

Secretariat: W. Wijnstekers
J. Armstrong

UNEP: K. Töpfer
T. Brevik
P. Chabeda
J. Illueca

Rapporteurs: M. Groves
M. Jenkins
J. Roberts

Opening ceremony by UNEP and welcoming addresses

Following an introductory ceremony, the representative of UNEP, Mr T. Brevik, introduced the following speakers:

The Secretary-General thanked UNEP for its efforts in preparing for the meeting, and the International Centre for Research in Agroforestry for making its facilities available. He considered that this meeting would be crucial in determining the future direction of the Convention and drew attention to the draft strategic plan, which he urged the Parties to adopt and help implement. He noted that there were now 151 Parties and that, thanks to the generosity of donors, 215 participants from 108 Parties had been funded to attend the meeting. He commented that the Convention was becoming increasingly complex and urged the Parties to try to simplify matters. He emphasized the importance of synergy with other multilateral environmental agreements, particularly those directly related to biodiversity. Finally, he drew attention to the improved functioning of the Secretariat and noted that, with regard to the proposals to amend the Appendices, the comments and recommendations of the Secretariat, IUCN, TRAFFIC and some Parties were intended to assist the Conference in its deliberations. However, the final decisions rested with the Parties.

The Chairman of the Standing Committee, Mr R. Hepworth, noted that CITES was not only one of the earliest but also one of the most successful multilateral environmental agreements. Its strength rested on its ability to evolve and the commitment of the Scientific and Management Authorities of the Parties. He considered that the significant trade process had played an important part in helping the Convention adapt to the changes brought about by the 1992 Earth Summit in Rio. He highlighted the need for capacity building, the role of synergy with other multilateral environmental agreements, and the importance of enforcement for the successful implementation of the Convention.

The Executive Director of UNEP and the Director General of UNON, Dr K. Töpfer, welcomed participants to UNEP and to Nairobi, and noted that this would be the largest meeting to have been hosted at UNEP headquarters. He noted that the headquarters of UNEP and of UNCHS (Habitat) were the only UN headquarters to be located in a developing country. He expressed his gratitude to the Government of Kenya for their support in organizing the meeting and to the Director General of the International Centre for Research in Agroforestry, Dr P. Sanchez, for making its facilities available. He congratulated the Secretary-General for his success in overcoming the difficulties that had afflicted the Secretariat in 1997 and 1998 and also thanked the former Deputy Executive Director of UNEP, Mr R. Olembo, for his help in this regard. He considered that the Convention had a major role to play in addressing the question of sustainable use of the global commons. Of major importance was the alleviation of poverty. He considered that more emphasis was needed within the Convention on intellectual property rights and the equitable sharing of benefits.

After some announcements, the representative of UNEP closed the session at 17h40.

Chairman:	R. Hepworth (United Kingdom) B. Asadi (Islamic Republic of Iran)
Secretariat:	W. Wijnstekers J. Armstrong
UNEP:	K. Töpfer
Rapporteurs:	J. Boddens-Hosang M. Groves M. Jenkins C. Lippai

Opening of the meeting

The Executive Director of UNEP, Dr. K. Töpfer, welcomed H.E. the President of Kenya to UNEP Headquarters and to the meeting. The Minister of State in the President's Office, the Hon. M. Madoka, thanked the Convention for having chosen to hold the current meeting in Nairobi and introduced H.E. the President of Kenya.

H.E. Hon. Daniel T. arap Moi, the President of Kenya, welcomed delegates to Nairobi. He observed that the Convention provided a safeguard to endangered species the world over and commented that regulation of wildlife trade was essential. He noted that CITES should remain relevant and urged the Convention to develop relations with other multilateral environmental agreements. He was confident that the meeting would rise to the occasion and provide guidance on how best to use the Convention to avoid further species loss. In particular, he hoped that it would resolve differences regarding the effects of trade in African elephants and the products thereof, observing that the actions taken in one country could affect the situation in others. He drew attention to Articles III, IV and V of the Convention, emphasizing the need to implement these particularly with respect to trade in live animals and underlined the importance of stopping illegal trade. He closed by wishing the Conference a successful meeting.

