

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

Thirty-sixth Meeting of the Standing Committee
Geneva (Switzerland), 30 January to 2 February 1996

SUMMARY REPORT

Members:

Asia:	N. Akao (Japan), Chairman A. Furuya H. Yoshii N. Okuda H. Nakanishi K. Hosoda H. Tsubata H. Yokoyama N. Hayashi K. Kawase M. Komoda M. Pongpanich (Thailand) Y. Thanompichai B. Klankamsorn M. Lauprasert
Europe:	R. Hepworth (United Kingdom), Vice-Chairman R. Smith N. McGough S. Flemming S. Tveritinov (Russian Federation) O. Shamanov
South & Central America and the Caribbean:	N. Nathai-Gyan (Trinidad and Tobago), Alternate Vice-Chairman V. Lichtschein (Argentina)
Africa:	M. Lindeque (Namibia) A. Kane (Senegal) K. I. Abdel-Rahim (Sudan)
North America:	R. A. Medellín L. (Mexico) M. E. Sánchez Saldaña
Oceania:	C. Fearnley (New Zealand) Alternate
Depositary Government:	P. Dollinger (Switzerland) B. von Arx L.-G. Ducret

T. Althaus

Next Host Country:

H.E. C. Chimutengwende (Zimbabwe)
J. Moyo
T. Jokonya
W. Makombe
T. T. Chifamba
D. Hamadziripi
K. Mupezani

Previous Host Country:

S. Lieberman (United States of America)
M. Cohn
H. Cohen

Observers:

Austria
Brazil
China

G. Erdpresser
A. O. Sa Ricarte
R. Zhen
X. Wang
J. Jia

Czech Republic
France

Y. Liu
J. Kucera
A. Bonneau
J. Rigoulet

Germany
Greece

A. Kaiser-Pohlmann
I. Kinnas

Honduras
Indonesia

A. Cambitsis
C. M. Ramírez
Soemarsono
D. Siswomartono
H. E. Saodah Syahrudin
W. Prodjowarsito

Italy

Syarifuddin
F. Gulton
U. Mereu
M. Lepri

Madagascar

A. Russi
J. Ravaloson
P. Edafe
R. Rakotondrazaka

Morocco

M. Bentaja
M. AïtELHAJ

Netherlands
Panama

C. Schürmann
D. M. Botello
F. Palacio

Philippines
Republic of Korea

B. de Castro Muller
S-Y. Choi
J.S. Bang

Slovakia
Spain

E. Svec
P. Valiente
J. Rubio

United Republic of Tanzania

E. Severre
Alternate
M. M. Lyimo

European Commission

W. Wijnstekers

United Nations Environment
Programme:

J. Illueca

Secretariat:

I. Topkov
M. Astrálaga
J. Barzdo
A. Beyene
J. Kundaeli
J. P. Le Duc
O. Menghi
G. Van Vliet

Rapporteurs:

J. Berney
J. Boddens Hosang

First Session: 30 January 1996: 09h40 - 12h30

1. Opening Remarks by the Chairman and the CITES Secretary General

The Chairman opened the meeting and welcomed all Committee members and observers. He reported that preparations for the tenth meeting of the Conference of the Parties were well underway and announced that the Minister of Environment and Tourism of Zimbabwe would be addressing the afternoon session of the meeting. The Secretary General followed with his opening remarks and also welcomed the participants, noting that the number had grown, bringing a corresponding increase in costs.

The Secretary General announced various events to be held after the daily meetings of the Committee, including a reception to be hosted by Japan after the second session, a reception to be hosted by the CITES Secretariat for the Committee and for the outgoing Deputy Secretary General after the sixth session, and an informal meeting with representatives of NGOs immediately after the fourth session.

The Secretary General concluded by noting that a list of participants would be circulated as soon as possible. He requested confirmation of participation in future meetings of the Standing Committee to be communicated to the Secretariat at least 48 hours in advance.

2. Adoption of the Agenda

Before introducing document Doc. SC.36.1/Rev.2, the Provisional Agenda, the Chairman remarked that the meeting with NGOs immediately after the fourth session was expected to take about one hour and he requested participants to attend this meeting if possible. He added that some representatives of NGOs had travelled from far and would appreciate there being as many participants as possible.

The Secretary General requested the addition of a discussion of document Doc. SC.36.20.1 under Provisional Agenda item 20, Other business, and noted that the representative of the Previous Host Country had expressed interest in adding to the agenda the issue of CITES representation at other meetings, and the topic of illegal trade in Appendix-I bear parts and products. The representative of the Previous Host Country said that they wished the latter topic to be discussed as a separate agenda item and the subject of representation at meetings to be added under Provisional Agenda item 20. The

Chairman agreed to add the topic of illegal trade in Appendix-I bear parts and products after items 14 and 15 as new agenda item 16. The observer from Panama requested the addition of agenda item 20 of a progress report on Resolution Conf. 9.17 on the status of international trade on sharks in addition to document Doc. SC.36.20.2 and requested distribution of copies of all correspondence on this issue to the participants of the meeting.

Document Doc. SC.36.1/Rev.2 was adopted with the above amendments. The Chairman stated that a request had been made by the Previous Host Country to address agenda item 5, Review "How to improve the effectiveness of the Convention" at the fourth session of the meeting. The Vice-Chairman noted that it would be advisable to delay the discussion of agenda item 6b, Estimated expenditures for 1996, until the last session, in case any decisions of the Standing Committee had budgetary implications. The Chairman agreed in principle but noted that it might not need to be revisited if the issue were to be addressed and possibly concluded in the second session.

The Chairman concluded by welcoming the representative of the United Nations Environment Programme.

4. Issues concerning Regional Representation on CITES Committees

The chairman of the working group on this subject, the Alternate Vice-Chairman, introduced document Doc. SC.36.4 and noted that it contained final comments from the working group and the Secretariat and requested any further comments or recommendations to the Annex to be sent to the Secretariat. Some issues addressed in the Annex were in need of further deliberation and review at a regional level. The final document will be submitted to the tenth meeting of the Conference of the Parties.

The Secretary General then noted that in the third line of paragraph 4b of the Annex the word "not" should be deleted. He also added that the six regions established under CITES differed from the five standard regions recognized by the United Nations. There were currently 29 Parties in Europe and, when the number exceeded 30, the region would have a right to three representatives in the Standing Committee. Also, the issue of whether the former Soviet republics should be added to Europe or Asia would need to be addressed since this had obvious consequences for the preparations for the tenth meeting of the Conference of the Parties. The Chairman supported the idea of following the UN practice of including these countries in the European region and also requested members to send their comments on the document to the Secretariat.

The observer from Spain noted that the document allowed for the possibility of several votes coming from one region resulting in the formation of sub-regions. He was concerned by such a possibility, considering that votes should be co-ordinated within each region.

The representative of Europe (United Kingdom) congratulated the working group on the document and added that it could serve as a guideline for discussion at the regional level. He shared Spain's concern and added that there was a danger of being over-prescriptive for the regions; he cautioned against establishing too rigid a framework for the regions to work with. He added that it was the responsibility of the regions to organize their own representation in the Committee. The Alternate Vice-Chairman expressed her expectations that the regions would act in a co-ordinated manner. The representative of Africa (Namibia) added that regional discussions concerning document Doc. SC.36.13.1 had proceeded in a co-ordinated way and underlined that solutions to issues could indeed be found regionally. The Secretariat noted that there was no intention of drafting a resolution on this subject; the suggestion was only that the Secretariat should prepare a document for use by Regional Representatives in their preparation for the regional meetings at the next meeting of the Conference of the Parties.

It was agreed that the Secretariat should prepare such a document and the Chairman closed the discussion, repeating the request that members send further comments on the document to the Secretariat.

3. Revision of the Rules of Procedure of the Standing Committee

The Secretariat introduced document Doc. SC.36.3/Corr.1 and proposed some amendments to Annex 2.

Rule 9: was amended to read The Secretariat of the Convention shall service and act as secretary for meetings of the Committee. However, in the event of a closed session, the meeting shall provide for its own rapporteur, if needed.

Rule 17: the Secretariat clarified that this rule related to Resolution Conf. 9.1 and that non-Party observers, Secretariat and UNEP staff were excluded from any closed session. Although the wording in this Rule seemed redundant in some respects, the Alternate Vice-Chairman, the representative of the Previous Host Country and the observers from the Philippines and the Republic of Korea agreed that clarity should prevail and recommended that the text remain unaltered. The observer from Italy agreed about the need for transparency and clarity concerning the Rules. The observer from Brazil agreed with the above and added that he had experienced some difficulties in obtaining documents for the meeting and pointed out that all Parties should have free access to all documentation. The Secretary General explained that members of the Standing Committee received documents earlier than observers but that all efforts were made to send documents as soon as possible.

Rules 20 and 21: after some discussion, Rule 20 was amended in the third line to read 40 days; and Rule 21 was changed in the first sentence to read 25 days. The observer from the European Commission suggested adding the following sentence to the end of Rule 20: "If no negative comments are received by the Secretariat within the time limit, the proposal is considered as adopted and notice given to all members". This was accepted. Annex 2 of document Doc. SC.36.3/Corr.1 was adopted with the suggested amendments concerning Rules 9, 20 and 21 (see Annex 1 of this summary report).

6. Issues Concerning Finances, Personnel and Common Services

The Secretariat introduced document Doc. SC. 36.6 and the discussion focused on agenda items 6a) and b), of which the former would be discussed again during the eighth session. It was added that the 1996 budget had been approved at the ninth meeting of the Conference of the Parties and some adjustments had been made by the Secretariat. The Secretary General drew the participants' attention to the first paragraph concerning Administrative costs on projects and stressed the importance of the information presented.

In response to a question from the representative of Europe (United Kingdom), about balancing the budget between 1995 and 1996, the Secretariat explained that savings had been made in some areas and been reallocated to others. Regarding contributions from Parties, some were in arrears and therefore savings in certain areas were welcome. The Secretary General added that UNEP had allocated USD 1 million to the Secretariats of CITES, the Convention on Biological Diversity (CBD) and the Convention on the Conservation of Migratory Species (CMS) but owing to financial problems this year, payment of this money could not be expected and therefore part of the reserve savings had to be used to pay the salaries of the Secretariat staff. The UNEP representative explained that UNEP was indeed facing financial difficulties in funding the Secretariats and had a carry-over of only USD 12 million for 1996, enough for three months salaries of all staff. This limitation could result in the closing down of some 15 of the smaller units.

