

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 plenary session

15 June 2007: 10h15-11h30

Chairman: G. Verburg (Netherlands)
Vice Chairman: A. van der Zande (Netherlands)
Chairman Committee I: G. Leach (Australia)
Chairman Committee II: C.S. Cheung (China)

Secretariat: W. Wijnstekers
J. Barzdo
D. Morgan

Rapporteurs: J. Boddens Hosang
P. De Angelis
W. Jackson
C. McLardy

The Chairman opened the session and the United Kingdom of Great Britain and Northern Ireland, on a point of order, reported that, in Summary Record CoP14 Plen. 4, in the reported outcome of voting concerning agenda item 47 (Applications to register operations that breed Appendix-I animal species in captivity for commercial purposes), their vote had not been included in the result of the voting. They wished this to be recorded and, since the outcome of the vote had been so close, requested guidance from the Chairman on how the matter would be dealt with. Burundi, Canada, Chile and China agreed, questioning the reliability of the electronic voting system. Latvia also concurred, reporting that, owing to technical problems, their votes at the fourth plenary session had not been recorded. The Chairman stated that the matter raised by the United Kingdom would be dealt with later in the session. Switzerland, as Depositary Government, supported by Norway, stated that the point of order should be dealt with immediately.

Two test votes were carried out using the electronic voting system, to confirm that all voting equipment was working correctly.

Saint Kitts and Nevis objected to the fact that the delegation of Germany displayed the coordinated vote of the European Community Member States by raising coloured cards, and asked the Chairman to rule on whether this was allowed. Iceland supported this request. Germany, on behalf of the European Community and its Member States, replied that this was normal procedure within the European Community since the Member States were required to vote unanimously, and that this was not against the Rules of Procedure. The Secretary-General doubted whether this practice unduly influenced the voting of Parties. He pointed out that voting by show of hands had previously been routine in meetings of the Conference of the Parties and was provided for in the Rules of Procedure; if voting were by show of hands all participants would still see how the Member States of the European Community were voting. The Chairman ruled that the practice of the European Community Member States was not contrary to the Rules. Saint Kitts and Nevis demanded that they should then also be allowed to show their voting

preference. In order not to delay the session further, Germany, on behalf of the European Community and its Member States, stated it would cease the practice of raising cards.

The United States of America considered that Parties had no confidence in the voting system and proposed that all votes be taken by a show of hands. This was supported by Qatar, but opposed by Dominica. Saint Kitts and Nevis asked how this would affect voting by secret ballot. The Chairman suggested that a vote be taken on this matter, but the United States, in order to avoid further delay withdrew their proposal.

Interpretation and implementation of the Convention

Species trade and conservation issues

64. Bigleaf mahogany: report of the Working Group

The Chairman of Committee I reported that five draft decisions had been agreed by consensus, as contained in document CoP14 Com. I. 17. These were adopted. Regarding bigleaf mahogany, Peru reported that they had been implementing various measures to control the trade with support from the Plants Committee. They thanked the Chairman of the Plants Committee, and Mexico who had chaired the drafting group.

65. Report of the Central Africa Bushmeat Working Group

The Chairman of Committee I reported that two draft decisions, contained in document CoP14 Com. I. 13, had been agreed by consensus. These were adopted.

Administrative matters

8. Committee reports

8.2 Report of the Chairman of the Animals Committee

Regarding document CoP14 Doc. 8.2, the Chairman of Committee I reported that the draft decisions found in the Annex had been discussed and five draft decisions had been accepted by consensus and were contained in document CoP14 Com. I. 3. These were adopted.

The Chairman of Committee I recalled that consideration of the inclusion of the central North Atlantic stock of the fin whale *Balaenoptera physalus* in the Periodic Review of the Appendices had been referred to Committee I at the second plenary session. The Committee had accepted a draft decision which was contained in document CoP14 Com. I. 7. Palau stated that the Rules of Procedure regarding language and timing had not been observed when the draft decision was introduced in Committee I. They said there had been insufficient time to consider the draft decision fully. They called for a reopening of the discussion and requested that a vote to decide on this be conducted by secret ballot.

Argentina and Brazil spoke against reopening debate on this decision, observing that there had been ample deliberation and that the results of the vote in Committee I had been conclusive. Norway seconded Palau's proposal to reopen the discussion, and this was put to a vote. With 35 votes in favour, 71 against, and 19 abstentions, the proposal was rejected (vote 1).

