.10 as originally adopted and, in the Annex to the document, had made certain other recommendations for resolving the perceived problems with the registration procedure. These recommendations were supported by the delegations of Australia, the Philippines and Qatar, and the observers from Species Survival Network and World Society for the Protection of Animals.

The delegation of Mexico generally welcomed the Animals Committee's recommendations, but considered that further work was still needed. They believed that Decision 12.78 should not be deleted and highlighted the difficulties associated with proving the legal acquisition of founding stock of captive-breeding operations for the purposes of the registration procedure set out in Resolution Conf. 12.10. They further suggested establishing a limited period within which captive-breeding operations could register on the basis of another form of authentication of origin of founding stocks. This was supported by the delegation of Senegal.

Supported by the delegations of Argentina, India and Israel, the delegation of Mexico expressed concerns regarding the comments made by the Secretariat in document CoP13 Doc. 56.1 on the need for a registration process, because they considered it inappropriate for the Secretariat to have provided comments. The Secretariat responded that its concerns related to the poor implementation of Resolution Conf. 12.10. The delegation of the Netherlands, on behalf of the Member States of the European Community, concurred with the Secretariat's view, expressed in document CoP13 Doc. 56.1, that a more fundamental review of the registration process was desirable, and suggesting that registration might be unnecessary, particularly in non-range States where adequate enforcement was in place.

The delegations of Israel, the Netherlands on behalf of the Member States of the European Community, and the United States of America expressed support for the Animals Committee's recommendation regarding the Standing Committee. The delegations of Australia, India, Israel and the United States, and the observers from Global Tiger Forum, Species Survival Network, Wildlife Trust of India, World Society for the Protection of Animals and WWF opposed the Secretariat's recommendation that the Standing Committee should consider whether registration was required at all, highlighting the important role of registration in combating illegal trade in Appendix-I listed species.

The Secretariat noted that, if they were to be accepted, the recommendations from the Animals Committee in the Annex would need to be rephrased as decisions or integrated into a revision of Resolution Conf. 12.10. Following a suggestion from the delegation of the United States, the Chairman established a working group chaired by the Chairman of the Animals Committee, and comprising Argentina, India, Israel, Mexico, the Netherlands (on behalf of the Member States of the European Community), the Philippines and the United States. The group was to examine incorporation of the Animals Committee's

recommendations into Resolution Conf. 12.10, the proposal made by Mexico, and the preparation of a draft decision directed to the Standing Committee. The Chairman asked the working group to report to the Committee by the afternoon of Friday 8 October. The Secretariat would ensure coordination with the work of Committee II on Resolution Conf. 12.10, which was currently considering this Resolution under agenda item 16.

Amendment of the Appendices

57. Criteria for amendment of Appendices I and II

The Chairmen of the Animals and Plants Committees introduced document CoP13 Doc. 57, stressing the enormity of the task and the degree of rigour to which the amended criteria had been tested. They recommended adoption of Annex 3 of the document and the recommendations in paragraph B of the Comments from the Secretariat.

The draft resolution received general acclaim. The delegations of Australia, Canada, Ghana, Japan, Mexico, Namibia, the Netherlands on behalf of the Member States of the European Community, New Zealand, Senegal, South Africa and the United States, and the observer from the European Commission expressed support, with the addition of the recommendations in paragraph B of the Comments from the Secretariat. The delegation of Norway also expressed support and favoured deletion of paragraph D of Annex 1 of the revised criteria. The delegation of Malaysia supported the draft resolution except that they wished to reinstate the wording of Resolution Conf. 9.24 (Rev. CoP12) in paragraph B of Annex 2a of the revised criteria. This was echoed by the delegation of Argentina who, in addition, favoured retention of paragraph D of Annex 1 of the revised criteria. The observer from IWMC-World Conservation Trust also believed that some aspects of Annex 2a of the revised criteria were ambiguous. The delegation of New Zealand suggested that the revised criteria, if adopted, should be reviewed periodically, and this was supported by the delegation of Australia. The observer from the Food and Agriculture Organization of the United Nations noted the considerable improvement in the criteria and the observer from Humane Society International suggested the development of a guide to their use. The observer from the Whale and Dolphin Conservation Society was concerned that the numerical guidelines in Annex 5 might be interpreted as thresholds rather than guidelines. The observer from the Defenders of Wildlife expressed the hope that the Parties would base their future decisions on the new criteria and not on other considerations.

Following this, the revised criteria in Annex 3 of document CoP13 Doc. 57, with the addition of the recommendations in paragraph B of the Comments from the Secretariat in that document, were accepted by consensus.

Strategic and administrative matters

9. Committee reports and recommendations

9.2 Plants Committee

9.2.1 Report of the Chairman

The Chairman of the Plants Committee referred to the draft decision directed to the Secretariat in paragraph 42 of document CoP13 Doc. 9.2.1. The Secretariat sought clarification of the work requirements and on reporting and a suggested time-frame. The delegation of South Africa suggested that a report be prepared for CoP14. The delegation of Australia wished to deal with this issue by inserting a relevant paragraph in Annex 3 to document CoP13 Doc. 57. Following some further discussion and a suggestion by the Chairman of the Plants Committee, it was agreed that the delegation of Australia and the African representative of the Plants Committee should consult other relevant delegates and prepare a draft decision for discussion in a subsequent session of the Committee.

The session was closed at 17h10.