

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

Ninth session: 8 October 2004: 09h15-12h10

Chairman: M. Brasher (United Kingdom)

Secretariat: W. Wijnstekers
J. Barzdo
J. Vasquez
M. Yeater

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

The Chairman drew the attention of participants to the Annex to document CoP13 Com. II Rep. 7, which contained the record of the vote taken under agenda item 22. He provided some clarification and noted a number of corrections that needed to be made in the presentation.

Strategic and administrative matters

9. Committee reports and recommendations

9.2 Plants committee

9.2.1. Report of the Chairman

The Committee agreed the draft decision directed to the Plants Committee expressed under point 91 of document CoP13 Doc. 9.2.1.

12. Cooperation with other organizations

12.1 Synergy between CITES and CBD

12.1.1 Achieving greater synergy in CITES and CBD implementation

The delegation of the Netherlands, on behalf of the 25 Member States of the European Community, introduced the draft decision in document CoP13 Com. II. 2. They said it was important that CITES was represented at the meeting of the Ad Hoc Technical Expert Group on indicators for assessing progress towards, and communicating, the 2010 target at the global level, taking place under the auspices of the Convention on Biological Diversity in Montreal from 19 to 22 October 2004.

Regarding the report referred to in paragraph a) of the draft decision, the Secretary-General pointed out that it would be difficult to meet the proposed deadline and that it would be preferable to provide that the report be ready for consideration by the Standing Committee at its 53rd meeting. The delegation of the Netherlands, on behalf of the Member States of the European Community, sought to clarify that they envisaged a three-stage process whereby the Secretariat, in consultation with the

Chairmen of the Animals and Plants Committees, would review the Vilm report findings and recommendations, would submit that review to the Parties for comments, and would then prepare a report for consideration by the Standing Committee. The Chairman asked the Netherlands to provide a revised draft of that paragraph to reflect this, in consultation with the Secretary-General as necessary.

The delegation of the United States of America supported the process proposed in the draft decision, but suggested that the text in the first part of paragraph b) after the words "of common concern" be deleted. In the text that they proposed for deletion, they specifically objected to the abbreviated definition of the ecosystem approach and to the reference to access and benefit sharing, an issue that was the subject of intense ongoing negotiations in other fora. The delegation of New Zealand supported the amendment proposed by that of the United States, noting that there had been no Oceania representation at the Vilm workshop and that Parties still needed time to analyse the workshop report before they would be in a position to agree on priority areas for action. The delegation of the Netherlands, on behalf of the Member States of the European Community, and supported by the delegations of China, Mexico and Namibia, opposed the proposed amendment.

The delegation of Australia shared the concerns of the United States regarding the identification of specific areas for action in the draft decision but proposed that only the words after "WSSD 2010 target" in the first part of paragraph b) be deleted. The delegation of the Netherlands, on behalf of the Member States of the European Community, did not agree but indicated that, in order to meet the concerns of the United States regarding the definition of the ecosystem approach, the phrase "- i.e. Linking Site-based and Species-based Conservation Approaches -" could be deleted.

The Chairman asked the Committee to vote on the proposal by the delegation of the United States to delete in the first part of paragraph b) the words: "considering *inter alia* Sustainable Use, the Ecosystem approach - i.e. Linking Site-based and Species-based Conservation Approaches - and Access and Benefit Sharing,". Following a point of order, he stated that the vote on the proposed amendment to the draft decision by the United States was in accordance with Rule 21.6. The result was 19 in favour, 60 against and there were 10 abstentions (see Annex 1). The proposal was rejected.

The Chairman invited the Committee to consider the original text of paragraph b) as proposed by the delegation of the Netherlands, on behalf of the Member States of the European Community, but without the words: "- i.e. Linking Site-based and Species-based Conservation Approaches -". The delegations of Mexico and Senegal suggested adding the words to genetic resources after "Access" in the French and Spanish versions. The delegation of the Netherlands, on behalf of the Member States of the European Community, preferred to retain the phrase "Access and Benefit Sharing". It was decided that the Committee would revert to this draft decision after further consultation and clarification on this issue.

