

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

Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

Summary record of the first session of Committee I

4 March 2013: 14h10-17h35

Chair: C. Caceres (Canada)
Secretariat: D. Morgan
M. Yeater
Rapporteurs: N. Ali
P. Cremona
S. Glaser
M. Jenkins

Strategic matters

16. Resolution on Cooperation with the Global Strategy for Plant Conservation of the CBD (Decision 15.19)

The Chair of the Plants Committee introduced document CoP16 Doc. 16 (Rev. 1) and outlined the involvement of the Plants Committee in the development and implementation of the Global Strategy for Plant Conservation (GSPC), adopted by the Parties to the Convention on Biological Diversity (CBD) in 2002. Until now, cooperation between the Plants Committee and the GSPC had been undertaken following a series of decisions. The annex to the document contained a draft resolution whose mandate was intended to be of longer duration than that of a decision.

The Vice-Chair of the Plants Committee, Mr Hesiquio Benítez (Mexico), further remarked that the draft resolution had been supported by the Executive Secretary of the CBD, as noted in document PC20 Inf. 8. He disagreed with the amendment proposed by the Secretariat in paragraph A of document CoP16 Doc. 16 (Rev. 1) as he believed that members of the Plants Committee should be allowed to represent CITES at relevant meetings. The draft resolution was supported by China, Granada, India and South Africa.

Argentina and Japan supported the draft resolution with the Secretariat's proposed amendment. Japan, supported by Chile, further proposed removing the brackets around the phrase "subject to the availability of external funding" in paragraph d) i) under "DIRECTS the Plants Committee and the Secretariat to:" in the draft resolution.

Ireland, on behalf of the Member States of the European Union and Croatia, supported collaboration between the Plants Committee and the GSPC but doubted that a specific resolution was needed, as it felt that collaboration was covered sufficiently by the existing mandates of the Plants Committee and the Secretariat.

The Secretariat explained that it had proposed its amendment because it was concerned that expecting members of the Plants Committee, elected in a personal capacity, to represent CITES as a whole in other fora might place those members in a difficult position. The Chair of the Plants Committee suggested replacing "representing CITES" with representing the CITES Plants Committee in paragraph d) i) under "DIRECTS the Plants Committee and the Secretariat to:" in the draft resolution.

With this change, and the change proposed by Japan, the draft resolution in the annex to document CoP16 Doc. 16 (Rev. 1) was approved. The Committee also agreed that Decision 15.19 had been implemented and could be repealed.

17. Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services

Mexico introduced document CoP16 Doc. 17 (Rev. 1) and noted that three Decisions on the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) had been adopted at CoP15, all of which had been implemented. The annex to the document contained drafts of further decisions intended to ensure that CITES continued its engagement with IPBES. However, IPBES had held its first plenary meeting in January 2013, after the document had been submitted. Noting that the outcomes of that meeting, contained in document CoP16 Inf. 23, should be taken into account in any decisions of the present meeting, it suggested forming a small working group to review and amend the draft decisions, as necessary.

Brazil, Chile, Colombia, India, Ireland, on behalf of the Member States of the European Union and Croatia, and Malaysia all recognized the importance of IPBES and the desirability of continued engagement by CITES with it. The United States appreciated the work of IPBES but was concerned that preparation of a draft resolution and consideration of a cooperative memorandum of understanding, as referred to in the draft decisions, would be premature.

Ireland, on behalf of the Member States of the European Union and Croatia, proposed that an intersessional working group on IPBES be established. It also suggested that the Secretariat report to the 65th meeting of the Standing Committee on relevant activities and that the relationship between CITES and IPBES be revisited at the next meeting of the Conference of the Parties. IUCN, speaking also on behalf of TRAFFIC, believed that it was important for CITES to engage expeditiously with IPBES and made some suggestions for specific ways forward. The Chair of the Plants Committee noted that further engagement would require secure external funding. This was echoed by Chile, Malaysia and the Secretariat. Japan believed that the reference to UNEP as a possible source of funding in the draft decision directed at the Secretariat was inappropriate in view of changes to the financing arrangements of IPBES.

The Chair established a drafting group comprising Brazil, Chile, Colombia, India, Ireland, Japan, Malaysia, Mexico (chair) and the United States. She asked the group to focus on incorporating the outcomes of the first plenary meeting of IPBES into the draft decisions in the annex of document CoP16 Doc. 17 (Rev. 1).

Interpretation and implementation of the Convention

Review of Resolutions

27. Climate change

The United States, as co-chair of the joint intersessional working group on climate change, introduced document CoP16 Doc. 27 (Rev. 1).

Kenya, supported by the Democratic Republic of the Congo and Israel, believed that climate changes issues were not adequately addressed within the decision-making processes of CITES and proposed the establishment of an intersessional working group to provide guidance.

Switzerland, supported by Ireland on behalf of the Member States of the European Union and Croatia, Japan and Paraguay, agreed with the conclusions in the annex to the document that current provisions of CITES were already sufficiently comprehensive and flexible to take climate-change science into account in decision making.

