

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 10th session of Committee I

21 March 2010: 14h10 - 17h05

Chairman: J. Donaldson (South Africa)
Secretariat: R. Bolješić
D. Morgan
M. Schmidt
Rapporteurs: T. Inskipp
J. Jorgenson
K. Malsch
A. Mathur

The chair began the session with an explanation regarding the withdrawal by Monaco of document CoP15 Doc. 52 during the previous session. Since the document had been withdrawn by the proponent, the document could not be discussed further in either of the Committees or in plenary during CoP15.

68. Proposals to amend Appendices I and II

Mexico, also speaking on behalf of co-proponent Honduras, introduced proposal CoP15 Prop. 13 to list the genus *Agalychnis* in Appendix II. They drew attention to the high volume of international trade in *Agalychnis* spp. and the difficulty in distinguishing between the five species, particularly as identification guides were unavailable. They pointed out that, excluding Belize as their views were unknown, nine of the 10 range States and the IUCN Amphibian Specialist Group supported the proposal.

Guatemala, on behalf of the Central and South America and Caribbean, except Nicaragua who was abstaining from voting, supported the proposal. The United States of America along with Egypt, South Africa, the Sudan, Tunisia and the United Republic of Tanzania also spoke in favour of the proposal. Spain, on behalf of the European Union and its Member States, supported the proposal, and noted that in spite of domestic measures in several range States, illegal trade was taking place. South Africa further called for more information to be collected on the genus and for range States to cooperate more closely to conserve the species.

Norway believed that not all the species were similar to each other in appearance and that habitat loss was of greater concern for *A. moreletii*. They also noted that the species in Mexico were protected under domestic laws and felt that an Appendix-II listing would shift the trade to other countries undertaking captive breeding operations thereby not benefiting the range States. This view was echoed by the European Pet Organization.

Iceland pointed out that *Agalychnis moreletii* met the biological criteria for listing in Appendix-II, but the other four taxa did not. This view was supported by the European Pet Organization who noted that three of the taxa were categorized as Least Concern by IUCN. They also indicated that the red-eyed frog could be readily differentiated from the black-eyed frog and that range States should enact appropriate national legislation to protect the species more effectively without having to rely on CITES. They suggested that the listing of these taxa could effectively end the export trade of the genus, resulting in exporting States losing income.

Responding to the concerns expressed by some Parties, Mexico indicated that if the proposal was accepted, it would be necessary to prepare identification materials in order to assist wildlife inspectors reviewing international shipments, and that listing the genus in CITES Appendix II reflected the need to take precautionary measures under CITES.

The chair noted the concerns expressed by Norway and Iceland and the proposal was accepted by consensus.

Iran introduced proposal CoP15 Prop. 14 to list *Neurergus kaiseri* on Appendix I. They highlighted over-collection for the pet trade, both national and international, as well as the limited distribution, the severely fragmented populations, and the continuing decline in extent and quality of habitat. They expressed gratitude to all who assisted in the species assessment and preparation of the proposal.

Australia, Japan, Pakistan, Qatar, Spain, on behalf of the European Union and its Member States, and United States, all supported the proposal and it was accepted by consensus.

35. Standard nomenclature

The Secretariat introduced document CoP15 Com. I. 1 prepared on the basis of document CoP15 Doc. 35 (Rev. 3) following discussions during the second session of Committee I. It explained that the document had been prepared in consultation with the Chair of the Animals Committee and incorporated the four issues identified for fauna. It drew attention to edits proposed to rectify typographical errors identified within the draft resolution to amend the FAUNA section of Resolution Conf.12.11 (Rev. CoP14).

The Chair of the Animals Committee explained the document further and stated that the Nomenclature Specialist for the Animals Committee also agreed with the proposed changes.

Germany, on behalf of the European Union and its Member States, pointed out that the new standard reference proposed for *Uromastyx* spp. was still under revision, and that adopting such a reference at this time could be premature as it might lead to a revision in several genera within the Appendices. He further proposed amendments to the draft resolution directed to the Animals and Plants Committees regarding identification of monospecific taxa listed in the Appendices at the level of the genus or above to simplify their listing.

To simplify the amendments proposed by Germany, Mexico suggested alternative text that avoided ambiguity when translated into Spanish, but they sought clarification from Germany to determine if they had aptly captured the spirit of the proposed amendments and that it had not been lost in translation.

The United States of America expressed concern about higher taxonomic listings, stating that the proposed amendment would not simplify implementation of the Convention and that listing species under the highest taxon possible could expand the scope of the initial proposal to include the species in the Appendices. They highlighted that if a new species were discovered in a monospecific genus then the new species would automatically be listed in the Appendices without being considered by the CoP. They requested the Parties take a decision regarding the listing of monospecific taxa in the Appendices at higher taxonomic levels and noted that they would not support any amendments that would enable the Animals and Plants Committees to modify the Appendices without approval by the CoP.