Strategic and administrative matters

1. Rules of Procedure

The Chairman introduced document Doc.11.1 (Rev. 2) highlighting the two amendments that had been made following discussions at the 43rd meeting of the Standing Committee, these being the deletion of paragraph 2 of Rule 11 and amendment of paragraph 4 of Rule 29. He also introduced document Inf.11.1, intended to be read alongside the Rules of Procedure but not forming part of them.

In response to points of clarification raised by the delegation of the United States of America, the Chairman confirmed that under Rule 12 of the provisional Rules of Procedure, no accredited observer would be excluded from any closed session. With regard to Rule 29, he confirmed further that the Standing Committee had agreed that a mediator would be appointed. The mediator would attempt to resolve any disputes not involving Parties; such disputes would not be brought before the Bureau. The Chairman reiterated that withdrawal of the right of admission of an organization would be a decision of the Conference of the Parties.

Responding to points raised by the delegations of Germany and Japan, the Chairman and the Secretariat clarified the distinction between accredited non-governmental organizations and others; the latter could attend in the capacity of visitors. The Secretariat drew attention to document

Doc. 11.7 concerning Admission of Observers and noted that this would be discussed under item 7 of the provisional Agenda.

The delegation of Chile, supported by the delegation of Colombia, noted paragraph 6 of Rule 23 and expressed concern that this paragraph did not provide for adequate time for Parties to analyse amendments to proposals in the working languages of the Convention other than that in which the amendment was submitted.

The delegation of Israel considered that extensive use of secret ballots diminished the accountability of Parties to their constituents and expressed the hope that Rule 25 of the provisional Rules of Procedure would be addressed by the Standing Committee between now and the next meeting of the Conference of the Parties. He urged the Standing Committee to use the Rules of Procedure of the UN General Assembly as a guide. The delegation of Japan considered that as there were many sensitive issues to be discussed during the meeting, the option to use secret ballots should be maintained. They then proposed that Rule 12, paragraph 2, of the provisional Rules of Procedure be amended to exclude observers as a general rule from sessions of committees and working groups other than Committees I and II and the Budget Committee.

The delegation of Kenya endorsed the comments made by the delegation of the United States of America regarding Rule 29, but asked for clarification regarding Rule 23, paragraph 5, which was provided by the Secretariat. The delegation of Kenya agreed with earlier remarks made by the delegation of Japan regarding secret ballots. They also expressed their concern regarding the influence exerted, not only by non-governmental organizations but also by Parties.

The delegation of Denmark opposed Japan's proposal to amend Rule 12, paragraph 2, citing as an example recent negotiations for a Biosafety Protocol under the Convention on Biological Diversity, which were an open and transparent process with full NGO participation. The Secretary-General noted the serious potential impact of such an amendment.

The delegation of Germany considered that the wording of the Rules of Procedure for the next meeting of the Conference of the Parties should be clearer. The Chairman then invited comments either for or against the amendment to the Rules of Procedure as suggested by the delegation of Japan. Citing Article XI, paragraph 7 of the Convention, the delegation of the United States of America opposed the suggested amendment and noted that some NGOs had played an integral part in working groups. As there were no other speakers in support of the amendment suggested by the delegation of Japan, document Doc. 11.1 (Rev.2) was adopted.

2. Election of Chairman and Vice-Chairmen of the meeting and of Chairmen of Committees I and II and of the Budget Committee

Regarding the election of officers, the Chairman noted the nominations for the Chairman and Vice-Chairman of the meeting and of Chairmen of Committees I and II and of the Budget Committee.

The delegation of Tunisia expressed its dissatisfaction at not having received an invitation to attend the 43rd meeting of the Standing Committee, as alternate member to Burkina Faso for Africa, as they would have preferred full regional consultation on nomination of a representative from their region prior to this present meeting. The delegations of Egypt and Benin said that they had also not received their invitations to the 43rd meeting of the Standing Committee. The Chairman explained that the nominees for the officers of the meeting of the Conference of the Parties were decided on collectively to achieve a balance of regional representation. The delegations of Cameroon and Gabon also requested further regional consultation in deciding on a representative from their region. The Secretariat noted that all invitations had been sent by courier prior to the statutory deadline. The Chairman requested the Parties concerned to discuss this matter further immediately following the session.

