

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

Twelfth meeting of the Conference of the Parties
Santiago (Chile), 3-15 November 2002

Plenary meeting

Seventh session: 14 November 2002: 10h15-12h00

Chairman: S. Bitar (Chile)
Chairman Committee I: D. Morgan (United Kingdom)
Chairwoman Committee II: A.-M. Delahunt (Australia)

Secretariat: W. Wijnstekers
J. Armstrong
J. Barzdo
M. Lindeque

UNEP: P. Chabeda

Rapporteurs: J. Caldwell
H. Gillett
J. Gray
P. Wheeler

The Chairman asked the meeting to approve documents CoP12 Plen. 1-6, inclusive.

Documents CoP12 Plen. 1 and Plen. 4 were adopted without comment.

Referring to document CoP12 Plen. 2, the delegation of Argentina stated that they disagreed with Rule 30 of the Rules of Procedure because this contravened Article XI, paragraph 5, of the Convention. The document was adopted.

Referring to document CoP12 Plen. 3, the Chairman of the Animals Committee corrected the fifth paragraph of the Report of the Chairman of the Animals Committee by adding further after "should be", adding by the Animals Committee in its next term, after "addressed" and deleting "in Committee I." He also requested that references to the "Chairman" and "Vice-Chairman" of the Nomenclature Committee be changed to the zoologist and botanist, respectively. The Chairwoman of the Plants Committee wished that the entire reference to her report in the document be substituted for an alternative text, which she read aloud and presented to the Secretariat. With these amendments, the document was adopted.

The delegation of Denmark noted that the mandate that had been given to Committee II to deal with the issue of the relationship between CITES and the Convention on Migratory Species should be reflected in document CoP12 Plen. 5 and that appropriate wording had been given to the Secretariat. Document Cop12 Plen. 5 was adopted.

The delegation of Australia required a correction to document Cop12 Plen. 6, as they had not stressed that considerable progress had been made with the RMS, as had been reported in the last paragraph of that document. They would provide corrected text to the Secretariat. The delegation of Japan asked that the

word personal be inserted between "his" and "view" in the penultimate line of the last paragraph of page 1 of that document. The observer from the International Whaling Commission agreed with this and also requested the insertion of CoP12 Doc. 66 addendum, related to listing as well as after "document" in the first sentence of the second paragraph under item 16. d), and insertion of the latter before "document" in the second sentence. He also asked for his comment at the end of the debate to be reported as: The IWC Chair said the debate reflects polarized views in IWC, but noted progress at the recent RMS intersessional Cambridge meeting. The delegation of the Netherlands wished to delete the reference to the Netherlands in the first line of the last paragraph of the document and to insert a new second sentence: The Netherlands concurred with this view and called on Parties in IWC to work in a spirit of cooperation in order to make progress. Document Cop12 Plen. 6 was adopted, as amended.

Strategic and administrative matters

8. Matters related to the Standing Committee

The following had been elected to the Standing Committee, to replace members whose term ended at CoP12:

Regional representative

Alternate

Africa

Cameroon

Guinea

Asia

Malaysia

United Arab Emirates (if Thailand becomes the next host country)

Central and South America and the Caribbean

Nicaragua

Costa Rica

Europe

Germany

United Kingdom of Great Britain and Northern Ireland

Czech Republic

Portugal

The delegation of the Comoros expressed the view that in future elections to the Standing Committee Parties of the Indian Ocean should be specifically represented in the Africa region.

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

a) Budget for 2003-2005

The Chairwoman of Committee II introduced document CoP12 Com. II. 5 noting that the budget option requiring six per cent increase in Parties' contributions had been approved in Committee II.

She noted that the Committee had accepted three clear guidelines on the principles for management of future budgetary constraints, namely that reductions in the budget should not diminish capacity-building in developing countries, nor the participation by developing countries in meetings, nor the activities of the Animals and Plants Committees. The draft decision in paragraph 5 and the budget option in paragraph 3 a) were adopted.

Document CoP12 Com. II. 8 was adopted with the amendments agreed at the 13th session of Committee II. The Annex to that document contained a clear directive to the Secretariat on the matter of rent and related issues, on which discussions had taken place with the Government of Switzerland, and no budgetary allocation had been made for that item.

In response to a question from the delegation of Mexico, the Secretariat confirmed that the six per cent increase would allow for translation and interpretation at intersessional committee meetings.

The delegation of Denmark on behalf of the Member States of the EU called on Parties to make their financial contributions.

The delegation of the United States stated that they considered their contribution to the CITES Trust Fund to be voluntary. While the United States strove to keep its annual contribution at or near previous levels, the actual level of its contribution would be determined through its domestic budgeting process.

b) Procedure for approval of externally funded projects

The draft resolution in the Annex to document CoP12 Doc. 9.2 with the amendments set out in document Com. II Rep. 10 was adopted.

13. Establishment of Committees

b) Enhancing implementation of the Convention

The draft decision contained in document CoP12 Com. II Rep. 3 was adopted.

16. Cooperation with other organizations

a) Cooperation between CITES and the Commission for Conservation of Antarctic Marine Living Resources (CCAMLR) regarding the trade in toothfish

The draft resolution contained in document CoP12 Doc. 16.1 Annex (Rev. 1) was adopted.

b) CITES and FAO

i) Synergy and cooperation between CITES and FAO; and

ii) FAO collaboration with CITES through a Memorandum of Understanding

The draft decision in document CoP12 Doc. 16.1/16.2 addendum was adopted as amended in Committee II.