The representative of South & Central America and the Caribbean (Argentina) and the observer from the Philippines asked for clarification on the 13% administrative charge to be made by UNEP on the budgets of externally funded projects. The observer from the Philippines pointed out that this charge would make the costs exorbitant and suggested drafting a letter to the Executive Director of UNEP raising this concern.

The Chairman delayed further discussion on this topic and brought the Committee's attention to the proposal of offering the outgoing Deputy Secretary General a temporary position as Adviser for the preparations for the tenth meeting of the Conference of the Parties. The observer from Italy voiced his strong support for this proposal, which was approved.

The Chairman, having received no further comments on the proposed budget for 1996, noted that the Committee approved the budget and added that countries listed in Annex 2 that were in arrears should pay their contributions as soon as possible. The representative of Africa (Namibia) acknowledged embarrassment that his own country was listed as being behind in its payments and suggested that contributions be paid in local currency to the nearest UNDP office, which could then transfer the funds elsewhere. This suggestion was supported by the representative of (Senegal). The representative of UNEP explained the problems of currency exchange and devaluation and said that payments had to be made in US dollars.

The observer from the European Commission suggested that voting rights be linked to payment of contributions and proposed that this be discussed under agenda item 5. The representative of the Previous Host Country pointed to the voluntary nature of contributions and said that the arrears by her own government were due to internal budget problems. The Alternate Vice-Chairman felt the suggestion by the observer from the European Commission to be too drastic and proposed that a letter from the Chairman be sent to countries in arrears to urge them to pay soon. She agreed with the point concerning the voluntary nature of contributions made by the representative of the Previous Host Country. The Chairman supported the idea of a letter and requested that it be drafted with assistance from the Secretariat. This was agreed.

The Chairman returned to the matter of the 13% administrative costs of UNEP on externally funded projects and explained that this had been a decision taken by the UNEP Governing Council. The representative of UNEP provided further clarification and added that the 13% charge might not be applied by UNEP and that the matter was still being reviewed while alternative systems were being explored. He added that the reason for seeking to charge 13% was because many governments were earmarking contributions, and this could have a negative effect on the Environment Fund. The representative of the Previous Host Country remarked that her country's contributions to CITES projects were not "counterpart contributions" to UNEP, this being the term used in a decision of the UNEP Governing Council, and that her country would not support an additional 13% levy on these contributions. She asked what services were being provided by UNEP to administer the projects, in addition to those already provided by the CITES Secretariat. The observer from the European Commission did not see a problem with paying 13% overhead charges but said that if both UNEP and the CITES Secretariat each charged 13% this would be unacceptable.

In light of the above comments, the Chairman requested that a letter to the Executive Director of UNEP be drafted and proposed that the observer from the Philippines and the representative of the Previous Host Country assist in the drafting process.

The Secretary General announced that the Minister of Environment and Tourism from Zimbabwe and the Minister of Agriculture and Co-operatives of Thailand would speak during of the second session.

The Chairman closed the session at 12h30.

Second session: 30 January 1996: 14h30-17h30

The Chairman opened the session and invited Mr Montri Pongpanich, Minister of Agriculture and Co-operatives of Thailand, to address the assembly. The speech of the Minister is attached as Annex 2 to this report.

The representative of Europe (United Kingdom) stated that he welcomed the commitment of Thailand to CITES, referring in particular to a project on orchids, which was being conducted with the assistance of the Secretariat. He announced that his country would provide GBP 13,000 for the project.

The Chairman thanked the Minister and mentioned in particular the activities of Thailand at the regional level to improve enforcement of CITES.

6. Issues Concerning Finances, Personnel and Common Services (continuation)

d) Personnel

The Chairman indicated that the issue of the appointment of the new Deputy Secretary General would be discussed later. He asked whether there was any comment on the other personnel issues described in document Doc. SC.36.6. As there was none, the Chairman announced that note was taken of the Secretariat's report.

e) Common services

The Secretary General stated that the issue had to some extent been resolved by a meeting of UNEP that had taken place in Geneva early in January, where UNEP had announced that it was no longer intending to establish common services as had been tentatively planned. However, confirmation in writing was still expected from UNEP. He provided additional explanations regarding the information in document Doc. SC.36.6 and stated that it was not yet known who would pay in the future for the office costs (rent and maintenance) of the Secretariat. He took the opportunity to thank the Swiss Government for the large financial contribution it had made so far: about CHF 400,000 a year. He added that discussions were going on between UNEP and the Swiss Government. This statement was confirmed by the representative of UNEP.

The representative of the Previous Host Country said that she was in favour of having an administrative unit within the Secretariat and she was concerned about any change that could reduce efficiency. She added that it would be useful to have a full explanation from UNEP of the services provided from the 13% administrative charge paid by CITES, and to know how much time was spent by the CITES administrative staff on the administration of other Conventions.

The representative of UNEP stated that the objective of UNEP in proposing common services had been to make savings in the long term and to increase efficiency, as had been done in Nairobi.

The Chairman thanked UNEP and expressed the wish that the present way of administering CITES not be changed.

d) Personnel

The Chairman returned to the issue of the appointment of the new Deputy Secretary General. The Vice-Chairman declared that this was a sensitive issue, which should be dealt with in a closed session in two parts. The first would be a session open only to members of the Committee and to observers from the Parties, in accordance with Rule 17 of the Rules of Procedure, and the second would be a session with the Secretary General and the representative of UNEP. This was agreed.

The meeting continued in closed session from 15h00 to 17h30.

Third Session: 31 January 1996: 09h40 - 12h40

The Chairman called for the continuation of the closed session from the previous afternoon.

The meeting reconvened in an open session at 12h00.

9. Timber Working Group

The Chairman invited the Secretariat to introduce document Doc. SC.36.9, the Report on the first meeting of the CITES Timber Working Group (TWG), held in Kew (United Kingdom) on 27-29 November 1995. The Secretariat indicated that the terms of reference for the TWG as well as the membership were proposed to remain the same. The Secretariat noted, however, that one representative from Africa, Cameroon, had not attended the first meeting and that no explanation for the absence had been given. Also, the Secretariat pointed to the need for an additional CHF 90,000 for the second meeting of the TWG. A correction to document Doc. SC.36.9 was made on page 16, in the fifth line from the top: "export" should read import. Another correction was noted on page 17, under *DECIDES: b): "a)vi)"* should read f). Comments on the document were welcomed.

The Chairman reiterated the request for comments and added that the second meeting of the TWG would be hosted by Panama and held in early October, the dates to be confirmed by the Secretariat. The Chairman suggested the possibility of another African country replacing Cameroon. The representative of the Previous Host Country praised the work done by the TWG and the resulting report prepared by the Chair (and the Secretariat), noting that it accurately reflected the context, discussion, and outcomes of the meeting. However, she noted that the minutes of the meeting did not, as they were incomplete and poor. She recommended that the Secretariat not circulate the minutes with the report. It was agreed that only the report would be circulated to the Parties. The representative of the Previous Host Country added that the United States Forest Service would be holding a workshop on *Swietenia macrophylla* in October 1996 in Puerto Rico. Her country had given financial support for the first meeting of the TWG but no funds would be available for the second meeting. She concluded by saying that African representation in the TWG should be decided by African members but shared the Secretariat's concern about non-participation by Cameroon. Support for the report and for keeping the terms of reference and membership of the TWG unchanged was echoed by the representative of Asia (Japan) who pledged USD 30,000 for the second meeting of the TWG. The representative of Europe (United Kingdom) also supported previous statements on the report and on the TWG. He could not make any financial commitment from his country for the next meeting although efforts to identify funds would be made.

The Chairman concluded this agenda item by recommending that the African members decide during this meeting whether or not Cameroon should be replaced on the TWG. He added that the report would be circulated to all Parties and relevant international organizations for comments before the second meeting of the TWG, in October. He finally urged the representatives of the United Kingdom and the Previous Host Country, as well as other Parties, to secure the remaining funds needed for the meeting.

Concerning agenda item 5, (Review "How to improve the effectiveness of the Convention") the Chairman announced that Marshall P. Jones would not be able to attend the next session, but that a fax from Mr Jones had been received regarding funding for the review of "How to improve the effectiveness of the Convention." The fax was circulated to members and observers at the meeting. The fax included a letter from the U.S. Agency for International Development, pledging USD 86,000 for the project and specifying certain conditions. The Chairman noted that the conditions required that the conduct of the review be participatory and transparent.

10. Enforcement Issues

The Secretariat introduced document Doc. SC.36.10 and thanked the Parties having provided funding for enforcement activities of the Secretariat. He added that, under item 1.1 of the document, the World Wide Fund for Nature - International should be added since it had funded training activities in Viet Nam for CHF 10,000.

The Secretariat noted that within the 1995 training activities listed in Annex 1 of the document, three seminars had been carried out in co-operation with the US Fish and Wildlife Service. The Secretariat was receiving a growing number of requests from Parties for training, with which it had trouble coping. It outlined its plans for enhancing Parties' training capabilities by organizing training seminars for trainers and developing joint training activities with some Parties. The Secretariat then reported on activities concerning ICPO-Interpol and the World Customs Organization (WCO).

The representative of UNEP announced his departure before the end of the session and thanked the members of the Standing Committee for informing him of their concerns. He hoped that ways of improving efficiency in the administration of the Secretariat would be found and he indicated that he would report back to the Executive Director.

The Chairman thanked the representative of UNEP and expressed his hopes for improvement of the relationship between UNEP and CITES.

The session was closed at 12h40.

7. Preparation of the Tenth Meeting of the Conference of the Parties

The Chairman thanked the Minister of Environment and Tourism of Zimbabwe for his participation in the meeting and gave him the floor. The speech of the Minister is attached as Annex 3 to this report.

The Chairman thanked the Minister and said that he was pleased with the preparations for the tenth meeting of the Conference of the Parties. The Secretary General also thanked the Minister and indicated that the Secretariat was ready to provide support within the available means. The representative of the Previous Host Country confirmed the willingness of her country to help Zimbabwe and this was echoed by the Vice-Chairman as well as by the representative of Asia (Japan) and the observer from Italy.

The Secretary General expressed his pleasure regarding the commitment of countries neighbouring Zimbabwe to help it to make the meeting a successful one. He stated that the Memorandum of Understanding was an important issue to be discussed with the Government of Zimbabwe to avoid any problems, in particular with the legal office of the United Nations in New York. He added that a Secretariat mission would soon be undertaken to Zimbabwe. The Chairman spoke about the experience of his country regarding the Memorandum of Understanding and offered his assistance in case of difficulties. Responding to a question from the Secretary General, the Minister of Environment and Tourism of Zimbabwe confirmed that anybody who wished to participate in the meeting would be authorized to enter Zimbabwe for this purpose.

