

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



Fifteenth meeting of the Conference of the Parties
Doha (Qatar), 13-25 March 2010

Summary record of the first session of Committee I

15 March 2010: 09h40 - 12h30

Chairman: J. Donaldson (South Africa)
Secretariat: D. Morgan
Rapporteurs: J. Caldwell
L. Garrett
C. Lippai
A. Mathur

The Chairman welcomed the participants and gave a brief description of his background working within the CITES arena, emphasizing that his experience covered both fauna and flora issues. He reported that, in order to allow sufficient time for discussion, the proposals regarding plants from Madagascar would be dealt with together, as would document CoP15 Doc. 52 with proposal CoP15 Prop. 19, and document CoP15 Doc. 54 with proposal CoP15 Prop. 21.

10.1. Synergy with biodiversity-related international initiatives

The Secretariat introduced document CoP15 Doc. 10.1 highlighting the four main themes that it believed were necessary to promote synergy. These were the post-2010 biodiversity targets, the 2010 Biodiversity Indicators Partnership (BIP), the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) and the issue of climate change. It drew attention to the eight draft decisions contained in the Annex noting that there would be little, if any, additional budgetary requirements involved.

The United States of America supported the adoption of the draft decision regarding the post-2010 biodiversity targets. They also supported the Secretariat's continuing work regarding BIP, but were opposed to further expansion of the role of CITES in that Partnership unless a clear link to CITES core work could be made. They agreed that Parties should recognize the actual or potential impacts of climate change on the implementation of the Convention. However, they believed that climate change in the CITES context should be limited to science-based decision-making, such as non-detriment findings and listing decisions. They supported the first draft decision directed to the Animals and Plants Committees with minor revisions, but proposed a more consolidated and limited draft decision directed to the Standing Committee. This, they reported, represented a regional consensus. Regarding the minor revision to the first draft decision regarding climate change, they proposed the following text (new text underlined, deleted text in ~~strikethrough~~):

Directed to the Animals and Plants Committees

15.xx Given the implications of climate change for science-based decision-making, the Animals and Plants Committees shall identify the scientific aspects of the provisions of the Convention and of Resolutions of the Conference of the Parties that are actually or likely to be affected by climate change, and report their findings, and make recommendations for further action as appropriate, at the 62nd meeting of the Standing Committee.

The United States also proposed replacing the three draft decisions directed to the Standing Committee with:

Directed to the Standing Committee

15.xx The Standing Committee shall consider the reports of the Animals and Plants Committees, as well as the climate change-related activities of other biodiversity-related multilateral environmental agreements [MEA], ~~on the implementation of Decisions 15.xx, 15.xx and 15.xx~~ and report ~~to make recommendations for further action~~ at the 16th meeting of the Conference of the Parties.

The United States offered to provide external funds as necessary to support those decisions.

Spain, on behalf of the European Union and its Member States, welcomed the development of post-2010 biodiversity targets and supported the draft decision directed to the Standing Committee. They suggested additional wording might be included regarding budgetary implications. They also supported the draft decision regarding BIP and the four draft decisions regarding climate change. With regard to IPBES, they suggested the formation of a working group comprised of the Standing Committee, the Chairs of both Animals and Plants Committees and the Secretariat to convene during the present meeting to provide Terms of Reference and a working framework, and to prepare a draft decision.

China was in general favour of the initiatives regarding post-2010 biodiversity targets, BIP and IPBES, and welcomed the suggestion regarding the establishment of a working group. However, they suggested a review of the draft decisions regarding climate change in view of continuing the Convention's focus on trade. Senegal agreed with the suggestions from the United States, and supported the formation of a working group, noting that their country was already experiencing the impacts of climate change. Brazil also supported the idea of cooperation and coordination with other MEAs, but emphasized the importance of preserving the legal autonomy and scope of the Convention. They believed that IPBES should be created under the Convention on Biological Diversity (CBD) rather than CITES and should be inter-Governmental in nature, with NGOs and observers.

The Chair noted the general acceptance of the draft decisions concerning post-2010 biodiversity targets and the BIP. He suggested adoption of Spain's suggestion, on behalf of the European Union and its Member States, to establish a working group to focus on finalizing the wording of changes already read out to the Committee by Spain, on behalf of the European Union and its Member States, and the United States as they related to the draft decisions on IPBES and climate change. The working group, to be chaired by Spain, would consist of Australia, Brazil, China, Egypt, Japan, Mexico, South Africa and the United States.

10.4 Global Strategy for Plant Conservation of the Convention on Biological Diversity

The Chair of the Plants Committee introduced document CoP15 Doc. 10.4, and noted its relevance to ongoing activities by the Plants Committee. She recommended that the draft decision be adopted.

