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

Thirteenth meeting of the Conference of the Parties Bangkok (Thailand), 2-14 October 2004

Seventeenth session: 13 October 2004: 09h05-10h50

Chairman: H. Dublin

Secretariat: J. Armstrong

T. De MeulenaerD. MorganM. Schmidt

UNEP: M. Collins

Rapporteurs: J. Caldwell

H. GillettA. StattersfieldA. St John

Interpretation and implementation of the Convention

Amendment of the Appendices

60. Proposals to amend Appendices I and II

Following acceptance in the 16th session of Committee I of an amended version of the revision of proposal CoP13 Prop. 40 in document CoP13 Doc. 60 Addendum 2, the Chairman clarified that the paragraph at the end of the document regarding precautionary measures would be turned into decisions.

The Chairman returned to proposal CoP13 Prop. 49 on the inclusion of *Aquilaria* spp. and *Gyrinops* spp. in Appendix II. She reported that that the working group had not reached consensus regarding this proposal and asked for one intervention in favour and one against. The delegation of Papua New Guinea spoke for the proposal stating that, in their opinion, the proposed Appendix-II listing would greatly assist in the management of the species. The delegation of the United Arab Emirates spoke against the proposal, citing difficulties in implementation and suggesting that the Plants Committee could undertake further work. The Chairman then asked the Committee to vote on proposal CoP13 Prop. 49 noting that annotation #1 would apply. The result was 71 in favour, 9 against and 23 abstentions (see Annex 1), and the proposal was accepted.

Regular and special reports

21. Transport of live specimens

The Chairman of the Animals Committee reported a redundancy in the Annex of his report in document CoP13 Doc. 9.1.1 owing to the acceptance of the draft decisions in Annex 2 of document CoP13 Doc. 21 and withdrew Recommendation 1.

Amendment of the Appendices

60. Proposals to amend Appendices I and II

The Chairman of the Animals Committee introduced proposal CoP13 Prop. 36, which contained an amendment of the annotation to five genera of coral. He explained that this proposal was the result of Decision Conf. 12.62, which directed the Animals Committee to recommend a practical means of distinguishing fossilized corals from non-fossilized corals in international trade. The Chairman of the Animals Committee working group on corals (the United Kingdom of Great Britain and Northern Ireland) further explained that the proposal built on Resolution Conf. 11.10 (Rev. CoP12) on trade in stony corals, acknowledging that the proposal, as presented, would be difficult for some Parties to accept, owing to different understandings of the definition of fossil coral. He proposed a draft decision instead of the proposal as follows:

Directed to Parties

Those Parties involved in the trade in stony corals should, by the end of 2005, determine how they will interpret the annotation exempting fossil corals from the provisions of the Convention and provide this interpretation to the Secretariat for distribution to the Parties.

The delegation of the Netherlands, on behalf of the 25 Member States of the European Community, proposed two further draft decisions:

Directed to the Animals Committee

The Animals Committee shall proceed with an analysis of the Parties' interpretation of the annotation on fossil corals and other tasks necessary to undertake a review of Resolution Conf. 11.10 (Rev. CoP12) and report to the Secretariat by the end of 2006.

Directed to the Secretariat

The Secretariat shall communicate the report of the Animals Committee regarding the interpretation of the annotation exempting fossil corals to the Parties via a notification before the 14th meeting of the Conference of the Parties.

The delegation of Saint Lucia supported the draft decisions. The delegation of Belize stated they were against any trade in corals and opposed them. The delegation of the United States of America, supported by the delegation of Fiji, supported the first draft decision, but not the second or third. They proposed considering the first separately from the second and third combined. After further discussion, the Chairman called for a vote on this. The result was 19 in favour, 61 against and 47 abstentions (see Annex 2), and thus the proposal to consider the draft decisions separately was rejected. The Chairman then called for a vote on the three draft decisions taken together. The result was 80 in favour, 7 against and 40 abstentions (see Annex 3), and the three draft decisions were accepted. Proposal CoP13 Prop. 36 was withdrawn.

Species trade and conservation issues

38. Trade in stony corals

Document CoP13 Doc. 38 was withdrawn.