10. Enforcement Issues (continuation)

The Secretariat introduced the second part of document Doc. SC.36.10 regarding enforcement problems in some regions and referring to implementation of Resolution Conf. 9.8. They thanked the United Kingdom for the secondment of an enforcement officer to the Secretariat and also thanked the United States of America for its support for training activities of the Secretariat. They stressed that the problems existed in all regions but not all problems needed to be submitted to the Standing Committee. Regarding the European Union they confirmed that progress had been made but, as the new Regulation in the European Union was not yet in effect, they asked the Standing Committee to make two recommendations for urgent measures. They made a similar request regarding Eastern Europe, particularly in relation to Poland and the Czech Republic.

The Chairman suggested that the Standing Committee focus its attention on three areas:

- i) the activities of the Secretariat (presented in the morning session);
- ii) enforcement in the European Union; and
- iii) enforcement in Eastern Europe.

Regarding point i) he indicated that the question of staffing would be discussed in a closed session.

The representative of the Previous Host Country reiterated their strong support for enforcement training activities and for enforcement actions and mentioned their co-operation with the Secretariat on training, in particular in Asia. She added that they wished to do more and that all Parties should share experience and communicate on enforcement actions.

The observer from Indonesia indicated that his country would organize training seminars using the material provided by the Secretariat and the observer from Italy stressed the importance of Resolution Conf. 9.8 for his country. He added that Italy had provided funds for employment of an Assistant Enforcement Officer in the Secretariat and for the workshop on edible-nest swiftlets *Collocalia*. The observer from Indonesia, where the workshop will take place, indicated that the bird-nest traders of his country were willing to provide funds for the local expenditures. He also indicated that after the training programme jointly presented by the US Fish and Wildlife Service and the CITES Secretariat, additional training and enforcement actions had been undertaken by his government.

The representative of Europe (United Kingdom) supported the statement of the representative of the Previous Host Country and agreed with the emphasis in the first part of document Doc. SC.36.10 on the importance of training for trainers. In that context his country would be providing GBP 20,000 for a project in connection with implementation of the Lusaka Agreement. The representative of North America (Mexico) said that a training centre had been established in Veracruz in early 1995 to train enforcement officers. The representative of Asia (Japan) declared that Japan had provided USD 20,000 in 1995 for enforcement and that a further USD 20,000 would be provided in 1996.

The Chairman then turned the discussion to enforcement in the European Union. The observer from Italy, as the spokesman of the Member States present, indicated that there were misunderstandings on this subject similar to those during the eighth meeting of the Conference of the Parties and that a new era would start in 1997 with the new Regulation. Progress had been made and was expected to be made in spite of internal problems concerning Eastern Europe and difficulties of controls in coastal areas. He noted that the proposed recommendations asked for immediate measures, although they were in the process of being implemented. He concluded by saying that the European Union needed encouragement as this could be more productive than recommendations.

The observer from Greece indicated that his country had joined CITES recently and that serious efforts had been made since then. He indicated that sanctions could be applied under their laws and that the Secretariat's document was very imprecise about this issue. He added that the current appendices were applicable in Greece and that he was surprised by the negative tone of the document and the proposed recommendations. The observer from the European Commission referred to Resolution Conf. 7.5, paragraph h), and believed that the issue should not have been brought to the Standing Committee. He said that more contact with the Commission was still possible. He invited the Secretariat to participate in a meeting of the Commission to be held in February 1996, where the issues raised in document Doc. SC.36.10 could be considered. He expressed surprise about the Secretariat's prediction regarding the implementation of the new regulations and concluded by saying that, as the Gaborone amendment was not yet in force, efforts should be made in this direction.

The representative of Europe (United Kingdom) and the observers from Austria, Germany, the Netherlands and Spain all supported the former speakers and expressed their surprise about the content of the document under discussion and about the recommendations, which they felt unjustified. Rapid progress in negotiations under the French Presidency had produced agreement by the European Council of Ministers on the text of a new regulation for implementing the Convention in the European Union. This would take into account the criticisms levelled at EU Member States collectively. In respect of the allegations made in document Doc. SC.36.10 concerning implementation in their particular countries, the speakers said they would welcome bilateral discussions with the Secretariat to identify specific problems.

The Chairman stated that, as an observer, he was shocked by the facts reported in the document and he asked the Secretariat to react to the comments made. The Secretariat repeated that problems existed everywhere and that the European Union was not at the bottom of the class. They recognized that they could have emphasized more the positive aspects. However, they indicated that it was desirable to expose the problems because the European Union was a major importing region, where small problems have a great effect. Regarding the urgency of the problems, the Secretariat stated that the positive aspects of the new regulation would only be real when it was implemented. Currently, they added, illegally acquired specimens were still being legalized unjustifiably and they reported that, recently, a reptile smuggler was cited in a police report explaining how he could get legal papers from a Member State of the European Union for illegally acquired specimens. The Secretariat expressed its satisfaction about good contacts with the Parties in the European Union but stated also that they had received complaints from countries in other regions. Therefore the Secretariat was asking for immediate remedial actions.

The observer from Brazil stated that in his opinion the matter should not have been raised with the Standing Committee. The observer from the European Commission agreed and added that the recommendation to the Commission was inappropriate since the European Union was not obliged to implement CITES as it was not a Party.

The Alternate Vice-Chairman asked since when the problems had existed and the Vice-Chairman expressed his concurrence with his colleagues in the European Union about the document giving a misleading picture.

The observer from the United Republic of Tanzania declared that he appreciated the concerns of the Parties of the European Union, but he urged them and the Secretariat to provide more information to the exporting countries on cases of infractions.

The Secretariat emphasized again the good co-operation they had with the European Union on issues that were neither new nor unusual. They said that many issues had been solved but a number of problems still existed. The Secretariat was not asking for sanctions but for recommendations regarding clearly identified problems to be solved urgently. They added that they supported the Gaborone amendment and were making efforts to have it accepted.

The Secretary General stated that it was usual to ask more of leaders than of others. He added that the members of the Standing Committee were supposed to report on activities in their regions but that no report had been submitted. He accepted the invitation to participate in a meeting of the European Commission in February and stated that he intended to meet the new Director General of DG XI before Easter. He finally proposed that the Secretariat meet with representatives of the European Union to redraft the recommendations.

The Chairman stated that the fact that the Gaborone amendment was not in effect should not be used as an excuse for a lack of implementation, and that consultation should continue, starting with the revision of the recommendations. This was agreed.

Concerning Eastern Europe, the observer from the Czech Republic explained the progress made since the ninth meeting of the Conference of the Parties, in particular regarding the drafting of new legislation. The draft was supposed to go to the Parliament in June 1996 but because of elections the discussions might be delayed until early 1997. He expressed the hope that the proposed recommendation would put some pressure on the authorities. He concluded by saying that legislation already existed and that more information on violations of CITES involving Czech citizens would be appreciated.

The representative of Europe (Russian Federation) spoke about the relationship between his country and the other Republics of the Commonwealth of Independent States. In June 1995, all members of the Intergovernmental Ecological Council of CIS had asked the Russian Federation to co-ordinate the implementation of CITES, not an easy task. He supported the position of the Secretariat asking for the accession to CITES of all the CIS Republics. He considered the experience of the European Union as very useful and asked for a copy of the new Regulations, the Russian Federation being confronted, like the European Union, also with the problem of the absence of border controls with some of its neighbours. He thanked Switzerland for providing funding for a training seminar to be held in Moscow, preferably in May 1996. He concluded by stating that he agreed with the proposed recommendations.

The Secretariat stated that their objective was to assist the countries mentioned in the recommendations and that they were prepared to add a sentence to thank the Russian Federation for its help in implementing CITES in the CIS Republics. This was supported by the representative of the Previous Host Country, who asked for co-operation with these Republics to achieve their accession. The observer from Brazil stated that the Standing Committee should only deal with matters not solved by the Secretariat and the representative of Europe (Russian Federation) invited the Secretariat to attend the next meeting of the Intergovernmental Ecological Council in Alma Ata (Kazakstan) next September.

Turning to other issues, the representative of Africa (Namibia) raised the issue of the non-implementation of CITES by European museums that were collecting specimens. He expressed the feeling that such activities were increasing since the Convention on Biological Diversity was in force. He felt that the museums should be informed about CITES. He also stated that the problem was even more serious with the collection of genetic material for research, the control of which is very difficult. The observer from the European Commission stated that he was not aware of problems of implementation of the exemption related to museums in individual countries and he recommended the use of labels to avoid the need for permits. He finally indicated that the issue would be raised at the February meeting mentioned earlier and that a public-awareness campaign would start in Europe in co-operation with TRAFFIC Europe. The representative of the Previous Host Country said that the problem existed also in her country and that they were thinking about the preparation of a draft resolution. The observer from Zimbabwe endorsed the statement by the representative of Africa (Namibia) stating that research was sometimes just a pretext for trade.

The Chairman indicated the agenda items which should be discussed the next morning and confirmed that an informal meeting between representatives of NGOs and those members of the Standing Committee and observers who wished to participate in it would start immediately. He closed the session at 17h30.

Fifth Session: 1 February 1996: 09h45 - 12h30

The Chairman opened the session by stating that the Committee would continue with agenda item 5, which would be followed by items 3, 8, 11, 12, 16, 13, 14, 15, a discussion on bears, and finally a return to a closed session concerning the procedure for appointing a new Deputy Secretary General.

5. Review "How to Improve the Effectiveness of the Convention"

The Chairman introduced document Doc. SC.36/Inf.7 to start the discussion. The representative of the Previous Host Country explained that their funding for the review matched the amount pledged by the Government of Japan (USD 86,000) and that the United States would now be able to release this sum. The offer was linked to the Government of the United States filling an advisory role in the process and other conditions related to the process being both participatory and transparent. This statement was welcomed by the representative of Asia (Japan), in his capacity as a member of the selection committee. He announced that the consultant chosen to conduct the study was Environmental Resources Management (ERM) in the United Kingdom and that a contract could soon be offered. The Vice-Chairman further recommended that ERM start as early as March 1996 and said that a revised timetable for the project was now called for. An interim report would be expected by the 37th meeting of the Standing Committee and a full report by the tenth meeting of the Conference of the Parties. Also, it was necessary to appoint two members of the Standing Committee to advise ERM throughout the project.

These were separate from the Monitoring Committee (the previous selection group), which consisted of Argentina, Japan, Namibia and the United Kingdom, with Canada and New Zealand as advisers. A suggestion was then made to include a representative of the Government of the United States in the advisory team, which was welcomed by the representative of the Previous Host Country. The representative of Oceania (New Zealand) suggested that the money for the contract should be paid direct to ERM so as to avoid the 13% administrative charge of UNEP.

