

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



Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

Summary record of the fifth session of Committee II

7 June 2007: 09h05-12h15

Chairman: C.S. Cheung (China)

Secretariat: J. Barzdo
D. Morgan
M. Schmidt
J. Vasquez
M. Yeater

Rapporteurs: J. Gray
T. Inskipp
W. Jackson
R. Mackenzie

Strategic matters

18. Cooperation with other organizations

18.2 Cooperation between CITES and ITTO regarding trade in tropical timber

The United States of America introduced document CoP14 Doc. 18.2, emphasizing the benefits of cooperation between CITES and the International Tropical Timber Organization (ITTO). Referring to the comments from the Secretariat in the document, they did not agree with the suggestion of taking a standard approach to establishing relationships with other organizations or that a memorandum of understanding (MoU) between CITES and ITTO was needed. They announced that they would have some amendments to the draft resolution presented in the Annex to the document.

Australia, Brazil, Canada, Honduras, Indonesia, Japan, Mexico, New Zealand, Switzerland and Thailand supported the draft resolution. China, Malaysia and Senegal were also supportive but proposed some changes. Germany, on behalf of the European Community and its Member States, said they supported the draft resolution with the amendments to be announced by the United States, which they had helped to develop. Brazil, Honduras, Japan and Mexico stated that they did not see the need for an MoU between CITES and ITTO.

Australia, Brazil, Germany, on behalf of the European Community and its Member States, Japan and New Zealand did not support the Secretariat's proposal for a standard approach to establishing relationships with other organizations.

Colombia suggested that the draft resolution be amended to help strengthen technical capacities, notably regarding non-detriment findings. India favoured the idea of a

consolidated resolution on cooperation with other organizations, but thought that CITES should not establish any new MoUs with other bodies.

Greenpeace, speaking also on behalf of Humane Society International and the Species Survival Network, thought it would be useful to clarify where ITTO's technical expertise would be most valuable and spoke against the idea of a consolidated resolution.

The United States announced its proposed amendments to the draft resolution in the Annex to document CoP14 Doc. 18.2. China, Indonesia and Senegal approved of these in principle, but wished to proposed some changes. The Chairman suggested that they and Malaysia discuss revised wording with the United States, so that a new text could be provided for consideration.

18.1 Cooperation with the Food and Agriculture Organization of the United Nations

The Secretariat introduced document CoP14 Doc. 18.1, noting that an MoU between CITES and the Food and Agriculture Organization of the United Nations (FAO) had been signed in 2006.

FAO expressed appreciation of the positive aspects of collaboration between the two bodies but was very disturbed about the differences between their recommendations and those of the CITES Secretariat relating to listing proposals for marine species to be considered at the present meeting of the Conference of the Parties. In March 2007, FAO had convened an *ad hoc* expert advisory panel for the assessment of proposals to amend Appendices I and II. Recommendations had been formulated for each marine species and a report had been sent to the CITES Secretariat and members of FAO. In their view, the Secretariat's comments were not adequately substantiated and failed to meet the requirements of Resolution Conf. 9.24 (Rev. CoP13). FAO had taken note of the Secretariat's explanation for these differences and hoped that some agreement would be reached, so that CITES and FAO could continue to work cooperatively.

In response, the Secretariat shared the concern of FAO that the recommendations of the panel and the Secretariat were not perfectly aligned and was willing to explore the reasons for this. It drew attention to document CoP14 Inf. 26 which contained a copy of its correspondence on this subject with FAO. The Secretariat stressed that it had taken full account of the results of the FAO panel report before making its own recommendations. It noted that the report of the panel, in document CoP14 Doc. 68, would be helpful to the Parties, but that it was the duty of the Secretariat to reach its conclusions on the basis of Resolution Conf. 9.24 (Rev. CoP13). The Secretariat had acted in good faith in accordance with its remit under CITES and was committed to work with FAO to obtain better cooperation in the future.

Regarding the proposal of the Secretariat to create a Fishery Working Group of the Standing Committee, Chile, supported by Antigua and Barbuda, Argentina, Brazil, Canada, China, Dominica, Iceland, Japan, Norway and the United States, opposed the first draft decision directed to the Standing Committee, citing concerns that this fell beyond the mandate of CITES. Germany, on behalf of the European Community and its Member States, as well as Jamaica, Kenya, and Namibia were in favour of the establishment of a Fishery Working Group. Dominica, Kenya and Namibia noted that any such group should include representatives of developing countries and Small Island Developing States. New Zealand added that the FAO should be part of any Fishery Working Group that was established.

