

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

Seventh session: 7 October 2004: 9h07-12h00

Chairman: H. Dublin

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

UNEP: N. Rotich

Rapporteurs: J. Caldwell
H. Gillett
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A. Stattersfield

Interpretation and implementation of the Convention

Amendment of the Appendices

58. Annotations for medicinal plants in the Appendices

The Chairman of the Plants Committee introduced document CoP13 Doc. 58. She highlighted the four draft decisions in Annex 2 and recommended that the two main principles set out in paragraph 18 of the document be incorporated into decisions or resolutions. The delegations Canada, the Netherlands on behalf of the 25 Member States of the European Community, Peru and Switzerland stressed the importance of these principles and supported the proposals. The delegation of Switzerland noted that under agenda item 16, Committee II had agreed to revisions of Resolution Conf. 11.21 regarding the use of annotations in Appendices I and II and requested that this item be re-opened in Plenary as there could be conflict between the decisions of Committee II and decisions made under the present agenda item.

The Secretariat suggested additional text for two of the draft decisions in Annex 2 of document CoP13 Doc. 58: in the third draft decision, addition of for the Depositary Government to present after "respect" and before "for"; at the beginning of the fourth draft decision, addition of Subject to the availability of external funding. It also offered to find an appropriate place in a resolution or decision for incorporation of the two main principles set out in Paragraph 18 of the document. The Chairman of the Plants Committee agreed with these suggestions, emphasizing that she considered the fourth draft decision a high priority.

The delegation of Namibia asked if the Plants Committee had considered further guiding principles and noted that many species were traded for more than one purpose. The Chairman of the Plants Committee noted that additional principles might be considered in the future. The delegation of Switzerland clarified that the supervisory group for the review of the annotations was aware of the issue of relevant annotations for species traded for more than one purpose.

The draft decisions in Annex 2 of document CoP13 Doc 58 were approved as amended.

Strategic and administrative matters

9. Committee reports and recommendations

9.3 Nomenclature Committee

9.3.1 Report of the Nomenclature Committee

At the request of the botanist of the Nomenclature Committee, the Secretariat introduced the section of document CoP13 Doc. 9.3.1 relating to fauna, stressing that although the Secretariat participated in the Nomenclature Committee it did not speak on behalf of it. The Secretariat itself supported adoption of the recommendations. The delegation of the United States of America, noting a recent decision of the International Whaling Commission, considered it premature to accept that part of Recommendation 2 regarding *Balaenopterus omurai*. They did not agree with Recommendation 13 as they believed that *Brachypelmides ruhnaui* should be treated as included in Appendix II if it was now considered to belong to *Brachypelma*. The delegation of Germany, on behalf of the Member States of the European Community, supported these views, suggesting that these recommendations be referred to the Nomenclature Committee for further review.

Regarding Recommendation 13, the delegation of Israel was concerned about the implications of using an on-line reference. The delegations of Germany and the United States noted that the Nomenclature Committee had, with the agreement of the Secretariat, accepted the use of on-line references in their versions as of a specific date. The botanist of the Nomenclature Committee believed that published references were preferable and recommended that the Animals Committee follow the procedure of the Plants Committee and recommend the adoption of published works. It was agreed to refer the general issue to the Nomenclature Committee.

All recommendations in the section on Fauna in the Annex to document CoP13 Doc. 9.3.1 were accepted, except that relating to *Balaenoptera omurai* in number 2 and with the full inclusion of *Brachypelma ruhnaui* in the list of species in that genus that are shown as covered by CITES in number 13.

The botanist of the Nomenclature Committee introduced the section of document CoP13 Doc. 9.3.1 relating to flora, noting that two new standard references were included in the list of references proposed for adoption. He believed there was a need to develop terms of reference for a system for the Nomenclature Committee to approve the *Checklist of CITES Species* published by UNEP - World Conservation Monitoring Centre. The delegation of Switzerland supported the need for taxon-based lists and noted that the *Pachypodium* list needed updating. Following support from the delegation of the Netherlands, on behalf of the Member States of the European Community, and the Chairman of the Plants Committee, the proposed amendment to Resolution Conf. 12.11 in paragraph 16 of the Annex to document CoP13 Doc. 9.3.1 was agreed.

Interpretation and implementation of the Convention

Amendment of the Appendices

59. Standard nomenclature

59.1 Standard nomenclature for birds

The delegation of Mexico introduced document CoP13 Doc. 59.1, referring to the adoption in Resolution Conf. 12.11 of the relevant parts of *Handbook of the birds of the world* (HBW) (1997,1999) for Psittaciformes and Trochilidae, the consequent split-listing of the *Amazona ochrocephala-oratrix-auropalliata* complex and associated identification problems. Given these complications, and controversy regarding the taxonomic authority of HBW, they

proposed returning to Sibley and Monroe (1990) for all species in the class Aves, and to consider updating this by adopting recent and more detailed works.