3. Revision of the Rules of Procedure of the Standing Committee (continuation)

The Alternate Vice-Chairman, on behalf of the working group, returned to document Doc. SC.36.3./Corr.1 and stated that the additional sentence to Rule 20 suggested by the observer from the European Commission to rule 20 in the first session of the meeting should not be added. This was agreed by the Standing Committee.

9. Timber Working Group (continuation)

The representative of Africa (Namibia) proposed that, until the problem of communication with Cameroon was resolved, it be replaced in the TWG by the representative for Africa in the Plants Committee. This was agreed.

8. Review and Consolidation of Resolutions

The Secretariat introduced document Doc. SC.36.8 and welcomed comments from the Standing Committee. The representative of Asia (Japan) thanked the Secretariat for the preparation of the document but, in relation to Annex 1, he expressed his concern about re-opening discussion on Resolution Conf. 9.12. He stated that his government had submitted three reports to the Secretariat on the trade in whale meat in his country and had expected participants to this meeting to have received this report in time for the meeting. He continued by giving a summary of the report and progress made in Japan concerning this Resolution. The representative of the Previous Host Country suggested that the issue be addressed at the 37th meeting of the Standing Committee and expressed interest in continuing collaboration with the Government of Japan on the issue. She also cautioned that any changes to Resolution Conf. 9.12 should be made with utmost care. The representative of Oceania supported the representative of Japan's concern regarding any changes to the resolution and suggested that the text not be changed.

The observer from the European Commission suggested that the recommendations and requests from Resolutions Conf. 2.7 and Conf. 2.9 were no longer relevant and should be deleted but agreed with the suggestion of the representative of Oceania that the wording

in Resolution Conf. 9.12 should not be amended. The representative of the Previous Host Country and the observer from Panama agreed and added that many changes had occurred since Resolutions Conf. 2.7 and Conf. 2.9 had been adopted. The representative of Oceania stated that Resolution Conf. 9.12 was already a consolidated resolution and that the other three Resolutions should be handled separately. The representative of the Previous Host Country agreed and suggested consolidating Resolutions Conf. 2.7 and Conf. 2.9 but treating Resolution Conf. 9.12 as a separate case. The Chairman closed the discussion of Annex 1 by inviting members to submit written comments to the Secretariat at least 60 days prior to the 37th meeting of the Standing Committee, at which this would be discussed again.

Concerning Annex 2, on ranching and trade in ranched specimens, the representative of the Previous Host Country said that she would submit comments to the Secretariat in writing and drew attention to the work of the Animals Committee relating to Resolution Conf. 5.16. An amendment to the text in Annex 2 was agreed on page 14: i.e. the deletion of paragraph e) v). It was agreed that any further comments should be sent to the Secretariat in writing to the document at least 60 days before the 37th meeting of the Committee.

The Chairman asked if there were any other consolidations that the Parties could expect. The Secretariat replied that they were working on consolidations on marking, captive-breeding, enforcement and exemptions amongst others.

11. National Legislation for the Implementation of CITES

Document Doc. SC.36.11 was introduced by the Secretariat, which asked the Standing Committee whether the analysis of legislation should be made available to non-Parties, NGOs, universities, etc. In thanking the Secretariat in particular for assistance related to paragraph 11 of the document, the Alternate Vice-Chairman added that she was not in favour of giving out the information in the analyses at this time. The representative of Europe (United Kingdom) suggested that, if it were agreed that the analyses should be available, requests should be directed to the Party concerned, or the Party should be consulted before the release of the analysis of its legislation. Although such information was freely available in her country, the representative of the Previous Host Country agreed with this suggestion. She stated that her country strongly supported the project to review and improve national legislation. Regarding paragraph 5 in document Doc. SC.36.11, she added that Parties had not been required to respond and she agreed with the comments from the Alternate Vice-Chairman about paragraph 11. The representative of Africa (Namibia) noted that sensitivities existed about this issue and supported the suggestion of prior consultation of the analysis of its legislation with a Party before the release. The representative of Asia (Japan) and the observer from Brazil agreed. The representative of Asia (Japan) added that, regarding paragraph 3 of the document, it had not received the updated analysis. The representative of the Depositary Government stated that, if information were released, it should be dated in order to show when it was current. The representative of North America, speaking for his country, Mexico, commented that his government had begun a thorough legislative revision, and now had a preliminary draft law. He also noted that the TRAFFIC comments made in the context of the review of national legislation included useful suggestions with respect to subsistence hunting and biotechnology. The observer from the United Republic of Tanzania reported that his country was currently reviewing its legislation at parliamentary level.

In support of paragraph 10 of the document, the representative of North America requested clarification of the time-frame. The Secretariat explained that there were currently no funds available to assist in developing legislation. However, the regional office of UNEP for Latin America (in Mexico) had expressed interest in assisting to fund legislation activities for six countries in the region. The Secretariat stated that in addition

to their efforts with the regional office of UNEP for Latin America, they would like to collaborate with other UNEP regional offices on this project. The representative of the Previous Host Country endorsed this suggestion. The Secretariat also noted that one reason why there had been less progress on this issue than there could have been was because the Enforcement Officer had still not been appointed. The Secretariat encouraged Parties to explore possibilities for further collaboration in other regions. Regarding the comments of the representative of Asia (Japan) concerning paragraph 3, they explained that they had had some problems with the revision of the analysis but that the revised version would be sent out the following week.

The Chairman summarized the discussion noting that it was agreed that the analyses of legislation were to be reviewed by the Parties concerned and that the Secretariat should obtain the consent of each Party before releasing the analysis of its legislation. Also it was noted that other avenues besides UNEP would be explored for assistance in improving legislation.

The Secretary General reported on his official meeting with the Minister of Environment of South Africa which had taken place earlier in the morning. The Minister had confirmed his offer of assistance to the Government of Zimbabwe in its preparations for the tenth meeting of the Conference of the Parties. The Minister, in sending his greetings to the members of the Standing Committee, had also reported that information on crimes that had occurred in Kruger National Park was being reviewed carefully.

16. Small Island Developing States

Document Doc. SC.36.16 was introduced by the Secretary General, who reported that the Government of Australia had offered its full co-operation to the Secretariat. In addition, the South Pacific Regional Environment Programme (SPREP) had also voiced its full support for the implementation of the Convention in the region. Concerning the Caribbean region, relatively more progress had been made and only four countries were not yet party to the Convention: Antigua and Barbuda, Grenada, Haiti and Jamaica. However, Haiti and Jamaica had shown their intention of becoming party to CITES soon.

The representative of Oceania expressed her hopes that the Secretariat would visit her region before the tenth meeting of the Conference of the Parties. She also recommended that the Secretariat work with the SPREP Committee on Small Island Developing States.

The representative of Europe (United Kingdom) referred to paragraph 4 of the document, noting that the Turks and Caicos Islands were due to finalize their legislation for implementation of CITES by the end of the year.

The Secretary General said that he hoped to visit Oceania soon and suggested that a strategic plan for the region should be collectively drawn up by the Parties of the region.

12. Late Submission of Annual Reports by Parties

The Secretariat introduced document Doc. SC.36.12 and drew attention to the deterioration in the timeliness of the submission of annual reports. They noted that, at the previous meeting, it had been agreed that the Secretariat and the regional representatives in the Committee should collaborate to approach countries not having submitted a report; but only one regional representative was known to have done this. They reported that the Secretariat had looked for ways of helping Parties to produce their annual reports. For several countries the Secretariat had accepted copies of permits from which data were computerized by the World Conservation Monitoring Centre (WCMC) and an annual report was printed out from the database. The Secretariat had also been looking for ways to provide computer hardware and software to Parties that needed it for management of

CITES-related data. The Secretariat had initiated discussions with WCMC about the development of an information management strategy for CITES; assistance should be provided to the Parties within the framework of this strategy.

The Secretariat suggested that regional representatives should contact the Parties in their regions that had not submitted their annual reports, or that the Chairman should write to them. This was supported by the Alternate Vice-Chairman as well as by the representative of the Previous Host Country, who apologized for the late submission by her country of data on trade in plants.

The representative of Africa (Namibia) asked whether the computer system used by WCMC was compatible with the systems used by the countries being assisted and the observer from Panama asked why no reports were to be expected from the Republic of Honduras, according to the document under discussion. The Secretariat replied to the representative of Africa that a questionnaire had been sent out to all Parties regarding their computer systems and that the production of an appropriate software package was being discussed within the context of the information strategy. As for the reports from Honduras, the Secretariat explained that a prohibition on the export of species from Honduras had been in effect during 1994.

The observer from the European Commission reported that they were also collaborating with WCMC on a project with several elements, including the computerization of annual reports and data on Appendix-II listed species. He noted the need to co-ordinate activities with the Secretariat. Under the new EU Regulation, Member States must submit documentation on their trade in the previous year before 15 June; WCMC would then submit a report by 15 October of every year.

The Chairman summarized the discussion, urging members of the Committee to contact Parties that had not submitted their reports and stressing the importance of timely submission. A letter from the Chairman to such Parties would also be sent.

20. Any Other Business

IATA Live Animals Regulations

After introduction of document Doc. SC.36.20.1 by the Secretariat, the representative of the Previous Host Country expressed support to the Secretariat, and agreed with the text of document Doc. SC.36.20.1.

The Chairman stated that agenda item 6 would be revisited in the next session, as well as items 13 and 14, and that a final closed session would be held. He closed the session at 12h30.

Sixth Session: 1 February 1996: 14h40 - 17h40

5. Review "How to Improve the Effectiveness of the Convention" (continuation)

The Chairman gave the floor to the Vice-Chairman to report on the outcome of the meeting of the Monitoring Committee on the review. The Vice-Chairman reported that representatives of Argentina, Japan, Namibia and the United Kingdom had participated in the meeting. There were no representatives of Canada and New Zealand, who remained advisers to the Committee. The Vice-Chairman stated that the Committee recommended: 1) that the Monitoring Committee continued to monitor the review on behalf of the Standing Committee; 2) that, as the contract with Environmental Resources Management (ERM) was almost ready, ERM should start the review on 1 March 1996, to be able to

provide its conclusions within six months, i.e. in early September. Thus the report would be ready for discussion by the Standing Committee in December, after the Monitoring Committee has met the day before the meeting of the Standing Committee. The Standing Committee should decide how to communicate the report to the Parties before the tenth meeting of the Conference of the Parties. The Monitoring Committee suggested also that the representatives to be designated by the Standing Committee to contribute to the review should be J. Berney, because of his long experience, and either M.P. Jones or S. Lieberman, the choice between these two being left to the Government of the United States of America. In addition, payments to the consultant should be authorized by the Chairman and the Vice-Chairman of the Standing Committee, and the Vice-Chairman should act as the point of contact with ERM as both were located in the United Kingdom. All these recommendations were accepted by the Standing Committee.

