

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

Forty-ninth meeting of the Standing Committee
Geneva (Switzerland), 22-25 April 2003

SUMMARY REPORT

1. Opening remarks by the Chairman

Speeches of welcome were given by the Chairman and the Secretary-General, who particularly emphasized that this was the first meeting of the Standing Committee open to non-governmental organizations.

Strategic and administrative matters

2. Rules of Procedure

The Rules of Procedure in document SC49 Doc. 2 Annex were adopted without comment.

3. Adoption of the Agenda

It was agreed to add the following items to the Agenda under item 25 on Any other business:

- a) Preparations for the 13th meeting of the Conference of the Parties (at the request of Namibia and South Africa);
- b) Secret ballots at meetings of the Conference of the Parties (Decision 12.100) (at the request of the Chairman);
- c) Sponsored Delegates Project (at the request of the Chairman);
- d) Specimens to be exempted from the provisions of the Convention (at the request of Depositary Government);
- e) Ivory seized in Singapore (at the request of Kenya); and
- f) Role of the Secretariat in dialogue meetings (at the request of Kenya).

4. Credentials

The Secretariat reported that credentials had been received from the delegations of all Parties member of the Committee and from delegations of 30 Parties out of 38 that had registered to attend.

In addition there were observers present at the invitation of the Chairman from two intergovernmental organizations (IGOs) and 16 non-governmental organizations (NGOs).

5. Admission of observers

The Standing Committee agreed to the admission of the organizations listed in document SC49 Doc. 5 Annex. There was much discussion of whether to specify, for each organization represented by observers, the agenda items for which they could attend the meeting. It was in particular emphasized that there were a number of sensitive issues relating to compliance, punitive measures and the results of investigations that it would not be appropriate to discuss before non-governmental observers. It was suggested that for the present meeting the discussion of certain agenda items could be closed to observers, but for future meetings observer organizations could be told in advance for which discussions they would be authorized to participate. Attention was drawn to the fact that all organizations represented were from developed countries and it was suggested that NGOs from such countries might in future fund the participation of observers from developing countries.

It was agreed that the discussion of the following Agenda items would be closed to observers from non-governmental organizations: 13, 16, 17 and 18. It was noted that discussion of other Agenda items could also be closed if agreed by the Committee.

During this discussion, interventions were made by the representatives of Africa (South Africa), Asia (China), Europe (Germany, Norway), Central and South America and the Caribbean (Ecuador), North America (United States of America), Oceania (Australia), the Depositary Government and the observer from Japan.

6. Memoranda of Understanding

6.1 Memorandum of Understanding with the Executive Director of the United Nations Environment Programme (UNEP)

The Chairman reported that the required discussion with the Executive Director of UNEP had not yet taken place. The UNEP representative stated that the on-going study by the UN Office of Internal Oversight, into the services provided to conventions by UNEP, would be taken into account in the negotiation of the new Memorandum of Understanding (MoU). Discussions would be planned so that the Chairman could report with a draft memorandum at the 50th meeting of the Standing Committee. The Chairman indicated that the members could submit comments on the existing draft and the representative of Switzerland advised that his Government had already submitted such comments to the Chairman.

During this discussion, interventions were also made by the representative of North America (United States) and the observer from Mexico.

6.2 Memorandum of Understanding with the Convention on the Conservation of Migratory Species of Wild Animals (CMS)

The Secretariat noted that the text of the MoU had been made available as an Annex to document SC49 Doc. 6.2. It reported that an initial draft of the work programme had just been received from the CMS Secretariat. During the discussion, it was suggested that activities already undertaken by each convention should be taken into account in order to ensure synergy and manageable workloads and that the Standing Committee should continue to be involved in the development of the work programme.

The Standing Committee requested the Secretariat to circulate electronically the draft work programme to Standing Committee members for their comments before it is

finalized and signed by the Secretariats of CITES and CMS. The Committee agreed to postpone its review of the implementation of the work programme and MoU to its 50th meeting.

Interventions were made by the representatives of Central and South America and the Caribbean (Saint Lucia) and Europe (Germany).

6.3 Memorandum of Understanding with the Food and Agriculture Organization of the United Nations (FAO)

The Secretariat reported on the 25th session of COFI (Committee on Fisheries, Rome, February 2003). It advised that Decision 12.7 and the draft MoU contained in the Annex to document SC49 Doc. 6.3 had been made available to an open-ended Friends of the Chair group established by COFI to work on a draft MoU and related texts. Some COFI members had objected to the participation of the CITES Secretariat in the Friends of the Chair group and a decision was taken to exclude the Secretariat, together with all intergovernmental organizations and non-governmental organizations. After working in parallel to plenary sessions for several days, the Friends of the Chair group had been unable to reach consensus on a draft MoU but did reach consensus on 'Terms of Reference for *ad hoc* advisory panel for assessment of proposals to CITES' and an 'FAO workplan on CITES and commercially-exploited aquatic species', which had subsequently been adopted by COFI.

The Chairman explained that the draft MoU contained in the Annex had been drafted at his request and with his involvement. He expressed the hope that the Committee could agree on this text or a modified text, so that the Committee could submit the document to FAO for consideration and thereby carry out the instructions of the Conference of the Parties. He noted that document SC49 Inf. 3 proposed certain amendments to the draft MoU.

During discussion, appreciation was expressed for the draft MoU prepared by the Chairman and the Secretariat. It was noted that the draft adhered to Decision 12.7 and was simple, straightforward and flexible. Recognizing that it would be beneficial to reach agreement on a draft MoU during the meeting, the Committee decided to establish a working group for this purpose under the chairmanship of Ecuador.

Participants in the working group were Australia, Chile, Egypt, Japan, Norway, Saint Lucia, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Secretariat, IFAW and IWMC. In addition to the documents mentioned above, the working group had before it a revised version of the draft MoU containing comments from Norway. The working group met several times but was unable to reach consensus on a draft MoU. There were difficulties over semantics as well as fundamental principles.

Interest was expressed in having additional time to consult and provide input on the draft MoU. The representative of Oceania proposed that Parties be afforded an opportunity to comment on the draft MoU and that the Chairman of the Standing Committee be authorized to negotiate thereafter directly with FAO. An alternative proposal was put forward by Norway under which Parties would be able to comment on the draft MoU and then the Standing Committee would review the comments before authorizing the Chairman to negotiate further with FAO.

Following a vote, with seven members in favour and six against, the Standing Committee agreed that the draft text in the Annex to document SC49 Doc. 6.3 was the document to work from.