The delegation of Australia wished to place on record that their understanding of the term 'exploited aquatic species' was that it covered only those species defined by FAO in its first technical review of the CITES listing criteria for species exploited by fisheries in marine and large freshwater bodies.

The delegation of Japan asked for their view to be noted that the definition referred to by the delegation of Australia was related to an FAO meeting to discuss CITES listing criteria and that it was not a more broadly accepted definition of FAO or any restriction on FAO activities.

c) Cooperation and synergy with the Inter-American Convention for the Protection and Conservation of Sea Turtles

The Chairwoman of Committee II reported that following discussion, it had been decided not to pursue consideration of this item. That decision was confirmed.

d) Cooperation between CITES and the International Whaling Commission

Document CoP12 Doc. 16.4 had been withdrawn.

e) Statements from representatives of other conventions and agreements

The draft decision contained in document CoP12 Com. II. 7 was adopted.

17. Sustainable use of and trade in CITES species

The rejection of the draft resolution contained in document CoP12 Com. II. 3 was confirmed.

18. Economic incentives and trade policy

The rejection of the draft resolution in document CoP12 Com. II. 1 was confirmed.

The draft decision in document CoP12 Doc. 18 Annex 2 was adopted as amended in Committee II.

14. Title of the Convention

Document CoP12 Doc. 14 (Rev. 1) had been withdrawn.

19. Financing of the conservation of species of wild fauna and flora

The decisions contained in document CoP12 Doc. Com. II. 2 were adopted as amended in Committee II.

20. Reports of dialogue meetings

a) Results of the African elephant dialogue meeting

The revised version of Resolution Conf. 10.10 as contained in three Annexes to document CoP12 Doc. 20.1 and as amended in Committee I was adopted.

The delegation of Kenya noted that they had raised concerns about procedural matters. They had requested an investigation into a possible conflict of interest in the Secretariat and requested that the process by which the dialogue was conducted be audited. They also deplored the fact that one range State had not been invited to the dialogue.

The draft decisions in Annexes 4 and 5 of document CoP12 Doc. 20.1 were adopted as amended in Committee I.

b) Results of the wider Caribbean hawksbill turtle dialogue meetings

The draft decision contained in Annex 4 to document CoP12 Doc. 20.1 was adopted as amended in Committee I.

Interpretation and implementation of the Convention

Review of Resolutions and Decisions

21. Review of Resolutions and Decisions

a) Review of Resolutions

i) Resolutions to be repealed

Committee II recommended the repeal of all the Resolutions listed in Annex 1 to document CoP12 Doc. 21.1.1 except for Resolutions Conf. 1.3 and Conf. 10.4, and excluding the second part of paragraph a) of Resolution Conf. 1.5 (Rev.). This was adopted. The draft decision in Annex 2 of the document was also adopted.

ii) Resolutions to be revised

The revision of Resolution Conf. 10.2 (Rev.) contained in document CoP12 Com. II. 4 was adopted as amended in Committee II.

b) Review of Decisions

Regarding document CoP12 Doc. 21.2, the deletion of Decisions 11.10, 11.62, 11.63 and 11.69, was confirmed. The proposal to transfer to Resolutions the text of Decisions listed in Annex 2 was adopted and the revision of Decision 11.123 was also adopted. The Chairwoman of Committee II stated that the Committee had been disappointed that the format of document CoP12 Doc. 21.2 had made the discussion difficult. If the Conference were to fulfil the requirement in the Strategic Vision for streamlining of decision-making, more thought had to be given to the format of the document.

Regular and special reports

22. Report on national reports required under Article VIII, paragraph 7, of the Convention

a) Annual reports

Deletion of Decisions 11.33, 11.34, 11.35, 11.36, 11.99, 11.154 and 11.156 was confirmed. The decision of Committee II not to delete Decisions 11.37 and 11.89 was confirmed. The proposed amendments to Resolution Conf. 11.17 contained in Annex 1 to document CoP12 Doc. 22.1 were adopted as amended in Committee II. The draft decision in Annex 2 to the document was adopted as amended in Committee II.

b) Biennial reports

The deletion of Decision 11.38 was confirmed. The adoption of the draft decision contained in paragraph 25 of document CoP12 Doc. 22.2, as amended and agreed by Committee II, was also confirmed.

23. Appendix-I species subject to export quotas

a) Leopard

- i) Report on implementation of Resolution Conf. 10.14 on quotas for leopard hunting trophies and skins for personal use

The revision of Resolution Conf. 10.14 as described in document CoP12 Com. I Rep. 1 was adopted.

- ii) Amendment to the quota of the United Republic of Tanzania

The proposal in document CoP12 Doc. 23.1.2 was adopted.

b) Markhor

The amendments to Resolution Conf. 10.15 (Rev.) as reported in document CoP12 Com. I Rep. 3 were adopted. It was agreed to increase the quota for Pakistan to 12 animals per year.

In response to a statement by the delegation of the United States, supported by the delegation of Argentina, the Secretariat suggested that Resolution Conf. 9.21 be revised so that in paragraph a), "quota" be replaced by new or increased quota. This revision was adopted.

24. Exports of vicuña wool and cloth

The report contained in document CoP12 Doc. 24, as corrected in the Spanish version, was accepted.

25. Transport of live animals

The draft decision in the Annex to document CoP12 Doc. 25 and the draft decision in document CoP12 Com. II Rep. 4 were adopted.

General compliance issues

26. Compliance with the Convention

It was agreed that the Secretariat should develop guidelines as indicated in paragraph 50 of document CoP12 Doc. 26 and the two draft decisions set out in document CoP12 Com. II Rep. 8 were adopted.

The session closed at 12h00.