The Chairman of the Animals Committee said the draft decision should state clearly what was expected of the Chairmen of the Animals and Plants Committees and the Standing Committee.

12.1.2 Sustainable use principles and guidelines

The delegation of Namibia introduced the draft resolution contained in document CoP13 Com. II. 3, highlighting the changes that had been made to the version originally contained in Annex 2 (Rev. 1) of document CoP13 Doc. 12.1.2.

The delegation of New Zealand proposed that operative paragraph a) should begin with the word "Note" rather than the words "Make use of" since only a part of the Addis Ababa principles were applicable to CITES. The delegation of the United States stated that both the preambular and the operative parts were inappropriately prescriptive; it had not yet been determined that the principles and guidelines could, in fact, be used in

the implementation of Article IV; the reference to the CITES Parties that were also Parties to the CBD implied criticism of the two that were not; and operative subparagraph c) infringed countries' authority to make use of their personnel resources as they saw fit. The delegation of Cuba supported the draft resolution, describing it as potentially a key element in achieving synergy between the two conventions. The delegation of Namibia, referring to the comments made by those of New Zealand and the United States, said that the principles and guidelines could be very useful, in particular to developing countries, in the implementation of Article IV, which had proved difficult. The delegation of Namibia did not feel that the draft resolution infringed countries' sovereign discretion, and the reference to the large number of countries that were Parties to both conventions was intended solely to show the close linkage between the two.

The delegation of Namibia, supported by several delegations by a show of hands suggested that the debate be closed and the motion put to a vote. The delegation of the United States, supported by the delegation of Australia, opposed this. It was immediately put to a vote and with 40 votes in favour, 8 against and 43 abstentions (see Annex 2), the motion was carried and the adoption of the draft resolution in document CoP13 Com. II. 3 was put to a vote. With 78 votes in favour, 5 against and 10 abstentions (see Annex 3), the draft resolution was agreed.

The delegation of Namibia introduced the draft decisions contained in document CoP13 Com. II. 4.

With reference to the draft decision directed to the Secretariat, the delegation of Australia, supported by the delegation of the United States, suggested that in the interests of consistency, subparagraph d) should stipulate involvement of the Standing Committee. The delegation of New Zealand proposed that the decision instruct the Secretariat to prepare a report on how the principles and guidelines could be incorporated in its work plan, before actually incorporating them. The Secretary-General suggested that subject to availability of funds be added to that proposed text. The delegation of New Zealand opposed this, describing such a report as an integral part of the process.

The Chairman requested the delegation of Namibia to produce a new version of the draft decision, incorporating the various suggestions made.

The draft decision directed to the Animals and Plants Committees was agreed.

13. Economic incentives and trade policy

Following discussion of Annex 3 of document CoP13 Doc. 13 (Rev. 1) during the Committee's fifth session, the delegation of the Netherlands, on behalf of the Member States of the European Community, offered a rewording of the third draft decision in that Annex, as contained in document CoP13 Com. II. 7, which was accepted.

Interpretation and implementation of the Convention

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

56.3.1 Report of the Animals Committee

The Secretariat introduced document CoP13 Com. II. 1, which presented a draft decision directed to the Standing Committee. The document was accepted.

Strategic and administrative matters

Review of Resolutions and Decisions

17. Review of Decisions

The delegation of the Netherlands, on behalf of the Member States of the European Community, introduced document CoP13 Com. II. 9, containing an amended version of the draft resolution on trade in alien invasive species presented in document CoP13 Doc. 17. Following a suggestion from the delegation of Ecuador, it was agreed to replace "non-indigenous" with alien in the first paragraph of the preamble and "invasive" with that are potentially invasive in paragraph c). The draft resolution in document CoP13 Com. II. 9 was approved with these amendments.

In response to a question from the delegation of the Netherlands, on behalf of the Member States of the European Community, the Secretary-General clarified the procedures used in the review of Decisions.

