

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 sixth session of Committee I

17 March 2010: 14h15 - 17h00

Chairman:	J. Donaldson (South Africa)
Secretariat:	R. Bolješić D. Morgan S. Nash M. Sosa Schmidt
Rapporteurs:	L. Garrett J. Gray A. Mathur T. Inskipp

68. Proposals to amend Appendices I and II

Madagascar introduced their proposals concerning succulent endemic plant species (proposals CoP15 Prop. 22, 23, 24, 26, 27, 30, 34, 35, 36, 39, 40 and 41) as a suite. Spain, on behalf of the European Union and its Member States, reported that they had been unable to determine whether or not these taxa met the criteria for listing in Appendix II. Accordingly, they did not support any of the proposals, but suggested a small working group be convened to work with Madagascar to assess the proposals against these criteria. They also recommended that this group should draft a decision directed to Madagascar, to work with the Plants Committee to identify non-listed species that could benefit from listing under the Convention, and to engage in capacity-building for making non-detriment findings for listed species. Kenya, Norway, Thailand and the Chair of the Plants Committee were in favour of the suggestion of a working group. Madagascar accepted the proposal for a working group and Canada, Germany, Uganda, the United States of America and Humane Society International requested participation in the group. In response to a suggestion from the Chair of the Plants Committee, the United Kingdom of Great Britain and Northern Ireland indicated that the nomenclature specialist of the Plants Committee would be willing to chair the working group. The Chair of Committee I advised that the group should decide which of the proposals would need to be re-presented to the Committee for consideration, and which withdrawn: if a draft decision were needed, this could be drawn up by the group. In the light of some earlier confusion, he stressed that proposals CoP15 Prop. 32 and CoP15 Prop. 33 were not under the remit of this working group. With these conditions, the proposal for a working group was agreed.

Proposal CoP15 Prop. 31 to amend the annotation to the listing of Appendix-I Orchidaceae was presented by the United States, who reported that the Plants Committee had recommended submission of this proposal to make the terms of these listings consistent with Resolution Conf. 11.11 (Rev. CoP14). Spain, on behalf of the European Union and its Member States, Thailand and the Chair of the Plants Committee spoke in favour of the proposal. Thailand had some concerns that enforcement would be difficult, but the United States reassured that the amendment to the annotation would not affect operationally what happened with flaked seedlings, but rather provide a basis to take action when needed. Following this clarification, the proposal was accepted by consensus.

Proposal CoP15 Prop. 32 to include seeds of *Beccariophoenix madagascariensis* in Appendix II was introduced by Madagascar, who informed the Committee that they had produced a guide on seeds of palm species involved in export trade from Madagascar, which showed clear distinctions between seeds of the

species. Spain, on behalf of the European Union and its Member States, was supportive of the proposal but, to avoid permits for artificially propagated seeds between non-range States, they recommended modifying the annotation put forward in proposal CoP15 Prop. 25 by adding and seeds from *Beccariophoenix madagascariensis* exported from Madagascar after "Cactaceae spp. exported from Mexico". With this alteration, proposal CoP15 Prop. 32 was accepted by consensus.

Proposal CoP15 Prop. 33 for *Dypsis decaryi* was similarly to include the seeds in its Appendix II listing. Spain, on behalf of the European Union, suggested addressing this proposal by modifying the annotation put forward in proposal CoP15 Prop. 25 by adding and seeds from *Dypsis decaryi* exported from Madagascar after "Cactaceae spp. exported from Mexico". Proposal CoP15 Prop. 33 was then accepted by consensus.

South Africa introduced proposal Cop15 Prop. 37 referring to *Orothamnus zeyheri*, stressing that there was no international market for the species. Canada, Namibia, Spain, on behalf of the European Union and its Member States, Zambia, Zimbabwe, the Chair of the Plants Committee, Humane Society International, also speaking on behalf of the Species Survival Network, all spoke in favour of the proposal. The last speaker questioned whether deletion of the species from the Appendices would lead to reduced protection under South African legislation. South Africa replied that the measures provided for this species should provide complete protection.