39. Conservation of bigleaf mahogany: report of the Working Group

The Secretariat presented document CoP13 Com. I. 4, relating to document CoP13 Doc. 39 regarding bigleaf mahogany, which included two new draft decisions. The document was accepted.

Exemptions and special trade provisions

56. Operations that breed Appendix-I species in captivity for commercial purposes

56.1 Evaluation of the process for registration

The Chairman of the Animals Committee introduced document CoP13 Com. I. 8 regarding registration procedures for operations that breed Appendix-I animal species for commercial purposes. A drafting group established on the basis of CoP13 Doc. 56.1 had agreed the text of CoP13 Com. I. 8, to revise the text of Resolution Conf. 12.10. The delegation of the Netherlands, on behalf of the Member States of the European Community, stated that they did not participate in the group although invited, as they believed that a more fundamental revision was needed. The new text, highlighted in bold, was accepted.

Review of Resolutions and Decisions

16. Review of Resolutions

The Secretariat introduced document CoP13 Doc. 16 (Rev. 1) Annexes 5, 5 a and 5 b concerning specimens of animal species bred in captivity. It noted that the new text proposed in Annexes 5 a and 5 b would ensure consistency in text between Resolutions Conf. 10.16 and Conf. 12.10. The delegation of the Netherlands, on behalf of the Member States of the European Community, said they could not support the proposed new text as they did not agree that only animals from registered breeders could be traded. The Secretariat stressed that the proposal was only intended to harmonize language used and did not relate to the substance of the proposal, but given the objection, withdrew Annexes 5, 5 a and 5 b of document CoP13 Doc. 16 (Rev. 1).

Amendment of the Appendices

58. Annotations for medicinal plants in the Appendices

The Secretariat referred to document CoP13 Doc. 58 regarding the use of annotations for medicinal plants in the Appendices. It proposed adding the two overriding principles in paragraph 18 to Resolution Conf. 11.21, as two new paragraphs b) and c) under "RECOMMENDS", with consequent re-lettering of that part of the Resolution. The proposed amendment was <u>accepted</u>.

61. Inclusion of species in Appendix III

The delegation of Switzerland <u>withdrew</u> document CoP13 Doc. 61, it being no longer relevant as proposals CoP13 Prop. 1 and Prop. 2 had not been accepted.

The summary report in document CoP13 Com. I Rep. 11 was <u>adopted</u> without amendment. The delegation of Israel noted a correction to the reference number of the Annexes to CoP13 Com. I Rep. 12, and the delegation of the United States proposed the addition to the penultimate paragraph on page 2 of document CoP13 Com. I Rep. 12, after 'The Secretary-General', <u>although noting there is no precedent for such a role for the Standing Committee</u>,. With these amendments, document CoP13 Com. I Rep. 12 was <u>adopted</u>. The summary report in document CoP13 Com. I Rep. 13 was adopted without amendments.

The delegation of the Dominican Republic raised a point of order concerning the voting record on page 4 of the Annex to document CoP13 Com. I Rep. 14. The delegations of Brazil, Canada, the Dominican Republic, Ecuador, Jamaica, and Trinidad and Tobago had voted yes, but were recorded as not having voted, and were concerned that the same problem might have affected other Parties. The Secretariat responded that no malfunction of the electronic system had been reported, and that the vote to close the debate had been carried by a substantial majority.

