

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 seventh plenary session

14 March 2013: 9h15-11h30

Chair: His Excellency Preecha Rengsomboonsuk
(Thailand)
Committee I Chair: C. Caceres (Canada)
Committee II Chair: R. Gabel (United States of America)
Secretariat: J. Scanlon
J. Barzdo
D. Morgan
Rapporteurs: L. Garrett
S. Glaser
A. Madhur
C. Rutherford

Strategic matters

10. Committee reports and recommendations

10.1 Standing Committee

10.1.2 Election of new regional and alternate regional members

Australia, Costa Rica, the Democratic Republic of the Congo, Kuwait, the United Kingdom of Great Britain and Northern Ireland, and the United States, as regional representatives, reported that the Parties indicated below were the newly elected regional and alternate regional representatives to serve on the Standing Committee:

Region	Regional representative	Alternate
Africa	– Niger	– Congo – Madagascar (replacing Niger as the alternate to Egypt)
Asia	– Indonesia	– China
Central and South America and the Caribbean	– Guatemala	– Honduras
Europe	– Hungary – Portugal	– Poland – Belgium – Israel (replacing Belgium as the alternate to Norway)

These nominations were confirmed.

10.2 Animals Committee

10.2.2 Election of new regional and alternate regional members

The individuals indicated below were the newly elected regional and alternate regional representatives to serve on the Animals Committee:

Region	Regional representative	Alternate
Africa	– Mr Hillary Madzikanda (Zimbabwe)	– Mr Moustafa Fouda (Egypt) – Ms Gladys Kalema-Zikusoka (Uganda) (as alternate to Mr Samuel Kasiki of Kenya)
Asia	– Mr Shaker A. A. Khamdan (Bahrain)	– Mr Nobuo Ishii (Japan) (re-elected)
Central and South America and the Caribbean	– Mr Paul Edward Ouboter (Suriname) – Mr Marcel Enzo Calvar Agrelo (Uruguay)	– Mr José Alberto Álvarez (Cuba) – Mr Néstor Herrera (El Salvador)
Europe	– Mr Mathias Lörtscher (Switzerland)	– Mr Simon Nemtzov (Israel) – Ms Karen Gaynor (Ireland) (replacing Mr Lörtscher as the alternate to Mr Vincent Fleming of the United Kingdom)
North America	<i>no change</i>	– Ms Rosemarie Gnam (United States) (re-elected)

These nominations were confirmed.

The re-election of Ms Ute Grimm as the specialist on zoological nomenclature was confirmed.

10.3 Plants Committee

10.3.2 Election of new regional and alternate regional members

The individuals indicated below were the newly elected regional and alternate regional representatives to serve on the Plants Committee:

Region	Regional representative	Alternate
Asia	– Mr Edwino S. Fernando (Philippines)	– Mr Joeni Setijo Rahajoe (Indonesia)
Central and South America and the Caribbean	– Ms Vera Teresinha Rauber Coradin (Brazil)	– Ms Karina Ramírez (Peru) – Ms Delys Albert Puentes (Cuba) (as the alternate to Dora Ingrid Rivera of Costa Rica)
Europe	– Mr Maurizio Sajeva (Italy) (re-elected)	<i>no change</i>

These nominations were confirmed.

The re-election of Mr Noel McGough as the specialist on botanical nomenclature was confirmed.

Interpretation and implementation of the Convention

Amendment of the Appendices

77. Proposals to amend Appendices I and II

Having already been accepted by consensus in Committee I, the following proposals were adopted without discussion: CoP16 Prop. 39 (Rev. 1), Prop. 40 and Prop. 41.

The Chair of Committee I reported that proposal CoP16 Prop. 42 to include *Carcharhinus longimanus* (oceanic whitetip shark) in Appendix II with an annotation had been accepted after a vote in the Committee. Japan, in accordance with Rule 19, asked to open the debate, stating that they had additional information and requesting a secret ballot if it went to a vote. Gambia and India seconded the motion and Colombia and Senegal opposed it. Colombia, Ecuador and Mexico raised a point of order which was overruled by the Chair. With over 10 countries supporting a secret ballot (named by the Chair), the motion to open the debate was put to a vote. Forty-four voted in favour, 93 against and four abstained. With fewer than one-third of those voting being in favour, the motion was rejected and proposal CoP16 Prop. 42 was adopted. Argentina, Belize, Chile, the Comoros, the Congo, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Ireland, on behalf of the Member States of the European Union and Croatia, Mexico, Panama, Paraguay, Peru and the United States stated that they had voted against the motion to open the debate.