The proposal was accepted by consensus.

South Africa introduced proposal Cop15 Prop. 38 referring to *Protea odorata*. Botswana, Namibia, Spain, on behalf of the European Union and its Member States, Zimbabwe and the Chair of the Plants Committee all spoke in support of the proposal. Additionally, Spain, on behalf of the European Union and its Member States, noted that trade was not a threat to the species and that its conservation depended on habitat protection. The proposal was accepted by consensus.

Argentina introduced proposal Cop15 Prop. 42 referring to *Bulnesia sarmientoi*, noting that after the proposal had been submitted they had received comments from the Plurinational State of Bolivia and Paraguay. Australia, the Plurinational State of Bolivia, China, Costa Rica, on behalf of the countries of the Central and South America and the Caribbean region with the exception of St Vincent, Paraguay, Spain, on behalf of the European Union and its Member States, Switzerland, and the Chair of the Plants Committee all spoke in favour of the proposal. Australia, however, requested a working group to discuss the annotation in this proposal; the oil may appear in trade in a large variety of manufactured products, and other products not covered by the annotation were also involved. Spain, on behalf of the European Union and its Member States, noted that it was not clear in the proposal whether harvest for international trade was adding to loss of trees from habitat destruction. They also referred to a serious enforcement problem with regard to *Bulnesia arborea*, a similar species that may be indistinguishable from *B. sarmientoi* in trade; the two species do not overlap in distribution so if the provenance of specimens in trade is known that may be adequate. They also requested that a new Decision directed to trading range States, importing Parties and the Plants Committee should be formulated:

'Trading range States and importing Parties, working with the Plants Committee, should;

- 1) identify the best methods for the identification of essential oil and wood;
- 2) produce identification materials and guidance;
- 3) develop appropriate annotations for identification methods;
- 4) explore whether additional species need to be listed for identification and regulation of wood and oil;
- 5) explore mechanisms for making non-detriment findings;
- 6) report on progress at CoP16 and, if necessary, prepare additional proposals for CoP16.'

Argentina responded that they could agree with the suggested wording, except for 5), where they felt that the results of a planned study would obviate the need for inclusion of this clause. They agreed with Australia about the need for a working group. The Chair of the Plants Committee felt that the annotation in the proposal was the correct one, and that *Aniba rosaeodora* should be dealt with following the same guidelines. The Secretariat suggested that the annotation in the proposal should be reviewed in association with the Plants Committee by examination of the draft decision proposed by Spain, on behalf of the European Union and its Member States, and with consideration of how one annotation could be applied to all oil-producing species, including *Aniba rosaeodora*, *Bulnesia* and *Guaiacum*, leading to a document for CoP16. The proposal was accepted by consensus, as was the draft decision proposed by Spain, on behalf of the European Union and its Member States, except for the inclusion of point 5).

Switzerland, introduced proposal CoP15 Prop. 1 regarding an annotation for *Canis lupus*, stating that inclusion of the domestic form and the dingo in Appendix I and II was never intended and that an annotation to remove these two species had been recommended at AC24. The proposal was accepted.

The United States introduced proposal CoP15 Prop. 2 emphasizing that the original listing of *Lynx rufus* had been over concerns regarding look-alike issues as its pelts were similar to those of other *Lynx* species. They felt that steps taken since CoP14 had addressed the concerns raised by Parties regarding its removal from Appendix II. A joint meeting held in Brussels between the United States and the European Union discussed issues of illegal trade of *Lynx* spp. and look-alike concerns, and had identified that hunting of the species was primarily for predator control and that subsequent sale of pelts was secondary. In addition, there was no evidence of other *Lynx* spp. traded as *L. rufus*. To alleviate concerns regarding look-alike issues the United States agreed to develop a guide to enable the identification of pelts between *Lynx* spp. They also pledged to list *L. rufus* on Appendix III, if the de-listing were to be adopted, to enable continued documentation of the trade.

