

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

Thirteenth meeting of the Conference of the Parties
Bangkok (Thailand), 2-14 October 2004

Fourteenth session: 12 October 2004: 14h05-18h15

Chairman: M. Brasher (United Kingdom)

Secretariat: W. Wijnstekers
J. Armstrong
J. Barzdo
M. Jankowska
J. Sellar
M. Yeater

UNON: S. Kurdjukov

Rapporteurs: H. Corrigan
J. Gray
M. Jenkins
R. Mackenzie
P. Wheeler

Interpretation and implementation of the Convention

Other themes and issues

62. Bushmeat

62.1 Bushmeat Working Group

and

62.2 Bushmeat

The Secretariat introduced proposed amendments to the Annexes to document CoP13 Doc. 62.1 (Rev. 1), based on consultations that had taken place after the previous session of the Committee. In the operative part of Annex 1, "URGES" was to be replaced by ADVISES; in the first paragraph a), the word "maintain" was to be replaced by encourage; in paragraph f) the words "take account of" were to be replaced by discourage illegal or unsustainable; and "RECOMMENDS" was to be replaced by ADVISES. In the first draft decision in Annex 2, the last sentence was to be deleted; the second "to" was to be replaced by through; and at the 14th meeting of the Conference of the Parties was to be added after "the CITES Secretariat". The Secretariat undertook to communicate with the international organizations named in the draft decisions in the Annex to document CoP13 Doc. 62.22 to make them aware of the work of the Bushmeat Working Group.

The draft resolution in Annex 1 to document CoP13 Doc. 62.1 (Rev. 1), and the first draft decision in Annex 2 were agreed, with the amendments indicated by the Secretariat. The second draft decision in Annex 2 to document CoP13 Doc. 62.1 and the draft decision in the Annex to document CoP13 Doc. 62.2 were agreed.

Strategic and administrative matters

8. Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties

8.3 Budget for 2006-2008

The Chairman of the Finance Working Group (Chairman of the Standing Committee) introduced their report in document CoP13 Com. II. 23. The Secretary-General expressed surprise that a zero contribution growth budget option had been recommended by the Finance Working Group with no apparent willingness to consider more positive options. He noted that the previous meetings of the Conference of the Parties had authorized drawdowns from the Trust Fund to finance CITES activities, to a point where there were no further funds available for drawdown, and where even maintenance of the current level of activities would require an increase in Parties' contributions. In this context, a failure to increase contributions from the Parties would be potentially devastating at a time when the demands placed upon the Secretariat and other CITES bodies had never been higher. He believed that the adoption of a budget requiring a reduction of activities and services, particularly those designed to benefit developing countries, would be unprecedented not only in CITES but in the United Nations. He emphasized that, in real terms, a zero increase in the contributions of the Parties would result in a 10.3 per cent decrease in the budget, would impede the aims of the CITES *Strategic Vision through 2005*, and would create reliance on external funding and voluntary contributions.

The Chairman referred the Committee to the recommendations of the Finance Working Group contained in paragraph 4, subparagraphs a) to c), and paragraph 8, subparagraphs a) to d), in document CoP13 Com. II. 23. There were no objections to these recommendations. With regard to paragraph 8, subparagraph d), the delegation of Nigeria, however, pointed out that some delegations had experienced difficulties in obtaining documents for this meeting and suggested that care be taken to ensure this problem did not recur as a result of cost-cutting measures.

The Chairman asked the Committee to consider each of the options set out in Annex 1 to document CoP13 Com. II. 23, instructing it to indicate whether each was acceptable and noting that the zero contribution growth budget for the next triennium (2006-08) could be achieved if all eight options in the Annex were accepted. The delegation of Argentina requested clarification of Option 4. In this connection, the Chairman of the Plants Committee expressed the shared concern of the Animals and Plants Committees that holding meetings of the scientific committees in Geneva only could limit the participation of participants from developing countries. The Secretary-General clarified that back-to-back meetings of the scientific committees could be held outside Geneva provided the host country paid the difference in costs between the proposed venue and Geneva. He agreed, in relation to Option 6, that it was important that meetings of the Conference of the Parties be held in different continents as was current practice, but was sceptical as to whether this was necessary for the scientific committees. The delegation of Argentina supported additional cost-saving measures under Option 8 in preference to the reduction in meetings of the scientific committees under Option 4.