Saint Kitts and Nevis raised a point of order, stating that Palau had requested the vote be taken by secret ballot, and this had not been adhered to. They requested that the vote be declared null and void.

The Secretary-General indicated that he and the Chairman had understood that the request for a secret ballot had been in relation to the substance of the proposal, rather than on the proposal to reopen the debate. He added that, when the vote was called on the re-opening of the debate, that would have been the moment for any Party to make a point of order if they believed that the vote should have taken place by secret ballot.

Saint Kitts and Nevis called for a point of order, disagreeing with the explanation of the Secretary-General. They felt it was clear from Palau's intervention that the request for a secret ballot referred to reopening of the debate. Australia suggested that the objective of making the vote a secret ballot could be achieved by not publishing the result of the voting. Iceland supported the protest of Saint Kitts and Nevis and requested that the vote be re-taken.

The Chairman ruled that the vote was valid, and noting opposition, requested a vote to support her ruling. Iceland, on a point of order said this approach was in contravention of the Rules of Procedure and declared their intention to abstain should a vote proceed.

Guinea expressed support for Palau and requested clarification from the Chairman on the intended vote, which was duly explained by the Chairman. Palau, supported by Norway, felt that the voting procedure had been so confused that it was necessary to restart the procedure, and would abstain from voting should the proposal of the Chairman be accepted.

At the request of the Chairman, the Secretary-General read aloud Rule 18 (Procedural motions) of the Rules of Procedure.

The Chairman reaffirmed her ruling that the vote deciding not to reopen discussion of the draft decision in document CoP14 Com. I. 7 was valid and called for a vote to support her ruling. The result was 77 votes in favour, 26 votes against and 15 abstentions (vote 2). The ruling of the Chairman was thus accepted.

Palau raised a point of order, stating that they had clearly requested that the decision to reopen the discussion be taken by secret ballot. They believed that the Chairman had made an error in not asking 10 Parties to support the motion. The Secretary-General noted that, if it was believed that there had been a mistake, the point of order to correct this should have been made when the voting started.

Guinea and Suriname wished to note for the record that they supported Palau's proposal.

The United States, supported by Canada and Switzerland, proposed that the session be adjourned so that the Bureau could meet to discuss this matter and reconvene at 13h30. This motion was agreed by consensus.

The Chairman adjourned the session at 11h30.

Result of the votes

Key: 0 = did not vote; 1 = yes; 2 = no; 3 = abstain

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

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

Party	Test vote 1	Test vote 2	Vote 1	Vote 2
Malawi MW	0	1	2	2
Malaysia MY	1	1	2	2
Mali ML	0	0	3	3
Malta MT	1	1	2	1
Mauritania MR	0	0	0	0
Mauritius MU	1	1	2	1
Mexico MX	1	1	2	1
Monaco MC	1	1	2	1
Mongolia MN	0	1	2	1
Montenegro ME	0	0	0	0
Morocco MA	0	1	1	2
Mozambique MZ	2	1	2	1
Myanmar MM	0	0	0	0
Namibia NA	0	1	0	2
Nepal NP	0	0	0	0
Netherlands NL	1	1	2	1
New Zealand NZ	1	1	2	1
Nicaragua NI	1	1	2	1
Niger NE	1	1	3	1
Nigeria NG	0	0	0	0
Norway NO	3	1	1	3
Pakistan PK	2	1	3	0
Palau PW	1	1	1	3
Panama PA	0	0	0	0
Papua New Guinea PG	0	0	0	0
Paraguay PY	0	0	0	0
Peru PE	1	1	2	1
Philippines PH	0	0	0	0
Poland PL	1	1	2	1
Portugal PT	1	1	2	1
Qatar QA	3	1	2	3
Republic of Korea KR	1	1	1	2
Republic of Moldova MD	0	1	1	2
Romania RO	1	1	2	1
Russian Federation RU	3	1	2	1
Rwanda RW	0	0	1	3
Saint Kitts and Nevis KN	3	1	1	2
Saint Lucia LC	3	1	1	0
Saint Vincent and the Grenadines VC	0	1	1	0
Samoa WS	0	0	0	0
San Marino SM	1	1	2	1
Sao Tome and Principe ST	0	0	0	0
Saudi Arabia SA	0	0	0	0
Senegal SN	1	1	2	1
Serbia RS	2	1	2	1
Seychelles SC	0	0	0	0
Sierra Leone SL	0	1	1	1
Singapore SG	0	1	1	2

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