Strategic and administrative matters

11. Review of permanent committees

11.3 Standard nomenclature and the operation of the Nomenclature Committee

The delegation of Mexico introduced Annex 2 of document CoP13 Com. II. 6 containing a revision of the draft resolution in Annex 1 of document CoP13 Doc. 11.3 (Rev. 1). The Secretariat suggested two changes to the revision: in paragraph f), replace "however" with and; and in paragraph g), replace the phrase "whether the taxonomic change will cause additional species to be included in or deleted from the Appendices" with whether acceptance of the taxonomic change would cause additional species to be included in the Appendices or listed species to be deleted from the Appendices. The Secretariat further suggested that there was a need to standardize the terms used to refer to taxonomic authorities, perhaps using the term "taxonomic authorities" throughout the document. In response to a request for clarification from the delegation of Canada, the delegation of Mexico stated that they intended it to be the Nomenclature Committee and the Secretariat that would carry out the evaluation in paragraph j). The Secretary-General suggested that this be left to the Nomenclature Committee. The Chairman asked that Mexico present a new version of the draft resolution for consideration by the Committee.

12. Cooperation with other organizations

12.3 Revision of Resolution Conf. 12.4 on Cooperation between CITES and the Commission for the Conservation of Antarctic Marine Living Resources regarding trade in toothfish

The delegation of Australia introduced document CoP13 Doc. 12.3 and asked the Committee to note the following changes in the proposed revision of Resolution Conf. 12.4 in Annex 2 of the document: deletion of the phrase "in the Southern Ocean ecosystem" from the seventh preambular paragraph; addition of the phrase and the Secretariat forward these reports to CCAMLR at the end of the second operative paragraph; and deletion of the third operative paragraph.

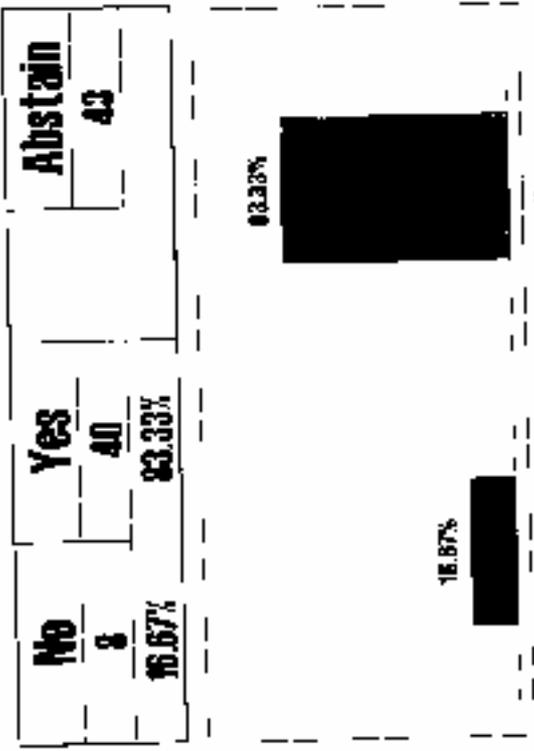
The delegation of Chile remarked that the generic name for toothfish in the Spanish version of the document was different from that used in the English document and different from that currently used in Resolution Conf. 12.4. They requested the Secretariat to produce a corrected version in Spanish but otherwise supported the revision as amended, and in this were supported by the delegation of the Netherlands, speaking on behalf of the Member State of the European Community. The delegations of Cuba and Japan opposed the revision to Resolution Conf. 12.4.

The session was closed at 12h10.