The Chair concluded that there was insufficient support for the establishment of a working group to further discuss these issues. The Committee noted the report and agreed to repeal Decisions 15.15, 15.16 and 15.17.

Trade control and marking

33. Non-detriment findings

The Chair of the Plants Committee introduced document CoP16 Doc. 33 (Rev. 1) Addendum and its annexes, indicating that these were a response to a series of Decisions adopted at CoP15, and drew on results and case studies from the international expert workshop on non-detriment findings (Cancun, November 2008), listed in Annex 3. She stressed the fundamental role of non-detriment findings in the implementation of the Convention and indicated that the list of case studies in Annex 3 could be continually updated by Parties. A draft resolution on non-detriment findings had been prepared, which had already been commented on by a number of Parties. These comments were reflected in the consolidated draft presented in the Addendum to the document CoP16 Doc. 33 (Rev. 1). Annex 4 to the document contained two draft decisions and two existing decisions proposed for extension to CoP17, chiefly regarding agarwood-producing species.

Australia supported the draft resolution. Mexico, supported by the Democratic Republic of the Congo and Japan, stressed the importance of voluntary and non-binding guidance to assist with making non-detriment findings. It considered that the results of the workshops held from 2008 onwards, and the constructive comments already provided by Parties, as set out in the document, formed a good basis on which to refine the guidelines in the draft resolution. This was echoed by Ireland, speaking on behalf of the Member States of the European Union and Croatia. China emphasized the need for simple principles to inform the making of non-detriment findings. India asked that guidance should be specific to particular taxonomic groups and should include clarification of some terms. The United States proposed the use of the term international trade instead of “export, and Malaysia proposed that guidance specify that non-detriment findings were applicable to exporters only, in the case of Appendix-II species.

Mexico, supported by South Africa, recommended the establishment of a drafting group to consider these and other amendments to the guidelines. The Chair established a drafting group comprising Australia, Canada, China, the Democratic Republic of the Congo, India, Ireland on behalf of the Member States of the European Union and Croatia, Japan, Malaysia, Mexico, South Africa (chair) and the United States. She asked the working group to look at the comments identified in document CoP16 Doc. 33 (Rev. 1) Addendum and suggestions made in the debate to clarify the points, while refraining from adding new elements.

The Secretariat noted that there was some overlap in the texts of the draft decisions in document CoP16 Doc. 33 (Rev. 1) Annex 4 and the text of the draft resolution regarding agarwood-producing taxa included in document CoP 16 Doc. 67.2 (Rev. 1). It was agreed that these documents would be discussed together under Agenda item 67.2.

43. Standard nomenclature

43.1 Report of the Animals and Plants Committees

The Fauna and Flora nomenclature specialists of the Committees introduced document CoP16 Doc. 43.1 (Rev. 1) and its Annexes

The specialist on zoological nomenclature expressed gratitude to Germany for providing funding for the production within the next two years of new checklists for chameleon and geckos. She also referred to Notification to the Parties No. 2012/043 regarding the status of *Sclerophages inscriptus* ('Batik arowana') under CITES, and indicated that the conclusions of that Notification would continue to apply. It was agreed that this would be discussed at the next meeting of the Animals Committee, for consideration at CoP17.

The specialist on botanical nomenclature noted that the proposed Cycad checklist would be dedicated to the late Mr Marit Jaichagun, who had been a representative of Thailand on the Plants Committee.

Annex 6 to CoP16 Doc. 43.1 (Rev. 1) was accepted as an amendment to Resolution Conf. 12.11 (Rev. CoP15).

The proposal by the Secretariat in Paragraph C of document CoP16 Doc. 43.1 (Rev. 1) to amend Resolution Conf. 12.11 (Rev. CoP15) was accepted.

In response to concerns expressed by the Russian Federation regarding sharks, sturgeons and some other marine species and by Indonesia regarding corals, the Chair advised that these should be raised with the Animals Committee and the Fauna Nomenclature Working Group.

Humane Society International suggested that the original intention of Decision 15.63 was to allow for newly discovered species to be automatically included within a higher-taxon listing, as this would be beneficial for taxa where the chances of discovering new species that were likely to be threatened was relatively high. IUCN and TRAFFIC reported that taxonomic issues, including those relating to higher-taxon listings, were discussed in an information document (CoP16 Inf. 39), which would be available soon.

The Committee agreed that Decisions 15.62 and 15.63 had been implemented and could be repealed. It also agreed that Decision 15.64 should be retained, given that the current recommendation represented an interim solution.

Document CoP16 Doc. 43.1 (Rev. 1) was noted.

43.2 Standard nomenclature for *Hippocampus* species

Switzerland introduced Document CoP16 Doc 43.2 (Rev. 1) proposing five newly described species for inclusion in Resolution 12.11 (Rev. CoP15). The Committee accepted this proposal.

Australia drew attention to a taxonomic paper referring to nine newly described species of *Hippocampus* and noted that eight of these were not currently included in the UNEP-WCMC CITES Species Database. The Chair advised this reference should be considered at the next Fauna Nomenclature Working Group meeting.

The session was adjourned at 17h35.