Following the recommendations of the working group established during the meeting to consider this issue, the Standing Committee instructed the Secretariat to issue a Notification to the Parties attaching the Annex to document SC49 Doc. 6.3 and inviting comments to be submitted to the Secretariat. It further instructed the Secretariat to make these comments available on the CITES website. The Standing Committee mandated its Chairman to liaise with FAO on the development of a Memorandum of Understanding between CITES and FAO. It also agreed that the Chairman should provide, if possible, a resulting document to the Committee for consideration at its 50th meeting.

Interventions were made by the representatives of Africa (South Africa and the United Republic of Tanzania), Central and South America and the Caribbean (Ecuador and Saint Lucia), Europe (Germany and Norway), North America (United States), Oceania (Australia) and the previous host country (Chile), and the observers from Argentina, Japan, Mexico the International Wildlife Coalition and IFAW.

The following statement was submitted by the representative of Europe (Norway):

It is Norway's interpretation of Rule 25 of the Rules of Procedure of the Standing Committee that it was not appropriately applied when arriving at the final decision on agenda item 6.3. According to Rule 25, a tie, in the case of voting, may only be broken by the Depositary Government. They have however the choice not to take part in the voting. When we had a tie situation on item 6.3, after the voting, the representative of the Depositary Government was put on the spot and asked to say yes or no to the Chairman's proposal. A correct conduct of this rule might have given a different result, as, in the case of a tie vote on a proposal, the proposal is rejected.

7. Process for consideration of technical implementation issues

Following a presentation of document SC49 Doc. 7 by the Secretariat, the main points emerging in the discussion were: broad agreement on establishing a working group to advise the Committee on how to tackle certain issues (but not necessarily to conduct the analyses themselves); a need to ensure regional representation; and a need to take into account the problems of small-island economies.

The Committee agreed to establish at the present meeting a working group on this issue, comprising representations of the six CITES regions, the number of representatives being the same as in the Standing Committee. The Standing Committee decided that the United States would be the interim Chairman of the working group until the Chairman is elected. The members of the working group need not be members of the Committee. The mandate of the working group would be to make recommendations to the Standing Committee on the process for consideration of technical implementation issues in future. An interim working group was established to clarify the Terms of Reference and produced document SC49 Doc. 7.1.

The Committee agreed to the proposal in document SC49 Doc. 7.1, with an amendment of paragraph 13. a), so as to read:

[The Working Group shall] By 15 May 2003 (or as soon as the members are chosen), receive, from the Interim Chairman, a list of technical implementation issues already identified by the Conference of the Parties, the Standing Committee, the Animals Committee, the Plants Committee or Parties but not yet resolved;

During this discussion interventions were made by the representatives of Africa (South Africa), Asia (China), Central and South America and the Caribbean (Saint Lucia), North America (United States), and Oceania (Australia), and the observers from International Wildlife Coalition and Safari Club International.

8. Economic incentives and trade policy

The Committee noted the oral account given by the Secretariat of the financial and methodological progress made in organizing a technical workshop on wildlife trade policies and economic incentives as mandated under Decision 12.22.

Interventions were made by the representatives of Central and South America and the Caribbean (Ecuador) and the Depositary Government, and by the observer from Israel.

9. Financial and administrative matters

9.1 Development of containment strategies

Document SC49 Doc. 9.1 was introduced by the Secretariat, which planned to produce a document for discussion at the 50th meeting of the Standing Committee. In the ensuing discussion the following points were made.

Regarding point 2.a) of the document, the Secretariat was asked to give a range of options for dealing with the problem of collection of arrears. The Secretary-General indicated that the overall level of the problem was not great but two Parties owed more than USD 150,000 each and he had held meetings with them.

Regarding point 2.b) one Party suggested that Parties should be invited to submit bids to host the Secretariat, to enable an evaluation of the possible savings. The representative of the Depositary Government stated that Switzerland was proud to host the CITES Secretariat and that it was willing to review ways to achieve savings. He stressed that consideration of strategies for containing the budget should focus first on solutions that create the least disruption, and in addition on stricter priority-setting in the work of CITES. He suggested, supported by the Secretary-General, that moving the Secretariat would have a number of negative consequences, including the loss of synergies with other organizations (in particular IUCN) and permanent missions to the UN, the loss of experienced staff members, the costs of moving and replacing staff, etc. It was suggested that inviting bids for a new host country should be a last resort. The representative of the Depositary Government also announced that it was donating CHF 100,000 to the Secretariat for the purchase of computer equipment. The Secretariat clarified that it had not received any offers to relocate its offices.

Regarding point 2.c), one Party stated that further detail was required from UNEP regarding its 13 per cent overhead charge for administration.

Regarding point 2.d), one Party asked the Secretariat to include in its next document an indication of how the Secretariat could make savings on its travel. The Secretary-General noted that many travel requests are refused and that the Secretariat seeks external funding for travel as far as possible.

Regarding point 2.e), two Parties suggested that the Secretariat should not take initiatives but only implement the instructions of the Conference of the Parties and the Standing Committee. The Secretary-General pointed out that Article XII of the Convention requires the Secretariat to take initiatives and that, moreover, these had on many occasions in the past resulted in the adoption of Resolutions or Decisions that Parties now find essential to the smooth functioning of the Convention.

Regarding point 2.f), one Party suggested that CITES should examine the experiences of other organizations. The representative of the Depositary Government pointed out that since 1984 the CITES Secretariat had been part of UNEP and so covered by the agreement between the United Nations and the Government of Switzerland. He said it was not possible (and in any case not necessary) to conclude a separate host country agreement with the Secretariat.

Regarding point 2.h), some Parties, the Secretariat and one observer felt that translation and interpretation were important and that any savings should not result in reductions in the level of translation and interpretation or in reduced quality.

The Chairman encouraged Parties to send their specific comments to the Secretariat in writing.

It was agreed that the Secretariat should prepare background documents for the 50th meeting of the Standing Committee, taking into account comments made during the present meeting and comments received in writing from Parties subsequently.

During the discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Ecuador and Saint Lucia), Europe (Norway) and the Depositary Government, and by the observers from Israel, Mexico, Turkey and the International Wildlife Coalition.

The following statement was submitted by the representative of Central and South America and the Caribbean (Ecuador):

We consider that the possible cost-saving measures related to translation and interpretation are not acceptable for the region of South and Central America and the Caribbean, given that communication is a priority for this region and that this communication is based on the adequate and timely translation of working documents, as well as on the availability of simultaneous interpretation in as many meetings as possible. In this regard, at the 12th meeting of the Conference of the Parties (CoP12), the region expressed the need to maintain or, if possible, increase the amount allocated to the translation and interpretation budget line. As a matter of fact, some problems arose in certain meetings of the region during CoP12 from lack of simultaneous interpretation.

