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

Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

Summary record of the ninth session of Committee II

11 June 2007: 11h05-12h15

Chairman: C.S. Cheung (China)

Secretariat: J. Barzdo
J. Sellar
M. Yeater

Rapporteurs: J. Boddens Hosang
R. Mackenzie

The Chairman started by announcing his proposed changes to the working programme for the coming days. The chairmen of the working groups on the Strategic Vision and on the budget then reported on progress in their working groups.

Switzerland reported on the progress of consultations on agenda item 30 (Reporting on trade in artificially propagated plants); Germany reported that no consensus had been reached in consultations on agenda item 13 (Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity); and the United Kingdom of Great Britain and Northern Ireland reported that consultations on agenda item 26 (Compliance and enforcement) were continuing.

Interpretation and implementation of the Convention

Compliance and enforcement issues

27. Disposal of illegally traded and confiscated specimens of Appendix-II and -III species

Indonesia introduced document CoP14 Doc. 27, the Annex of which contained a draft decision proposing a process to review and amend Resolution Conf. 9.10 (Rev. CoP13).

Germany, on behalf of the European Community and its Member States, opposed the proposal, noting that Resolution 9.10 (Rev. CoP13) adequately dealt with the issue of disposal of illegally traded and confiscated specimens and did not require any further revision. They also noted that the burden of meeting costs fell on the confiscating Party, and that Parties took different approaches to confiscated specimens in their national legislation. They did not agree that confiscated specimens remained the property of the country of origin. Ecuador, India, Kenya, Malaysia, Singapore, Thailand and the United States of America also opposed the proposal. Ecuador, Kenya and Thailand noted that, under their national legislation, sales of confiscated specimens were not permitted, and India stated that confiscated specimens should only be used for non-commercial purposes. Kenya expressed concern that the proposal could trigger illegal trade in CITES-listed specimens. Malaysia, Singapore and the United States suggested that the proposed amendments to Resolution Conf. 9.10

(Rev. CoP13) could undermine enforcement. The United States drew attention to Resolution Conf. 9.9, which they considered also addressed some of the issues raised in the proposal.

Bolivia supported the proposal, and highlighted concerns about exchange of information on confiscated specimens of vicuña. Nepal proposed an amendment to paragraph b) of the draft decision. Argentina agreed with the intent of the proposal, but also agreed with those delegations that had stressed the role of national legislation on the disposal of illegally traded specimens. They highlighted and commended the sharing by Belgium of proceeds of an auction of confiscated specimens originating in Argentina in the 1980s, noting that the funds had been used for conservation purposes.

Conservation Force and IWMC World Conservation Trust supported the establishment of a working group to consider the proposal.

The Chairman noted that most of the concerns expressed related to the sale of confiscated specimens, and use of the proceeds thereof, addressed in paragraphs b and c) of the draft decision. He therefore asked the Committee whether the adoption of paragraph a) of the draft decision was acceptable, with the deletion of paragraphs b) and c). Indonesia requested a secret ballot on the retention of paragraphs b) and c), but this request received no support. The United States reiterated their view that the text of paragraph a) of the draft decision was already reflected in Resolution Conf. 9.9, and Germany, on behalf of the European Community and its Member States, reiterated their opposition to the draft decision in its entirety.

Seeing no consensus, the Chairman called for a vote on the deletion of paragraphs b) and c) of the draft decision. The result was 54 in favour of their deletion, and 11 against, with 10 abstentions (vote 1). Paragraphs b) and c) of the draft decision were therefore rejected. Upon the Chairman's confirmation that the content of paragraph a) of the draft decision was similar to that contained in Resolution Conf. 9.9, Indonesia withdrew their proposal.

Trade control and marking issues

34. Trade in Appendix-I species

The Secretariat introduced document CoP14 Doc. 34 noting in relation to paragraph 5 c), that the Chairman of the Standing Committee, on the advice of the Clearing House, had instructed it to issue a Notification to the Parties regarding specimens shipped by mail. The Secretariat indicated that the document had been prepared for information only and that Israel had submitted document CoP14 Inf.7 on the same issue.

Israel referred to document CoP14 Inf. 7, underlining in particular the outcome of the UNEP-WCMC report as listed under point 3). Regarding point 5), they noted that they had prepared three draft decisions but only 14.XXX and 14.YYY remained relevant, as draft decision 14.ZZZ was being dealt with by the working group on agenda item 39. The United States supported Israel's draft decisions, noting their disagreement with some findings in the UNEP-WCMC report.

Germany, on behalf of the European Community and its Member States, opposed the draft decisions proposed by Israel, noting that no instances were found where trade gave cause for concern about wild populations, nor were any reasons found to initiate proceedings against any Party under Article XIII of the Convention. They noted that the European Community does not implement Resolution Conf. 12.10 (Rev. COP13). They added that the European Community supported regular reviews by UNEP-WCMC of annual trade data.