The delegation of Israel supported the proposal. The delegation of Peru, supported by the observer of Humane Society International, preferred consideration of a single recent publication as suggested by the Secretariat in its comments in paragraph C of the document. The observer from BirdLife International noted that, as the authority for birds for the IUCN Red List, it maintained an up-to-date taxonomically documented checklist of the world's birds and offered to make this available to the Nomenclature Committee for consideration as a possible global source.

The delegations of Australia, India, and the Netherlands, on behalf of the Member States of the European Community, did not support Mexico's proposal, the last-named delegation citing the administrative burden in rejecting HBW so soon after it had been accepted. They preferred to refer the issue back to the Nomenclature Committee for presentation at CoP14. This suggestion was supported by the delegations of New Zealand and the United States, and, after further discussion involving the delegation of Mexico, was agreed by the Committee.

59.2 Recognition of *Chamaeleo excubitor* as a separate species

The delegation of Kenya introduced document Cop13 Doc. 59.2 noting that the taxon was endemic to Kenya, had a restricted range, and that there should be no legal international trade in wild specimens. The delegation of the United Republic of Tanzania stated that there was no indication that international trade was taking place and urged Kenya to use regional mechanisms to deal with this issue. Following a suggestion by the delegations of Ghana, the Netherlands, on behalf of the Member States of the European Community, and the United States, the delegation of Kenya agreed to raise its concern directly with the Nomenclature Committee.

60. Proposals to amend Appendices I and II

The delegation of South Africa introduced proposal CoP13 Prop. 37 to include *Hoodia* spp. in Appendix II, speaking also on behalf of the delegations of Botswana and Namibia. They also introduced some suggested amendments to the annotation. The delegation of the Netherlands, on behalf of the Member States of the European Community, were in favour of the proposal in principle but were concerned that the revised annotation would mean that trade in artificially-propagated specimens might be treated more strictly than that in wild specimens. They were also worried that the annotation departed from the normal system currently employed in the Appendices. The delegation of Namibia considered that the proposed annotation would be acceptable in light of the Committee's deliberations under agenda item 58. They further emphasized that all wild, raw material would be subject to control. The delegations of Kenya and Uganda expressed support for the proposal, subject to agreement on the annotation. Referring to Rule 23, paragraph 5, of the Rules of Procedure, the Secretariat cautioned that any revision of the annotation should not extend the scope of the proposal. A drafting group was established, chaired by Kenya and comprising the proponent Parties, the Netherlands, on behalf of the Member States of the European Community, Zimbabwe and the Secretariat, to produce a revised annotation.

The delegation of Thailand introduced proposal CoP13 Prop. 38 (Rev. 1), regarding an annotation to *Euphorbia* spp. in Appendix II and proposed a revision to the wording of their annotation, to read:

Artificially propagated, crested, fan-shaped or colour mutants of Euphorbia lactea, when grafted on artificially propagated root stocks of E. neriiifolia, are exempted from CITES controls.

They also offered to produce an identification guide. The delegation of the Netherlands, on behalf of the Member States of the European Community, fully supported the proposal. This was echoed by the delegations of Bangladesh, Cambodia, China, India, Indonesia, Japan, Kenya, Madagascar, Myanmar, Qatar, Switzerland, Tunisia and the United States and the proposal was accepted by consensus.

The Chairman requested corrections to previous reports. In document CoP13 Com. I Rep. 3 the delegation of Spain noted that in the Spanish version under agenda item 34 'European Commission' should read European Community. Under the same item the delegations of Japan and the United Kingdom wished to be added to the list of Parties outlining their activities regarding conservation of marine turtles, and the delegation of the United States requested that implementing these protocols in the field replace "further action" at the end of the second paragraph. The delegation of Jamaica requested that the following paragraph be added at the end of this agenda item:

The delegations of Australia, Fiji, Jamaica, Trinidad and Tobago thanked the United Kingdom of Great Britain and Northern Ireland for the generous contribution and urged them to continue supporting the conservation of hawksbill turtles in the wider Caribbean area. The delegation of Fiji commended the Secretariat for its efforts in seeking funds and urged them to continue seeking sponsorship.

In document CoP13 Com. I Rep. 4 the delegations of Cuba and Ecuador wished to be added to the list of Parties supporting the view of the delegation of Indonesia under agenda item 37.2. At the end of this item the Secretariat noted that the last paragraph should read After some discussion, the draft decisions contained in the Annex to document CoP13 Doc. 37.2 were agreed.

These reports were adopted as amended.

The session closed at 12h00.