The following statement was submitted by the observer from Mexico:

Amongst the background documentation to be prepared by the Secretariat for discussion by the Finance Sub-Committee at the 50th meeting of the Standing Committee (document SC49 Doc. 9.1, paragraph 4), our delegation suggests the following specific recommendations:

- a) facilitate the collection of arrears through innovative payment strategies and develop an approach for dealing with non-payment of contributions;**

Request the Secretariat to submit a list of specific options, taking into account the experiences of other organizations and conventions. We need innovative solutions to decrease costs.

- b) consider inviting bids for the relocation of the Secretariat to a lower cost location;**

The Secretariat should send a Notification on behalf of the Standing Committee in which it requests Parties to make proposals to host the Secretariat. The Secretariat should then examine the financial advantages offered by these proposals and submit its conclusions at the next meeting of the Standing Committee.

- c) negotiate a reduction in the programme support costs from 13 per cent with the Executive Director of UNEP;**

Request the Secretariat to initiate negotiations with UNEP to reduce the 13 per cent programme support costs and to indicate what the savings would be under various options (6, 8, 10 per cent, etc.), taking into account the current difficult financial situation.

Furthermore, with regard to the MoU with UNEP referred to in agenda item 6.1, and in a revised document to be submitted at the following meeting of the Standing Committee, the Secretariat should explain how this figure of 13 per cent was reached.

As far as we know, a similar request was made by the Environment Programme for the Caribbean of the UNEP Regional Seas Programme and this request was supported by Mexico. The Secretariat could calculate what the savings would be if the percentage was lowered to 6 per cent.

- d) review overall travel costs and identify means to reduce expenditures;**

Request from the Secretariat a progress report of the measures adopted in order to make savings under this budget line. The possibility to hold joint meetings, or in Geneva, and to reduce the airline or hotel commissions should also be considered.

- e) review any CoP agenda items not requested by the Parties to ensure they are relevant to the meeting Agenda;**

Several documents submitted by the Secretariat at the CoP were not supported, such as the change in the name of the Convention, and this costs time and money. In this regard, Mexico requests from the Secretariat that it limits itself to the instructions of the Conference of the Parties and of the Committees and that the Standing Committee examine and act as a filter to authorize such new documents.

- f) consider increasing the minimum contribution to the CITES Trust Fund;**
- g) investigate options regarding a Host Country Agreement with Switzerland; and**

We request from the Secretariat to review all Host Country Agreements for other international conventions organizations based in Switzerland and that they be compared with those in effect in other countries.

- h) review possible cost-saving measures related to translation and interpretation.**

*We strongly reiterate the position expressed in Chile with regard to measures to reduce translation and interpretation costs, i.e. we **oppose** the reduction in the amounts allocated in the budget to translation and availability of documents in the official languages, an equity between languages stressed in Objective 1.12 of the Action Plan of the Strategic Vision of the Convention. It is worth recalling that the delegations of Argentina, Denmark on behalf of the Member States of the European Union, Guinea, Mexico, Senegal and the United Republic of Tanzania opposed the use of a single language in meetings held between meetings of the Conference of the Parties.*

The following statement was submitted by the representative of Central and South America and the Caribbean (Saint Lucia):

The minimum contribution levels are small, but have probably allowed for a high level of compliance in the past. Raising the contributions of one category of Parties appears inappropriate; even a 100 per cent increase in the minimum contribution would have little overall impact in total revenue for the Trust Fund. Those paying the minimum contribution are the smallest and poorest economies, in most cases undertaking high relative costs for CITES implementation and enforcement due to a small and often inadequate pool of human, financial and other resources.

We do not want to implement measures that lead to a contraction of resources put towards CITES implementation at the country level. We therefore need to have significant reasons to change the existing format for relative contribution among countries. Should item (f) be pursued by the Standing Committee, then the countries to be affected should be consulted directly on this issue to determine whether such a change is going to be supported, given country constraints.

9.2 Budget cycle

The Secretariat introduced this topic, stressing the proposal to maintain a three-year budget cycle. The Secretariat planned to convene CoP13 from 3 to 15 October 2004 (this was later revised to 3 to 14 October 2004 in order to avoid an overlap with Ramadan) and thereafter it was proposed that the Conference of the Parties would meet every three years.

The observer from Argentina requested a change to Resolution Conf. 12.1 to reflect the new scale of contributions adopted by the UN General Assembly. The Secretariat pointed out that it could not change Resolution Conf. 12.1, and that the new scale had been adopted by the UN after CoP12 and would have to be agreed by the Conference of the Parties. The new scale (or any that replaced it) would be presented for adoption at CoP13.

The Standing Committee reviewed and endorsed the maintenance of a three-year budget cycle, with the budget for a meeting of the Conference of the Parties in the second year of each triennial budget.

Interventions were made by the representative of Central and South America and the Caribbean (Ecuador) and by the observer from Argentina.

The following statement was submitted by the observer from Argentina:

At the 12th meeting of the Conference of the Parties, Argentina asked for its current economic situation to be taken into account and requested a decrease in the scale of contributions based on the recommendation of the Committee on Contributions of the United Nations, which was being considered at the time.

In Resolution Conf. 12.1, the Conference noted the concern of Parties that face serious economic difficulties and stressed the need to allow for flexibility in application of the UN scale of contributions to the countries concerned.

At the 12th meeting of the Conference of the Parties, the delegation of Argentina expressed a reservation regarding the scale of contributions that was recorded in the summary report of the meeting.

Mr Chairman,

The General Assembly of the United Nations, in its Resolution 57-4 B decided as an ad hoc adjustment that the 2003 assessment rate for Argentina be of 0,969 per cent.

Taking into account the above, my delegation requests the Standing Committee that this change be reflected in the indicative scale of voluntary contributions to CITES for the period 2003-2005.

My delegation reserves the right to come back on this issue during the present meeting of the Standing Committee.

Interpretation and implementation of the Convention

10. Asian big cats

The Secretariat introduced document SC49 Doc. 10 and reported that China, Indonesia, Malaysia, Myanmar and the Republic of Korea had supplied the reports referred to in Decision 12.30. These Parties had noted that, in order to encourage local communities to support conservation of Asian big cats, they had to address conflict between these species and humans and livestock. They also considered it important to use local people as rangers and to encourage them to report illegal activities. Several of these Parties were keen to develop eco-tourism.

The Secretariat reported that during one of its recent missions to Asia it had noticed that one of the hotel chains that it had contacted earlier in the year had not responded positively and that specimens the export of which would very likely have been contrary to the Convention were still on sale. It was writing to the hotel group again, warning it that it would identify it in its public documents on enforcement issues if no action were taken.