Egypt suggested that the amendments proposed by Mexico be further considered to evaluate any unintended implications with respect to nomenclature. They also supported the amendments proposed by Germany.

Humane Society International cited examples from past CoPs where Parties, rather than individually listing a newly-identified species of a monospecific genus, chose to list the genus as a whole in the Appendices.

Mexico requested a delay in finalizing this portion of the document in order to hold consultations with Germany and the Nomenclature Specialist of the Animals Committee and to be able to provide the Committee with an acceptable text for the draft resolution.

The Secretariat pointed out that the proposed budget given in the document should not be accepted as a draft decision but should be forwarded to the budget working group of Committee II to consider as it was a financial matter and not a species matter. It requested the Chair of the Animals Committee to indicate a

cost estimate required to undertake a review of the proposed changes to the taxonomy and nomenclature of CITES-listed mammals, reptiles and amphibians of Madagascar.

As there was an agreement on the proposed changes in the document, with the rejection of the new standard reference proposed for *Uromastyx* spp., the exclusion of the draft decision concerning the budget needed for the nomenclature activities of the Animals and Plants Committees and the understanding that the Committee will finalize the decision directed to the Animals and Plants Committees at a later session, document CoP15 Com. I. 1 was accepted.

The United States introduced proposal CoP15 Prop. 21 for the inclusion of all species of Coralliidae in Appendix II, highlighting the need for sustainable management of the populations of the species involved in trade. They referred to the development of an identification manual for precious corals and related species, which should be published in 2010.

Tunisia, supported by Morocco, opposed the proposal, reporting that they had made considerable efforts to protect the species in their country and had various laws to conserve their extensive marine resources. They considered that adequate controls were already in place and that the General Fisheries Commission for the Mediterranean (GFCM) was a more appropriate management body. They thought that listing in Appendix II would have negative effects on the conservation of the species, and concluded that, if a vote was taken on the issue, it should be by secret ballot.

Japan also opposed the proposal for several reasons: a) declines in amounts landed did not reflect declines in biomass but were related to economic factors; b) coral fishing in Japan was strictly controlled; c) there were substantial populations of Coralliidae outside of the known fishing areas, contrary to the proposal; d) none of the species was included in the IUCN Red List; e) they had developed new management measures in 2008, which they were currently implementing; f) they were concerned that the livelihood of traditional coral fishermen would be affected; and g) they believed that, if the precious corals were to be listed, consumers would think that buying them would be environmentally unfriendly.

The representative of the Food and Agriculture Organization of the United Nations (FAO) reiterated the view of their Expert Advisory Panel that the taxon did not fulfil the criteria for listing in Appendix II, adding that they had not reviewed additional information provided by the United States during the meeting. They noted that corals could face additional risks in the future from new fishing areas, particularly in vulnerable and ecologically important areas such as seamounts. Iceland, Indonesia, Libyan Arab Jamahiriya, Malaysia, Singapore and Vanuatu all spoke against the proposal, with Malaysia referring to implementation problems relating to identification of specimens and control of pre-Convention specimens. The Libyan Arab Jamahiriya agreed with Tunisia that the GFCM was the most appropriate management body for precious corals, urged the Parties to allow them more time to study populations of the species and emphasized the need to consider the socio-economic repercussions on local people.

Croatia, supported by the Islamic Republic of Iran and the United Arab Emirates, spoke in favour of the proposal, describing the extreme threats to the populations in their territory. Contrary to other speakers, the Islamic Republic of Iran, supported by SeaWeb, felt that, unless the proposal was accepted, both the continued trade in precious corals and the livelihood of the people involved would be in doubt. Spain, on behalf of the European Union and its Member States, also supported the proposal, referring to the longevity and slow growth of precious corals, which should be taken into consideration; the massive decline in landings since the 1980s; and that deep water stocks were likely to experience declines unless harvesting was regulated. SeaWeb, in a statement endorsed by the Pew Environment Group, questioned the FAO conclusions, explaining that it was difficult to apply the existing criteria to corals; they considered that the collection method for precious coral should be described as mining, rather than fishing or harvesting, because there was no renewal of the resource. They concluded by noting the relevance to this issue of an International Coral Reef Initiative recommendation on trade in corals, contained in document CoP15 Inf. 42.

The United States responded to the concerns raised by previous speakers, reiterated the particular vulnerability of precious corals, and showed their commitment to working with exporting range States by providing capacity-building support, and financial assistance for a workshop on species identification and the making of non-detriment findings.

The Chair noted that more than 10 Parties supported the request of Tunisia for a secret ballot and the proposal was then put to a vote by secret ballot. The result of the vote was 64 in favour, 59 against with 10 abstentions. The proposal was thus rejected. The United States withdrew document CoP15 Doc. 54.

57. Cedrela odorata, Dalbergia retusa, Dalbergia granadillo and Dalbergia stevensonii

Peru proposed amendments to document CoP15 Com. I. 2. Specifically, Peru suggested the deletion of the word "all" in paragraph 1.f) and the deletion of ", such as Appendix II listing," from paragraph 3.d).