Surveys conducted in the United States since CoP14 had also identified a significant population increase over the last 30 years that was now stable to increasing, therefore it was unlikely that deletion from Appendix II would result in the future re-listing of the species. The Association of Fish and Wildlife Agencies, also stressed that there was no documentation of *Lynx lynx* and *L. pardinus* traded as the *L. rufus*, and that all exporting range States for this species (Canada and the United States) were willing to list it on Appendix III. Strong existing regulation, particularly by range States, of all *Lynx* species included domestic regulations, population management and enforcement control, which suggested that removal of *L. rufus* from Appendix II would not compromise the protection of other *Lynx* spp. It was reiterated that, in some 30 years of trade, regulation and monitoring under CITES, the similarity of appearance of *Lynx rufus* to other *Lynx* spp. had not resulted in enforcement difficulties or the substitution of one species for another. In addition, a report by TRAFFIC in 2006 suggested that illegal trade was minimal and there were few difficulties regarding identification, therefore any concerns regarding *L. lynx* and *L. pardinus* could be addressed with the identification guide developed by the United States.

Botswana, Canada, China, Japan, Pakistan, Qatar, the Russian Federation, Senegal, Zimbabwe, the Association of Southeastern Fish and Wildlife Agencies, the IWMC World Conservation Trust and the Species Management Specialists supported the proposal. It was felt that successful species and trade management should be rewarded. They recognized that all three range States of *Lynx rufus* were supportive of the proposal, wild populations were stable or increasing and therefore not threatened, and that populations were currently well managed. In addition, it was felt that concerns raised had been met by the meeting between the European Union and its Member States and the United States in addition to the development of the identification guide, and that, if de-listed, resources could be diverted to other critical areas. China also supported the United States suggestion of an Appendix-III listing. Species Management Specialists also stressed that in other cases of sustainable use, such as crocodylians, there was no evidence that establishment of legal trade in one species would lead to the development of illegal trade in species with similar morphology. It was also suggested by Senegal that efforts could be made by range States of *L. lynx* and *L. pardinus* to manage their populations in the same manner as the United States and Canada.

Spain, on behalf of the European Union and its Member States, Tunisia and SeaWeb opposed the proposal. Spain, on behalf of the European Union and its Member States, pointed out that at CoP14, Parties had agreed to retain *Lynx rufus* in Appendix II due to look-alike issues and that pelts of the species were similar to those of other *Lynx* spp. found within the European Union Member States. They noted that 92% of the trade was in pelts and, as the identification guide developed by the United States focused on pelts with ears and tails, it would be difficult to distinguish between incomplete pelts without either of these. Moreover, molecular identification techniques were not applicable to pelts.

Norway noted efforts undertaken by Canada and the United States, whilst drawing attention to the long tradition of CITES procedures to list a group of species on the Appendices where there were look-alike issues to enable compliance. They had concerns that a delisting of the species would create identification problems and added that they had not seen the identification guide developed by the United States.

The Animal Welfare Institute (AWI) and the Humane Society International (HSI) pointed out that similar proposals by the United States had been rejected at four previous CoPs and stated that the issue was related to protection of *Lynx lynx* and *L. pardinus*, and not just *L. rufus*. HSI stated that it was difficult to distinguish between furs of the different *Lynx* spp. and that the identification guide was still undergoing review. AWI added that surveys conducted by them had in fact indicated a decrease in *L. rufus* numbers in some populations.

Due to a lack of consensus, proposal CoP15 Prop.2 was put to a vote: 53 Parties were in favour, 46 against and 15 abstentions (see annex). As it did not achieve the two-thirds majority, the proposal was rejected.

### **Approval of summary records**

#### Summary record of the second session of Committee I (CoP15 Com. I Rec. 2)

In paragraph eight of agenda item 29 of summary record CoP15 Com. I Rec. 2, the United States requested the addition of the following text to the end of the paragraph "if it was the will of the Parties to expand use of Source Code R to species other than those downlisted pursuant to ranching."