6. Issues Concerning Finances, Personnel and Common Services (continuation)

Terms of Reference for the Working Group on the Relationship between CITES and UNEP

The representative of the Depositary Government commended the Vice-Chairman for the excellent draft of terms of reference he had prepared and, to start the discussion, he suggested several amendments. The representatives of Africa (Namibia and Senegal), of Asia (Japan), of Oceania, of South and Central America and the Caribbean (Argentina) and of the Previous Host Country, as well as the observers from Brazil, France, Panama, the Republic of Korea and Spain, all thanked the Vice-Chairman for his work and suggested some additional amendments. Amongst those concerning the substance of the text, the following subjects were addressed: 1) monitoring, reporting and accountability of UNEP; 2) reference to a possible amendment of paragraph 1 of Article XII of the Convention; 3) the non-application of UNEP's 13% charge on special projects; 4) relationship and co-ordination with other Conventions and organizations; and 5) evaluation of the performance of senior Secretariat staff. Questions were also raised about the membership of the working group, about whether or not it should be open to Parties not members of the Standing Committee, and about the timetable of work and the way to conduct it.

The Secretary General raised the issue of the deadline for the submission of the report if it had to be translated for the next meeting of the Standing Committee.

There was further discussion on the membership of the working group, with various views expressed about the participation of Parties not members of the Standing Committee, the point being made that the working group should remain small. The representative of Africa (Namibia) suggested that instead of asking UNEP to designate an adviser to the group they should be asked to participate in it.

Responding to a remark of the Chairman, the Secretary General indicated that he would look for funding for a possible meeting of the working group within the budget for the Standing Committee.

In conclusion, the Vice-Chairman was asked to redraft the paper he had prepared, taking into account the amendments proposed that seemed to be acceptable to the Committee and the various points subject to discussion. The Secretary General stated that the revised draft would not be translated, only the final document.

13. Issues Concerning the African Elephant

a) Dialogue between Range States

Document Doc. SC.36.13.1 was introduced by the Secretariat. In the absence of comments, the Chairman suggested that the Committee take note of the results of

the meeting of representatives and alternate representatives of Africa that took place in Nairobi in April 1995 and of the fact that financial contributions were expected for meetings of the range States of the African elephant to take place in Senegal in late 1996.

The representative of the Previous Host Country indicated that her government continued to support the dialogue and confirmed their commitment to provide funding, subject to the adoption of the budget of their country.

The representative of Africa (Namibia), as well as the representative of the next Host Country and the observer from the United Republic of Tanzania, thanked the Secretariat for its support and efforts to ensure the continuation of dialogue. The representative of the Next Host Country stated that his country would welcome a meeting of African delegates immediately before the tenth meeting of the Conference of the Parties. The observer from the United Republic of Tanzania extended his thanks to IUCN and to those prepared to contribute financially to meetings and to help to conserve the African elephant.

The representative of Asia (Japan) indicated that his country supported the dialogue within Africa and that Japan was prepared to contribute USD 150,000 for that purpose.

b) Revision of Resolution Conf. 7.9

The Secretariat introduced document Doc. SC.36.13.2 and presented the issues to be considered to answer questions raised by the Conference of the Parties at its ninth meeting. The observer from the United Republic of Tanzania thanked the Secretariat and expressed concern about the proposal to repeal Resolution Conf. 7.9, leaving only Resolution Conf. 9.24 to apply to proposals relating to elephants. He said that the latter resolution was very broad and was scheduled to be reviewed at the twelfth meeting of the Conference of the Parties. He stated that the elephant was a keystone species and underlined the need for dialogue to reach a consensus amongst range States. He thanked the States that had provided funds for conservation of the African elephant but expressed concern because much funding had been promised but not received and concern about the risk of legal trade in ivory generating illegal trade. He finally suggested that the issue be reviewed by the range States at their forthcoming meeting. The representative of Asia (Japan) stated that information from scientists is essential to assess elephant populations and that a panel of experts was indispensable to analyze the data. In his view, Resolution Conf. 7.9 should be maintained notwithstanding the existence of Resolution Conf. 9.24. He added that the Panel of Experts on the African elephant, when considering a proposal, should review the controls on trade in ivory in specific importing countries and the trade in products other than ivory, and that these aspects should be included in the terms of reference of the Panel.

The representative of Africa (Namibia) asked whether the African countries had been consulted for the preparation of the paper and how the Secretariat expected to amend the terms of reference of the Panel of Experts. Answering the observer from the United Republic of Tanzania, he stated that no consensus among range States was needed regarding the elephant as Africa was diverse and changing.

The representative of the Previous Host Country considered the document as very useful and that the terms of reference of the Panel of Experts may be changed using the postal procedure. She also said that any revision of the terms of reference, although possible through a postal procedure, should depend on what proposals are submitted for consideration at the tenth meeting of the Conference of the Parties.

She added that she had no strong views regarding the maintenance of the Panel. This statement was supported by the representative of Europe (United Kingdom) who said that it would be difficult for the Standing Committee to reach agreement about the long term. He also expressed opposition to the introduction of specific criteria in Resolution Conf. 9.24, as it had been drafted to be as comprehensive as possible.

The representative of the Depository Government agreed about the difficulties of changing the mandate of the Panel before a proposal for amendment of the appendices had been submitted. He suggested that the Standing Committee could agree that the Panel should, when appropriate, consider the trade in non-ivory products and controls on ivory trade in importing countries. Agreement should also be possible regarding the procedure for proposals already reviewed in the past.

The Secretariat agreed about the use of the postal procedure and considered reasonable the proposal from the Representative of the Depository Government. Regarding the long term, they suggested that a paper similar to that submitted to the Standing Committee be prepared for consideration at the tenth meeting of the Conference of the Parties.

After several representatives and observers from Africa had stated that the meeting of the range States would provide further clarification on various issues, the Committee agreed that the terms of reference of the Panel of Experts should be amended as suggested by the representatives of Asia (Japan) and the Depository Government and that the Panel should be authorized to ask other questions if it felt them appropriate. It was also agreed that the issue should be put on the agenda for the next meeting of the Standing Committee to examine in particular the results of the meeting of the range States.

14. Issues Concerning the Tiger

Before introducing document Doc. SC.36.14 the Secretariat proposed an amendment and provided explanations regarding the various annexes. The Secretariat noted that serious problems still existed regarding the tiger but CITES alone could not solve them, in particular in certain range States where the loss of habitat was very significant.

The representative of the Previous Host Country noted some progress and then referred to their own document annexed to the Secretariat document. She underlined the results of the laboratory analysis of medicines confiscated in the United States which did not contain detectable quantities of tiger bone or rhinoceros horn but significant levels of toxic components such as arsenic and mercury. She also described public-awareness activities in which her government had been involved with Asian consumer and medicinal communities in the United States. She drew attention to the educational display on exhibit in the meeting room, and highlighted recent efforts with Cambodian, Chinese, Korean, Thai, Vietnamese, and other communities in the United States.

The observers from the Republic of Korea and Indonesia explained the actions taken in their respective countries, the latter asking other Parties to advise them of any illegal import from Indonesia of tiger or rhinoceros specimens. The representative of Asia (Japan) reported that they had established a plan for domestic measures for the protection of tigers and rhinoceros on the basis of Resolutions Conf. 9.13 and Conf. 9.14.

The representative of the Republic of Korea stated that his government had banned the import of all tiger bone.

The representative of Europe (Russian Federation) stated that his country was a range State of the tiger, not a consumer State, which was doing its best to conserve the species

but needed help from other countries and organizations. He also said that many non-governmental organizations were providing assistance in the Russian Far East, including support for anti-poaching teams.

The Vice-Chairman stated that he was still disturbed about the status of the species in the wild in spite of actions in the consuming States. He mentioned actions going on in his country, including the distribution of information in both English and Chinese. He asked for increased efforts to improve legislation and stated that the Committee should continue to look at the issue and the Secretariat should re-issue its Notification to Parties and extend the deadline for reports.

The Secretariat reminded the representative of Asia (Japan) and the observers from Indonesia and the Republic of Korea that they should provide written reports on their actions. The representative of the Previous Host Country indicated that the Congress of the United States had passed the Rhinoceros and Tiger Conservation Act and that, therefore, funding would be available and projects would receive consideration. She also provided members and observers at the meeting with information sheets on grants available under this new law for the conservation of rhinoceroses and tigers in the wild. She encouraged range States to submit projects for consideration for funding.

The Chairman concluded the discussion by stating that the efforts must continue in the range States and the consuming States and that the Committee must continue the discussion of the issue.

After announcing that all remaining items should be considered the following day and that a draft statement on enforcement, the second draft paper on the relationship with UNEP and a draft letter about UNEP's 13% charge on special projects had been distributed, the Chairman closed the session at 17h40.

Seventh session: 2 February 1996: 09h45 - 12h30

At the start of the session the Secretariat announced that the ICPO-Interpol Sub-Working Group on wildlife crime had decided to publish a directory of enforcement agencies and focal-point enforcement officers in charge of CITES enforcement in countries all over the world. The World Customs Organization and the CITES Secretariat had agreed to support and to contribute to this publication. The Secretariat asked the Management Authorities of the Parties to co-operate in this project and to provide relevant information.

16. Trade in Parts of Bears

The representative of the Previous Host Country stated that it was seriously concerned about the escalation in the trade in parts of bear species listed in Appendix I and asked the Secretariat to prepare a document for discussion at the next meeting of the Standing Committee. She reported that her country was experiencing an increase in illegal imports of bear parts and she illustrated her concern with a few examples. She stated that her country was analyzing means of identifying bear gall bladders and was keen to co-operate with any Party in helping differentiate between gall bladders of various species of bear. The observer from China responded that his country had not issued any export permits for bear parts since 1992 and that the import of bear products was illegal in his country. The representative of Europe (United Kingdom) agreed about the seriousness of the issue and supported the proposal to discuss the matter at the next meeting of the Standing Committee. The Committee agreed to this.

15. Giant Panda Loans

The Secretariat presented documents Doc. SC.36.15 and its annexes 1, 2 and 3. In document Doc. SC.36.15, page 1, under paragraph 5, the last words "for the issuance of import permits" were deleted. The recommendations under paragraph 12 (page 3,) were introduced for discussion. The Secretariat reported that all but the first two recommendations had been drafted after consultation with the Chinese authorities. Regarding the first recommendation, the Secretariat added that the Chinese Government had requested that an exception be made for animals in poor health.

