

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 11th session of Committee II

11 March 2013: 14h15 - 17h30

Chair: R. Gabel (United States of America)
Secretariat: J. Scanlon
J. Barzdo
B. Janse van Rensburg
T. De Meulenaer
M. Yeater
Rapporteurs: J. Caldwell
P. Cremona
S. Delany
J. Gray

Adoption of summary records

The Committee reviewed summary records CoP16 Com. II Rec. 3, Com. II Rec. 4 and Com. II Rec. 5. With regard to summary record CoP16 Com. II Rec. 3, the United States of America noted that 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, and suggested that this be included in the record referring to agenda item 18. Mexico wished to amend the same record to reflect better its views on the intent of the intersessional working group, stressing the importance of its addressing stricter domestic measures, and agreed to provide the Secretariat with suitable text which the Committee agreed would be incorporated. The Secretariat proposed an addition to the record relating to agenda item 11, as follows:

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.

With regard to summary record CoP16 Com. II Rec. 4, Mexico requested that the composition of the proposed working group be included in the record; the Secretariat agreed to insert this list.

With these amendments, summary records CoP16 Com. II Rec. 3, Com. II Rec. 4 and Com. II Rec. 5 were adopted.

Interpretation and implementation of the Convention

Compliance and enforcement

30. National reports

The Secretariat and the United Kingdom of Great Britain and Northern Ireland, as Chair of the Standing Committee's working group on special reporting requirements, introduced document CoP16 Doc. 30 (Rev. 1). The Secretariat noted that, since the document had been compiled, Cambodia, Dominica, Iceland and Saint Lucia had submitted their reports. The Secretariat had also been in communication with Brunei Darussalam, Burundi, Grenada, Palau and Vanuatu, and it was planning to contact Afghanistan, Chad,

Djibouti, Equatorial Guinea, Eritrea, Lesotho and The former Yugoslav Republic of Macedonia regarding submission of reports. It commented that a report produced by UNEP-WCMC entitled *CITES trade: recent trends in international trade in Appendix-II listed species (1996-2010)* was available as document CoP16 Inf. 32.

The Committee expressed general support for the document. Ireland, on behalf of the Member States of the European Union and Croatia, highlighted the need for resources to be identified to allow the Strategic Vision indicators to be publicized, and suggested that the proposed report format be reviewed to ensure it was no longer than necessary. It also stressed the need for data on legal trade to be clearly distinguished from data on illegal trade. Brazil, Chile, China, Colombia, Kenya, South Africa, Suriname and the United States disagreed with the proposed shortened deadline for submission of annual reports.

UNEP-WCMC provided an update on the automated annual report upload facility referred to in the document, stating that a prototype had been developed, but that direct uploading of annual report data to the CITES Trade Database would not be possible until the database had been redeveloped, and that this was subject to funding.

The proposed amendments to the Resolutions and Decisions in the Annexes to document CoP16 Doc. 30 (Rev. 1) were accepted, except that all references to 30 June in Annex 2 would remain as 31 October. Accordingly, it was agreed to delete Decisions 14.37 (Rev. CoP15), 14.38 (Rev. CoP15), 15.42 and 15.43. It was also agreed that Annex 5 of the document would be subject to further input from the Standing Committee's working group on special reporting requirements.

31. Disposal of illegally-traded and confiscated specimens of Appendix-I, -II and -III species

Indonesia introduced document CoP16 Doc. 31 (Rev. 2), highlighting the problems of cost recovery and disposal of seized specimens, and drawing attention to the draft decision directed to the Standing Committee in its Annex.

Colombia, Jamaica and IWMC – World Conservation Trust supported the Secretariat's recommendation to review the three existing Resolutions with a view to consolidating them. China, supported by the United States, was concerned by the high cost of dealing with confiscations and the negative impact the actions proposed in the document could have on enforcement. China proposed the establishment of a working group to discuss the issues raised in the document and to report at the 65th meeting of the Standing Committee, while the United States, supported by Ireland, on behalf of the Member States of the European Union and Croatia, preferred any further work to build on existing Resolutions.

India, Israel, Kenya, Serbia and Humane Society International were concerned that the proposed recommendation to auction seized material and return the proceeds to the country of origin could encourage laundering of wildlife products. Ireland, on behalf of the Member States of the European Union and Croatia, the United States and Lewis and Clark College expressed concern that the timeline proposed for return of confiscated goods to the country of origin would not be compatible with the need to retain specimens for prosecution purposes. Conservation Force highlighted the need for rapid communication between trading countries to facilitate enforcement.

The Chair suspended further debate until the Secretariat had conferred with China, Indonesia and the United States to revise the text of a draft decision directed to the Standing Committee.

Species trade and conservation

55. Tibetan antelope

The Secretariat introduced document CoP16 Doc. 55, which had been prepared by the Standing Committee and included a recommendation to amend Resolution Conf. 11.8 (Rev. CoP13) (*Conservation of and control of trade in the Tibetan antelope*). However, it informed the Committee that several significant seizures had taken place in 2013 and that, as a result, it had withdrawn its recommendation, noting that the issue would be reconsidered at the 64th and 65th meetings of the Standing Committee.