With this amendment, summary record CoP15 Com. I Rec. 2 was adopted.

#### Summary record of the third session of Committee I (CoP15 Com. I Rec. 3)

The Humane Society International requested a revision of text under item 35 to reflect their statement more closely, text should therefore read:

"He believed paragraph b) of the draft decision directed to the Animals Committee was necessary, as it related to decisions ~~determining whether a certificate of origin, on the one hand, or export permit on the other, were needed in which a change in nomenclature changed the number of States required to issue a certificate of origin (e.g. when a taxonomic split reduced the number of range States sharing the listed species).~~"

In the second paragraph of agenda item 35 of summary record CoP15 Com. I Rec. 3, the United States requested the addition of the following text to the end of the paragraph "The chair noted that this item would be discussed again when the Com. document was available."

The United States requested the addition of text to the end of the second paragraph of agenda item 60 so that the last sentence should read: "The United States recommended that discussion of this issue should continue at the next meeting of the Plants Committee, as was suggested in document CoP15 Doc. 60, in a draft decision directed to the Plants Committee."

With regard to agenda item 59, the Chair of the Plants Committee clarified that, as there was no nomenclature committee, the first sentence of paragraph one should read "The Chair of the Plants Committee introduced document CoP15 Doc. 59 and called on ~~the Co-Chair from of the CITES Nomenclature Committee for Plants~~ the specialist on botanical nomenclature from the Plants Committee, to give an overview of the document."

Mexico requested a revision of text under agenda item 58 and submitted the text to the Secretariat.

With these amendments, the summary record CoP15 Com. I Rec. 3 was adopted.

The Chair of the Animals Committee noted that in document CoP15 Com. I Rec. 1, regarding agenda item 16.2.2, paragraph 9, on page 4 he requested the following amendment:

"He said that the Animals Committee had decided to develop a collaborative process that would involve Parties in the development of guidelines ~~and~~ as it has been in the process of the revision of the listing criteria."

The Chair stated that the amendment could not be considered as summary record CoP15 Com. I Rec. 1 had already been adopted by the Committee.

The session was closed at 17h00.

MOTION: Proposal 2 *Lynx rufus* CoP15 Doc. 68

VOTE TOTALS:

Yes : 53  
No : 46  
Abstain : 15

VOTE BREAKDOWN

	GROUP DETAILS		RESULTS OF VOTE		
	NAME	SIZE	Yes	No	Abstain
	Europe	37	4	29	1
	Africa	33	17	2	6
	Asia	27	15	5	5
C/S America & Carib,	24	14	6	3	23
	Oceania	5	1	3	0
	N America,	3	2	1	0

THE INDIVIDUAL RESULTS WERE AS FOLLOWS

MIC CARD	DELEGATE INFORMATION	VOTE
1	1 AF Afghanistan	Yes
3	3 DZ Algeria	No
4	4 AG Antigua and Barbuda,	Yes
5	5 AR Argentina	No
6	6 AM Armenia	
7	7 AU Australia	No
8	8 AT Austria	No
9	9 AZ Azerbaijan	
10	10 BS Bahamas	No
11	11 BD Bangladesh	Abstain
14	14 BE Belgium	No
16	16 BJ Benin	
17	17 BT Bhutan	No
18	18 BO Bolivia (Plurinational State of),	Yes
20	20 BW Botswana	Yes
21	21 BR Brazil	Yes
22	22 BN Brunei Darussalam,	No
24	24 BF Burkina Faso,	Abstain
25	25 BI Burundi	Yes
26	26 KH Cambodia	Yes
27	27 CM Cameroon	Yes
28	28 CA Canada	Yes
30	30 CF Central African Republic,	
32	32 CL Chile	No
33	33 CN China	Yes
34	34 CO Colombia	No
36	36 CG Congo	
37	37 CR Costa Rica,	Abstain
39	39 HR Croatia	No
40	901 CU Cuba	Yes
42	42 CZ Czech Republic,	No
44	44 DK Denmark	No
46	46 DM Dominica	Yes
47	47 DO Dominican Republic,	Yes
48	48 EC Ecuador	Yes
49	49 EG Egypt	Yes
50	50 SV El Salvador,	
53	53 EE Estonia	No