The following nominees were then elected:

- i) Chairman of the meeting of the Conference of the Parties: B. Asadi (Republic of Iran)

- ii) Vice-Chairman of the meeting of the Conference of the Parties: H. Walters (St. Lucia)
- iii) Chairman of Committee I: M. Clemente-Muñoz (Spain)
- iv) Chairman of Committee II: V. Koester (Denmark)
- v) Chairman of the Budget Committee: K. Stansell (United States of America)
- vi) Chairman of the Credentials Committee: J. Owen (New Zealand)

A representative of Africa was expected to be nominated as the second Vice-Chairman of the meeting.

Following the election of the officers, the Chairman of the Standing Committee handed over the Chair to the newly elected Chairman of the meeting, who expressed his wishes for a good working relationship and a problem-resolving approach by all Parties.

3. Adoption of the Agenda

The Chairman requested the Secretariat to introduce document Doc. 11.3 (Rev.1), which was adopted.

4. Adoption of the working programme

The Secretariat introduced document Doc. 11.4 (Rev.1), which was adopted.

5. Establishment of the Credentials Committee

The Standing Committee's nominations to the Credentials Committee were accepted. These were China, the Dominican Republic, Jordan, New Zealand, the Russian Federation, Tunisia and the United States of America.

7. Admission of observers

The Secretariat clarified the criteria for the admission of observers and pointed to the Annex in document Doc. 11.7 listing all the admitted observers.

The delegation of Japan opposed the admission of one observer, Greenpeace International, on the grounds of a prior dispute in relation to whaling in the Antarctic. The Secretariat pointed out that Greenpeace International had met the criteria for admission as an observer to a meeting of the Conference of the Parties and that there were no reasons for excluding them on the grounds cited by the delegation of Japan. Document Doc. 11.7 was then adopted.

The delegations of Benin and the Democratic Republic of the Congo expressed their appreciation for the Secretariat's assistance in interpreting the Convention. The delegation of Togo also thanked the Secretariat for their support, inviting further assistance in order to implement the Convention fully in their country.

The Chairman closed the session at 12h15.

Chairman:	B. Asadi (Islamic Republic of Iran)
Secretariat:	W. Wijnstekers J. Armstrong G. van Vliet
Rapporteurs:	T. Inskipp M. Jenkins P. Mathew A. St. John

Strategic and administrative matters

6. Report of the Credential Committee

The Chairman of the Credentials Committee reported that the Committee had been established and consisted of five regional representatives with two additional representatives seconded to assist with languages, notably Arabic and Russian. She read out a list of 56 Parties represented whose delegations' credentials had yet to be accepted, but noted that some of these had submitted credentials that appeared satisfactory. The Committee would meet the following day at 12h00 to consider these, but had made provision for an earlier meeting if necessary. The Chairman of the meeting noted that only delegations whose credentials had been accepted would be able to vote at the meeting.

9. Report of the Secretariat

The Secretariat introduced document Doc. 11.9.1, drawing attention to paragraphs 2 and 3, regarding Notifications to the Parties, and paragraphs 86 to 89, regarding the CITES website. They noted that, beginning in 2000, documents for all committees, including technical committees, would be posted on the website. They thanked China for its continuing support to the Secretariat, and in particular for providing a seconded officer. Document Doc. 11.9.1 was then adopted.

11. Committee reports and recommendations

1. Animals Committee

a) Report of the Chairman

The Chairman of the Animals Committee introduced document Doc. 11.11.1, noting that many of the activities reported on therein would be considered under other agenda items of the meeting. He drew attention to some of the major issues discussed in the document, namely conservation of edible-nest swiftlets, international trade in sharks and captive breeding, noting that the document contained draft recommendations concerning each of these, which the Conference of the Parties was requested to adopt. He concluded by noting that the Animals Committee had come of age and was playing an increasingly important role in the implementation of the Convention. He thanked all those who had contributed to the work of the Committee during his chairmanship.

