

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 second plenary session

3 March 2013: 14h00-18h00

Chairs: Ø. Størkersen (Norway)
His Excellency Preecha Rengsomboonsuk
(Thailand)
P. Pukkaman (Thailand)

Secretariat: J. Scanlon
J. Barzdo

Rapporteurs: J. Caldwell
S. Delaney
M. Jenkins
A. Mathur

Administrative matters

1. Election of Chair and Vice Chair of the meeting and
Chairs of Committees I and II and the Credentials Committee

The Chair of the Standing Committee, as interim Chair of the meeting, announced that the Committee had nominated His Excellency Preecha Rengsomboonsuk (Thailand) as Chair of the meeting, Mr Pittaya Pukkaman (Thailand) as Alternate Chair, and Mr Pasteur Cosma Wilungula (Democratic Republic of the Congo) and Mr Øystein Størkersen (Norway) as Vice-Chairs. Ms Carolina Caceres (Canada) and Mr Robert Gabel (United States of America) had been nominated as Chairs of Committees I and II respectively, and Ms Zhou Zhihua (China) as Chair of the Credentials Committee. These nominations were accepted by acclamation. He then invited the Chair of the meeting to the podium.

His Excellency Preecha Rengsomboonsuk thanked the conference for his nomination and wished the meeting success. He then invited the Alternate Chair to chair the remainder of the session.

2. Adoption of the agenda

The agenda in document CoP16 Doc. 2 was adopted.

3. Adoption of the working programme

The Secretariat presented document CoP16 Doc. 3 (Rev. 2) for adoption. It proposed that agenda items 13 and 15 be transferred from Committee I to Committee II to be discussed with item 14, as they were closely related. There being no objections, the working programme was adopted as amended.

4. Rules of Procedure

The Chair explained that there were three documents for consideration: CoP16 Doc. 4.1 (Rev. 1), Doc. 4.2 (Rev. 1) and Doc. 4.3 (Rev. 1). He proposed to ask the Secretariat to introduce the first document [CoP16

Doc. 4.1 (Rev. 1)], followed by document CoP16 Doc. 4.2 (Rev. 1). If the proposal in the second of these were adopted then there would be no need to discuss document CoP16 Doc. 4.3 (Rev. 1). However, he noted that any issue not resolved by consensus would require a vote and this would not be possible until the Credentials Committee had met, according to Rule 3.4. He was inclined to make a ruling on the issue, proposing that it be decided by a simple majority. Guinea, supported by Ghana, believed this ruling would affect smaller Parties, while Egypt supported by China, the Islamic Republic of Iran, Japan, Kuwait, the Philippines and South Africa believed the ruling would have political, economic, environmental and social implications. Ireland, speaking on behalf of the Member States of the European Union and Croatia, was in favour of simple majority. This was supported by Argentina, Brazil, Colombia, the Congo, Ecuador and Mexico.

The Secretary-General clarified voting procedures in other UN conventions, including the Convention on Biological Diversity and the UN Framework Convention on Climate Change, which required consensus to amend their rules of procedure.

The Rules of Procedure applicable to CoP15 were considered to remain in effect until modified at this meeting of the Conference of the Parties.

4.1 Report of the Secretariat

The Secretariat then introduced document CoP16 Doc. 4.1 (Rev. 1), noting that Rules 20, 21, 23 and 25 were proposed for amendment. One part of these proposed changes was straightforward, involving the addition of explicit reference to draft decisions in Rules 20 and 21, reflecting the increasing use the Parties had made of Decisions since CoP9. The proposed change to Rule 25 reflected the wish that Parties could verify that their votes had been registered when an electronic voting system was in use. These proposed changes had been endorsed by the Standing Committee. The Secretariat then withdrew the proposed amendment to Rule 23. The Secretariat also proposed changing the deadline for submission of documents for consideration at a meeting of the Conference of the Parties, set out in Rule 20, from 150 days to 120 days. They believed this would facilitate work under the Convention in giving more time to Parties and the Committees to finalize documents before CoP meetings.