Conference Name	ID Name	Cand/Unl	Selection	In/Abstain
259 United Republics of Tanzania	00255		Not Voted	Y
258 United States of America	00254		N	Y
260 Uruguay	00253		Not Voted	Y
261 Uzbekistan	00251		Not Voted	Y
262 Vanuatu	00250		A	Y
263 Venezuela	00249		Not Voted	Y
264 Viet Nam	00248		Y	Y
265 Yemen	00245		Not Voted	Y
266 Zambia	00244		Not Voted	Y
267 Zimbabwe	00243		A	Y
268 Greece	00242		Y	Y
278 Saint Vincent and The Grenadine	00240		Y	Y
279 Pakistan	00240		Y	Y

Conference Name	ID Name	Cand/Unl	Selection	In/Abstain
204 Nepal	00204		A	Y
205 Netherlands	00203		A	Y
206 New Zealand	00202		N	Y
207 Nicaragua	00201		Not Voted	Y
208 Niger	00200		Not Voted	Y
209 Nigeria	00199		A	Y
210 Norway	00198		Y	Y
211 Palau	00197		Y	Y
212 Panama	00196		Not Voted	Y
213 Papua New Guinea	00195		Not Voted	Y
214 Paraguay	00194		Not Voted	Y
215 Peru	00193		Not Voted	Y
216 Philippines	00192		Not Voted	Y
217 Poland	00191		A	Y
218 Portugal	00190		A	Y
219 Qatar	00189		Not Voted	Y
220 Republic of Korea	00188		Not Voted	Y
221 Republic of Yogoia	00187		Not Voted	Y
222 Romania	00186		Not Voted	Y
223 Russian Federation	00185		A	Y
224 Rwanda	00184		Not Voted	Y
225 Saint Kitts and Nevis	00183		Y	Y
226 Saint Lucia	00182		Y	Y
227 Sao Tome and Principe	00181		Not Voted	Y
228 Saudi Arabia	00180		Not Voted	Y
229 Senegal	00179		A	Y
230 Serbia and Montenegro	00178		Not Voted	Y
231 Seychelles	00177		Not Voted	Y
232 Sierra Leone	00176		Not Voted	Y
233 Singapore	00175		Y	Y
234 Slovakia	00174		A	Y
235 Slovenia	00173		A	Y
236 South Africa	00172		Not Voted	Y
237 Spain	00171		A	Y
238 Sri Lanka	00170		Not Voted	Y
239 Sudan	00169		Not Voted	Y
240 Suriname	00168		Y	Y
241 Swaziland	00167		Not Voted	Y
242 Sweden	00166		A	Y
243 Switzerland	00165		A	Y
244 Syrian Arab Republic	00164		Not Voted	Y
245 Thailand	00163		Not Voted	Y
246 The Former Yugoslav Republic of Macedonia	00162		Not Voted	Y
247 Togo	00161		Not Voted	Y
248 Trinidad and Tobago	00160		Y	Y
249 Tunisia	00159		A	Y
250 Turkey	00158		A	Y
251 Uganda	00157		A	Y
252 Ukraine	00156		Not Voted	Y
253 United Arab Emirates	00155		A	Y
254 United Kingdom of Great Britain and Northern Ireland	00154		A	Y

Question 2



Agenda item 12.1.2 – Result of the vote on the adoption of the draft resolution in document Com. II. 3, as proposed by Namibia