The Chair of Committee I reported that proposal CoP16 Prop. 43 to include *Sphyrna lewini*, (scalloped hammerhead shark) *S. mokarran* (great hammerhead shark) and *S. zygaena* (smooth hammerhead shark) in Appendix II with an annotation had been accepted after a vote in the Committee. Grenada, in accordance with Rule 19, asked to open the debate, maintaining it felt unable to make an informed decision because of additional information, and requesting a secret ballot if it went to a vote. China seconded the motion and Mexico and Honduras opposed it. With over 10 countries (named by the Chair) supporting a secret ballot, the motion to open the debate was put to a vote. Forty voted in favour of the motion to open the debate, 96 against and six abstained. With fewer than one-third of those voting being in favour, the motion was rejected and proposal CoP16 Prop. 43 was adopted. Belize, the Central African Republic, Colombia, the Comoros, the Congo, Costa Rica, Ecuador, El Salvador, Gabon, Guatemala, Honduras, Ireland, on behalf of the Member States of the European Union and Croatia, Jamaica, Mexico, Panama, Paraguay, Seychelles, Swaziland and the United States stated that they had voted against the motion to open the debate.

Proposal CoP16 Prop. 44 regarding inclusion of *Lamna nasus* (porbeagle shark) in Appendix II with an annotation was adopted. China expressed its concern regarding enforcement and compliance. It asked that identification material be made available by the proponents as soon as possible in order to help implementation of the listing.

Proposals CoP16 Prop. 45 and Prop. 46 (Rev. 2) were adopted.

Proposal CoP16 Prop. 47 to include *Paratrygon aiereba* in Appendix II with an annotation, and proposal CoP16 Prop. 48 to include *Potamotrygon motoro* and *P. schroederi* in Appendix II with an annotation had both been rejected after a vote in Committee I. Colombia sought to open the debate, clarifying that it did not wish to contest the recommendation from Committee I regarding the proposals, but wished to propose that the following new draft decisions regarding these species be considered:

Directed to the Secretariat

- 16.A *The Secretariat shall issue a Notification requesting the range States of freshwater stingrays (Family Potamotrygonidae) to report on the conservation status and management of, and domestic and international trade in the species.*

Directed to the Animals Committee

- 16.B *The Animals Committee shall establish a working group comprising the range States of freshwater stingrays in order to evaluate and duly prioritize the species for inclusion in CITES Appendix II.*
- 16.C *The Animals Committee shall consider all information submitted on freshwater stingrays in response to the request made under Decision 16.B above, and shall:*

- a) *identify species of priority concern, including those species that meet the criteria for inclusion in Appendix II of the Convention;*
- b) *provide specific recommendations to the range States of freshwater stingrays; and*
- c) *submit a report at the 17th meeting of the Conference of the Parties on the progress made by the working group, and its recommendations and conclusions.*

Directed to Parties

- 16.D *Range States of freshwater stingrays are encouraged to provide information to the Working Group, the Animals Committee, and the Secretariat, as requested under Decision 16.B.*
- 16.E *Range States are encouraged to cooperate in the development and implementation of research and monitoring programmes for the purpose of supporting evaluations of the conservation status and threats affecting populations of freshwater stingrays in their natural range.*

Directed to Parties, the Secretariat and interested organizations

- 16.F *Subject to external funding, the Parties, the CITES Secretariat and other interested organizations shall organize activities, including regional workshops, in order to facilitate the exchange of trade, conservation and management data on freshwater stingray species.*

Paraguay and Ecuador supported opening the debate for this purpose and, as there were no objections, this was agreed. The Bolivarian Republic of Venezuela, Brazil, Ecuador, Ireland, on behalf of the Member States of the European Union and Croatia, Chile, Mexico, Paraguay, Peru, Senegal, the United States and Uruguay commended the work of Colombia and supported the draft decisions proposed.

Japan, whilst not wishing to break the consensus, pointed out that it was difficult for those whose mother tongue was not one of the three working languages of the Convention to analyse complex submissions made during final plenary sessions.

The rejection of proposals CoP16 Prop. 47 and CoP16 Prop. 48 was confirmed and the proposed draft decisions were adopted by consensus.