Thailand, the next host country, provided an overview of its policies regarding the conservation of the tiger, the leopard and the clouded leopard. It also provided details of its responses to the recommendations of the Technical Team, which had been endorsed by CoP12. The most important of these responses was the establishment of a multi-agency task force to enforce domestic wildlife legislation and CITES. Thailand requested support from appropriate NGOs for tiger population surveys and also from the Secretariat, perhaps in ways similar to what has been done with MIKE for elephants.

The observer from the United Kingdom welcomed the Secretariat's work in relation to hotels and said it was willing to expand awareness campaigns it had engaged in with travel companies to include hotel chains.

The observer from the Environmental Investigation Agency welcomed the progress made by Thailand and suggested the Wildlife Conservation Society as an NGO with considerable expertise in tiger population surveys, from which Thailand could seek assistance.

The observer from the International Wildlife Coalition welcomed the Secretariat's work with hotel chains and offered to follow this up by providing further information to hotel groups. It suggested there was an important role for NGOs to play in supporting the Standing Committee and the Secretariat in such awareness-raising initiatives. The Committee noted the progress made by Parties and the Secretariat in relation to Decisions 12.30 and 12.31. It agreed that the subject would also be discussed at its 50th meeting.

11. Elephants

11.1 Control of internal ivory trade

The Secretariat introduced document SC49 Doc. 11.1 and explained how it intended to undertake the task directed to it in Decision 12.39. It welcomed a donation of USD 10,000 from WWF to assist in undertaking verification missions relating to the assessment of internal trade in ivory. The Secretariat emphasized that it was aware that verification missions might be needed to supplement its desk-research work. It also pointed out that its work involved addressing existing ivory markets and not simply those that might receive imports from the stockpiles in Botswana, Namibia and South Africa.

Several representatives of Parties and observers commented on the need to undertake assessments promptly and encouraged Parties in whose territory there were traders who might be interested to import ivory from Botswana, Namibia or South Africa to advise the Secretariat of such interest at an early stage. The Secretariat acknowledged that priority consideration would need to be given to any Party that identified itself as a prospective destination. The Secretariat was encouraged to expand the number of countries to be assessed beyond those identified in Decision 12.39 but thought it unlikely that it would be able to do this prior to the 50th meeting of the Standing Committee.

The Standing Committee accepted the report of the Secretariat and deferred further discussion to its 50th meeting.

Interventions were made by the representatives of Europe (Germany), North America (United States) and Oceania (Australia), and the observers from Israel and IWMC.

11.2 Baseline information from MIKE

Pursuant to Decision 12.33, the Standing Committee adopted the definition of MIKE baseline information given in document SC49 Doc. 11.2 (Rev. 1) with the qualification that the population survey should not be older than three years.

The Standing Committee approved the following membership of the renamed 'MIKE and ETIS sub-group': Cameroon, China, Malaysia, South Africa, the United Republic of Tanzania and the United States.

Kenya asked for it to be recorded that they had expressed concerns about the apparent conflict of interest that existed in having South Africa as a member of the sub-group, given that it had been approved to trade ivory at the 12th meeting of the Conference of the Parties. The Secretariat stated that ivory trade was not a matter to be dealt with by the sub-group and, hence, no conflict existed.

Interventions were made by the representatives of Asia (China and Malaysia), Central and South America and the Caribbean (Saint Lucia), Europe (Germany and Norway) and North America (United States), and by the observers from Japan, Kenya and the David Shepherd Wildlife Foundation.

11.3 Measures for improving law enforcement coordination between ivory producing and ivory importing States

Following a general discussion of the Secretariat's document, it was agreed that there were points within it that, if re-worded, could be issued by the Standing Committee as recommendations. Several Parties and observers commented on the important role of regional law enforcement agreements. The Secretariat pointed out that existing lines of communication, such as Interpol, the World Customs Organization and the Secretariat itself, had all proved their effectiveness but were under-used. It was agreed that many lessons could be drawn from recent incidents, such as the large seizure of ivory made by Singapore in 2002, and it was acknowledged that the expert group meeting to be organized by the Secretariat would pursue these.

It was agreed that the Secretariat would incorporate relevant observations into the Notification to the Parties that would be issued on this subject.

Japan and the Japan Ivory Association wished it to be noted that they believed that the relevant authorities in Japan had responded effectively to reports of illegal trade in ivory and that the Government of Japan and the ivory industry were committed to combating illicit trade.

The Standing Committee accepted the report of the Secretariat and requested it to prepare a Notification to the Parties incorporating the recommendation made in paragraph 11 but also including the guidance described in paragraphs 5, 6, 7 and 8 of document SC49 Doc. 11.3.

Interventions were made by the representatives of Asia (China), Europe (Germany), North America (United States) and Oceania (Australia), and by the observers from Israel, Japan, the Japan Ivory Association, TRAFFIC and WildAid.

11.4 Elephants and ivory trade

It was agreed that the Secretariat would prepare a discussion document for the 50th meeting of the Standing Committee that would detail how the Standing Committee might determine that a "detrimental impact on other elephant populations had occurred". This document should integrate the requirements of section 5 vi) of the annotation in the Appendices regarding the African elephant populations of Botswana, Namibia and South Africa, and of Decision 12.34.

The Standing Committee also encouraged any potential trading Party to identify itself so that the Secretariat could conduct its verifications in compliance with section 5 ii) of the annotation.

The representative of South Africa, on behalf of southern Africa, asked that it be noted that document SC49 Doc. 11.4 had not been discussed by the Standing Committee.

Interventions were also made by the representatives of Europe (Germany), North America (United States) and Oceania (Australia).

12. Export quotas

The Secretariat presented document SC49 Doc. 12 concerning the implementation of Decision 12.17. The Chairman of the Standing Committee suggested the creation of an intersessional Export Quota Working Group. It was suggested that the working group concentrate on providing practical advice to Management Authorities concerning the monitoring of and reporting on voluntary export quotas and that the chairmen of the Animals and Plants Committees be included in the working group. It was also noted that funds would need to be secured for a meeting of the Export Quota Working Group.

The Standing Committee established at the present meeting an intersessional Export Quota Working Group in compliance with Decision 12.17, comprising representatives of the six CITES regions, the number of representatives per region being the same as for the Standing Committee. The members of the working group need not be members of the Committee. The Standing Committee decided that China would be the interim Chairman of the working group until the Chairman is elected. The Chairman of the working group may invite representatives of non-governmental or intergovernmental organizations.

The Standing Committee noted that Decision 12.72 would be complied with by implementing Decision 12.17.