The observer from China thanked the Secretariat for preparing the document. He said that giant panda loans did not pose a threat to the species regardless of its vulnerable status. He conceded that his government held diverging views on some of the issues referred to in document Doc. SC.36.15, particularly those in paragraphs 7, 11 and 12, but welcomed the generally positive direction of the document. However, he pointed out that the species is not threatened by international trade and said that the Secretariat should pay attention to the text of the Convention. Paragraph 12 of the document, for example, did not relate to the text of CITES. He expressed disagreement with paragraph 10. The observer commented that breeding the giant panda was difficult but that some successes could be noted. He also drew attention to document Doc. SC.36.15 Annex 3 and the efforts made by his government in the conservation of giant pandas. He said that wild specimens were not captured for exhibition purposes but that some individuals in certain areas had been starving and in general poor health and could not be returned to the wild after treatment. He added that only six giant pandas had been loaned, of which one had been returned. He concluded that China sees the giant panda as a national treasure and recommended that CITES be more flexible.

The representative of the Previous Host Country thanked the Secretariat for preparing the document and agreed with the observer from China about the symbolic conservation value of the giant panda. She said that it was the view of the United States that imports should be authorized only as part of a co-ordinated international conservation effort for giant pandas, a term used to mean an organized plan through which all giant panda imports support high priority projects in China's National Plan and are co-ordinated with China's captive-breeding plan. She also agreed that the first recommendation in paragraph 12 was too restrictive and could benefit from rewording. Regarding paragraph 10 of the document, the wording implied that all giant panda loans were for commercial purposes and she advised vigilance regarding the implementation of Article III of the Convention. She stated that, since there was potential for significant economic gain from giant panda loans, the United States considered it critical that benefits from such loans be returned to China for conservation purposes.

The observer from Spain remarked that in document Doc. SC.36.15 the words "loans" and "exports" were used interchangeably and he recommended consistency and clarity regarding the use of these words throughout the document. He suggested that in paragraph 12 the word "exported" in the last recommendation be changed to "loaned". The representative of North America, referring to the first recommendation under paragraph 12, asked the observer from China to explain under what conditions wild-taken animals would be allowed to be exported, since these animals could also be used for captive-breeding purposes in China. He also stated that wild-taken animals should not be used for loans since it was preferable that they remain in China for captive-breeding purposes in order to maintain genetic diversity and avoid inbreeding. He also questioned how the export of wild-caught pandas could benefit the species. The representative of Asia (Japan) agreed with the representative of the Previous Host Country that close co-operation with the Chinese Government should prevail.

The representative of Europe (United Kingdom) welcomed China's efforts concerning the conservation of this species and agreed with the comments regarding paragraph 10 made

by the representative of the Previous Host Country. Each loan should be assessed on an individual basis in light of the scientific value to captive breeding and for exhibition purposes. Funds generated from loans should also be returned to China for further conservation purposes. He said that the document suggested that all funds be channeled through the Management Authority but he thought this would be difficult to control. He also agreed that some flexibility might be needed in the first recommendation under paragraph 12 and requested clarification from the observer from China regarding the justification for taking animals from the wild. The representative of Africa (Namibia) agreed with the preceding statements and with the need for greater flexibility concerning loans for conservation purposes.

In response to the question of the representative of North America, the observer from China responded that Article III of the Convention allowed for the export of wild-taken animals. He pointed out that Mexico had been successful with captive-breeding programmes but that China had also had some successes. Regarding the question from the representative of Europe (United Kingdom), he observed that in some cases research institutes could not return the animals to the wild and export would therefore be an option. He also agreed with the suggestion to return to China any funds for conservation purposes.

The Chairman recommended that the proposed amendments from China be included in a redraft of the document and invited the representatives of the Previous Host Country, North America and Europe (United Kingdom), and the observer from China, to present an amended version later in the meeting. The representative of North America added that the Spanish translation was in need of some corrections. (These were later made by the Secretariat.)

10. Enforcement Issues (continuation)

The Chairman remarked that the proposed statement by the observer from the European Commission and Member States of the European Union had been agreed upon and the amended document Doc. SC.36.10.1 was accepted.

17. Issues Concerning Special Projects

The Secretariat introduced document Doc. SC.36.17.1 and introduced the new proposed format for project proposals, as found in Annex 1 of the document.

The representative of the Previous Host Country expressed concern about this format and found it to be too detailed for small projects. She questioned whether the use of the format had been suggested by UNEP or rather directed by them and referred back to the earlier discussions on the relationship between CITES and UNEP. She also questioned the administrative overhead costs due both to UNEP and to the Secretariat. In summary, she did not support this new proposed format.

The observer from the European Commission said that this proposed new format would find support within his office owing to the increased demand for details on project proposals. The new format would make it easier for his office to assess proposals.

The representative of the Depositary Government also questioned the administrative costs. The Secretariat explained that it normally would charge 7% for overheads related to projects. These had been mostly small, species-related projects. Regarding the format they added that it was not being imposed in its present form by UNEP and could be amended if needed. They said that this format was used by many international organizations in order to facilitate the processing of project proposals. The representative of the Previous Host Country suggested that an amended format be drafted by the

Secretariat to discuss at the next meeting of the Standing Committee and asked the Secretariat what services were provided by the 7% overhead charge. This last question was repeated by the representative of the Depositary Government, who pointed out that his country already paid a big part of the rent of the CITES Secretariat premises and that salaries were paid from the regular budget.

The Secretariat responded that the 13% overhead charge had been decided by UNEP but that it was still unclear if it would be applied or not. The proposed new format for project proposals was actually a simplified version of the one used by UNEP. The Chairman agreed that the new format should be discussed at the next meeting of the Standing Committee. Regarding the question of the 13% overhead charge, the Secretary General noted that a letter to the Executive Director of UNEP was being drafted. Concerning the project proposal format, the Secretary General asked to be allowed flexibility in meeting donors' needs since the potential benefits of improving the format outweighed the time it might take to complete the form. The Secretariat added that the UN auditors had become more demanding in their requirements for information on projects owing to inconsistencies in other UN offices.

The observer from the European Commission cautioned against adapting the format for each individual donor because this would become an expensive and cumbersome process. The observer from Brazil commented that if the format became too detailed this would make it difficult for developing countries to use. He also asked the Secretariat to maintain the previous project proposal format until the next Standing Committee meeting when an amended format, more applicable to CITES, could be discussed. The observer from the Philippines agreed and added that her country, as signatory to many conventions, has already asked UNEP to reconsider its imposition of the 13% overhead costs. The representative of Africa (Senegal) commented that the donors' requirements should prevail over UNEP's directives.

The Chairman summarized, asking for some understanding and flexibility while an amended format was being drafted. He welcomed any comments that could be helpful in redrafting. The Secretariat added that these comments should be sent within six weeks so they could discuss the format with UNEP.

The Secretariat then introduced document Doc. SC.36.17.2/Rev.1 and continued with Annex 1 (Project S-102: Management and sustainable use of the population of *Crocodylus niloticus* of Madagascar). It was confirmed that the 13% charge was already included in the project budget. The representative of the Previous Host Country commented that the per diem for the consultant was very high and that it should be equal to that of the local counterparts since this would be standard procedure in her country. The Secretariat explained that the per diem for the local counterparts in Madagascar, where this project would be conducted, was the official amount but that it could perhaps be raised to international standards. They added that a consultant would be staying in a hotel during his/her contract. The representative of the Next Host Country commented that there should be a policy concerning per diems for local and foreign consultants. The Secretariat explained that, when a local person from the Scientific Authority is involved in a project, the rates are based on national rates. If the person is not a government official, the per diem should be equal to that of a foreign consultant. The observer from Madagascar commented that this project was of great importance to his country since the trade in crocodiles was substantial and there were problems concerning monitoring. Project S-102 was approved by the Committee.

The meeting continued in a closed session which was terminated at 12h30.

Eighth Session: 2 February 1996: 14h30 - 17h45

6. Issues Concerning Finances, Personnel and Common Services (continuation)

The Chairman presented the second draft of the letter to the Executive Director of UNEP that had been discussed during the closed session. An amendment in the second paragraph was suggested: in the third line delete "some aspects of". The final version of the letter is attached to this report as Annex 4. The Chairman then tabled document Doc. SC.36.6.1 which, after some discussion, was amended and adopted as document Doc. SC.36.6.1/Rev, a copy of which is attached to this report as Annex 5.

17. Issues Concerning Special Projects (continuation)

Document Doc. SC.36.17.2 Annex 2 (Project S-103: Conservation and management of peccaries in Argentina) was introduced by the Secretariat. Project S-103 was approved by the Committee.

The Secretariat introduced Annex 3 (Project S-104: *Crocodylus moreletii* in the Biosphere Reserve of Centla, Mexico). Some questions were raised concerning the size of the memory of the computer, the purchase of a vehicle and the 15% VAT taxes levied by Mexico. The Secretariat responded that the computer was sufficient, that purchasing the vehicle would be less expensive than leasing one, and that Mexico applied a 15% tax on all transactions. The representative of North America added that the vehicle would be donated to the University of Tabasco after the project closed. Project S-104 was approved by the meeting.

Annex 4 (Project S-105: *Terrapene coahuila*, *Apalone (cf. Trionyx) ater* and *Trachemys scripta taylori* in Mexico) was introduced by the Secretariat. The budget on page 6 did not include the 15% VAT tax on equipment and salary, which therefore should be added to the total sum. The observer from the European Commission commented, regarding paragraph 7(i), that new European Union legislation now prohibited the import of *A. spinifera emoryi* owing to the detrimental effects of trade on the species. The representative of North America commented that two of the endemic turtle species in his country had low reproduction rates and that trade in the third species would have to be limited soon in order to avoid losing the species. Project S-105 was approved by the Committee.

Annex 5 (Project S-106: *Ara militaris* on the Pacific Coast of Jalisco, Mexico) was introduced by the Secretariat and the Chairman commented that the format of all proposals would hopefully be standardized soon. The observer from the European Commission questioned the relevance of this project proposal for CITES and the representative of North America replied that there was an urgent need to assess the degree of illegal traffic in the species in Mexico and the need to set up monitoring and supervision strategies. The representative of South and Central America and the Caribbean (Argentina) added that she supported this project because the species was listed in Appendix I. The Secretariat added that the Animals Committee at the ninth meeting of the Conference of the Parties had decided that Appendix-I-listed species should be considered by the Secretariat for projects in order for possible sustainable use activities to be considered at a later date. The representative of the Previous Host Country noted that this particular species of macaw was indeed subject to illegal trade and the decision of the Animals Committee mentioned by the Secretariat should be respected. Project S-106 was approved by the Committee.