Germany, on behalf of the European Community and its Member States, reminded delegates of the value added by FAO advice on issues such as queen conch, sharks, sturgeons and sea cucumbers. Saint Kitts and Nevis, supported by Saint Lucia, voiced concern that the creeping jurisdiction of CITES might result in negative consequences for food security and sustainable livelihoods in developing countries, and warned against seeking to reverse the rights secured by developing countries under the United Nations Convention on the Law of the Sea.

Chile, supported by Brazil, observed that fisheries issues should be managed by States and regional fisheries management organizations. Argentina observed that the CITES Secretariat was not a scientific body nor did it have experts that could examine the conclusions of the FAO Expert Advisory Panel. Japan expressed concern that regarding one species the CITES Secretariat had misinterpreted the findings of the FAO expert panel. Norway emphasized the need for the CITES Secretariat to follow the terms of the MoU and to respect the advice of the panel. Indonesia stated that cooperation should promote benefits for the protection of listed species and for sustainable welfare. China proposed that the two draft decisions directed to the Standing Committee be deleted.

With reference to cooperation between FAO and CITES on forest and non-timber forest products in the decision directed to the Secretariat, Brazil observed that such issues should be addressed by the United Nations Forum on Forests and the FAO Committee on Forestry. Germany, on behalf of the European Community and its Member States, as well as Kenya and the United States, supported the proposal to explore cooperation with FAO on this issue.

The United States believed that such cooperation on this issue did not need to be formalized, and therefore proposed the deletion of the words "and formalized" in the first draft decision directed to the Secretariat.

China proposed that this draft decision be deleted. Regarding the second draft decision, they proposed that it be amended to read: The Secretariat shall report at the 15th meeting of the Conference of the Parties on how it has followed the Decisions and Resolutions on cooperation in implementing the MoU between FAO and the CITES Secretariat.

The Chairman called for a vote on the draft decisions directed to the Standing Committee. A vote was taken (vote 1), following which one Party complained that their voting keypad was not functioning. This was confirmed by the technicians. As the result of the vote had been very close, the Chairman announced that the vote would be retaken. (Vote result discounted and therefore not attached.)

The Committee then voted on the proposal by the United States to amend the first draft decision directed to the Secretariat, by deleting the words 'and formalized'. The result was 60 votes in favour, 12 against, and 7 abstentions (vote 2). The amendment was thus accepted.

The Committee then voted on the acceptance of the first draft decision directed to the Secretariat, as amended. The result was 60 votes in favour, 12 against, and 7 abstentions (vote 3). The draft decision, as amended, was thus accepted.

The Committee then voted on the proposal by China to amend the second draft decision directed to the Secretariat. The result was 29 votes in favour, 42 against, and 9 abstentions (vote 4). The proposal was thus rejected. The original text of the second draft decision directed to the Secretariat was accepted by consensus.

The Committee then voted again on the draft decisions directed to the Standing Committee. The result was 40 votes in favour, 34 against, and 2 abstentions (vote 5). The draft decisions were thus rejected.

19. Dialogue meetings

19.1 Terms of reference for CITES dialogue meetings

The Secretariat introduced document CoP14 Doc. 19.1, drawing attention to the draft terms of reference and rules of procedure for dialogue meetings, which had been approved by the Standing Committee and were contained in the draft resolution in the Annex to the document.

Ghana welcomed the draft resolution, but proposed the deletion of paragraph d) on the basis that it might limit the right of a proponent of a listing proposal to participate fully in dialogue meetings. Senegal opposed the deletion of this paragraph. Ghana also proposed an amendment to paragraph 8 of the draft rules of procedure to require that the Trust Fund budget cover the attendance at dialogue meetings of at least one representative of each Party range State of the species concerned from developing countries or countries with economies in transition.

Botswana emphasized that the draft resolution should make clear that dialogue meetings should be convened where there was a need for an exchange of views on listing or annotation proposals, and not only, as paragraph b) suggested, where there was a significant division among range States of the species concerned. They also sought clarification as to whether the fourth preambular paragraph referred to proposals to amend annotations as well as to listing proposals. With regard to paragraphs 7 and 9 of the draft rules of procedure, they stressed that dialogue meetings should be hosted by range States rather than in conjunction with meetings of the Conference of the Parties.