Conference Name	Conf/Unit	Selected	Initiative	Page 2
161 Ethiopia	03/21	Not Voted	Y	
162 Fiji	03/22	Y	Y	
163 Finland	03/23	Y	Y	
164 France	03/24	Y	Y	
165 Gabon	03/25	Not Voted	Y	
166 Gambia	03/26	Not Voted	Y	
167 Georgia	03/27	Not Voted	Y	
168 Guatemala	03/28	Not Voted	Y	
169 Guinea	03/29	Not Voted	Y	
170 Guyana	03/30	Not Voted	Y	
171 Honduras	03/31	Not Voted	Y	
172 Hungary	03/32	Not Voted	Y	
173 Iceland	03/33	Not Voted	Y	
174 India	03/34	Not Voted	Y	
175 Indonesia	03/35	Not Voted	Y	
176 Iran (Islamic Republic of)	03/36	Not Voted	Y	
177 Iraq	03/37	Not Voted	Y	
178 Jamaica	03/38	Not Voted	Y	
179 Japan	03/39	Not Voted	Y	
180 Jordan	03/40	Not Voted	Y	
181 Kazakhstan	03/41	Not Voted	Y	
182 Korea	03/42	Not Voted	Y	
183 Kyrgyzstan	03/43	Not Voted	Y	
184 Laos	03/44	Not Voted	Y	
185 Lebanon	03/45	Not Voted	Y	
186 Lesotho	03/46	Not Voted	Y	
187 Liberia	03/47	Not Voted	Y	
188 Libyan Arab Jamahiriya	03/48	Not Voted	Y	
189 Luxembourg	03/49	Not Voted	Y	
190 Madagascar	03/50	Not Voted	Y	
191 Malawi	03/51	Not Voted	Y	
192 Malaysia	03/52	Not Voted	Y	
193 Mali	03/53	Not Voted	Y	
194 Malta	03/54	Not Voted	Y	
195 Mauritania	03/55	Not Voted	Y	
196 Mauritius	03/56	Not Voted	Y	
197 Mexico	03/57	Not Voted	Y	
198 Monaco	03/58	Not Voted	Y	
199 Mongolia	03/59	Not Voted	Y	
200 Morocco	03/60	Not Voted	Y	
201 Mozambique	03/61	Not Voted	Y	
202 Myanmar	03/62	Not Voted	Y	
203 Namibia	03/63	Not Voted	Y	

Conference Name	Conf/Unit	Selected	Initiative	Page 2
204 Nepal	03/64	Not Voted	Y	
205 Netherlands	03/65	Not Voted	Y	
206 New Zealand	03/66	Not Voted	Y	
207 Nicaragua	03/67	Not Voted	Y	
208 Nigeria	03/68	Not Voted	Y	
209 Norway	03/69	Not Voted	Y	
210 Oman	03/70	Not Voted	Y	
211 Pakistan	03/71	Not Voted	Y	
212 Palau	03/72	Not Voted	Y	
213 Panama	03/73	Not Voted	Y	
214 Papua New Guinea	03/74	Not Voted	Y	
215 Paraguay	03/75	Not Voted	Y	
216 Peru	03/76	Not Voted	Y	
217 Philippines	03/77	Not Voted	Y	
218 Poland	03/78	Not Voted	Y	
219 Portugal	03/79	Not Voted	Y	
220 Romania	03/80	Not Voted	Y	
221 Russian Federation	03/81	Not Voted	Y	
222 Rwanda	03/82	Not Voted	Y	
223 Saint Kitts and Nevis	03/83	Not Voted	Y	
224 Saint Lucia	03/84	Not Voted	Y	
225 Saint Vincent and the Grenadines	03/85	Not Voted	Y	
226 Samoa	03/86	Not Voted	Y	
227 San Marino	03/87	Not Voted	Y	
228 Saudi Arabia	03/88	Not Voted	Y	
229 Senegal	03/89	Not Voted	Y	
230 Serbia	03/90	Not Voted	Y	
231 Sierra Leone	03/91	Not Voted	Y	
232 Singapore	03/92	Not Voted	Y	
233 Slovakia	03/93	Not Voted	Y	
234 Slovenia	03/94	Not Voted	Y	
235 South Africa	03/95	Not Voted	Y	
236 South Korea	03/96	Not Voted	Y	
237 Spain	03/97	Not Voted	Y	
238 Sri Lanka	03/98	Not Voted	Y	
239 Sudan	03/99	Not Voted	Y	
240 Suriname	04/00	Not Voted	Y	
241 Swaziland	04/01	Not Voted	Y	
242 Sweden	04/02	Not Voted	Y	
243 Switzerland	04/03	Not Voted	Y	
244 Taiwan	04/04	Not Voted	Y	
245 Tajikistan	04/05	Not Voted	Y	
246 Tanzania	04/06	Not Voted	Y	
247 Thailand	04/07	Not Voted	Y	
248 Timor-Leste	04/08	Not Voted	Y	
249 Togo	04/09	Not Voted	Y	
250 Tonga	04/10	Not Voted	Y	
251 Trinidad and Tobago	04/11	Not Voted	Y	
252 Tunisia	04/12	Not Voted	Y	
253 Turkey	04/13	Not Voted	Y	
254 Turkmenistan	04/14	Not Voted	Y	
255 Tuvalu	04/15	Not Voted	Y	
256 Uganda	04/16	Not Voted	Y	
257 Ukraine	04/17	Not Voted	Y	
258 United Arab Emirates	04/18	Not Voted	Y	
259 United Kingdom	04/19	Not Voted	Y	
260 United States of America	04/20	Not Voted	Y	
261 Uruguay	04/21	Not Voted	Y	
262 Uzbekistan	04/22	Not Voted	Y	
263 Vanuatu	04/23	Not Voted	Y	
264 Venezuela	04/24	Not Voted	Y	
265 Viet Nam	04/25	Not Voted	Y	
266 Wallis and Futuna	04/26	Not Voted	Y	
267 Western Sahara	04/27	Not Voted	Y	
268 Yemen	04/28	Not Voted	Y	
269 Zambia	04/29	Not Voted	Y	
270 Zimbabwe	04/30	Not Voted	Y	