54	54	ET	Ethiopia	Yes
55	55	FJ	Fiji	No
56	56	FI	Finland	No
57	57	FR	France	No
60	60	GE	Georgia	Yes
61	61	DE	Germany	No
62	62	GH	Ghana	Yes
63	63	GR	Greece	No
64	64	GD	Grenada	Yes
65	65	GT	Guatemala	No
66	66	GN	Guinea	Yes
68	68	GY	Guyana	Yes
69	69	HN	Honduras	Abstain
70	70	HU	Hungary	No
71	71	IS	Iceland	Abstain
72	72	IN	India	Abstain
74	74	IR	Iran (Islamic Republic of),	
75	75	IE	Ireland	No
76	76	IL	Israel	No
77	77	IT	Italy	Yes
78	78	JM	Jamaica	Yes
79	79	JP	Japan	Yes
80	80	JO	Jordan	Yes
82	82	KE	Kenya	Yes
83	83	KW	Kuwait	Yes
84	84	KG	Kyrgyzstan	Yes
86	86	LV	Latvia	No
88	88	LR	Liberia	
89	89	LY	Libyan Arab Jamahiriya,	
90	90	LI	Liechtenstein	No
92	92	LU	Luxembourg	No
93	93	MG	Madagascar	Abstain
94	94	MW	Malawi	Yes
95	95	MY	Malaysia	No
96	96	ML	Mali	
97	97	MT	Malta	No
98	98	MR	Mauritania	
99	99	MU	Mauritius	Abstain
100	100	MX	Mexico	No
101	101	MC	Monaco	No
102	102	MN	Mongolia	Yes
103	103	ME	Montenegro	No
104	104	MA	Morocco	Yes
106	106	MM	Myanmar	Yes
107	107	NA	Namibia	Abstain
108	108	NP	Nepal	Abstain
109	109	NL	Netherlands	No
110	110	NZ	New Zealand,	No
111	111	NI	Nicaragua	No
112	112	NE	Niger	Abstain
114	114	NO	Norway	No
115	115	OM	Oman	Yes
116	116	PK	Pakistan	Yes
118	118	PA	Panama	Yes
122	122	PH	Philippines	
123	123	PL	Poland	No
124	124	PT	Portugal	No
125	125	QA	Qatar	Yes
126	126	KR	Republic of Korea,	No
127	127	MD	Republic of Moldova,	
128	128	RO	Romania	No
129	129	RU	Russian Federation,	Yes
132	132	LC	Saint Lucia,	Yes
133	133	VC	Saint Vincent and the Grenadines,	Yes

134	134	WS Samoa	Yes
138	138	SN Senegal	Yes
139	139	RS Serbia	No
141	141	SL Sierra Leone,	Yes
142	142	SG Singapore	Yes
143	143	SK Slovakia	No
147	147	ZA South Africa,	Yes
148	148	ES Spain	No
149	149	LK Sri Lanka,	Abstain
150	150	SD Sudan	Abstain
151	151	SR Suriname	Yes
152	152	SZ Swaziland	Yes
153	153	SE Sweden	No
154	154	CH Switzerland	No
155	155	SY Syrian Arab Republic,	Yes
156	156	TH Thailand	Abstain
158	158	TG Togo	
160	160	TN Tunisia	No
161	161	TR Turkey	Yes
162	162	UG Uganda	Yes
165	165	GB United Kingdom of Great Britain and Northern Ireland,	No
166	166	TZ United Republic of Tanzania,	Yes
167	167	US United States of America,	Yes
168	168	UY Uruguay	Abstain
170	170	VU Vanuatu	
172	172	VN Viet Nam,	Yes
175	175	ZW Zimbabwe	Yes