The delegation of the United States of America, echoed by the delegations of China and Japan, registered their appreciation for the hard work of the Committee and its

Chairman. They wished to emphasize that the Committee was recommending repeal of Resolution Conf. 9.15 on conservation of edible-nest swiftlets of the genus *Collocalia* because the Resolution had been extremely successful and was therefore no longer required. They hoped that it would serve as a model for future action under the Convention involving a wide range of stakeholders. The delegation of Japan was pleased to note the links between the Animals Committee and FAO concerning international trade in sharks and requested that document Doc. 11.11.1 be modified to indicate that FAO was the competent organization for the management of sharks.

Document Doc. 11.11.1 was then adopted.

2. Plants Committee

a) Report of the Chairman

The Chairman of the Plants Committee presented document Doc. 11.11.2. With reference to paragraph 16 of the document, she noted that Oceania had also submitted a specific regional directory with details of individuals in the Management and Scientific Authorities in the region who dealt with CITES plant issues. With regard to training, and referring to paragraph 31 of the document, she noted that the third University Master's course organized by Spain on management, conservation and control of species traded internationally would be making use of simultaneous interpretation. She concluded by thanking all those who had helped to make the Plants Committee a dynamic and cohesive group.

The delegations of Botswana, Cameroon, Canada, Chile, Colombia, Liberia, the Republic of Korea, Sierra Leone, Suriname, Thailand, the United States of America and Uruguay all expressed their appreciation of the work done by the Plants Committee and its Chairman, citing in particular the Identification Manual for flora, training materials including the slide pack on CITES and plants, and the review of the Appendices. Donor Parties and others who had contributed were also thanked. The delegation of the United States of America noted the work done on implementation of Appendix-II listing of *Aquilaria malaccensis* but expressed their continuing concern regarding enforcement problems. They recommended that the Plants Committee continue its review of the genus between now and the next meeting of the Conference of the Parties with a view to determining whether all members of the genus should be listed in Appendix II. The delegation of Thailand specifically thanked the Secretariat and the Scientific Authority for Plants of the United Kingdom for their work on, and support of, the survey of the orchid trade in Thailand.

Document Doc. 11.11.2 was then adopted.

3. Identification Manual Committee

The Chairman of the Identification Manual Committee presented document Doc. 11.11.3. She thanked the Secretariat for its help in the production of sheets for the Identification Manual. She noted with regret that many sheets that should have been prepared following the 10th meeting of the Conference of the Parties and earlier meetings were still outstanding and expressed the hope that the system for production of new sheets would improve in the future.

The delegation of the Netherlands commended the Committee and the Secretariat for their work in the production of sheets.

The delegation of Belgium enquired whether a date had been set for the completion of the French language version of the Identification Manual of African, which would be of great benefit. The delegation of Cameroon endorsed this and asked about the possibility of funding to complete the project. The Secretariat replied that it was not going to be possible to complete the project but they would send copies of the available finished sheets to the relevant African countries.

Document Doc. 11.11.3 was then adopted.

4. Nomenclature Committee

a) Report of the Chairman

The Chairman of the Nomenclature Committee presented documents Doc. 11.11.4.1 and Doc. 11.11.4.2. He noted that animals and plants were handled in different ways and that, therefore, the report was in two sections.

He presented the report relating to fauna and explained that, despite efforts by the Secretariat to find other experts for election to the Nomenclature Committee, there had been no response. He listed the tasks carried out by the Committee and noted that several nomenclatural problems had been dealt with in the last two years. These included a review of the spider genus *Brachypelma* and agreement on a practical solution to the listing of some species of Bovidae that had both endangered wild populations and large domesticated populations. He also referred to the lizard genus *Tupinambis*, indicating that adoption of a recent revision would involve a change of nomenclature for some species. He drew attention to the adopted standard reference to Amphibia, noting that future revisions would only be available on the Internet.