Interpretation and implementation of the Convention

Trade control and marking issues

51. Review of Resolutions on plants and plant trade and the definition of 'artificially propagated'

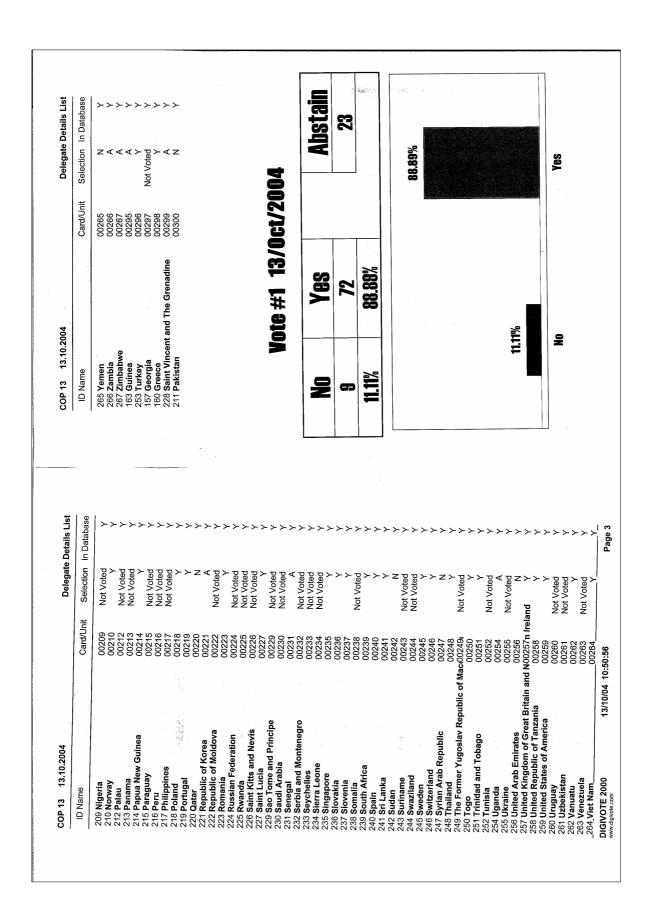
The Chairman of the working group on this agenda item established by the Committee (United States) introduced document CoP13 Com. I. 10, which was a draft revision of Resolution Conf. 11.11 and had been agreed by consensus in the working group. The document was agreed.

The delegation of the United States then introduced document CoP13 Com. I. 9 containing two draft decisions regarding artificially propagated plants. The same working group had produced these two draft decisions in order to ensure that there were no adverse effects on Appendix-I species resulting from the agreed revisions to Resolution Conf. 11.11 and to ensure there was no inconsistency between that revision and Resolution Conf. 9.19. The document was agreed.

The Chairman thanked all of the participants for their cooperation and contributions and closed the meeting at 10h50.

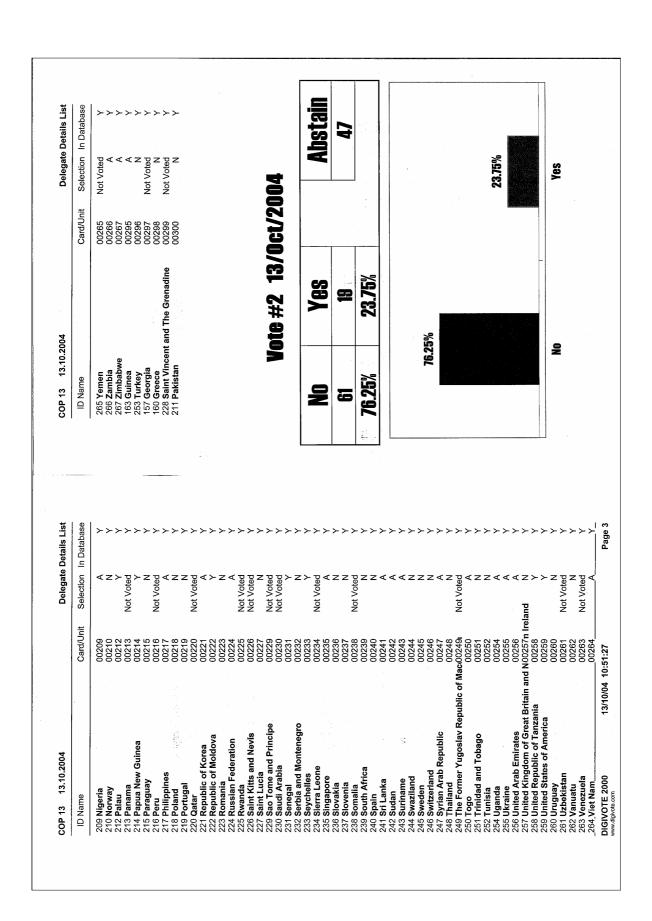
Agenda item 60 – Result of the vote on proposal CoP13 Prop. 49.

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Agenda item 60 – Result of the vote on a motion to separate consideration of the draft decisions arising from discussion on proposal CoP13 Prop. 36.

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Agenda item 60 – Result of the vote on three draft decisions arising from consideration of proposal CoP13 Prop. 36.

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