

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



Seventeenth meeting of the Conference of the Parties
Johannesburg (South Africa), 24 September – 5 October 2016

Summary record of the tenth session of Committee II

2 October 2016: 09h20 – 12h00

Chair: J. Barzdo (Switzerland)

Secretariat: J. Scanlon
P. Jonsson
D. Morgan
H. Okusu
M. Pikart
M. Sosa Schmidt

Rapporteurs: F. Davis
M. Jenkins
J. McAlpine
C. Rutherford

Species specific matters

66. Tibetan antelope (*Pantholops hodgsonii*): enforcement measures

The Chair of the Standing Committee introduced document CoP17 Doc. 66, noting that since its submission India had provided the report requested by the Standing Committee at its 66th meeting and, as a result, the Secretariat withdrew draft decisions 17.AA a) and b) from the document. In the document, the Secretariat had recommended deletion of Decision 16.94 and the inclusion of the text of Decision 16.93 in Resolution Conf. 11.8 (Rev. CoP13) on *Conservation of and control of trade in the Tibetan antelope*.

China drew attention to the improvement in the status of the Tibetan antelope and called for more resources to be allocated to local communities for its conservation. India reiterated its commitment to take action to prevent illegal trade. Switzerland, supported by the Wildlife Conservation Society, supported the Secretariat's recommendations and provided information on a workshop conducted with INTERPOL which aimed to create a network of Parties affected by trade in this species. They suggested the inclusion of a new draft decision as follows:

Directed to the Secretariat:

The Standing Committee shall review the results and outcomes of the workshop conducted by INTERPOL and Switzerland and make recommendations to the countries concerned by this trade based on that information.

The EU and its member States noted that there was still illegal trade reported to be occurring in China, encouraged India to continue its efforts to address illegal trade and stated they were committed to tackling illegal import into the European Union.

The Chair observed that the recommendation to include Decision 16.93 in Resolution Conf. 11.8 (Rev. CoP13) was also proposed in Annex 2 to document CoP17 Doc. 35.1 and proposed that this item be discussed when considering that agenda item.

The Committee noted the document and agreed to the Secretariat's proposed draft decision 17.BB in document CoP17 Doc. 66 and to maintain paragraph b), under 'DIRECTS', in Resolution Conf. 11.8 (Rev. CoP13). It also agreed to delete Decision 16.94.

Interpretation and implementation matters

Reporting

35. Review of reporting requirements

35.1 Report of the Standing Committee

The United Kingdom of Great Britain and Northern Ireland, as the Chair of the Standing Committee Working Group on Special Reporting Requirements, introduced document CoP17 Doc. 35.1, Annexes 1-4 to which contained, respectively, proposed amendments to Resolution Conf. 8.13 (Rev.) on *Use of coded-microchip implants for marking live animals in trade*; Resolution Conf. 11.8 (Rev. CoP13) on *Conservation of and control of trade in the Tibetan antelope*; Resolution Conf. 11.11 (Rev. CoP15) on *Regulation of trade in plants*; and Resolution Conf. 12.7 (Rev. CoP16) on *Conservation of and trade in sturgeons and paddlefish*. Annex 5 contained two draft decisions. In the document, the Secretariat had suggested amendments to Resolution Conf. 11.17 (Rev. CoP16) on *National reports* and Resolution Conf. 11.1 (Rev. CoP16) on *Establishment of committees* and two further proposed draft decisions.

Australia and Canada supported the recommendations.

The Committee agreed to the proposed amendments to: Resolution Conf. 8.13 (Rev.) in Annex 1 of document CoP17 Doc. 35.1; to Resolution Conf. 11.8 (Rev. CoP13) in Annex 2, along with the Secretariat's suggested amendment in the document; to Resolution Conf. 11.11 (Rev. CoP15) in Annex 3; to Resolution Conf. 12.7 (Rev. CoP16) in Annex 4; to the amendments to Resolution Conf. 11.17 (Rev. CoP16) and Resolution Conf. 11.1 (Rev. CoP16) in the Secretariat's comments. It also agreed to the draft decisions in Annex 5 and in the Secretariat's comments; and the deletion of Decisions 14.40 (Rev. CoP16), 14.41 (Rev. CoP16), 16.43, 16.44, 16.45 and 16.47.

35.2 Reporting: report of the Secretariat

The Secretariat introduced document CoP17 Doc. 35.2 proposing the deletion of Decisions 14.39 (Rev. CoP16) and 16.46. It was noted that paragraph b) and c) of Decision 16.46 were not yet fully implemented and new draft decisions were proposed to enable continuation of this work.

New Zealand supported the recommendations and suggested replacing "publishing" with publish in the second draft decision 17.XX.