Conference Name	Country	Delegate Database
ID Name	Selection	In Database
256 United Republic of Tanzania	Y	Y
258 United States of America	N	Y
260 Uruguay	Not Voted	Y
261 Uzbekistan	Not Voted	Y
262 Vanuatu	A	Y
263 Venezuela	Not Voted	Y
264 Viet Nam	Y	Y
265 Yemen	Not Voted	Y
266 Zambia	Not Voted	Y
267 Zimbabwe	Y	Y
160 Greece	Y	Y
220 Saint Vincent and The Grenadines	Y	Y
21 Panama	Y	Y

Conference Name	Country	Delegate Database
ID Name	Selection	In Database
268 Nepal	Not Voted	Y
269 Netherlands	Y	Y
206 New Zealand	A	Y
207 Nicaragua	Y	Y
208 Niger	Y	Y
209 Nigeria	Not Voted	Y
210 Norway	Y	Y
211 Palau	Y	Y
212 Panama	Y	Y
213 Papua New Guinea	Not Voted	Y
214 Paraguay	Not Voted	Y
215 Peru	Y	Y
216 Philippines	Not Voted	Y
218 Poland	Y	Y
219 Portugal	Y	Y
220 Qatar	Not Voted	Y
221 Republic of Korea	A	Y
222 Republic of Moldova	Not Voted	Y
223 Romania	Y	Y
224 Russian Federation	Y	Y
225 Rwanda	Not Voted	Y
226 Saint Kitts and Nevis	Y	Y
227 Saint Lucia	Y	Y
228 Sao Tome and Principe	Not Voted	Y
230 Saudi Arabia	Not Voted	Y
231 Senegal	A	Y
232 Serbia and Montenegro	Not Voted	Y
233 Seychelles	Not Voted	Y
234 Sierra Leone	Not Voted	Y
235 Singapore	Y	Y
236 Slovakia	Y	Y
237 Slovenia	Y	Y
238 Somalia	Not Voted	Y
239 South Africa	Y	Y
240 Spain	Y	Y
241 Sri Lanka	Y	Y
242 Sudan	Not Voted	Y
243 Suriname	Y	Y
244 Swaziland	Not Voted	Y
245 Sweden	Y	Y
246 Switzerland	Y	Y
247 Syrian Arab Republic	Not Voted	Y
248 Thailand	A	Y
249 The Former Yugoslav Republic of Macedonia	Not Voted	Y
250 Tonga	Y	Y
251 Trinidad and Tobago	Y	Y
252 Tunisia	Y	Y
253 Turkey	Y	Y
254 Uganda	Y	Y
255 Ukraine	Not Voted	Y
256 United Arab Emirates	A	Y
257 United Kingdom of Great Britain and Northern Ireland	Y	Y

Question 3