The interim Chairman of the Export Quota Working Group reported that the group would be composed of the following members:

- _ Africa: Cameroon (Chairman), Ghana, the United Republic of Tanzania and Zimbabwe;
- _ Asia: China (Vice-Chairman) and Malaysia;
- _ Central and South America and the Caribbean: Argentina, Jamaica and Nicaragua;
- _ Europe: Germany, the Russian Federation and Turkey;
- _ Oceania: Australia; and
- _ North America: the United States.

The Chairman would invite the Chairmen of the Animals and Plants Committees as well as representatives of experienced intergovernmental organizations and NGOs such as IUCN, Safari Club International, TRAFFIC and UNEP-WCMC to participate in the working group.

The working group agreed to focus mainly on the practical aspects of issues such as the issuance, management and monitoring of permits and the reporting on quotas, and not to deal with scientific aspects of the establishment of quotas for species listed in the CITES Appendices. It would finalize its terms of reference after the present meeting of the Standing Committee. The working group encouraged the Secretariat to issue a Notification to the Parties announcing the creation of the working group and soliciting input.

Interventions were made by the representatives of Asia (China), North America (United States) and Oceania (Australia) and by the observers from Mexico and the United Kingdom.

13. Significant trade in specimens of Appendix-II species

The Secretariat reported on measures undertaken by Nicaragua concerning trade in *Dendrobates auratus* and *Dendrobates pumilio*, explaining that the primary recommendations had been formulated by the Animals Committee to clarify the sources of *Dendrobates* frogs exported from Nicaragua, and to ensure that adequate controls would be in place for trade in these specimens. In the opinion of the Secretariat, Nicaragua had addressed these issues and taken appropriate measures where possible, thereby complying with the relevant recommendations formulated by the Animals Committee. The representative of Nicaragua stressed his country's commitment to monitoring the trade in *Dendrobates* frogs, and its willingness to collaborate with the Secretariat in establishing appropriate export quotas and management measures for the species concerned.

The Standing Committee decided that, in accordance with paragraph u) of Resolution Conf. 12.8 on the Review of significant trade in specimens of Appendix-II species, its current recommendation to the Parties to suspend imports from Nicaragua of *Dendrobates auratus* and *Dendrobates pumilio* as contained in Notification to the Parties No. 2001/043 of 9 July 2001 would be withdrawn as soon as Nicaragua established a cautious annual export quota and committed to regular monitoring of the wild populations.

Interventions were made by the representatives of Africa (South Africa), Europe (Norway) and Oceania (Australia).

14. Use of certificates in connection with ATA or TIR carnets

The Standing Committee noted an oral report by the Secretariat relating to its discussions with the World Customs Organization and the World Chambers Federation, which had resulted in a lack of support for the proposal in document CoP12 Doc. 52.2. It was agreed, however, that this subject required to be resolved and the Standing Committee agreed that an informal working group, chaired by Italy and consisting of Germany, Switzerland, the United States and the Secretariat, would (working via correspondence or electronically) prepare recommendations for consideration at the Committee's 50th meeting. The working group would take account of the model travelling-exhibition certificate in Annex 3 of Resolution Conf. 12.3 (Permits and certificates) and examine whether sample collections could be regarded as being in transit for the purpose of facilitating their frequent cross-border movements.

15. National reports

The Secretariat reported that five Parties (Afghanistan, Djibouti, Liberia, Mauritania and Somalia) had failed to submit annual reports for the years 1999 to 2001, without having provided adequate justification. It further reported that four of these Parties (Afghanistan, Djibouti, Liberia and Somalia) were currently subject to a recommendation to suspend trade.

(Parties had been informed in Notification to the Parties No. 2002/064 of 19 December 2002.)

During discussion on the establishment of a working group on reporting, the following was noted: the Small Island Developing States should be represented on the working group; no clear guidelines exist on the preparation of biennial reports; a simple and practical approach is needed with regard to reporting; Member States of the European Union have extensive experience on reporting; and new software programmes have made reporting much easier and faster.

The Standing Committee determined that Mauritania had failed, without having provided adequate justification, to submit annual reports for the years 1999 to 2001 and instructed the Secretariat to issue a Notification to the Parties recommending suspension of trade in specimens of CITES-listed species with Mauritania. The Committee agreed to establish an informal working group chaired by the Netherlands and consisting of Fiji, Ecuador, Japan, Saint Lucia and the Secretariat to undertake a review of reporting requirements under the Convention and to prepare a report on its findings and conclusions for the 50th meeting of the Standing Committee. UNEP-WCMC would be invited to participate in the working group.

Interventions were made by the representatives of Central and South America and the Caribbean (Ecuador and Saint Lucia), Europe (Germany), North America (United States), Oceania (Australia) and the Depositary Government, and by the observer from Japan.

16. Guidelines on compliance with the Convention

The Committee generally found the draft guidelines to be a very good basis for further work. However, it was felt that additional consultations were needed. Appreciation was expressed for the comprehensiveness and coherence of the draft guidelines as well as their overall consistency with existing CITES practice. Several Parties nevertheless stated that certain provisions (paragraphs 24-34) were not entirely reflective of current practice and could be deleted before additional consultations were undertaken. Other Parties felt that there were elements of current practice in those provisions and that their deletion would create an imbalance in the text. The Committee ultimately agreed to obtain comments on the text as a whole.

Parties noted that the draft guidelines were oriented to the facilitation and promotion of compliance while continuing to provide for the possibility of targeted trade recommendations, which had been quite effective to date. Some Parties thought the text should clarify the range of possible approaches to compliance, from voluntary approaches to those of a more judicial nature. It was also suggested that the text could be further streamlined and shortened.

The Standing Committee instructed the Secretariat to compile and prepare a summary of the comments received from Parties on the Annex to document SC49 Doc. 16, and to prepare for its 50th meeting revised draft guidelines on compliance with the Convention. It further instructed the Secretariat to issue a Notification to the Parties attaching document SC49 Doc. 16, summarizing the relevant discussions at SC49 and inviting the Parties to provide their comments on the document.

Interventions were made by the representatives of Asia (Malaysia), Africa (South Africa and the United Republic of Tanzania), Central and South America and the Caribbean (Ecuador), Europe (Germany and Norway), North America (United States), Oceania (Australia) and the previous host country, and by the observers from Japan and the United Arab Emirates.

17. Enforcement matters

During its closed session, the Committee heard an oral report from the Secretariat addressing a range of enforcement issues. Some were of a general nature whilst others related to recent enforcement needs-assessment work by the Secretariat. Finally the Secretariat also provided an update on the ivory seizure made by Singapore in 2002.

The observer from Azerbaijan appreciated the Secretariat's work relating to an enforcement needs-assessment mission and said they were closely studying the recommendations made by the technical team. He explained that several of these required multi-agency action, which had delayed the provision of a detailed response to the Secretariat. He also stated that it was likely that donor support would be needed to implement some of the recommendations and that Azerbaijan would work with the Secretariat to progress these.