Kenya supported Ghana and Botswana. They also proposed that paragraph 6 of the draft rules of procedure be amended to provide that two-thirds of representatives of range States of the species concerned would represent a quorum at dialogue meetings. With regard to paragraph 9, they proposed that dialogue meetings be held at least 90 days before a meeting of the Conference of the Parties. Regarding paragraph 16, they proposed that draft communiqués of dialogue meetings prepared by the Secretariat be presented for agreement by the range States concerned.

India was generally supportive of the draft resolution, but noted that, as far as possible, issues should be settled through bilateral and multilateral consultations. They questioned the intent of the phrase " amongst other things" in the fourth preambular paragraph.

Israel called for clarification of paragraph 2 of the draft rules of procedure regarding approval of attendance by observers at dialogue meetings.

China suggested that major consumer States should also be invited to join dialogue meetings. Israel acknowledged that the involvement of consumer States could be helpful.

Germany, on behalf of the European Community and its Member States, observed that the draft resolution would provide for uniform and transparent proceedings in dialogue meetings.

The Chairman indicated that the proposed amendments to the draft resolution would be considered in the next session of the Committee.

The session was closed at 12h15.

Vote 1: Nullified / Vote 2: Proposal by the United States to amend the first draft decision directed to the Secretariat (agenda item 18.1) / Vote 3: acceptance of the first draft decision directed to the Secretariat, as amended (agenda item 18.1) / Vote 4: Proposal by China to amend the second draft decision directed to the Secretariat / Vote 5: Draft decisions directed to the Standing Committee / Key: 0 = did not vote, 1 = yes, 2 = no, 3 = abstain

Parties	Vote 2	Vote 3	Vote 4	Vote 5
Afghanistan AF	0	0	0	0
Albania AL	0	0	0	0
Algeria DZ	0	0	0	0
Antigua and Barbuda AG	2	3	3	2
Argentina AR	0	2	2	2
Australia AU	1	1	1	1
Austria AT	1	1	2	1
Azerbaijan AZ	0	0	0	0
Bahamas BS	1	1	1	1
Bangladesh BD	0	0	0	0
Barbados BB	0	0	0	0
Belarus BY	0	0	0	0
Belgium BE	1	1	2	1
Belize BZ	0	0	0	0
Benin BJ	0	0	0	0
Bhutan BT	0	0	0	0
Bolivia BO	1	1	1	1
Botswana BW	1	1	2	1
Brazil BR	3	3	2	2
Brunei Darussalam BN	0	0	0	0
Bulgaria BG	0	0	0	0
Burkina Faso BF	1	1	3	0
Burundi BI	1	1	1	1
Cambodia KH	0	0	0	0
Cameroon CM	0	0	0	0
Canada CA	1	1	1	2
Cape Verde CV	0	0	0	0
Central African Republic CF	0	0	0	0
Chad TD	0	0	0	0
Chile CL	2	2	1	2
China CN	2	2	1	2
Colombia CO	0	0	0	0
Comoros KM	0	0	0	0
Congo CG	0	0	0	0
Costa Rica CR	1	3	1	2
Côte d'Ivoire CI	3	2	1	1
Croatia HR	1	1	2	1
Cuba CU	0	0	0	0
Cyprus CY	0	0	0	0
Czech Republic CZ	1	1	2	1
Democratic Republic of the Congo CD	0	0	0	0
Denmark DK	1	1	2	1
Djibouti DJ	0	0	0	0
Dominica DM	1	1	0	2