The Committee agreed to the draft decisions in document CoP17 Doc. 35.2 as amended by New Zealand and to delete Decisions 14.39 (Rev. CoP16) and 16.46.

Trade control and traceability

37. Purpose codes on CITES permits and certificates

Canada, on behalf of the Chair of the Standing Committee, introduced document CoP17 Doc.37 proposing draft amendments to Decision 14.54 (Rev. CoP16) to re-establish the intersessional joint working group, explaining that sufficient progress had not yet been made to conclude the group's work.

The Committee agreed to the draft amendments of Decision 14.54 (Rev. CoP16).

42. Draft revision of Resolution Conf. 16.8 on *Frequent cross-border non-commercial movements of musical instruments*

The European Union and its member States introduced document CoP17 Doc. 42 proposing amendments to Resolution Conf. 16.8 on *Frequent cross-border non-commercial movements of musical instruments*, Following informal discussions with the United States of America, they now proposed further amendments which they would introduce on the floor.

Japan also suggested replacing 'URGE' with ENCOURAGE. The final amendments as introduced by the European Union, incorporating Japan's suggestion, were as follows:

After the last paragraph in the preamble insert:

RECOGNIZING that old musical instruments containing specimens of CITES-listed species often are national, cultural treasures due to their age, artistic quality and economic value;

RECOGNIZING that musical instruments are often owned by institutions or museums and loaned out to individual professional musicians playing with orchestras, music ensembles and groups taking part in overseas tours for the purpose of live concerts and other performances;

RECALLING Resolution Conf. 13.7 (Rev CoP16) on *Control of trade in personal and household effects*;

RECOGNIZING that when an individual travels with a legally-acquired musical instrument that has been properly loaned by an institution, person or museum for purposes of performance or competition, the instrument may qualify for a personal effects exemption, consistent with Resolution Conf. 13.7 (Rev. CoP16). Further note that this exemption only applies when the musical instrument is carried or included in personal baggage of the individual for both export and re-export to the State where the instrument is normally held, and will not be sold or offered for sale while outside the State where the instrument is normally held.

Under the first "RECOMMENDS" of the operative part of the Resolution, in sub-paragraph a) delete both references to "personally-owned" and insert paid or unpaid before "performance" and in sub-paragraph g) replace "original certificate" with original musical instrument certificate.

Insert after this:

2. RECOMMENDS Parties not require a CITES export permit or re-export certificate for a personally-owned musical instrument containing specimens of CITES-listed species where consistent with Resolution Conf. 13.7 (Rev. CoP16) on *Control of trade in personal and household effects*.
3. ENCOURAGES all Parties to implement the procedures in Resolution Conf 16.8 and to ensure that their custom officials are aware of them;
4. ENCOURAGES Parties that have introduced stricter domestic measures for CITES-listed species to consider exemptions for musical instruments containing specimens of those species.

Switzerland expressed its supports for all the proposed amendments. Israel sought assurance from industry that they would commit to not use Appendix-I parts in the manufacture of musical instruments. The League of American Orchestras, in collaboration with the American Federation of Musicians, the American Federation of Violin and Bow Makers, the International Association of Violin and Bow Makers, the National Association of Music Merchants, Martin Guitars and Taylor Guitars, expressed their appreciation for efforts made by the Parties and encouraged further streamlining and guidance to ensure compliance.

The Committee agreed to the proposed amendments to Resolution Conf. 16.8 as introduced by the European Union and Japan.

43. Review of the definition of 'artificially propagated' for plants

China, on behalf of Georgia, Indonesia and Kuwait, introduced document CoP17 Doc. 43, the annex to which contained two draft decisions directed to the Plants Committee. In the document, the Secretariat had suggested amendments to these.

Indonesia and Zimbabwe supported the draft decisions and the Secretariat's proposed amendments.

The European Union and its member States emphasized the difficulties in implementation raised by problems in interpreting the definition. Supported by the Republic of Korea and Switzerland, they proposed amending draft decision 17.XX2 in paragraph B of the Secretariat's comments by replacing "for consideration and adoption at the 18th meeting of the Conference of the Parties" with for consideration at the 70th meeting of the Standing Committee. They further proposed an additional draft decision to read:

The Standing Committee should consider the recommendations of the Plants Committee in accordance with Decision 17.XX1 and 17.XX2, and make recommendations, as appropriate, for consideration at the 18th meeting of the Conference of the Parties.

The Committee agreed to the draft decisions set out in paragraph B of the Secretariat's comments in document CoP17 Doc. 43, as amended by the European Union.