There were no specific objections to the eight Options in Annex 1. The Chairman of the Finance Working Group stated that the Options in Annex 1 and the recommendations in paragraphs 4 and 8 of document CoP13 Com. II. 23, to which the Committee had expressed no objections, were enshrined in the revised draft resolution contained in Annex 2 of the document. That being the case, the Chairman asked the Committee to agree the draft resolution. The delegation of Spain pointed out an error in the Spanish version of the document in paragraph b) under "AGREES". This was noted and the draft resolution agreed. At the request of the Secretary-General it was agreed that the Secretariat should make consequential amendments to Resolution Conf. 11.1 (Rev. CoP12) on the establishment of committees, to reflect that the permanent committees would meet only twice between meetings of the Conference.

The delegation of Mexico, requesting that its statement be included in the report of the session, recalled that, at the beginning of the work of this Committee, they had stated that CITES was lacking balance between its expenditure and its funding, and noted that the Secretariat proposal for a 10.3 per cent increase in contributions had not been approved. They stressed that for

Mexico, as a megadiverse country, CITES was a very important instrument, in which they played an active role, not only because of trade issues, but also because the Convention represented a forum for cooperation and scientific exchange. In that context, they were particularly disappointed by the reduction in the number of meetings of the Animals and Plants Committees. They highlighted not only the inability of the Parties to increase contributions, but also the financial constraints imposed by applying the salary levels and the scale of contributions of the United Nations. Of USD 4,727,000 collected every year, 90 countries, or more than half of the Parties, would have contributed less than 2 per cent of the Convention budget. Furthermore, the draft resolution on financing and budgeting agreed by the Committee did not taken into account increases in personnel costs which would occur between 2006 and 2008, on the basis of decisions taken in New York, which, in the absence of increased contributions from Parties, would have to be met by drawing on the Trust Fund. They reiterated the need to review the methodology used to determine Parties' contributions, and the need to plan a gradual but steady increase in contributions to meet increases in the budget, incorporating adjustments in contributions based on Parties' ability to pay. Their delegation expressed appreciation for the efforts made by the Secretariat to reduce costs and to recover outstanding contributions and arrears, but noted that without more, these steps were not sufficient.

Interpretation and implementation of the Convention

Species trade and conservation issues

65. Conservation of and trade in sturgeon and paddlefish

The delegation of Romania, as chairman of the working group on sturgeons, introduced document CoP13 Com. II. 19. He drew attention to the changes that had been made to the proposed amendment to Resolution Conf. 12.7, and then proposed additional modifications:

In subparagraph g) after the words "still held in stock" the words The Secretariat should distribute this via a Notification to the Parties were to be added and the rest of the sentence, starting with "having done so," was to be deleted. The final sentence was also to be replaced by:

In 2005, all remaining stocks of caviar should be exported by 31 March at the latest. Parties should not import caviar harvested in 2004 if it is exported after 31 March 2005. From 2006 onward, all caviar must be exported before the end of the quota year in which it was harvested and processed. From 2006 onwards, Parties should not import caviar harvested or processed in a preceding year.

These changes were supported by the delegation of the Islamic Republic of Iran, who proposed adding a further preambular paragraph:

CONSCIOUS that there is a need for improvement of monitoring of caviar re-exports in relation to the original export and the level of exports in relation to annual export quotas.

They also proposed that: under "RECOMMENDS further," the last four words after "unless" in subparagraph a) be deleted; and "iv) the Secretariat is satisfied" should be replaced by the Secretariat has confirmed, to run on from "unless".

