

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



Sixteenth meeting of the Conference of the Parties  
Bangkok (Thailand), 3-14 March 2013

Summary record of the third session of Committee II

5 March 2013: 14h25 – 17h30

Chair: R. Gabel (United States of America)  
Secretariat: J. Scanlon  
J. Barzdo  
M. Yeater  
Rapporteurs: J. Caldwell  
S. Delany  
R. Parry-Jones  
C. Rutherford

***Interpretation and implementation of the Convention***

Review of Resolutions

25. Proposals of the Secretariat

The Secretariat introduced Annexes 8.1 and 8.2 of document CoP16 Doc. 25 which dealt with proposed amendments to Resolution Conf. 12.3 (Rev. CoP15) - *Permits and Certificates*.

Brazil, China, India, Ireland on behalf of the Member States on the European Union and Croatia, Switzerland, and the United States expressed broad agreement with the way forward proposed in the document. The United States proposed amending the text under f) in Annex 8.2 to read as follows, and to be placed at the end of Section I of the Resolution:

- f) u) ~~when a Management Authority issues any export permit or re-export certificate for manufactured products that contains parts or derivatives of more than one species, it should, as far as possible:~~
- i) ~~ensure that each manufactured type of product being traded is covered by only one permit or certificate;~~
  - ii) ~~include in Box 5, or another appropriate place, a statement that the permit or certificate relates to manufactured products that include multiple more than one CITES-listed species;~~
  - iii) ~~list on the permit or certificate all the CITES-listed species from which parts or derivatives are included in the manufactured products;~~
  - iv) ~~for each species named, indicate the type of manufactured product, the type of CITES specimen included in the product and, to the extent practicable, the total quantity of such specimens; and~~
  - v) ~~clearly indicate the total number of manufactured products covered by the permit or certificate; and~~
  - vi) ~~in the case of re-export, include for each species the information specified under "AGREES" above, in this section;~~

Ireland, on behalf of the Member States on the European Union and Croatia, also suggested amending subparagraph iv) by deleting all text after the word "product".

Regarding paragraph V of Annex 8.2, India, supported by China, believed that six months was too short a time to qualify for residency, and Brazil believed the suggested definition would be in conflict with national legislation. Safari Club International believed that it should be made clear that any text was intended only as guidance. The Secretariat withdrew proposed paragraph V noting that, if it was not helpful to Parties, then there was no reason for further discussion. The Chair suspended further discussion of Annex 8 until Parties had had a chance to review the new wording proposed by the United States.

The Secretariat introduced Annex 9 of document CoP16 Doc. 25 regarding Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species for commercial purposes*. Ireland, on behalf of the Member States on the European Union and Croatia, and the United States opposed the proposed amendment and it was withdrawn.

The Secretariat introduced Annexes 10.1 and 10.2 of document CoP16 Doc. 25 regarding Resolution Conf. 13.6 on *Implementation of Article VII, paragraph 2, concerning 'pre-Convention' specimens*.

The United States proposed amending the text after "RECOMMENDS that, for the purposes of Article VII, paragraph 2" to read:

- a) *the date from which the provisions of the Convention apply to a specimen be the date on which the species concerned was first included in the Appendices; and*
- b) *the date on which a specimen is acquired be considered as the date on which the specimen animal or plant or, in the case of parts or derivatives, the animal or plant from which they were taken or derived, was known to be either:*
  - i) *removed from the wild; or*
  - ii) *born in captivity or artificially propagated in a controlled environment; or*
  - iii) *if such date is unknown or cannot be proved, the date on which the specimen was acquired shall be any subsequent and the earliest provable date on which it was first possessed by any person;*

The Chair requested the Secretariat to circulate the proposed wording for later discussion.

The Secretariat introduced Annex 11 of document CoP16 Doc. 25, which was accepted.

### **Strategic matters**

#### **11. Potential conflicts of interest in the Animals and Plants Committees**

Ireland, on behalf of the Member States on the European Union and Croatia, introduced document CoP16 Doc. 11 (Rev. 1). Broad support for the proposed amendment to Resolution Conf. 11.1 (Rev. CoP15) was expressed by Australia, China, Colombia, New Zealand and Norway and the Chair of the Plants Committee.

China believed that a clear definition of conflict of interests was required, and observed that experts from developing countries could be affiliated with a number of different programmes and institutions, which could lead to accusations of partiality.

The Bolivarian Republic of Venezuela and Indonesia both acknowledged the need to deal with conflict of interests but could not support the present document. The United States requested clarification on the process of determining whether there was a conflict of interests.

Canada indicated general support for the document, but noted concerns about the proposed public posting of declarations of interest, and suggested that they instead be made available to Committee members only.

A working group, to be chaired by Ireland, and also comprising Australia, Canada, China, Japan, Kenya, Kuwait, Mexico, New Zealand, Norway, the United Kingdom of Great Britain and Northern Ireland, and the United States, was established to take into account the comments made and to report at a later session.

## 12. CITES Strategic Vision

The Secretary-General introduced document CoP16 Doc. 12 concerning the CITES Strategic Vision, noting that the changes proposed in the document did not have any implication for the costed programme of work and that inclusion of references to the Aichi Biodiversity Targets might open the way to funding through the Global Environment Facility.