44. Electronic systems and information technologies

The Secretariat introduced document CoP17 Doc. 44 (Rev. 1), Annex 1 to which contained a number of draft decisions. Referring to the development of a CITES-specific module in the Automated SYstem for CUstoms Data (ASYCUDA), they thanked Australia for technical and financial support in piloting this in the Oceania region. In the document, the Secretariat proposed deleting Decision 16.54; it added that in its opinion Decisions 16.56 and 16.57 could also be deleted; with respect to the former, only Canada and the United States of America had provided comments to the Secretariat.

Australia, India, Switzerland as the former Chair of the Standing Committee Working Group on Information Technologies and Electronic Systems, the United States of America and the Secretariat of the Pacific Regional Environment Programme (SPREP) supported the draft decisions set out in document CoP17 Doc. 43. The United States proposed amending draft sub-paragraph b) of draft decision 17.CC by replacing "supports and is consistent with electronic, risk based border clearance processes" with allows for electronic border clearance processes that are consistent with and incorporate the requirements of Articles III, IV, V, and VI into any e-permitting system, examining in particular the issues of presentation and validation.

Japan also supported the draft decisions on the understanding that any additional costs would be borne through external funding.

The United Nations Environment Programme (UNEP) on behalf of the UNEP–World Conservation Monitoring Centre (UNEP-WCMC), asked for feedback from Parties on the development of the Electronic Permit Information eXchange (EPIX) and encouraged CITES Management Authorities interested in participating to contact them.

The Committee agreed to the draft decisions set out in document CoP17 Doc. 43, with the amendment proposed by the United States, and to the deletion of Decisions 16.54, 16.56 and 16.57.

45. Traceability

and

46. Pilot testing of a global traceability information system for reptile skins

The Chair proposed that documents CoP17 Docs 45 and 46 be introduced together.

The Secretariat introduced document CoP17 Doc. 45 drawing attention to three draft decisions proposed by the Standing Committee in paragraph 9 and the Secretariat's suggested amendments to these in paragraph 16.

Mexico introduced document CoP17 Doc. 46. Annex 1 to the document contained proposed revisions to the same set of draft decisions proposed by the Standing Committee as found in document CoP17 Doc. 45. Annex 2 contained a scheme and main elements for pilot testing on reptile skins of a global traceability information system. In the document, the Secretariat had included suggested amendments to the revised draft decisions, attempting to harmonise these with those it had proposed in document CoP17 Doc. 45.

Mexico indicated that it concurred with most of the Secretariat's proposed amendments, but wished to retain reference to the Standing Committee establishing a working group.

Switzerland supported the Secretariat's proposed amendments to the draft decisions in document CoP17 Doc. 45, but also believed that references to the establishment of a working group should be maintained. The European Union and its member States, supported by Brazil and Japan, agreed to the Secretariat's amendments, including the deletion of references to the establishment of a working group, as they believed the Standing Committee should itself be able to decide on the best way forward in addressing the issue.

Japan, supported by TRAFFIC, noted that each supply chain had its own unique characteristics and believed it was important to strike a balance between providing a minimum standard of universal guidance and giving Parties the flexibility to deal with specific circumstances. Brazil proposed deletion of sub-paragraphs c), d) and e) in draft decision 17.AA in the comments by the Secretariat in document CoP17 Doc. 46 and, in sub-paragraph c) of draft decision 17.BB proposed changing "as far as possible" to as appropriate.

Indonesia asked that it be clarified that they had not yet participated in the pilot projects referred to in Annex 2 of document CoP17 Doc. 46, indicating that they were still in the process of developing a memorandum of understanding with national stakeholders. The European Union and its members States stressed the importance of assessing the costs to each stakeholder of implementing any systems under test, and of keeping the Animals Committee and Standing Committee informed of progress.

GS1 offered to lend its expertise in the area of labelling and traceability. Lewis & Clark – International Environmental Law Project asked whether proposed systems were intended to operate in parallel to current CITES processes or be formally incorporated into them.

The Chair asked that Brazil, Mexico, Switzerland and the Secretariat confer and provide a revised proposal for consideration by the Committee at a later session.

47. Stocks and stockpiles of specimens of CITES-listed species

The Secretariat introduced document CoP17 Doc. 47 proposing a draft decision directed at the Standing Committee which was agreed.

38. Identification of elephant and mammoth ivory in trade

Israel introduced the addendum to document CoP17 Doc. 38, explaining that it was a version of CoP17 Doc. 38 prepared following comments they had received from the Secretariat on the latter document. The document contained a proposed revision to Resolution Conf. 10.10 (Rev. CoP16) on *Trade in elephant specimens* and two draft decisions.

The United States of America supported Israel's proposed revision and draft decisions. The Russian Federation, supported by Botswana, expressed doubts and asked for more time to consider the proposals. The Chair agreed to defer discussion until a later session.

The meeting was adjourned at 12h00.