Mexico, as chair of the Plants Committee intersessional working group on the subject, reminded the delegates that the working group had been set up to increase cooperation between CITES and the Global Strategy for Plant Conservation (GSPC), and noted the objectives, mechanisms and methodologies, including the timetable and responsible agencies detailed in Annex 1.

Spain, on behalf of the European Union and its Member States, suggested that Annex 1 of the document should be updated based on deliberations within the CBD regarding GSPC.

China supported the draft decisions but noted that synergy between CITES and CBD needed to avoid duplication of efforts. They added that the Convention should not carry out activities that were beyond its scope.

TRAFFIC, supporting the draft decision, informed the meeting of the International Standard for Sustainable Wild Collection of Medicinal and Aromatic Plants (ISSC-MAP) developed in cooperation with Bundesamt für Naturschutz (BfN), IUCN and WWF and used during the International Expert Workshop on Non-detriment Findings in Mexico to assist with analyses and quota setting. Following the recent merger of the ISSC-MAP with the FairWild standard, they recommended that the FairWild standard be included in the GSPC toolbox.

Colombia supported the draft decision and noted its use in assisting Parties to develop strategies for plant protection.

The draft decision was adopted by consensus.

In response to a query raised by Egypt and the League of Arab States, the Chair said that there would be further opportunity for debate on synergies with other biodiversity-related conventions later in the meeting.

12. Harmonization of Nomenclature and Taxonomy with other Multilateral Environmental Agreements

The Secretariat introduced document CoP15 Doc. 12 and emphasized the importance of harmonizing nomenclature and taxonomy of species between the various conventions, as reflected in Decision 14.18. It noted that two of the remaining five discrepancies between the mammalian nomenclature used by CITES and the Convention on the Conservation of Migratory Species of Wild Animals (CMS) would be addressed during discussion of document CoP15 Doc. 35, while the remaining discrepancies would be eliminated through the draft amendments to Resolution Conf. 12.11 contained in the Annex to document CoP15 Doc. 12. It stressed that the changes would not affect the original intent of the listing of species and would result in only one small change in the Appendices themselves.

India agreed with the Secretariat that the Ganges river dolphin and the Indus river dolphin *Platanista gangetica* and *Platanista minor* should be referred to as a single species *Platanista gangetica* and they supported the draft amendments.

China also supported the draft amendments and agreed that taxonomic issues were important for effective implementation of the Convention. They suggested holding joint fora with other MEAs to standardize nomenclature and encouraged biological scientists from range States to participate in these events.

Mexico supported the draft amendments but urged scientists to exercise caution when harmonizing nomenclature, as practical implications of any taxonomic changes, such as amendments to national legislation, had to be considered.

Brazil, Kuwait, Nepal and Oman supported the draft amendments and Spain, on behalf of the European Union and its Member States, supported the draft amendments and encouraged continued work on this subject.

CMS welcomed the document and reported that that this issue was an agenda item at one of their forthcoming meetings.

Pakistan wished to record their objection to the merging of the Ganges river dolphin and the Indus river dolphin as a single species.

The draft amendments were adopted by consensus.

16. Capacity building

16.2 International expert workshop on non-detriment findings

16.2.1 Report of the Secretariat

The Secretariat introduced document CoP15 Doc. 16.2.1 and noted their full participation in the organization and execution of the workshop, as well as their successful fundraising from the European Commission and the United States to whom they offered their sincere thanks. The report was noted.

16.2.2 Report of the Animals and Plants Committees

The Chair of the Plants Committee introduced document CoP15 Doc. 16.2.2 and noted the assistance of the four representatives elected by the scientific committees in preparing the report. She highlighted the extensive list of documents that were distributed to participants at the workshop and were available on the workshop's website. She drew attention to paragraph 7 of the document regarding the joint position to be submitted at the present meeting. She concluded

by asking for approval of the associated budget to allow the scientific committees to finalize the process and report at the 16th meeting of the Conference of the Parties (CoP16).

Mexico, as Chair of the Steering Committee of the workshop, highlighted Annexes A and B of the document and thanked all those who had made in-kind and financial contributions. He reminded delegates that the results of the workshop had been circulated to Parties in Notification No. 2009/023, together with a questionnaire on the applicability of the results, and that the analysis of the 35 responses from 31 Parties were contained in Annex B. He said that the next meetings of the scientific committees would study the recommendations from the workshop and that a draft resolution on making non-detriment findings would be submitted at CoP16. He recommended that information on making non-detriment findings be improved in regional capacity-building workshops organized by the Secretariat, as well as in intersessional reports from Parties, as non-detriment findings were key tools for implementation of the Convention. Israel commended Mexico for their successful workshop and supported the draft decisions in the Annex to the document.