The delegation of the Netherlands, on behalf of the Member States of the European Community, said that they generally supported the proposed amendment to Resolution Conf. 12.7 contained in document CoP13 Com. II. 19, but wished to propose some changes to the related draft decisions. Their revised version was contained in document CoP13 Com. II. 30.

The delegation of the Russian Federation opposed the suggested amendments and proposed that, in the second "URGES" paragraph, "2005" be replaced by 2006.

The Committee voted on the draft revision of Resolution Conf. 12.7 contained in document CoP13 Com. II. 19, as amended by the delegations of the Islamic Republic of Iran and Romania. The result was 47 votes in favour, 4 against, and 37 abstentions and the revision was agreed as amended (see Annex 1). The draft decisions contained in document CoP13 Com. II. 30 were also agreed.

Exemptions and special trade provisions

56. Operations that breed Appendix-I species in captivity for commercial purposes

56.3 Relationship between *ex situ* breeding and *in situ* conservation

56.3.2 Relationship between commercial *ex situ* breeding and *in situ* conservation of Appendix-I species

The delegation of Australia said that having studied Decision VII/19 of the Convention on Biological Diversity, they had no further reservations.

The draft resolution contained in document CoP13 Com. II 13, as amended by the delegation of Mexico during the 12th session of the Committee, was accepted.

Review of Resolutions and Decisions

17. Review of Decisions

At the proposal of the delegation of the United States, it was agreed that Decisions 9.38 (Rev. CoP11) and 12.79 be retained.

Species trade and conservation issues

28. Conservation of and trade in Asian big cats

The draft decision submitted in the eighth session, directing the Secretariat to seek funding to convene a meeting of relevant members of the CITES Tiger Enforcement Task Force to examine the issue of illicit trade in Asian big cat skins, was agreed.

Strategic and administrative matters

12. Cooperation with other organizations

12.1 Synergy between CITES and CBD

12.1.2 Sustainable use principles and guidelines

The Chairman drew the Committee's attention to the draft decision in document CoP13 Com. II. 24 prepared by the delegation of Namibia at the request of the Committee. The delegation of South Africa supported the draft decision. The delegation of New Zealand, supported by the delegations of Argentina, Mexico, Norway, Uganda and the United States proposed deleting the words "subject to availability of external funding" from paragraph e), and inserting the paragraph between paragraphs c) and d). The delegation of Namibia amended their proposal to delete paragraph e) and, after some discussion, the Committee agreed the draft decision in document CoP13 Com. II. 24 with the deletion of paragraph e).

12.4 Cooperation with the Food and Agriculture Organization of the United Nations

The Chairman of the Standing Committee reported that the working group on this issue had made considerable progress toward agreeing a draft text of a Memorandum of Understanding and that this would be reconsidered at the 52nd meeting of the Standing Committee. He recommended that Committee II agree to a revised version of Decision 12.7 to reflect the current status of the negotiations between CITES and the Food and Agriculture Organization of the United Nations, amending the Decision to read:

On the basis of the recognition by the Conference of the Parties of the primary role of FAO and regional fisheries management organizations in fisheries management and the role of CITES in regulating international trade, the Standing Committee shall work with

FAO in the drafting of a Memorandum of Understanding between CITES and FAO, to establish a framework for cooperation.

The terms of reference for the Standing Committee in carrying out this work were to be taken from items a, b, c, and d, in the current Decision 12.7. The Committee agreed to the revised text of Decision 12.7.

Interpretation and implementation of the Convention

General compliance issues

23. Enforcement matters

The Committee accepted the draft decision in document CoP13 Com. II. 22 prepared by the delegation of Fiji, regarding capacity building in the Oceania region.