China provided further details of the seizures, noting that a follow-up investigation was taking place with assistance from Nepal. It highlighted the need for urgent action from the international community, and called for Parties to investigate any illegal activity involving the species. It proposed two draft decisions for consideration by the Committee:

Directed to Parties

- 16.A *All Parties should immediately bring every seizure of illegal Tibetan antelope wool and its products made on their territories to the attention of authorities in countries of origin, transit and destination, as applicable, and to the attention of the Secretariat. Information on the seizure should be accompanied by available associated information, to enable follow-up investigations to take place. The progress of follow-up investigations should also be reported to the Secretariat.*

Directed to the Secretariat

- 16.B *The Secretariat shall report information on seizures made and on the progress of investigations referred to in decision 16.A at the 65th meeting of the Standing Committee.*

India gave details of alternative livelihoods now available to artisanal weavers formerly dependent on shahtoosh and expressed the opinion that elimination of demand was the best method of controlling trade in Tibetan Antelope products. The draft decisions proposed by China were accepted.

58. Tortoises and freshwater turtles

58.1 Report of the Standing Committee

and

58.2 Report of the Animals Committee

The United States, as Chair of the Standing Committee working group on tortoises and freshwater turtles, presented document CoP16 Doc. 58.1 (Rev. 1) and its draft decisions, adding that a correction to paragraph 12 was needed as follows: replace the phrase “purpose codes on CITES permits and certificates” with “captive breeding and ranching”. It did not agree with the Secretariat’s suggestion to replace “disposition” with “disposal” in some of the draft decisions, believing the two terms referred to different processes and points in time for confiscated goods. It clarified that the document was largely the same as document CoP16 Doc. 58.2 (Rev. 1) from the Animals Committee, and agreed that it would be desirable to harmonize the two sets of draft decisions as far as possible. It agreed with the Secretariat that Decisions 15.80, 15.81, 15.82 and 15.83 should be deleted, adding that Decision 15.79 should also be deleted.

The Chair of the Animals Committee summarized document CoP16 Doc. 58.2 (Rev. 1), reporting on the work of that Committee arising from Decision 15.79 on tortoises and freshwater turtles, which he considered now to have been implemented. He concurred that the draft decisions in the document should be harmonized with those in document CoP16 Doc. 58.1 (Rev. 1).

The Chair asked for comments on the two documents. Indonesia stated it thought draft decision 16.F in the *Report of the Standing Committee* inappropriate as it concerned non-CITES species, and draft decision 16.G inappropriate as there would be no worthwhile comparison between CITES-listed and non-CITES species. However, it strongly supported draft decision 16.J, apart from the reference to the Asian region being particularly relevant in the illegal and undocumented trade. Viet Nam, recalling that amendment proposals CoP16 Prop. 33 and Prop. 35 had not been debated in Committee I, asked that its consequent request for inclusion of the species concerned in the Periodic Review of the Appendices be formalized through a draft decision, to read:

Directed to the Animals Committee

- 16.XX *The Animals Committee shall, as a matter of priority, include the species Cuora galbinifrons and Mauremys annamensis in the Periodic Review of the Appendices.*

The Chair asked the Chairs of the Animals Committee and of the Standing Committee working group to confer in order to reconcile the draft decisions in the two documents, and to report back to Committee II, taking account of the interventions from Indonesia and Viet Nam. He asked them to work with the Secretariat, especially to ensure harmony with Committee-I decisions.

59. Hawksbill turtle

The Secretariat introduced document CoP16 Doc. 59 (Rev. 1). It considered its tasks under Decision 15.84 to have been achieved, but was proposing a new draft decision in the Annex to the document to enable continued work on recommendations from a regional workshop in Mexico in 2009.

Ireland, on behalf of the Member States of the European Union and Croatia, and Jamaica welcomed the draft decision. The Committee then approved it and agreed to delete Decision 15.84.

60. Sturgeons and paddlefish

60.1 Report of Animals Committee

and

60.2 Report of the Secretariat

The Chair of the Animals Committee introduced document CoP16 Doc. 60.1 (Rev. 1), reporting the Committee's activities pursuant to Resolution Conf. 12.7 (Rev. CoP14) (*Conservation of and trade in sturgeons and paddlefish*), as a result of which it was proposing draft amendments to this Resolution. In its comments on the document, the Secretariat had proposed three draft decisions and made a suggestion for a further amendment to the Resolution to alter the meaning of the code "MIX".

The Secretariat introduced document CoP16 Doc. 60.2, setting out proposed amendments to Resolution Conf. 12.7 (Rev. CoP14), noting that they were compatible with those put forward in the previous document.

The Islamic Republic of Iran outlined the steps it was taking to conserve sturgeons and paddlefish.

With regard to document CoP16 Doc. 60.1 (Rev. 1), Ireland, on behalf of the Member States of the European Union and Croatia, the United States and IWMC – World Conservation Trust noted their support for the draft amendments to Resolution Conf. 12.7 (Rev. CoP14) proposed by the Animals Committee and the Secretariat's proposed draft decisions in the document, but they did not support the Secretariat's recommendation in paragraph E regarding the code "MIX". The Committee accepted the draft revisions to Resolution Conf. 12.7 (Rev. CoP14) and the Secretariat's draft decisions contained in document CoP16 Doc. 60.1 (Rev. 1). The Secretariat's recommendation regarding the code "MIX" in paragraph E of the document was not accepted.

In commenting on document CoP16 Doc. 60.2, Ireland, on behalf of the Member States of the European Union and Croatia, and the United States expressed some support. The Islamic Republic of Iran, the Russian Federation, Ukraine, International Caviar Importers' Association and IWMC – World Conservation Trust drew the Committee's attention to document CoP16 Inf. 53, the result of an informal working group that had also suggested revisions to Resolution Conf. 12.7 (Rev. CoP14). The Committee indicated that it would like to consider this document, which had been made available only that afternoon. The Chair suspended discussion on this and document CoP16 Doc. 60.2 until the following day.

The meeting was adjourned at 17h30.