China believed that funding was required to implement non-detriment findings and reminded Parties that the variety of species and harvest methods made the process complicated. They noted that only 17 % of Parties had submitted a response to the questionnaire and that very few African, South American and Asian Parties had participated in the workshop. They suggested that NGOs could publish the findings in several languages other than the working languages of CITES, which would result in a more constructive use of the workshop recommendations in the day-to-day implementation of the Convention.

New Zealand was in agreement with China regarding publication of the workshop report in other languages and supported the draft decisions. Spain, on behalf of the European Union and its Member States, welcomed the report in terms of conservation of biodiversity and respect of Articles III and IV of the Convention. They noted that Parties were being presented a unique opportunity to make good decisions, and encouraged the Secretariat to include training on making non-detriment findings in their capacity-building initiatives. They supported the draft decisions and suggested that funding be secured to enable a three-day joint meeting of the Plants and Animals Committees to prepare a revised draft resolution for CoP16.

Norway said that the draft resolution for CoP16 should include guidelines on performing non-detriment findings and asked that an associated budget be prepared to this end. Zambia noted that, although the case studies presented at the workshop had resulted in a set of recommendations for the future, much work still remained. They urged importing countries not to impede conservation efforts in Zambia as sustainable use of natural resources was vital for sustainable development in their country. They suggested amendments to the draft decisions in the Annex to the document.

Egypt agreed in principle with the document as well as with Zambia's proposed amendments and China's recommendation that the workshop report be translated into languages other than the working languages of CITES. With regard to capacity-building efforts, they believed that it was important to secure funding not only to carry out training but also to ensure implementation of the capacity.

Malaysia expressed concern about the binding nature of any future draft resolution on making non-detriment findings and said that there should be flexibility in the process, in line with the diversity of financial, human and scientific capacities of Parties. Japan concurred with this concern.

Nigeria suggested that the Secretariat should include non-detriment findings as a principal element of its capacity-building initiatives to assist implementation of the Convention at the national level.

The Chair of the Animals Committee reminded delegates that making non-detriment findings was an important and fundamental issue for effective functioning of the Convention and said that it was premature to put a draft resolution or a draft decision before the Conference of the Parties. He said that the Animals Committee had decided to develop a collaborative process that would involve Parties in the development of guidelines and revision of listing criteria. He noted that, if the draft decisions were adopted, that they must be put into action at the national level, especially those that were directed to the Parties. He added that the scientific committees needed feedback

from the Parties before they could make any proposals at CoP16 and that they were aware of the concern of Parties regarding any binding effect of decisions regarding the making of non-detriment findings. The Chair of the Plants Committee concurred with this statement.

The League of Arab States urged the Secretariat to assist Parties that were not present at the workshop in Mexico by organizing capacity-building workshop for Arab States.

The Chair of the Plants Committee repeated that the Plants and Animals Committees had proposed an open and transparent process where all scientific advisory bodies could contribute to a result that would be applicable to all the regions. She said that, as scientific committees, any proposal they submitted to the Conference of the Parties would never be detrimental to Parties, and agreed that training initiatives were important.

IUCN repeated that non-detriment finding was at the heart of ensuring the effectiveness of the Convention and that the public checklist of non-detriment findings was a tool for Parties to use. They noted that a financial mechanism was required to secure long-term funding that would assist Parties with international trade issues and making non-detriment findings.

WWF supported the draft decision and, in response to the concerns expressed by Zambia, said that the scientific committees included representation from exporting countries and that the working group established at AC24 was co-chaired by representatives from Africa and Asia. They agreed with China's suggestion on translation of the guidelines into languages other than the working languages of CITES.

China suggested specific amendments to the draft decisions with a reference to the use of external funds. The Secretariat informed the delegates that Committee I should propose actions and associated budgetary requirements which would then be directed to the deliberations of Committee II as the forum for discussion of the costed programme of work for the Secretariat. It thanked China for their suggestions to clarify the draft decision with regard to activities to carry out. However, it added that there was no need for specific instructions to the Secretariat regarding costings or funding.

Mexico informed the delegates that the workshop documents and reports had been translated into the three working languages of the Convention but that there were funding constraints to translation into additional languages.

Cameroon said that, in response to the results from the workshop, they had recently completed a non-detriment finding for species on Appendix II. They acknowledged the joint project between ITTO and CITES and asked that the process be expanded to other species that could be listed on Appendix II, but suggested that time limits be applied to the non-detriment process, as it was often difficult to coordinate human and financial resource constraints.

A working group comprising China, Malaysia, Zambia and the Chair of Plants Committee was established to develop the proposed amendments to the draft decision, including the costing arrangements.

Following announcements by the Secretariat, the session was closed at 12h20.