Trade controls and marking issues

41. Introduction from the sea: interpretation and implementation of Article I, Article III, paragraph 5, and Article IV, paragraphs 6 and 7

The delegation of the United States thanked the Parties for comments received and, based on the need for further discussion, amended their proposal to withdraw consideration of Annex 1 to document CoP13 Doc. 41 and proceed with consideration of its Annex 2 (Rev. 1) and of document CoP13 Com. II. 15. They announced some amendments to document CoP13 Doc. 41 Annex 2 (Rev. 1). In the third preambular paragraph, the text following "other" was changed to read international treaties and agreements or management organizations and arrangements. In the following paragraph, the references to "stocks" were changed to species or stocks. The paragraph starting "AGREES that, consistent with" was changed to read AGREES that, having regard to. In the same paragraph, paragraph e), was inserted after "Article I". And in paragraph b), the words and ocean floor were inserted after "seabed".

The delegation of Australia did not agree with definitions that diverged from text used by the United Nations Convention on the Law of the Sea (UNCLOS), suggesting that any text departing from that used by UNCLOS be removed. The delegation of the Netherlands, on behalf of the Member States of the European Community, could not support the proposal made by the delegation of Australia. They said that several Member States of the European Community had declared fishery zones prior to joining UNCLOS and any species removed would then be covered by CITES as an introduction from the sea.

The delegation of Japan, supported by the delegation of Saint Lucia, did not support the document, saying that the process was premature, given that FAO was the appropriate body for dealing with fisheries issues.

After consideration of the points raised in the debate, the delegation of the United States withdrew document CoP13 Doc. 41 Annex 2 (Rev.1).

The delegation of the United States introduced the draft decisions in document CoP13 Com. II. 15, amending paragraph e) of that directed to the Standing Committee to read:

consider the comments received on the workshop report from the Parties and FAO, and ask the Secretariat to prepare a discussion paper and draft resolution for consideration by the Standing Committee before submitting the draft resolution for consideration at CoP14.

The delegations of Argentina and the Netherlands, on behalf of the Member States of the European Community, supported the draft decisions. The delegations of Iceland and Japan opposed it. The Chairman asked for a vote on the draft decisions as amended. The result was 50 in favour, 22 against and 17 abstentions (see Annex 2). The draft decisions were agreed.

Strategic and administrative matters

11. Review of permanent committees

The delegation of the Netherlands as Chairman of the drafting group on scientific committees introduced document CoP13 Com. II. 20, relating to agenda items 11.1, 11.2 and 11.3. He noted that Parties had already said that they were willing to provide funding for the printing of the manual referred to in the third draft decision directed to the Animals and Plants Committees. The delegation of the United States supported the proposal but noted that, as a result of the Committee's decisions on the budget, the reference to "in particular" in proposed amended paragraph g) of Resolution Conf. 11.1 (Rev. CoP12) as contained in document CoP13 Com. II. 20, should be deleted. The delegation of Mauritius proposed that a reference to small island developing States be included in that paragraph. These changes were agreed.

The delegation of Suriname proposed that the second draft decision directed to the Animals and Plants Committees in document CoP13 Com. II. 20 be amended to read:

The Secretariat shall ensure that any vacancies in the Animals Committee, Plants Committee and Nomenclature Committee are brought immediately to the attention of the Standing Committee in order to fill the vacancies as soon as possible.

The Committee agreed to the draft decisions, as amended, and the draft revision of Resolution Conf. 11.1 (Rev. CoP12) in document CoP13 Com. II. 20.

11.3 Standard nomenclature and the operation of the Nomenclature Committee

The delegation of Mexico introduced document CoP13 Com. II. 21, containing proposed amendments to Resolution Conf. 12.11. They announced an amendment, to delete the words "as a minimum," in the operative paragraph commencing "RECOGNIZES". The revision to Resolution Conf. 12.11 was agreed.

The delegation of Mexico then introduced document CoP13 Com. II. 25, a proposed amendment to Annex 3 of Resolution Conf. 11.1 (Rev. CoP12), on establishment of the Nomenclature Committee. They introduced two amendments: in paragraph 3 under "RECOMMENDS", insert Animals and before "Plants"; and deletion of the entire section beginning with "DETERMINES".