The Vice-Chairman of the Nomenclature Committee presented the report relating to flora and explained that the major part of the Committee's work had been devoted to the production of checklists to facilitate the work of Scientific Authorities, Management Authorities and enforcement agencies. He thanked external contributors for providing the major part of the funding for the checklists that had been produced, and referred to efforts to find ways to provide the existing lists in electronic form. The proposed work plan included the production of further checklists.

The delegation of Switzerland thanked the Chairman and Vice-Chairman for their excellent work. They expressed reservations about adopting the recommendation relating to *Tupinambis* because the change of nomenclature would make it impossible to validate the re-export of substantial stocks held by Parties. The delegations of the United States of America and Spain also commended the work of the Nomenclature Committee.

Document Doc. 11.11.4.1 was then adopted.

8. Matters related to the Standing Committee

1. Report of the Chairman

The Chairman of the Standing Committee presented his report, contained in document Doc. 11.8. He noted that major successes achieved by the Committee during his tenure included the resolving of problems within the Secretariat and the improvement of the relationship between CITES and UNEP. The Committee had also worked cooperatively with IUCN and TRAFFIC on the issue of elephants and had developed a Strategic Plan that outlined clear priorities for the Secretariat and the Parties. The Tiger Technical Team Mission had visited 14 range and consumer States and submitted recommendations for action. Of the seven Parties that were of concern because of non-compliance issues, six had been able to comply either immediately or after some assistance, and the seventh had now demonstrated compliance. The future challenges he noted were to increase the use of the Internet and build mechanisms to ensure compliance and enforcement.

The delegation of Germany thanked the Chairman for his report and also raised the issue of the CITES letterhead, which had been debated in the Standing Committee. The Secretary-General responded that the issue had been resolved by reverting to the old letterhead. The delegation of Zambia also commended the Chairman on his report, but noted that it failed to mention that the new Zambian Wildlife Act contained provisions for the enforcement of CITES. The delegation of Israel requested clarification of paragraph 7 of the Chairman's report regarding elephants. The delegations of the Congo, Ecuador, Portugal on behalf of the

member States of the European Union, and Saudi Arabia all thanked the Chairman for his work on the Standing Committee.

The delegations of Antigua and Barbuda and Japan, supported by the delegation of Norway, requested clarification on paragraph 26 of the report concerning the consolidation of Resolutions. They felt that consolidation of cetacean Resolutions would be inappropriate, and they noted that this had not been resolved at the 42nd meeting of the Standing Committee. The report from that meeting, which was to be submitted to the present meeting as written, avoided using the words "agree" or "endorse". They were concerned that the Chairman's report did not accurately reflect this. The Chairman of the Standing Committee responded that the report noted the reservation expressed by the Representative of Asia (Japan). The delegation of Japan expressed their dissatisfaction with this explanation. Lastly, the delegation of Bangladesh asked for clarification about the absence of Bangladesh from the list of countries visited by the Tiger Technical Team. The Chairman reported that the team had not been able to visit all tiger range States, and the success Bangladesh had achieved in protecting its tiger populations meant that a visit was not as essential as for some other range States.

Document Doc. 11.8 was then adopted.

9. Reports of the Secretariat

2. Staffing of the Secretariat

The Secretary-General presented document Doc. 11.9.2, noting that the main points were: the reclassification of posts, the additional posts already approved and the additional posts proposed in document Doc. 11.10.3.

The delegation of the United Kingdom asked that the recommendation to support the Secretariat's proposal for three new posts be considered in the Budget Committee before document Doc. 11.9.2 was adopted, to which the Chairman agreed.

2. Election of Chairman and Vice-Chairmen of the meeting and of Chairmen of Committees I and II and of the Budget Committee

Mr E. Severre (United Republic of Tanzania), was elected second Vice-Chairman of the meeting of the Conference of the Parties.