The representatives of Central and South America and the Caribbean (Ecuador), Europe (Germany) and North America (United States) and the observer from Paraguay supported the Secretariat's proposal to conduct a technical mission to Paraguay and neighbouring countries and encouraged the Secretariat to undertake this work as soon as possible.

The Secretariat described some of the findings of its mission to Nigeria. In particular, it welcomed the positive response by the Government of Nigeria to the concerns it had raised, especially the decision by the President to establish a Commission of Inquiry. Cameroon reported that it was working closely with Nigeria to improve implementation of the Convention in both countries and in the sub-region.

The Committee noted the oral report of the Secretariat relating to general enforcement issues.

The Committee noted the Secretariat's report that Kazakhstan had responded positively to the enforcement-study team's recommendations.

The Committee noted that Azerbaijan would respond in the near future to the study team's recommendations.

The Committee agreed that the Secretariat should conduct a technical mission to Paraguay and neighbouring countries to assess the sustainability of trade and to provide technical assistance to implement the Convention. The Committee encouraged donors to provide financial assistance to enable the mission to be undertaken.

The Committee noted the Secretariat's oral report regarding Nigeria. It agreed that, by the end of June 2003, Nigeria should provide to the Secretariat a formal response to the recommendations in the mission report. It also agreed that, by the end of October 2003, Nigeria should provide to the Secretariat an action plan outlining how its Government would implement the recommendations. Should Nigeria fail to meet either of these deadlines, the Secretariat should issue a Notification to the Parties recommending a suspension of trade with Nigeria in specimens of CITES-listed species.

18. National Legislation Project

The Secretariat reported on Fiji's enactment of its legislative bill to implement CITES and the recent receipt of the necessary species-specific information to enable the publication of the 2003 coral quota. The observer from Fiji referred to a report, which was subsequently handed to the Secretariat at the meeting, detailing Fiji's progress on the CITES National Legislation Project, the quota for coral export and other compliance issues. Understanding that adequate CITES legislation had been introduced, the Standing

Committee congratulated Fiji on having enacted effective CITES legislation before the 31 December 2002 deadline. The Standing Committee requested the Secretariat to verify the matters detailed in Fiji's report and to issue a Notification to the Parties, definitively withdrawing the trade suspension, if all outstanding issues had been fully complied with.

The Secretariat advised that it had recently received from Cameroon comprehensive draft legislation for the implementation of the Convention, on which it was now preparing comments, and that the contract with IUCN Environment Law Centre for the provision of legislative assistance services would be modified to address another priority country such as Côte d'Ivoire. It reported that South Africa and Saint Lucia had submitted new CITES Legislation Plans showing their progress and adjusting their timetables for legislative enactment. It also reported that Hungary, Latvia, Mongolia and Slovakia had provided English translations of their CITES-related legislation.

The Secretariat noted that information on CITES Legislation Plans had been received from Antigua and Barbuda, the Bahamas, Belarus, Georgia, Seychelles, Swaziland, the dependent territories of Saint Helena and Dependencies, and South Georgia and the South Sandwich Islands¹. It further noted that comments had been provided on draft legislation developed by Nigeria and that a CITES Legislation Plan would be incorporated into the national action plan for addressing enforcement matters (see agenda item 17).

The Secretariat observed that although Parties had been given notice, guidance and sufficient time for submitting a CITES Legislation Plan, many still had not done so. It suggested that a formal caution might be issued by the Committee to bring about compliance. Support was expressed for the issuance of such a formal caution in order to give Parties time to comply and explain the efforts that were currently underway to draft CITES Legislation Plans and legislation (e.g. in Bulgaria, Dominica, Estonia, Grenada, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Trinidad and Tobago and Uruguay).

The Standing Committee agreed to extend the deadline for enactment of legislation by Cameroon, the Dominican Republic, Panama and South Africa, in view of their good legislative progress and to review their progress at its 50th meeting.

The Committee instructed the Secretariat to issue a formal caution to Afghanistan, Algeria, Bangladesh, Belize, Benin, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, the Central African Republic, Chad, the Comoros, the Congo, Côte d'Ivoire, Djibouti, Equatorial Guinea, Eritrea, Estonia, Gabon, the Gambia, Ghana, Grenada, Guinea, Guinea Bissau, Honduras, India, Israel, Jordan, Liberia, Madagascar, Malawi, Mali, Morocco, Niger, Pakistan, Papua New Guinea, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sierra Leone, Sri Lanka, the Sudan, Togo, Trinidad and Tobago, Tunisia, Uruguay, Venezuela and Zambia:

- a) warning them that they are in non-compliance with Decision 12.83; and
- b) requesting that a CITES Legislation Plan be submitted to the Secretariat as a matter of urgency so as to inform the Secretariat on the progress to date and on the steps required to meet the 31 December 2003 deadline for the enactment of adequate legislation as required in Decision 12.83.

¹ A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas).

The Committee also instructed the Secretariat to issue a formal caution to Cambodia, Dominica, Mauritania, Myanmar, Saudi Arabia, Somalia and Uzbekistan:

- a) warning them that they are in non-compliance with Decision 12.80;
- b) requesting that a CITES Legislation Plan be submitted to the Secretariat as a matter of urgency so as to inform the Secretariat on the progress to date and on the steps required to meet the 30 June 2004 deadline for the enactment of adequate legislation as required in Decision 12.80; and
- c) advising that the Standing Committee will take at its 50th meeting further action that may include recommending restrictions on the commercial trade in specimens of CITES-listed species, in the event of failure for a Party to comply with Decision 12.80.

Interventions were made by the representatives from Africa (Tunisia), Asia (Malaysia), Central and South America and the Caribbean (Ecuador and Saint Lucia), Europe (the Czech Republic and Germany), Oceania (Australia), and the Previous Host Country and by the observers from Argentina and Fiji.

The following statement was submitted by the observer from Argentina:

The footnote on page 5 of document SC49 Doc. 18 does not follow the text given in Information Circular ST/ADM/SER/A.1084 of 18 March 1996 and in Editorial Directive ST/CS/SER.A/42 of 3 August 1999, both from the United Nations Secretariat, in relation to double nomenclature and the dispute over sovereignty. Furthermore, there are discrepancies between the English, French and Spanish versions of this footnote.

Consequently, my delegation requests that the following corrections be made:

Spanish version:

Where it says "... Islas Georgia del Sur y Sándwich del Sur. [Existe una controversia entre los Gobiernos de Argentina y el Reino Unido de Gran Bretaña e Irlanda del Norte acerca de la soberanía de las Falkland Islands/Islas Malvinas]", it should say "Islas Georgias del Sur y Sándwich del Sur. [Existe una controversia entre los Gobiernos de la Argentina y del Reino Unida de Gran Bretaña e Irlanda del Norte acerca de la soberanía de las Islas Malvinas (Falkland Islands)]."