Parties	Vote 2	Vote 3	Vote 4	Vote 5
Dominican Republic DO	0	0	0	0
Ecuador EC	0	0	0	0
Egypt EG	0	0	0	0
El Salvador SV	0	0	0	0
Equatorial Guinea GQ	0	0	0	0
Eritrea ER	0	0	1	1
Estonia EE	1	1	2	1
Ethiopia ET	0	0	0	0
Fiji FJ	1	1	2	2
Finland FI	1	1	2	1
France FR	1	1	2	1
Gabon GA	0	0	0	0
Gambia GM	0	0	0	0
Georgia GE	0	0	0	0
Germany DE	1	1	2	1
Ghana GH	0	0	0	0
Greece GR	1	1	2	1
Grenada GD	3	3	3	2
Guatemala GT	0	0	0	0
Guinea GN	0	0	0	0
Guinea-Bissau GW	0	0	0	0
Guyana GY	1	1	2	2
Honduras HN	0	0	0	0
Hungary HU	1	1	2	1
Iceland IS	3	3	3	2
India IN	1	1	0	1
Indonesia ID	1	1	1	2
Iran (Islamic Republic of) IR	0	0	0	0
Ireland IE	1	1	2	1
Israel IL	0	0	0	0
Italy IT	1	1	2	1
Jamaica JM	1	1	2	1
Japan JP	1	1	2	2
Jordan JO	0	0	0	0
Kazakhstan KZ	0	0	0	0
Kenya KE	2	0	0	1
Kuwait KW	0	0	0	0
Lao People's Democratic Republic LA	1	1	1	1
Latvia LV	1	1	2	1
Lesotho LS	0	0	0	0
Liberia LR	0	0	0	0
Libyan Arab Jamahiriya LY	0	0	0	0
Liechtenstein LI	0	0	0	0
Lithuania LT	1	1	2	1
Luxembourg LU	1	1	2	1
Madagascar MG	1	1	3	1
Malawi MW	0	0	0	0
Malaysia MY	2	2	1	2
Mali ML	0	0	0	0
Malta MT	1	1	2	1
Mauritania MR	0	0	0	0
Mauritius MU	0	1	1	1

Parties	Vote 2	Vote 3	Vote 4	Vote 5
Mexico MX	1	1	2	1
Monaco MC	0	0	0	0
Mongolia MN	0	0	0	0
Montenegro ME	0	0	0	0
Morocco MA	1	1	0	2
Mozambique MZ	1	1	1	2
Myanmar MM	0	0	0	0
Namibia NA	0	1	1	1
Nepal NP	1	2	1	1
Netherlands NL	1	1	2	1
New Zealand NZ	0	0	2	1
Nicaragua NI	0	0	0	0
Niger NE	0	0	0	0
Nigeria NG	0	0	0	0
Norway NO	2	2	1	2
Pakistan PK	0	0	0	0
Palau PW	1	1	1	2
Panama PA	0	0	0	0
Papua New Guinea PG	0	0	0	0
Paraguay PY	0	0	0	0
Peru PE	0	0	0	0
Philippines PH	0	0	0	0
Poland PL	0	0	0	0
Portugal PT	1	1	2	1
Qatar QA	1	0	3	1
Republic of Korea KR	2	1	1	2
Republic of Moldova MD	1	1	1	1
Romania RO	1	1	2	1
Russian Federation RU	0	0	0	0
Rwanda RW	0	0	0	0
Saint Kitts and Nevis KN	2	2	3	2
Saint Lucia LC	2	2	3	2
Saint Vincent and the Grenadines VC	0	0	0	0
Samoa WS	0	0	0	0
San Marino SM	0	0	0	0
Sao Tome and Principe ST	0	0	0	0
Saudi Arabia SA	0	0	0	0
Senegal SN	0	0	0	0
Serbia RS	3	3	3	3
Seychelles SC	0	0	0	0
Sierra Leone SL	0	0	0	0
Singapore SG	2	2	2	2
Slovakia SK	1	1	2	1
Slovenia SI	1	1	2	1
Solomon Islands SB	0	0	0	0
Somalia SO	0	0	0	0
South Africa ZA	1	1	2	1
Spain ES	0	0	0	0
Sri Lanka LK	0	0	0	0
Sudan SD	0	0	0	0
Suriname SR	1	1	2	2
Swaziland SZ	1	1	2	1

Parties	Vote 2	Vote 3	Vote 4	Vote 5
Sweden SE	1	1	2	1
Switzerland CH	3	0	1	2
Syrian Arab Republic SY	0	0	0	0
Thailand TH	2	2	2	2
The former Yugoslav Republic of Macedonia MK	0	0	0	0
Togo TG	1	1	1	2
Trinidad and Tobago TT	1	1	2	2
Tunisia TN	0	0	0	0
Turkey TR	1	1	1	2
Uganda UG	1	1	1	0
Ukraine UA	0	0	0	0
United Arab Emirates AE	3	3	2	3
United Kingdom of Great Britain and Northern Ireland GB	1	1	2	1
United Republic of Tanzania TZ	1	1	2	1
United States of America US	1	1	1	2
Uruguay UY	0	0	0	0
Uzbekistan UZ	0	0	0	0
Vanuatu VU	0	0	0	0
Venezuela (Bolivarian Republic of) VE	1	1	1	2
Viet Nam VN	2	2	2	2
Yemen YE	0	0	0	0
Zambia ZM	1	1	1	2
Zimbabwe ZW	1	1	1	2