The delegation of Iceland made a short statement, reporting that their country had acceded to the Convention on 3 January 2000. Iceland became a full Party on 2 April 2000 with reservations on a number of cetacean species found in their coastal waters. In their view these listings were not appropriate and they stressed that listing should be made in accordance with Article II of the Convention and the listing criteria, and not made for emotional, ethical or moral reasons. The Secretary-General welcomed Iceland and the 15 other new Parties. He assured the Parties that species had been listed in the Appendices on the basis of scientific and technical criteria.

The Chairman closed the session at 12h10.

Chairman:	B. Asadi (Islamic Republic of Iran)
Secretariat:	W. Wijnstekers J. Armstrong J. Sellar
Rapporteurs:	J. Caldwell M. Groves T. Inskipp A. Littlewood

The Chairman of Committee I reported that document Doc. 11.11.4.2 had been forwarded to the Budget Committee. She reported that documents Doc. 11.25, Doc. 11.28.2, Doc. 11.38.2, Doc. 11.40, Doc. 11.49 and Doc. 11.54 had been approved by consensus. Documents Doc. 11.28.1 (Rev. 1) and Doc. 11.42 had been noted by the Committee and working groups had been formed, at the request of the Parties, for agenda items 30, 32, 35, 36 and 37. Regarding agenda item 38.2, she noted that a small group had been formed to investigate the possibility of establishing a working group on *Swietenia macrophylla*. Regarding document Doc. 11.38, she explained that this would be discussed under agenda item 11. Concerning agenda item 11.41, several points had been referred to the Chairman of the Nomenclature Committee and the delegation of the Russian Federation had presented a draft decision on sturgeons. Finally she complained that so far the minutes of the Committee had only been made available in English.

The Chairman of Committee II reported that documents Doc. 11.14, Doc. 11.19, Doc. 11.20, Doc. 11.21.1, Doc. 11.22 and Doc. 11.23 had been approved and that documents Doc. 11.13 and Doc. 11.21.2 were expected to be so in the near future. He further explained that a working group had been formed for agenda item 18 and that the debate had been closed on item 15.

The Chairman of the plenary session thanked the Committee chairmen and noted that agenda item 31 on conservation of and trade in elephants would now be considered by Committee I, and that agenda item 30 on conservation of and trade in tigers would be considered by Committee II.

Strategic and administrative matters

6. Report of the Credentials Committee

The Chairman of the Credentials Committee reported that the credentials of the delegations of Malawi, Swaziland and Uruguay had been accepted, bringing the total number of Parties whose delegations were eligible to vote to 118.

12. Evolution of the Convention

1. Action plan to improve the effectiveness of the Convention

The Secretary-General presented document Doc. 11.12.1, which had been produced in response to Decision 10.111. He recommended that all 34 Decisions relating to the CITES Action Plan should now be deleted. There was no further discussion and the recommendation was adopted.

2. Strategic plan for the Convention

The Secretary-General asked the Chairman of the Strategic Plan working group to present document Doc. 11.12.2, stressing its importance for the development of the Convention and

urging its adoption. The Chairman thanked the members of the working group for their efforts and outlined the main points in the document.

There followed a discussion in which the delegations of Australia, Canada, Chile, Colombia, Finland, Indonesia, Jordan, Mexico, the Netherlands, Norway, Portugal, on behalf of the member States of the European Union, South Africa, the Sudan, Switzerland and Zambia, and the observers from the European Commission and IWMC made contributions. All essentially expressed their support for the draft strategic plan, with several delegations fully endorsing it.

In response to a suggestion from the delegations of Jordan and the Sudan that the introduction of other working languages be considered, the Secretary-General explained that this would require a change to the text of the Convention and would also have major budgetary implications.

The delegation of South Africa reported that, with the assistance of Denmark, they had developed a national action plan and offered to share their expertise with any Party that requested such assistance.

Several delegations suggested that the Strategic Plan working group, which would continue as a working group of the Standing Committee, draw up a list of regional priorities, taking account of the available resources.

Document Doc. 11.12.2. was then adopted.