French version:

Where it says "...les îles de la Géorgie du Sud et Sandwich, les îles Pitcairn et Sainte-Hélène et ses dépendances...", it should say: "les îles Pitcairn et Sainte-Hélène et ses dépendances et les îles de Géorgie du Sud et de Sandwich du Sud..."

The following statement was submitted by the representative of the previous host country (Chile):

During the 12th meeting of the Conference of the Parties, held in Santiago in November 2002, our country initiated a study and analysis of its legislation to identify the corrections that may be necessary and to determine what consultations would be needed with the Chilean political and legislative authorities. All the Chilean Management and Scientific Authorities for CITES are represented in the ad hoc working group.

The working group has carried out a detailed review of the legislation in effect and is currently establishing a workplan to improve the national legislation.

In a meeting held last March, and as one of the conclusions of the ad hoc working group, it was agreed to establish a national 'CITES-Chile' committee, that will act as a standing coordinator between the Chilean Management and Scientific Authorities and the CITES Secretariat with regard to administrative and political issues relevant to all Management Authorities. The main tasks given to this committee include:

- _ To overview the implementation of CITES in Chile.*
- _ To coordinate the national Management and Scientific Authorities.*
- _ To promote synergy between CITES and other treaties and conventions related to conservation and sustainable use of wildlife, and to which Chile is party.*
- _ To coordinate training on CITES issues in administrative authorities, to help build capacity within each institution as well as between them.*

Presently, the working group is going to focus on national legislation through the in-depth analysis of the CITES legislation in place. Nevertheless, if required, the improvement of this legislation would have to follow the relevant legislative procedure. As in any democratic system, this entails a long, complex and extensive process since it requires the consultation of numerous players involved in these issues.

As a result a considerable amount of time is required in Chile to pass bills into national laws, generally over two years.

Consequently, any decision by the Standing Committee involving the adoption of new laws will have to take into account, in the case of Chile, a minimum of three years, which is the time needed to pass a national law.

19. Criteria for amendment of Appendices I and II

Following the presentation by the Secretariat, the Chairman of the Standing Committee explained that the Animals and Plants Committees were requested to report on progress in the implementation of Decision 12.97. Given the timing of the next meeting of the Conference of the Parties, a substantially completed document would need to be presented to the Standing Committee at its first meeting in 2004. The Chairman of the Plants Committee concurred, while noting that it would be difficult to meet the deadline if a large number of species would have to be reviewed to determine whether they would meet the proposed criteria for the inclusion of species in Appendix I or II of the Convention. The Chairman of the Animals Committee added that the text produced by the relevant working group at CoP12 offered a good basis for further work, but had not been finalized. The Chairman of the Standing Committee stressed that the task of the scientific committees should be limited to finalizing the outputs of CoP12 and to reviewing one or very few animal or plant taxa for testing the proposed criteria when deemed necessary. Several participants agreed and one suggested that the Secretariat could create a section on its website with all the relevant background documents and to post the comments received to assist the Animals and Plants Committee.

The Standing Committee agreed that the Animals and Plants Committees should present for comments a draft report on the review of the criteria for amendment of Appendices I and II at the 50th meeting of the Standing Committee. It agreed that the review should focus on

the finalization of the text presented in document CoP12 Com. I. 3 and that only a very limited number of taxa should be selected by the Animals and Plants Committees for review to ensure the applicability of the criteria and guidelines. It requested the Secretariat to assist the scientific committees in their coordination of the review, particularly through the CITES website and the issuance of Notifications to the Parties where appropriate.

Interventions were made by the representatives of Europe (Germany and Norway), North America (United States) and Oceania (Australia) and by the observer from Mexico.

20. Periodic review of the Appendices

The Secretariat introduced the agenda item. The Chairmen of the Animals and Plants Committees explained the difficulties in implementing the periodic reviews of the Appendices as mandated in Resolution Conf. 11.1 (Rev. CoP12), stressing the need for a transparent, swift and all-encompassing process that should come to decisions at meetings of the Conference of the Parties. Several participants suggested amendments to the recommendations formulated in document SC49 Doc. 20 and the preparation of a new draft document.

The Standing Committee requested the Secretariat to prepare document SC49 Doc. 20.1 presenting revised recommendations on this item.

Interventions were made by the representatives of Africa (United Republic of Tanzania), Europe (Norway), North America (United States) and Oceania (Australia) and by the observers from Japan and Mexico.

20.1 Revised recommendations

After the Secretariat presented document SC49 Doc. 20.1, some minor amendments to the draft recommendations were proposed and were adopted by consensus.

The Standing Committee agreed to the recommendations formulated in paragraph 2 of document SC49 Doc. 20.1, with the following amendments:

in paragraph g): deletion of "[the Standing Committee and]", and retention of "and keep the Standing Committee informed" to read as follows:

g) In cases where a review indicates, and the technical Committee concerned agrees, that it would be appropriate to transfer a species from one Appendix to another, or to delete a species from Appendix II, the Animals or Plants Committee should, in consultation with the range States, prepare (or arrange the preparation of) a proposal to amend the Appendices and keep the Standing Committee informed.

in paragraph j): deletion of "and not be withdrawn" to read as follows:

j) Proposals resulting from the periodic review of the Appendices must be submitted for decision by the Conference of the Parties.

Interventions were made by the representatives of Oceania (Australia) and North America (United States).

21. Rescue of live specimens in special circumstances

There was general acknowledgement that this was a difficult subject to address. Some Parties and observers regretted that the Secretariat had been unable to identify specific recommendations but recognized why it was difficult to do so, given issues of sovereignty and the text of the Convention. It was agreed that this should be dealt with by the Secretariat on a case-by-case basis but that it should remain open to suggestions that could lead to the development of specific recommendations. The observer from Egypt wished it to be recorded that he objected in relation to the discussion in relation to matter of the sovereignty of States.

The Committee noted the report of the Secretariat. It recommended that Parties should, where appropriate, continue to seek advice from the Secretariat on a case-by-case basis. It further recommended that the Secretariat be advised of such cases and receive details of how they had been resolved, to help share experience that could be used in the future.

Interventions were made by the representatives of North America (United States), Oceania (Australia) and the Depositary Government, and by the observers from Egypt, Israel, Kenya, the Fund for Animals and the International Wildlife Coalition.