Brazil, Colombia, Ireland, on behalf of the Member States of the European Union and Croatia, and Japan expressed their support for extending the Vision to 2020, and including explicit reference to the Aichi targets. IUCN echoed these views and emphasised the importance of monitoring progress.

The United States, supported by India, was unhappy with the proposed inclusion of references to the Aichi targets and to the development of a green economy in the context of sustainable development and poverty eradication. They also opposed reference to the United Nations Conference on Sustainable Development. After conferring with India, the United States remarked that provided that references to the green economy and poverty eradication were deleted, it would not block consensus. However, it wished to place on record its opposition to references to the Aichi Biodiversity Targets in the Vision Statement and in paragraph 3.4 of Goal 3 concerning coherence of multilateral agreements.

With the amendment proposed by the United States, the proposal was accepted.

## 13. Cooperation with organizations and multilateral environmental agreements

and

## 14. Draft resolution and decision on the cooperation of CITES with other biodiversity-related conventions

The Secretariat introduced document CoP16 Doc. 13, and highlighted the link to document CoP16 Doc. 14 (Rev. 1), submitted by Switzerland.

Switzerland introduced document CoP16 Doc. 14 (Rev. 1) proposing that a clear mandate be given to the Secretariat to continue efforts coordinating synergies between organizations and to the Standing Committee to continue collaboration.

The Convention on the Conservation of Migratory Species of Wild Animals (CMS) welcomed both documents and gave examples of good collaboration between CMS and CITES. It reported that the Parties to CMS were developing a Strategic Action Plan on migratory species for the period 2015-2023.

The United States opposed the draft decision in the annex to document CoP16 Doc. 13 because it was concerned about the resources needed to extend collaborative efforts not linked to CITES priorities. It supported the adoption of the draft resolution and draft decisions in the annexes to document CoP16 Doc. 14 (Rev. 1) but proposed deleting the words "if necessary" from paragraph d) in the draft decision directed to the Secretariat in paragraph E of document CoP16 Doc. 14 (Rev. 1). This draft decision was subsequently withdrawn.

Ireland, on behalf of the Member States of the European Union and Croatia, expressed support for both documents. It proposed revisions to the ninth paragraph of the draft resolution in Annex 1 of document CoP16 Doc. 14 (Rev. 1) to bring it in line with the outcome of Rio+20 but, following further discussion, withdrew these. It also proposed inserting the word coherent between "enhance (the)" and "national" in paragraphs 9 and 11 of the draft resolution, which was accepted with these amendments.

After some requests for clarification from Canada and Japan the Committee accepted the Recommendation in paragraphs 73 and 74 of document CoP16 Doc. 13 to delete Decisions 15.18 and 15.11. The Committee accepted the draft decision directed to the Standing Committee in document CoP16 Doc. 14 (Rev. 1).

15. International Consortium on Combating Wildlife Crime

The Secretariat introduced document CoP16 Doc. 15.

Australia, the Democratic Republic of the Congo, El Salvador, Ireland on behalf of the Member States of the European Union and Croatia, South Africa and the United States all commended the establishment of the consortium. The Secretariat thanked those who had provided funds, namely the Netherlands, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States and the World Bank, and the need for more such contributions was stressed.

The Committee noted the document.

18. Cooperation between Parties and promotion of multilateral measures

South Africa presented document CoP16 Doc. 18 (Rev. 1), informing the Parties that the report prepared by the consultants referred to in the document would be available from April 2013. Two non-governmental organizations had been identified to participate in the intersessional working group referred to in document CoP16 Doc. 18 (Rev. 1), these being Lewis and Clark College and Safari Club International.

India and the United States did not favour the retention of Decisions 14.28, 14.29 and 14.30.

The United States requested deletion of the words “and their appropriateness” from subparagraph 2. e) of the Terms of Reference. This was agreed.

Ireland, on behalf of the Member States of the European Union and Croatia, supported the amendments to the decisions but requested insertion of wording stating that the organization of the meetings should be subject to external funding. It was agreed that such wording would be added to Decision 14.29 and that Decision 14.30 would be deleted as the change in wording to Decision 14.29 would make Decision 14.30 redundant.

India, supported by Humane Society International, expressed concern that a consultant appointed by a third party proposing stricter domestic measures might impinge upon national sovereignty. The Chair assured India that the intent was to operate within the context of CITES. The aim was to assess whether current measures were adequate and to consider whether multilateral cooperation could sometimes replace national measures. This would be assessed by the consultancy using voluntary case studies.

Mexico stated that one of the main tasks of the working group was to identify stricter measures and to find ways to make them available to the Parties in order to facilitate CITES implementation. This could be achieved by publishing these measures on the CITES website or reviewing the issue under agenda item 30 on *National reports*, all of which may not require extending the mandate of the working group.

The Committee accepted the amendment of Decision 14.28 and Decision 14.29, and deletion of Decision 14.30. The Committee also accepted the Terms of Reference as amended by the United States.

The meeting was adjourned at 17h35.