The Secretariat introduced Annex 6 (Project S-107: Survey of the status and exploitation of and trade in the products of the hippopotamus *Hippopotamus amphibius* in Africa). The representative of the Depositary Government reiterated his earlier point about the very high

overhead costs. The representative of the Next Host Country commented that this project proposal had been developed together with the authorities in Zimbabwe. The representative of Africa (Namibia) recommended that the project should include input from all range States and that the United Republic of Tanzania should review the practicalities of this project before it is approved. The observer from the United Republic of Tanzania replied that this project had been drawn up together with the Chairman of the Animals Committee and that the study should also look at conservation efforts in other African countries concerning the species as well as at the resources involved in related conservation activities. The Secretariat stated that the project entailed a desk study of data on trade in the products of the hippopotamus and that no selection of individual African countries had been done yet. Consultations on partners in the project would soon be held. The representative of the Previous Host Country agreed on the need to consult with the range States. She suggested that the project be approved in concept and that the Secretariat consult with the range States. The Chairman summarized the above by concluding that the Secretariat should continue its consultations with range States and return with an updated proposal at the next meeting of the Standing Committee. Project S-107 was however approved in principle.

Annex 7 (Project S-108: Sustainable management and conservation of crocodilians and their wetland habitats in Central America) was introduced by the Secretariat. Some questions regarding the relatively high figures in the budget were asked by the representative of the Depositary Government and by the observer from the European Commission. The Secretariat responded that the figures in box 1 in the budget reflected the fact that co-ordinators would have to work in several countries. The administrative costs would be reviewed with the government authorities of the countries concerned. The representative of the Previous Host Country agreed that the budget needed re-examination but felt that the proposal should be approved in principle owing to the importance of the project. Project S-108 was approved in principle and the Secretariat was asked to present the revised document at the next meeting of the Standing Committee for final approval.

The Secretariat introduced Annex 8 (Project S-109: Trade in medicinal plants) and added that the Management Authority of Germany would be responsible for carrying out the project and funding it. The study on trade in medicinal plants was not related to any particular country. The Secretariat would only monitor the project, so there was no need for overhead charges. Project S-109 was approved. The representative of the Depositary Government later suggested that the project be extended to include succulent plants in Madagascar.

Annex 9 (Project S-092: Status survey of the grey parrot *Psittacus erithacus* and development of a management programme in Sierra Leone) was introduced by the Secretariat. The representative of the Depositary Government stated that his country would fund part of this project in view of the importance of the subject matter. He commented, however, that the costs of the vehicles in the budget seemed very high. The observer from the European Commission questioned whether a study of the grey parrot over a broader geographical range could not be considered and whether any study had already been conducted in other countries. The representative of the Previous Host Country agreed that there was a need for a study over a larger range and commented that the Secretariat had data on the species that could be made available at the next meeting of the Standing Committee. The Secretariat responded that the information would be sent even earlier. The Chairman proposed that the project proposal be approved and a review done taking the above comments into consideration. The representative of the Depositary Government remarked that he would expect a revised project proposal within two weeks but the Secretariat responded that it would first need to discuss the matter with the Management Authority of Sierra Leone and other countries that could be involved in the project. He added that if the project were not approved now, it would not be possible to

start implementation before 1997. Project S-092 was approved in principle and the budget was to be reviewed.

The representative of the Previous Host Country recommended that the Secretariat provide the Parties with a list of all approved projects, indicating which have been funded and which have not. The Committee agreed and requested that this be provided by the Secretariat.

15. Giant Panda Loans (continuation)

The working group on this issue presented its proposals for revised recommendations. These were agreed and the Committee requested the Secretariat to circulate the final document to the Parties.

6. Issues Concerning Finances, Personnel and Common Services (continuation)

The draft letter to the Executive Director of UNEP regarding the 13% overhead charge was agreed, with amendments suggested by the representative of Europe (United Kingdom).

4. Issues Concerning Regional Representation on CITES Committees (continuation)

The Chairman returned to the issue whether the States belonging to the CIS in Central Asia should be in Asian region or the European region. It was agreed to return to this issue at the next meeting of the Standing Committee.

18. CITES/GEF Relationship

Document Doc. SC.36/Inf.4 was introduced by the Secretary General who explained that it contained some useful information for the Parties. He added that many CITES projects could be candidates for funding under UNDP's Small Grants Programme. He read aloud a letter sent by the Head of the Global Environment Fund (GEF) in relation to CITES. The Secretary General also stated that a "renewed" GEF was now more transparent and clear. The Secretariat stated that Argentina, Bolivia, Paraguay and Peru, in co-operation with the Secretariat, were drafting a project proposal which was to be submitted to UNDP. It would include local capacity building and surveys of species, including species in the CITES appendices. The draft proposal was expected to be ready by September 1996. The Secretariat added that many developing countries had Biodiversity related GEF-funded projects and that those linked to CITES involved co-operation from the Management and Scientific Authorities. The Chairman concluded that Parties should include CITES activities in project proposals submitted to GEF. The observer from Brazil added that the Memorandum of Understanding with the Convention on Biological Diversity should also include project proposals to be considered by GEF. The representative of Europe (United Kingdom) reiterated the need to fortify links between CITES and GEF and that GEF should not overlook this partnership.

21. Time and Venue of the Next Meeting

The Secretary General informed the meeting that two Governments, namely those of Italy and Thailand had expressed willingness to host the 37th meeting of the Standing Committee and that after consultations, the representative of Thailand had withdrawn his offer. He thanked Italy for the invitation. The observer from Italy confirmed the readiness of his Government to host the next meeting in Rome. The representatives of Africa (Senegal), South and Central America and the Caribbean (Argentina), Asia (Japan), and the Alternate Vice-Chairman on behalf of the Central and South America and Caribbean region, and the representative of the Previous Host Country and the observer from Brazil, thanked Italy for offering to host the next meeting. It was agreed that Rome will be the venue of

the 37th meeting, and the meeting then discussed possible dates (28 November - 3 December; 9 - 12 December; and 10 - 13 December) but a final decision would be taken after all suggestions were received by the Secretariat.

19. Co-operation with Other Conservation-related Conventions

The Secretary General introduced document Doc. SC.36.19 and added that it was an important document in light of the Secretariat's Strategic Plan. He thanked the many countries that had worked on the document during the last meeting of the Parties to the Convention on Biological Diversity. He also added that, although UNEP already co-ordinated activities with the different Secretariats, the latter should also have some independence in co-ordinating their own activities. He drew the attention of the Standing Committee to the allocation by UNEP of USD 1 million to the Secretariats of CITES, CMS and CBD and urged them to seek support for as many CITES projects as possible. The representative of South and Central America and the Caribbean (Argentina) stated that the Humane Society of the United States had given invaluable assistance in the preparation of the document and this should be noted in relation to paragraph 6 of the document.

20. Any Other Business (continuation)

Approval of Donors

With regard to document Doc. SC.36.20.3, the Secretariat requested two additional donors to be added to the list: the Fundación Habitat & Desarrollo (Argentina) and the Working Group for valuable skins c/o UNIC from Italy. The inclusion of these two donors was approved.

Representation of the Secretariat at non-CITES meetings

The representative of the Previous Host Country remarked that the Secretariat had sometimes sent non-Secretariat staff to meetings on behalf of the Secretariat and that she found this a highly irregular practice. She recommended that in future a decision on this be taken together with the Chairmen of the Animals or Plants Committee. The Secretariat replied that it would normally be represented only by staff but, if this was impossible, thorough prior consultations with the Chairman of the appropriate committee would take place.

Implementation of Resolution Conf. 9.17 on sharks

The Chairman introduced document Doc. SC.36.20.2, which the observer from Panama had requested be discussed. The representative of the Previous Host Country raised a point of order, requesting clarification of a procedural issue. She stated that the shark issue was one that the ninth meeting of the Conference of the Parties had directed to the Animals Committee, through adoption of Resolution Conf. 9.17. She stated that, although she had great respect for the interest of the Government of Panama in shark conservation issues and the implementation of this important resolution, she felt that since the Conference of the Parties had directed the issue to the Animals Committee it would be procedurally more correct to allow that Committee to discuss the issue. She again thanked Panama for its interest, and recommended that the Government of Panama present its paper to the Animals Committee. She noted that there were numerous issues on the agenda of the Animals Committee, and that the Standing Committee would become overwhelmed if it reviewed the progress on all of those issues. The Secretary General stated that it was correct that the resolution refers this issue to the Animals Committee. After a request from the observer from Panama to be able to introduce the document for information, with which the representative of the Previous Host Country agreed, the document was renumbered as Doc. SC.36/Inf.14 and retained for information but not for

discussion. The observer of Panama asked for the issue to be on the agenda of the next meeting of the Standing Committee. The representative of Asia (Japan) supported this. The Previous Host Country stated that this would be appropriate for the integrity of the procedures of the committees, since it would allow the Animals Committee to discuss the issue first.

6. Issues Concerning Finances, Personnel and Common Services (continuation)

Estimated expenditures for 1996

The Vice-Chairman commented that, concerning the working group that is addressing the relationship between CITES and UNEP, his government (United Kingdom) had contributed a substantial sum to the delegates fund and hoped some of the funds could be used for the meeting of the working group and for a Central European meeting to be held later in the year. In addition, the Vice-Chairman, commended the "Beijing Statement on Wildlife Trade in the Asian Region".

22. Closing Remarks

The Vice-Chairman, on behalf of the Standing Committee, praised document Doc. SC.36/Inf.10 and asked the Secretariat to co-ordinate translations into French and Spanish. Concerning the agenda for the next meeting of the Standing Committee, he proposed the addition of an agenda item to discuss progress relating to the rhinoceroses since the ninth meeting of the Conference of the Parties.

The Secretary General concluded with the following points:

- document Doc. SC.36/Inf.10 would also be distributed in French and Spanish;
- document Doc. SC.36/Inf.14 would go to the Animals Committee for further discussion;
- apologies for the late distribution of some documents. He added that it would be by far easier for the Secretariat to apply the UN rule establishing a six-weeks deadline. This would mean that every document a Party would like to present to a meeting of the Standing Committee would have to be given to the Secretariat at least two months before the meeting starts. The Secretariat however does not demand this since it considers that it is preferable for the participants to have the latest information on some subjects, even if it is sometimes in one language only because of the time pressure on the staff of the Secretariat;
- he reminded the Standing Committee about the vast amount of work still to be done before the tenth meeting of the Conference of the Parties and requested the participants to send all replies to requests made by the Chairman during this meeting as soon as possible; and
- he once again thanked the Governments of Italy and Thailand for having offered to host the 37th meeting of the Standing Committee.