The change to Rule 25 and the inclusion of references to draft decisions in Rules 20 and 21 were supported by the Democratic Republic of the Congo, Ireland, speaking on behalf of the Member States of the European Union and Croatia, Israel and the United States. Israel proposed the addition of the words and included in the official record of the meeting at the end of the Secretariat's proposed amendment to Rule 25.

The proposal to reduce the deadline for submission of documents was opposed by Israel, Mexico and the United States, which believed that this would not allow Parties sufficient time to prepare for meetings, and also that having one deadline for submission of amendment proposals and a different deadline for submission of other documents would be confusing. In view of these comments, the Secretariat withdrew this proposed amendment. The Secretariat noted that there was no objection to the proposal from Israel, but suggested that it refer to the summary record.

This was agreed, together with the insertion of references to draft decisions in Rules 20 and 21, as set out in document CoP16 Doc. 4.1 (Rev. 1).

4.2 Proposal to improve the transparency of voting during the meetings of the Conference of the Parties

and

4.3 Proposed amendment to Rule 25 on *Methods of Voting* - Use of secret ballots

Ireland, on behalf of the Member States of the European Union and Croatia, introduced document CoP16 Doc. 4.2 (Rev. 1) in which it was proposed that a simple majority should be required to decide that a vote would be taken by secret ballot on matters other than the election of officers or prospective host countries. In addition, they proposed amending Rule 25 to indicate that the motion for a secret ballot may not be conducted by secret ballot.

Mexico, on behalf also of Chile, then introduced document CoP16 Doc. 4.3 (Rev. 1), containing a similar proposal. In this case, a secret ballot would be triggered if at least one-third of the representatives present and voting supported a motion to hold one, in order to promote transparency,

accountability and a more balanced representation of CITES Parties. They also proposed amending Rule 25 to indicate that the motion for a secret ballot may not be conducted by secret ballot.

Both sets of proponents drew attention to the increasing use of secret ballots in deciding on substantive issues before the Parties, believing that this contradicted the Strategic Vision of CITES, which calls for transparency in decision-making.

The proposal in document CoP16 Doc. 4.2 (Rev. 1) was supported by Colombia, India and the United States. Paraguay supported the proposal of Chile and Mexico. The United States also urged Parties to support this proposal if the former proposal were not adopted.

Both proposals were opposed by China and Japan, who believed that a balance needed to be struck between transparency and democracy. They believed that the current Rule allowed this satisfactorily.

Noting that there was clearly no consensus, the Chair adjourned discussion on these agenda items, indicating that the matter would go to a vote in accordance with Rule 21 of the Rules of Procedure once Parties' credentials had been verified.

5. Credentials Committee

The Chair of the Standing Committee reported that, in addition to Ms Zhou Zhihua (China), the following had been nominated as members of the Credentials Committee: Mr Frank Antram (Australia); Ms Patricia Awori (Kenya); Mr Jorge Hidalgo (Mexico), and Mr Volodymyr Domashlinets (Ukraine). All nominations were accepted.

6. Admission of observers

The Secretariat sought formal acceptance of the observers listed in document CoP16 Doc. 6, subject to the proviso that all national non-governmental agencies or bodies could demonstrate that they had been approved as observers by the State in which they were located. This was agreed.

7 Report of UNEP

The representative of UNEP introduced document CoP16 Doc. 7 (Rev. 2) containing the report of UNEP describing technical and scientific support provided to CITES, and administrative and financial management support provided to the CITES secretariat. The report was noted.

Strategic matters

24. World Wildlife Day

Thailand introduced document CoP16 Doc. 24 (Rev. 1), in which it was proposed that 3 March, the date of adoption of CITES, be declared each year as World Wildlife Day. The proposal was supported by the Bolivarian Republic of Venezuela, China, the Democratic Republic of the Congo, Egypt, Guinea, India, Japan, Kenya, Peru and the United States. Peru proposed the incorporation of a reference to Objective 3.2 of the Strategic Vision of CITES in the preambular paragraphs. The United States reported that, in 2012, it had for the first time observed 4 December as Wildlife Conservation Day. They had worked with a number of national and international organizations, including the CITES Secretariat, to raise awareness of issues such as trafficking of wildlife. If the proposal to declare 3 March World Wildlife Day were accepted, they intended to replace Wildlife Conservation Day with World Wildlife Day in domestic observances.