The Chair asked the Secretariat to review the original discussions to ensure that the amendments were consistent with the decisions agreed earlier by the Committee.

Approval of summary records

Summary record of the fourth session of Committee I (CoP15 Com. I Rec. 4)

On the last page of the record, immediately prior to the paragraph starting with "As there was no consensus," the United States proposed the inclusion of the following new paragraph:

The Chair of the Shark Working Group intervened and noted that document CoP15 Doc. 53 contained some agreed draft decisions and proposed amendments to Resolution Conf. 12.6 based on interventions by the Parties. The United States further supported that statement and requested a vote on individual draft decisions and proposed amendments to Resolution Conf. 12.6, rather than on document CoP15 Doc. 53 in its complete form. The Chair began by trying to reach consensus on the draft decision for freshwater stingrays but that suggestion was opposed.

With this amendment, summary record CoP15 Com. I Rec. 4 was adopted.

Summary record of the sixth session of Committee I (CoP15 Com. I Rec. 6)

In the paragraph beginning "The United States introduced proposal CoP15 Prop.2", the United States proposed changing "pelt trade" to sale of pelts in the third sentence.

In the next paragraph, the United States requested that to increasing should be added after "was now stable"; that exporting should be added after "and that all"; that "Mexico" should be deleted after "Canada"; and that "the issue of look-alike species was only an enforcement concern" should be replaced by 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.

At the end of the following paragraph, the United States requested that and Canada should be added after "the United States".

In the next paragraph beginning with "Spain", the United States requested that "Appendix I" should be changed to Appendix II. Finally, in the paragraph beginning "The Animal Welfare Institute (AWI)" they requested that in some populations should be added after "indicated a decrease in *L. rufus* numbers."

With these amendments, summary record CoP15 Com. I Rec. 6 was adopted.

Summary record of the seventh session of Committee I (CoP15 Com. I Rec. 7)

In paragraph 1 of agenda item 68 (*Proposals to amend Appendices I and II*), the United States requested that and the consideration of climate change in the context of CITES decision-making be included after "species" at the end of the second sentence.

In paragraph 4 of the same agenda item, the United States requested that the second sentence be amended to include by range States after "polar bear management".

In paragraph 6 of the same agenda item, the United States requested that The United States noted the issues of capacity, however, felt that the species no longer met the criteria for listing in Appendix I and supported the proposal. be added before "China also supported the proposal". In the penultimate sentence of that paragraph, Mexico requested that wild specimens for be added before "commercial purposes".

Denmark noted that the remarks of Greenland were not reflected within the summary record and that they wished to provide a written statement for the record.

In order to await written amendments from Denmark, summary record CoP15 Com. I Rec. 7 was left open on this point.

Summary record of the eighth session of Committee I (CoP15 Com. I Rec. 8)

In paragraph 2 of agenda item 68 (*Proposals to amend Appendices I and II*), Monaco requested that in the second sentence the wording should be amended as follows: "...over recent decades which had, according to the International Commission for the Conservation of Atlantic Tunas (ICCAT), caused stocks to decline to less than 15 % of historic levels resulted in stock declines of at least 15 %, as compared to previous levels."

In paragraph 4 of the same agenda item, Monaco amended the second and third sentences as follows:

"They also noted that average sizes of individuals had decreased by 50 % ~~in spite of~~ and underscored an increase in fishing fleets. They acknowledged that ICCAT had recently taken management measures but that quotas issued ~~had been abused above those recommended by the scientific committee~~ and illicit fishing ~~was~~ were tripling the quantities of fish caught."

Spain, on behalf of the European Union and its Member States, requested that subparagraph b) of the fifth paragraph should read as follows:

"The Standing Committee, taking into account the results of the stocks assessment conducted by ICCAT in 2010 as well as the ~~any~~ evaluation by the CITES Animals Committee, shall assess:"

In paragraph 7, Canada requested that "sustainable development" be changed to sustainable management.

In paragraph 9, beginning "Japan ensured", Japan offered the following amended wording: "They would support the imposition of a ban if necessary within ICCAT. They considered tuna populations in the Eastern Atlantic and the Mediterranean ~~to be healthy and did not believe the species was~~ were not endangered."

In the following paragraph, Japan requested the amended wording as follows: "They felt it was unfair that developed nations could continue ~~to satisfy their large~~ fishing and selling to their own domestic markets...They sought clarification on the annotations proposed by Spain regarding the delayed application-implementation of the proposed listing ~~and the assessment involving the Animals and Standing Committees~~ and drew attention to...".

WWF intervened to request that the paragraph beginning "WWF, on behalf of TRAFFIC," be amended as follows: "~~WWF, on behalf of TRAFFIC,~~ and TRAFFIC supported the tuna listing proposal".

With these amendments, summary record CoP15 Com. I Rec. 8 was adopted.

The session was adjourned at 17h05.