Following a request for clarification from the delegation of the Netherlands, the delegation of Mexico agreed that all parts of this amended proposal except for the section beginning with "RECOMMENDS" had been dealt with in discussion of document CoP13 Com. II. 20. It was agreed that the section beginning with "RECOMMENDS" should be incorporated into Resolution Conf. 11.1 (Rev. CoP12) Annex 3.

Interpretation and implementation of the Convention

Species trade and conservation issues

26. Conservation of and trade in great apes

The Chairman drew the attention of the Committee to the draft decision directed to the Secretariat contained in Annex 2 to document CoP13 Doc. 26. The draft decision was agreed.

Trade control and marking issues

45. Electronic permitting systems for CITES specimens

The Chairman drew attention to the draft decisions in the Annex to document CoP13 Doc. 45, and read out amendments to those draft decisions proposed by the Netherlands on behalf of the Member States of the European Community. In the first draft decision, the existing text of paragraph d) was replaced by the following:

engage the World Customs Organization on data harmonization and how it relates to the implementation of CITES and report back on their efforts at the 54th meeting of the Standing Committee.

In the second draft decision, the existing text was replaced by:

Based on the information provided by the Secretariat, and subject to the provision of appropriate funding, the CITES Standing Committee shall establish a working group to further explore the use of information technology or electronic systems to enhance the implementation of CITES and report back to the Parties at the 14th meeting of the Conference of the Parties.

With these amendments, the draft decisions were agreed.

The delegation of Mexico sought an amendment to document Cop13 Com. II. Rep. 11 in relation to the draft decision directed to the Standing Committee under agenda item 42. In paragraph a) of the draft decision, after the words "purpose codes," they proposed to add the words existing exemptions, indicating that this had been agreed when the item was discussed in the Committee. The Committee adopted the reports of all its previous sessions subject to the insertion of the amendments provided to and agreed by the Chairman.

The Chairman thanked all of the participants for their cooperation and contributions. He thanked the interpreters, the rapporteurs, the translators and the Secretariat for their support and he closed the meeting at 18h15.

Agenda item 65 – Result of the vote on the proposal to adopt the draft resolution and decisions in document CoP13 Com. II. 19 as amended in Committee II, proposed by Romania.

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203 Niger	Y	A	A	203 Niger	Y
204 Nigeria	Y	A	A	204 Nigeria	Y
205 Norway	Y	Y	Y	205 Norway	Y
206 Oman	Y	Y	Y	206 Oman	Y
207 Panama	Y	Not Voted	Not Voted	207 Panama	Y
208 Papua New Guinea	Y	Not Voted	Not Voted	208 Papua New Guinea	Y
209 Paraguay	Y	Not Voted	Not Voted	209 Paraguay	Y
210 Peru	Y	Not Voted	Not Voted	210 Peru	Y
211 Philippines	Y	Not Voted	Not Voted	211 Philippines	Y
212 Portugal	Y	Not Voted	Not Voted	212 Portugal	Y
213 Qatar	Y	Not Voted	Not Voted	213 Qatar	Y
214 Republic of Korea	Y	Not Voted	Not Voted	214 Republic of Korea	Y
215 Republic of Moldova	Y	Not Voted	Not Voted	215 Republic of Moldova	Y
216 Romania	Y	Not Voted	Not Voted	216 Romania	Y
217 Russian Federation	Y	Not Voted	Not Voted	217 Russian Federation	Y
218 Rwanda	Y	Not Voted	Not Voted	218 Rwanda	Y
219 Saint Kitts and Nevis	Y	Not Voted	Not Voted	219 Saint Kitts and Nevis	Y
220 Saint Lucia	Y	Not Voted	Not Voted	220 Saint Lucia	Y
221 Sao Tome and Principe	Y	Not Voted	Not Voted	221 Sao Tome and Principe	Y
222 Saudi Arabia	Y	Not Voted	Not Voted	222 Saudi Arabia	Y
223 Senegal	Y	Not Voted	Not Voted	223 Senegal	Y
224 Serbia and Montenegro	Y	Not Voted	Not Voted	224 Serbia and Montenegro	Y
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242 Trinidad and Tobago	Y	Not Voted	Not Voted	242 Trinidad and Tobago	Y
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244 Uganda	Y	Not Voted	Not Voted	244 Uganda	Y
245 Ukraine	Y	Not Voted	Not Voted	245 Ukraine	Y
246 United Arab Emirates	Y	Not Voted	Not Voted	246 United Arab Emirates	Y
247 United Kingdom of Great Britain and Northern Ireland	Y	Not Voted	Not Voted	247 United Kingdom of Great Britain and Northern Ireland	Y
248 United Republic of Tanzania	Y	Not Voted	Not Voted	248 United Republic of Tanzania	Y
249 United States of America	Y	Not Voted	Not Voted	249 United States of America	Y
250 Uruguay	Y	Not Voted	Not Voted	250 Uruguay	Y
251 Uzbekistan	Y	Not Voted	Not Voted	251 Uzbekistan	Y