Having already been accepted by consensus in Committee I, the following proposals were adopted without discussion: CoP16 Prop. 49, Prop. 50, Prop. 51, Prop. 54, Prop. 55, Prop. 56, Prop. 57, Prop. 59 (Rev. 1), Prop. 60, Prop. 64, Prop. 65, Prop. 66, Prop. 67, Prop. 68 and Prop. 71.

The amended version of proposal CoP16 Prop. 52 and the accompanying draft decision, the text of which can be found in summary record Com. I Rec. 12 (Rev. 1), were adopted.

Proposal CoP16 Prop. 53 and the accompanying draft decision, the text of which can be found in summary record Com. I Rec. 13 (Rev. 1), were adopted.

Proposals CoP16 Prop. 58 and Prop. 63 and the accompanying draft decisions, the text of which can be found in document CoP16 Com. I.16, were adopted.

Proposals CoP16 Prop. 61 and Prop. 62, both with the amendment to include annotation #6, were adopted.

The revised version of proposal CoP16 Prop. 69, restricted to the populations of the species in Burundi, Ethiopia, Kenya, Rwanda, Uganda and the United Republic of Tanzania and with annotation #2, and two accompanying draft decisions, the text of which can be found in summary record CoP16 Com. I Rec. 13 (Rev. 1), were adopted.

The amended version of proposal CoP16 Prop. 70, whereby paragraph e) of the proposed revised annotation was removed and subsequent paragraphs re-lettered accordingly, and two accompanying draft decisions, the text of which can be found in summary record CoP16 Com. I Rec. 13 (Rev. 1), were adopted.

Adoption of summary records

The summary record of the first plenary session (CoP16 Plen. 1) was adopted.

In the summary record of the second plenary session (CoP16 Plen. 2), the United States requested the insertion at the end of item 4 (*Rules of Procedure*) of the words: The Rules of Procedure applicable to CoP15 were considered to remain in effect until modified at this meeting of the Conference of the Parties. Mexico wished to include in the second paragraph under items 4.2 (*Proposal to improve transparency of voting during meetings of the Conference of the Parties*) and 4.3 (*Proposed amendment to Rule 25 on "Methods of voting" – Use of secret ballots*) the words: , in order to promote transparency, accountability and a more balanced representation of CITES Parties after "to hold one". With these amendments, summary record CoP16 Plen. 2 was adopted.

Referring to summary record CoP16 Plen. 3, Ireland, on behalf of the Member States of the European Union and Croatia, noted the earlier controversy surrounding the Rules of Procedure. While they were pleased with the outcome, they believed that there was a conflict between summary records CoP16 Plen. 3 and CoP16 Plen. 4. Japan asked that, in summary record CoP16 Plen. 3, under agenda item 4.2, the first sentence in the fourth paragraph be amended to reflect their intention, by replacing "Rule 25" with the Rules of Procedure. Japan, supported by China, believed that this would resolve the inconsistency drawn attention to by Ireland. Ireland, on behalf of the Member States of the European Union and Croatia, noted that its understanding of the discussion on agenda item 4.2 did not accord with the amendment suggested by Japan. It was the understanding of the European Union Member States and Croatia that the point of order raised by Japan referred only to the applicable majority for the vote on the proposal on secret voting as reflected in documents CoP16 Doc. 4.2 (Rev. 1) and CoP16 Doc. 4.3 (Rev. 1), and to the interpretation of Rule 26.1 in the context of the particular amendments that had been proposed to that Rule, and not in general to all future amendments to the Rules of Procedure. It was on this basis that the Member States of the European Union and Croatia had voted on the point of order. Ireland further noted that a formal proposal would be required to change Rule 30 on *Amendment* to avoid the need for future debate regarding the majority needed to amend the Rules of Procedure. They felt that this should be addressed before CoP17 and were willing to work on a proposal. With the amendment proposed by Japan, summary record CoP16 Plen. 3 was adopted.

The summary record of the fourth plenary session (CoP16 Plen. 4) was adopted.

The Secretariat announced that it would prepare a revised list of Decisions in accordance with Resolution Conf. 4.6 (Rev. CoP15), including only Decisions that remained in effect. It would make the new and revised Decision and Resolutions available on the CITES website as soon as possible.

The meeting was adjourned at 11h30.