The draft recommendation in document CoP16 Doc. 24 (Rev. 1) with the addition of the preambular paragraphs suggested by the Secretariat, incorporating a reference to Objective 3.2 of the Strategic Vision of CITES, was adopted.

10 Committee reports and recommendations

10.1 Standing Committee

10.1.1 Report of the Chair

The Chair of the Standing Committee summarized document CoP16 Doc. 10.1.1, thanking the Committee Vice-Chairs and all its members as well as the Secretariat for their hard work and support. He concluded by drawing attention to the increasing volume of work allocated to the Committee over the past decade, thanking those Parties that had made voluntary contributions, and stressing the importance of maintaining the Secretariat's budget and developing a financial mechanism to fund activities, particularly at the national level.

The United States drew attention to a decision made by the Committee at its 62nd meeting (SC62, Geneva, July 2012) regarding the bigleaf mahogany and other neotropical timber species that, pending the availability of external funds, the Secretariat should undertake a mission to the Dominican Republic and a subsequent mission to Fiji if the mission to the Dominican Republic indicated that this was necessary.

Egypt asked whether it might be possible in future to provide a summarized version of the Committee's report. Uganda drew attention to the discussion in paragraph 17 of the report, concerning a proposed revision of Resolution Conf. 10.10 (Rev. CoP15).

Document CoP16 Doc. 10.1.1 was noted.

10.2 Animals Committee

10.2.1 Report of the Chair

The Chair of the Animals Committee summarized document CoP16 Doc. 10.2.1 (Rev. 1). He thanked the Committee members and the Chair of the Plants Committee for their commitment, hard work and support. He also thanked Ireland, which hosted joint sessions of the Animals Committee and Plants Committee meetings in March 2012, Spain and the Secretariat for their help and support. He highlighted work carried out by the Committee in the period since CoP15, stressing the Review of Significant Trade in specimens of Appendix-II species, the Periodic Review of the Appendices, climate change, and the evaluation of the Review of Significant Trade. He thanked Germany for its support and for hosting a meeting on the evaluation of the Review of Significant Trade in June 2012.

New Zealand, noting that the current Chair was not seeking to continue in this position, thanked him for his hard work. The United States supported further discussion of the request by the Chairs of the Animals and Plants Committees for a supplementary budget, noting that there were established procedures under the Convention for such funding through the costed programme of work. They recommended that the issue be forwarded to the Standing Committee to be considered intersessionally, and also that the Standing Committee consider which Parties could be eligible for such funding in light of their discussions at SC62.

Document CoP16 Doc. 10.2.1 (Rev. 1) was noted.

10.3 Plants Committee

10.3.1 Report of the Chair

The Chair of the Plants Committee summarized document CoP16 Doc. 10.3.1 (Rev. 1). She thanked the Committee members and the Chair of the Animals Committee for their commitment, hard work and support. She also thanked Ireland, which hosted the joint sessions of the Animals Committee and Plants Committee meetings in March 2012, Spain and the Secretariat for their help and support, and Georgia, Guatemala and Italy for supporting her attendance at various meetings. She highlighted work carried out by the Committee in the period since CoP15, stressing the Review of Significant Trade in specimens of Appendix-II species, agarwood-producing taxa, Madagascar and the Global

Strategy for Plant Conservation. She endorsed the intervention made by the United States under agenda item 10.1.1.

With reference to paragraph 87 of document CoP16 Doc. 10.3.1. (Rev. 1), Brazil reiterated that all exported essential oil from *Aniba rosaeodora* came from planted sources.

Document CoP16 Doc. 10.3.1 (Rev. 1) was noted.

The session was closed at 18h05.