Reports

22. Financial report for 2002

The main points made by participants in the discussion were that: one Party believed that contributions to the Trust Fund were voluntary; some Parties pay their contributions in instalments; the Secretariat should fill its staff vacancies as quickly as possible; it should also look for ways to make savings.

The Standing Committee noted the report of the Secretariat.

Interventions were made by the representatives of Africa (Cameroon) and Oceania (Australia), and the observers from Argentina, Mexico and the David Shepherd Wildlife Foundation.

The following statement was submitted by the observer from Argentina:

We wish to refer to the issue of contributions to the CITES Trust Fund – further to our previous statement in relation to agenda item 9.2 – with regard to the amounts quoted in document SC49 Doc. 22 currently under consideration.

Regarding this issue, we understand that, given that they are voluntary, contributions to the Trust Fund do not require the authorization of the Standing Committee.

The delegation of Argentina wishes to stress the support that our country has always given to CITES. In this respect, we want to point out that the gravity of the current economic situation is of an exceptional nature.

For reasons previously indicated, we inform that Argentina will make voluntary contributions for the years 2002 and 2003 in accordance with its budgetary capacities.

23. Report of UNEP

The Standing Committee noted the report presented by the representative of UNEP.

24. Reports of regional representatives

The representative of Europe (Norway) suggested that for the future it would be useful to have an indication of what the regional reports of Committee members should contain, and the level of detail required.

The Committee accepted the reports of the regional representatives.

Concluding items

25. Any other business

In response to a question from the representative of Australia, the Secretariat clarified that the Faroe Islands were covered by the ratification of the Convention by Denmark and hence, the Faroe Islands were bound by the provisions of the Convention. The Secretariat explained that it had notified Denmark and Norway that the recent trade in whale meat between Norway and the Faroe Islands was in violation of the Convention and that the matter would be brought to the attention of the Standing Committee if the trade continued. The Secretariat stated that it would check to ensure that the Faroe Islands, as well as dependent territories of other Parties, were covered by the National Legislation Project.

a) Preparations for the 13th meeting of the Conference of the Parties

In response to a question from the representative of Europe (Norway), the Secretariat stated that, following discussions with the representatives of the Next Host Country, it was now intending to arrange the dates for CoP13 to finish on 14 October 2004, in order to avoid an overlap with Ramadan.

b) Secret ballots at meetings of the Conference of the Parties

The representative of Central and South America and the Caribbean (Ecuador) felt that there was a need for further guidance on the rules relating to voting at meetings of the Conference of the Parties. He also stated that during the counting of votes in a secret ballot there should be a representative of the Parties present to monitor the Secretariat. The Secretary-General noted that Ecuador had suggested the same thing at a Bureau meeting during CoP12 and that the Bureau had rejected the idea and had full confidence in the Secretariat to do its job.

The Standing Committee agreed that the Secretariat should prepare a document for consideration at its 50th meeting in response to Decision 12.100, looking at the history of the way in which secret ballots were dealt with in the Rules of Procedure of meetings of the Conference of the Parties and how they have been used in practice, and at the relevant rules and practice of other multilateral environmental agreements.

Interventions were also made by the representatives of Asia (China) and North America (United States) and by the observer from Israel.

c) Sponsored Delegates Project

The Secretariat reported on the funds raised for the Sponsored Delegates Project and how these funds were used to support the participation of delegates to CoP12. A discussion followed that reiterated the importance of the Sponsored Delegates Project, and it was suggested that future savings on expenditures could allow for a larger number of delegates to be sponsored.

It was agreed that the Secretariat should continue the Sponsored Delegates Project to ensure the attendance of delegates at the next meeting of the Conference of the Parties, taking into account comments and suggestions made during the present meeting.

Interventions were made by the representatives of Central and South America and the Caribbean (Saint Lucia), Europe (Norway) and the previous host country, and the observers from IWMC and SSN.

d) Specimens to be exempted from the provisions of the Convention

The representative of the Depositary Government referred to document SC49 Inf. 5, a copy of proposal 12.1 from CoP12. This had been presented at CoP12 by the Depositary Government on behalf of the Standing Committee but after some opposition had been withdrawn for technical reasons. The Depositary Government wanted to solve the technical problems and present a revised proposal for consideration at CoP13. In the discussion that followed, some Parties supported the proposal, one Party expressed fundamental objections to it, and others wanted time to study the matter. It was noted that the World Health Organization had expressed concern that there might be CITES controls on vaccines when they contain even an infinitesimally small proportion of the original material from animals of a listed species.

The Committee agreed to reconsider this matter at its 50th meeting.

During the discussion, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Ecuador), Europe (Germany), North America (United States) and Oceania (Australia) and by the observers from Mexico and the United Kingdom.

e) Ivory seized in Singapore

The Committee agreed that this had been addressed sufficiently during its closed session on the agenda item of enforcement matters.

f) Role of the Secretariat in dialogue meetings

This topic was introduced by the observer from Kenya, who proposed that the Standing Committee request the Secretariat to draft terms of reference regarding the organization and conduct of dialogue meetings. The Secretariat drew attention to the 'Proposed rules of procedure for future African elephant range state dialogues' contained in document CoP12 Doc. 20.1, and indicated that this could be generalized to apply to dialogue meetings for other species. During the discussion that followed, it was in particular stressed that dialogue meetings, by their very nature, should not be too rigidly structured, and must provide the opportunity for free and frank exchanges of views without the pressures that exist on delegations during meetings of the Conference of the Parties. It was pointed out that terms of reference could usefully address the activities to be conducted in preparation for a dialogue meeting, including the timing, who is to be invited, the selection of the Chairman and so forth.

The Committee instructed the Secretariat to prepare a discussion paper on this issue, and on the general terms of reference for the organization and conduct of dialogue meetings, for consideration at its 50th meeting.

During the discussion, interventions were made by the representatives of Africa (Cameroon, South Africa), North America (United States) and Oceania (Australia) and by the observers from Kenya and the United Kingdom.

26. Determination of the time and venue of the next meeting

It was agreed that the next meeting would be held in Geneva, Switzerland, from 22 to 26 March 2004, pending space availability.²

27. Closing remarks

Following the announcement of the retirement of Dr Paul Chabeda, the representative of UNEP, the Chairman and the Secretary-General thanked him for his long standing contributions to CITES discussions and to the Standing Committee deliberations in particular. They wished him good health and long life.

The Chairman renewed his thanks to the Secretariat for organizing the meeting and thanked the Secretariat and the interpreters for their support throughout the meeting. He also thanked all participants for their cooperation in arriving at the decisions that had been taken.

² *Note from the Secretariat: the 50th meeting of the Standing Committee was subsequently rescheduled from 15 to 19 March 2004 in Geneva, owing to the availability of the meeting venue.*