Suriname supported document CoP14 Doc. 34 but objected to point 4) in document CoP14 Inf. 7.

The Chairman adjourned the discussion of this agenda item and closed the session at 12h15.

Results of the vote

Key: 0 = did not vote, 1 = yes, 2 = no, 3 = abstain

Party	Vote 1
Afghanistan AF	0
Albania AL	0
Algeria DZ	0
Antigua and Barbuda AG	0
Argentina AR	3
Australia AU	1
Austria AT	1
Azerbaijan AZ	1
Bahamas BS	0
Bangladesh BD	0
Barbados BB	0
Belarus BY	0
Belgium BE	1
Belize BZ	0
Benin BJ	0
Bhutan BT	0
Bolivia BO	2
Botswana BW	2
Brazil BR	0
Brunei Darussalam BN	0
Bulgaria BG	2
Burkina Faso BF	1
Burundi BI	0
Cambodia KH	1
Cameroon CM	2
Canada CA	1
Cape Verde CV	0
Central African Republic CF	0
Chad TD	0
Chile CL	1
China CN	1
Colombia CO	0
Comoros KM	0
Congo CG	0
Costa Rica CR	2
Côte d'Ivoire CI	2
Croatia HR	1
Cuba CU	0
Cyprus CY	0
Czech Republic CZ	1
Democratic Republic of the Congo CD	0
Denmark DK	1
Djibouti DJ	0
Dominica DM	0
Dominican Republic DO	0

Party	Vote 1
Ecuador EC	1
Egypt EG	0
El Salvador SV	0
Equatorial Guinea GQ	0
Eritrea ER	1
Estonia EE	1
Ethiopia ET	0
Fiji FJ	3
Finland FI	1
France FR	1
Gabon GA	0
Gambia GM	0
Georgia GE	0
Germany DE	1
Ghana GH	0
Greece GR	1
Grenada GD	0
Guatemala GT	1
Guinea GN	0
Guinea-Bissau GW	0
Guyana GY	3
Honduras HN	3
Hungary HU	1
Iceland IS	0
India IN	1
Indonesia ID	2
Iran (Islamic Republic of) IR	0
Ireland IE	1
Israel IL	1
Italy IT	1
Jamaica JM	0
Japan JP	1
Jordan JO	0
Kazakhstan KZ	0
Kenya KE	1
Kuwait KW	0
Lao People's Democratic Republic LA	1
Latvia LV	1
Lesotho LS	0
Liberia LR	0
Libyan Arab Jamahiriya LY	0
Liechtenstein LI	0
Lithuania LT	1
Luxembourg LU	1
Madagascar MG	0

Party	Vote 1
Malawi MW	0
Malaysia MY	1
Mali ML	0
Malta MT	1
Mauritania MR	0
Mauritius MU	0
Mexico MX	1
Monaco MC	0
Mongolia MN	0
Montenegro ME	0
Morocco MA	0
Mozambique MZ	0
Myanmar MM	0
Namibia NA	0
Nepal NP	1
Netherlands NL	1
New Zealand NZ	2
Nicaragua NI	0
Niger NE	0
Nigeria NG	0
Norway NO	3
Pakistan PK	0
Palau PW	3
Panama PA	0
Papua New Guinea PG	0
Paraguay PY	0
Peru PE	0
Philippines PH	0
Poland PL	1
Portugal PT	1
Qatar QA	0
Republic of Korea KR	2
Republic of Moldova MD	1
Romania RO	1
Russian Federation RU	2
Rwanda RW	0
Saint Kitts and Nevis KN	0
Saint Lucia LC	3
Saint Vincent and the Grenadines VC	0
Samoa WS	0
San Marino SM	1
Sao Tome and Principe ST	0

Party	Vote 1
Saudi Arabia SA	0
Senegal SN	0
Serbia RS	3
Seychelles SC	0
Sierra Leone SL	0
Singapore SG	1
Slovakia SK	0
Slovenia SI	1
Solomon Islands SB	0
Somalia SO	0
South Africa ZA	1
Spain ES	1
Sri Lanka LK	0
Sudan SD	0
Suriname SR	0
Swaziland SZ	1
Sweden SE	1
Switzerland CH	1
Syrian Arab Republic SY	0
Thailand TH	1
The former Yugoslav Republic of Macedonia MK	0
Togo TG	0
Trinidad and Tobago TT	1
Tunisia TN	0
Turkey TR	1
Uganda UG	3
Ukraine UA	0
United Arab Emirates AE	3
United Kingdom of Great Britain and Northern Ireland GB	1
United Republic of Tanzania TZ	0
United States of America US	1
Uruguay UY	0
Uzbekistan UZ	0
Vanuatu VU	0
Venezuela (Bolivarian Republic of) VE	0
Viet Nam VN	2
Yemen YE	0
Zambia ZM	1
Zimbabwe ZW	0