After having called a closed session, the Chairman closed the meeting at 17h45.

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

RULES OF PROCEDURE OF THE STANDING COMMITTEE

Representation and Attendance

Rule 1

Each member of the Standing Committee shall be entitled to be represented at meetings of the Committee by a Representative and an Alternate Representative. Each member shall also designate a person with whom communications regarding the work of the Committee should be conducted between meetings of the Committee and an alternate.

Rule 2

If a regional member is not represented at a meeting, its alternate member shall be entitled to represent the region.

Rule 3

The Representative shall exercise the voting right of a member or alternate member. In his/her absence, the Alternate Representative shall act in his/her place. Only members or alternate members representing the six regions shall have the right to vote, except in the case of a tie vote when the Depositary Government shall have the right to vote to break the tie.

Rule 4

Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by observers who shall have the right to participate but not to vote.

Rule 5

The Chairman may invite any other person or a representative of any country or organization to participate in meetings of the Committee as an observer without the right to vote.

Officers

Rule 6

During each regular meeting of the Conference of the Parties, the regional members of the Committee shall elect its Chairman, Vice-Chairman and Alternate Vice-Chairman from among the regional members.

Rule 7

The Chairman shall preside at meetings of the Committee, approve the provisional agenda prepared by the Secretariat and maintain liaison with other Committees between meetings of the Committee. He/she shall represent the Committee and the Parties as required within the limits of the Committee's mandate, and shall carry out such other functions as may be entrusted to him/her by the Committee.

Rule 8

The Vice-Chairman and the Alternate Vice-Chairman shall assist the Chairman in his/her functions, and shall act on his/her behalf at meetings in the absence of the Chairman.

Rule 9

The Secretariat of the Convention shall service and act as secretary for meetings of the Committee. However, in the event of a closed session, the meeting shall provide for its own rapporteur, if needed.

Meetings

Rule 10

The Committee shall normally meet at least once every year.

Rule 11

Meetings of the Committee shall be called at the request of the Chairman or of regional members of at least three regions.

Rule 12

The time and place of meetings shall be determined by the Chairman.

Rule 13

Notice of meetings shall normally be given by the Secretariat at least 45 days, and in case of emergency meetings at least 14 days, in advance of the meeting.

Rule 14

A quorum for a meeting shall consist of Representatives or Alternate Representatives of seven regional members or alternate regional members from at least four regions. No decision shall be taken at a meeting in the absence of a quorum.

Rule 15

Decisions of the Committee shall be taken by consensus unless a vote is requested by the Chairman or by Representatives or Alternate Representatives of regional members or alternate regional members from two regions.

Rule 16

In the case of a vote, the decision of the Committee shall be taken by a simple majority of the regional members or alternate regional members voting. In the case of a tie, the motion shall be considered as rejected unless the tie is broken by the vote of the Depositary Government.

Rule 17

At the request of the Chairman or of any Representative or Alternate Representative the Committee shall decide by a vote whether the discussion of any particular subject shall be held in closed session; any such vote shall be decided by a simple majority. Parties represented at the meeting by observers shall be entitled to be represented at closed sessions.

Rule 18

A summary record of each meeting shall be prepared by the Secretary as soon as possible and shall be communicated to all Parties after being approved by the Chairman in consultation with the Representatives of regional members or alternate regional members present at the meeting.

Rule 19

The Committee shall decide on the working languages of the meetings.

Communication Procedure

Rule 20

Any member may submit a proposal to the Chairman for a decision by postal procedure. The Chairman shall send the proposal to the Secretariat for communication to the members, who shall comment within 40 days of the communication of the proposal; any comments received by the Secretariat within this time limit shall also be so communicated to the members.

Rule 21

If no objection from a regional member to a proposal is received by the Secretariat within 25 days of the date when the results of the consultation on the proposal were communicated to the members, the proposal shall be considered as adopted, and notice of the adoption shall be given to all members.

Rule 22

If any regional member objects to a proposal within the applicable time limit, the proposal shall be put to a vote. The proposal shall be considered as decided by a simple majority of the regional members. If no majority is achieved, the proposal shall be referred to the next meeting of the Committee.

Final Provisions

Rule 23

Any working document submitted for consideration by the Committee may be classified as "Restricted" or "Confidential" by the Secretariat when it determines that the document contains information that might be detrimental if disclosed to non-Parties or to organizations; Parties should use their best efforts to maintain such restriction or confidentiality unless the classification has been removed by the Secretariat or the Committee.

Rule 24

In matters not covered by the present Rules, the Rules of Procedure as adopted by the last regular meeting of the Conference of the Parties shall be applied *mutatis mutandis*.

Rule 25

These Rules shall come into force on adoption by the Committee, and may be amended by the Committee as required.

STATEMENT
by
His Excellency Mr Montri Pongpanich
Minister of Agriculture and Co-operatives
Kingdom of Thailand
to the CITES Standing Committee

January 1996

Mr Chairman, Excellencies, distinguished Members of the Standing Committee, distinguished Delegates, Ladies and Gentlemen,

Please allow me to express my sincere thanks to the Chairman of the Standing Committee of CITES for allowing Thailand to make a statement expressing its continued commitment to protecting endangered species. On behalf of the Ministry of Agriculture and Co-operatives of Thailand, I would like to take this opportunity to express our willingness to co-operate fully with the CITES Secretariat and to re-confirm our commitment to support the work of CITES Parties throughout the world.

Thailand is sincerely concerned about the numerous species of endangered flora and fauna, and about the continuing significant increase in the number of species considered endangered. To ensure that species that inhabit Thailand are provided with the highest level of protection, we have taken several actions at the national level. Specifically, in Thailand's eighth National Five-Year Plan, we have included new strategies and measures that will further enhance the preservation, conservation and management of Thailand's biological diversity. Through support for a protected areas management programme and a biodiversity action plan, we are committed to making the biggest investment ever in preserving the biological diversity of Thailand's forests. Large investments are being made to improve management of buffer zones adjacent to protected areas. We also are investing in more effective coastal-zone management, which will result in more-sustainable use of coastal resources and enhanced protection for marine biodiversity; rehabilitation of mangrove forests; and, more community participation in natural resource management through a co-management approach. All of these actions will lead to improved protection for endangered species.

Also, we are in the process of modifying legal instruments to strengthen conservation measures and to provide more comprehensive enforcement of laws that prohibit trade in endangered species. One example is a measure to establish forty-nine new border check-points around the country, to allow better control of international trade in wild flora and fauna.

However, we understand that enforcement activities alone are not enough. As a result, we have increased funding and technical support for public awareness campaigns. We expect that through these programmes more effective protection can be given to endangered species. Through these efforts, we hope to ensure that the next generation of Thais has an opportunity to experience a better quality of environment.

We recognize further that not only does controlling international trade in endangered species require national commitments, but it is a global responsibility. We depend upon the CITES Secretariat to mobilize resources and focus efforts at the international level. With this in mind, Thailand would like to see the CITES Secretariat make greater efforts to conduct research and develop, for use by member countries, databases of information about endangered species. The development and use of a standardized database would facilitate the exchange of information among CITES Parties. Also, databases linked to national biodiversity action plans would expedite implementation of those plans.

At the regional level, Thailand is eager and willing to provide the leadership necessary to promote the goals and objectives of CITES. The Association of Southeast Asian Nations, or ASEAN, is a regional grouping whose membership is expanding quickly. Viet Nam was admitted as a member country in 1995; it will soon be followed by the Lao People's Democratic Republic and Myanmar and later perhaps Cambodia. Within ASEAN, Thailand is prepared to provide leadership in the field of protection of endangered species, by offering guidance in formulation of policy on conservation and protection and by introducing educational processes to newly admitted member states. With the assistance of the Danish Co-operation for Environment and Development, or DANCED, during 1995, Thailand initiated a programme to promote CITES objectives in the Lao People's Democratic Republic and to encourage it to join CITES. At the same time, we continue to seek additional donor support to encourage other nations to join CITES and to expand activities of this nature.

Mr Chairman, Ladies and Gentlemen,

In conclusion, Thailand strongly supports CITES and confirms that it is applying all regulations to ensure its more effective operation. Thailand sees the importance of CITES as one in an inter-linking matrix of international agreements that, if adhered to, will together improve the state of the global environment. Through these agreements we bring together the caring nations of the world. We shall continue to work together to achieve the goals of these agreements and to improve their effectiveness. Only by joining hands can we make a better world for all mankind.

Thank you.

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

Thirty-sixth Meeting of the Standing Committee

Geneva (Switzerland), 30 January to 2 February 1995

**TERMS OF REFERENCE FOR WORKING GROUP ON
RELATIONSHIP BETWEEN CITES AND UNEP**

1. To assess, in consultation with CITES Parties and the Executive Director of UNEP, the relationship between the Convention ("CITES") and the United Nations Environment Programme ("UNEP"), as governed by the existing Agreement between the CITES Standing Committee and the Executive Director of UNEP (1992).
2. In particular, the group is asked to review
 - A. the nature, cost, effectiveness, and accountability of the financial, personnel and other services provided to CITES by UNEP under Article XII.1 of the Convention (as well as the potential for re-examining this paragraph of the Convention);
 - B. the **procedures** whereby UNEP and the Standing Committee consult each other, particularly on the selection and evaluation of staff of the CITES Secretariat
 - C. the relationship between CITES and other conventions, administered by UNEP

and to take account of

- (i) the experience of other intergovernmental organisations and conventions in this field and of initiatives such as the forthcoming workshop to examine the scope for greater co-operation between the Convention on Biological Diversity and other relevant conventions
- (ii) any written views submitted by CITES Parties and the Executive Director of UNEP
- (iii) advice from the consultants undertaking the review of the effectiveness of CITES as a whole, and the report of the review when available
- (iv) the current consultations within the UN about budgetary and other administrative reform

Composition of the Working Group

3. The Working Group shall comprise the following members of the Standing Committee:

1. Argentina (Chairperson)
2. Japan

3. Namibia (Senegal as Alternate)
4. Switzerland
5. United States of America

4. In addition, the Executive Director of UNEP shall be invited by the Chairman of the Standing Committee to participate in the Working Group.

Conduct of the Work

5. The CITES Secretariat shall arrange for the Working Group to hold one meeting before the 37th meeting of the Standing Committee.

Timetable and Outputs

6. The Working Group shall submit a report (with recommendations), through the Secretariat, to the 37th meeting of the CITES Standing Committee, 45 days before the convening of this meeting.