Question 1 12/10/2004

No	Yes	Abstain
4	47	37
7.94%	42.16%	82.16%



Agenda item 41 – Result of the vote on the proposal to adopt draft decisions in document CoP13 Com. II. 15, proposed by the United States of America.

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99	Algeria	99	Algeria	99	Algeria
100	Algeria	100	Algeria	100	Algeria

RITES COP-13 - Bangkok

UN No.	Country	Selection	In Outcome
207	Madagascar	Y	Y
208	Niger	A	Y
209	Nigeria	A	Y
210	Norway	N	Y
211	Norway	N	Y
212	Norway	N	Y
213	Norway	N	Y
214	Norway	N	Y
215	Norway	N	Y
216	Norway	N	Y
217	Norway	N	Y
218	Norway	N	Y
219	Norway	N	Y
220	Norway	N	Y
221	Norway	N	Y
222	Norway	N	Y
223	Norway	N	Y
224	Norway	N	Y
225	Norway	N	Y
226	Norway	N	Y
227	Norway	N	Y
228	Norway	N	Y
229	Norway	N	Y
230	Norway	N	Y
231	Norway	N	Y
232	Norway	N	Y
233	Norway	N	Y
234	Norway	N	Y
235	Norway	N	Y
236	Norway	N	Y
237	Norway	N	Y
238	Norway	N	Y
239	Norway	N	Y
240	Norway	N	Y
241	Norway	N	Y
242	Norway	N	Y
243	Norway	N	Y
244	Norway	N	Y
245	Norway	N	Y
246	Norway	N	Y
247	Norway	N	Y
248	Norway	N	Y
249	Norway	N	Y
250	Norway	N	Y
251	Norway	N	Y
252	Norway	N	Y
253	Norway	N	Y
254	Norway	N	Y
255	Norway	N	Y
256	Norway	N	Y
257	Norway	N	Y
258	Norway	N	Y
259	Norway	N	Y
260	Norway	N	Y
261	Norway	N	Y
262	Norway	N	Y
263	Norway	N	Y
264	Norway	N	Y

RITES COP-13 - Bangkok

UN No.	Country	Selection	In Outcome
207	Madagascar	Y	Y
208	Niger	A	Y
209	Nigeria	A	Y
210	Norway	N	Y
211	Norway	N	Y
212	Norway	N	Y
213	Norway	N	Y
214	Norway	N	Y
215	Norway	N	Y
216	Norway	N	Y
217	Norway	N	Y
218	Norway	N	Y
219	Norway	N	Y
220	Norway	N	Y
221	Norway	N	Y
222	Norway	N	Y
223	Norway	N	Y
224	Norway	N	Y
225	Norway	N	Y
226	Norway	N	Y
227	Norway	N	Y
228	Norway	N	Y
229	Norway	N	Y
230	Norway	N	Y
231	Norway	N	Y

Question 2 12/10/04 5:26pm

NO	YES	ABSTAIN
72	50	17
30.56%	68.44%	

89.4%

30.56%

Yes

No