3. Cooperation and synergy with the Convention on Biological Diversity and other biodiversity-related Conventions

The Secretary-General introduced document Doc. 11.12.3 by stating that CITES could not function effectively without synergy with other biodiversity-related conventions and other agreements on nature conservation, noting that the ideas and proposals contained in the document had been endorsed at the 42nd meeting of the Standing Committee, which had charged the Secretariat with further elaboration and deliberation with relevant partners. He emphasized the need to take a regional approach as far as possible in the implementation of CITES. This was supported by the delegations of Malawi and Monaco; the latter suggesting that the Secretariat contact the Secretariat of the Bern Convention to discuss issues of mutual interest and requesting that any dialogue be reported back to the Parties.

The delegation of the United States of America supported the concept of greater cooperation with other international agreements where feasible, but would oppose any process that may diminish or erode the conservation principles and trade restrictions of CITES under the label of synergy with any other agreement. They noted that several paragraphs (e.g. paragraphs 44 and 47) in the document were ambiguous and could lead to the erosion of the present trade control standards of CITES. In the table in paragraph 9, they had serious concerns with regard to the last entry, entitled "compatibility of policy decisions with other international agreements".

In response, the Secretary-General explained there was no intention to make CITES dependent on other conventions. He suggested an amendment to the table in paragraph 9 of document Doc. 11.12.3 to take into account their concerns, replacing the words 'compatibility of' with the words coordination of relevant.

The delegations of Colombia, Egypt, Fiji, Finland, Mexico and Sierra Leone all expressed support for the document. The delegation of Colombia, supported by the delegation of Mexico, considered that cooperation with the Convention on Biological Diversity (CBD) would be best implemented by the development of a concrete joint programme of work on specific issues with the CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) or with the Secretariat of the CBD. They drew attention to the possible implications of the recently negotiated Biosafety Protocol under the CBD and of that Convention's provisions on access to genetic resources. The delegation of Finland considered that cooperation on capacity building should be supported by, *inter alia*, the Global Environment Facility and the delegation of Fiji drew attention to the particular relevance of the document to Small Island Developing States (SIDS).

The delegation of Kenya enquired whether any document was available as a result of the paragraph beginning with "INVITES" in Resolution Conf. 10.4 on cooperation and synergy with the Convention on Biological Diversity.

The Executive Secretary of the CBD updated Parties on recent activities within the CBD process and on cooperation between the two conventions, making particular reference to several proposals contained in document Doc. 11.12.3. He also elaborated on the Memorandum of Understanding between the two Secretariats and noted that the Conference of the Parties to the CBD had recognized that the GEF could serve as an important source of funds for activities to realize the goals of other biodiversity-related conventions. He highlighted two areas he saw as being important to both Conventions, firstly the coordination of the national reporting process, and secondly, the development of a joint programme of work. He invited the Secretary-General to transmit officially document Doc. 11.12.3 to the fifth meeting of the Conference of Parties to the CBD to assist with the development of a strategic plan for the CBD.

The Executive Secretary of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) outlined the potential for cooperation between CITES, CBD and CMS, noting that CITES and CMS shared many species in their Appendices. He reported that the Secretariats of CMS and CITES would be entering into consultations on a memorandum of cooperation.

The observer from the Global Tiger Forum (GTF) elaborated on the outcome of the first General Assembly meeting of GTF (Dahka, January 2000) and expanded on two declarations relevant to CITES. Firstly, GTF would promote protocols to protect tigers in transboundary areas. Secondly, all countries should be asked to eradicate the trade in tiger products in accordance with CITES and, where necessary, dispose of the existing stockpiles by January 2001. He urged full cooperation from the Parties in this regard.

The delegation of Benin suggested that the list of partners outlined in document Doc. 11.12.3 should be expanded to include the Convention on Migratory Species. The Secretary-General clarified that document Doc. 11.12.3 was not meant to preclude synergy with organizations not mentioned and stressed that the Secretariat would seek cooperation with any organization relevant to the implementation of CITES. He encouraged the delegation of Fiji to communicate their needs and those of SIDS to the Secretariat.

The document was adopted with the amended wording to paragraph 9 proposed by the Secretary-General.

4. Improvement of the effectiveness of the Convention: financing conservation of species of wild fauna and flora

The delegation of France introduced document Doc. 11.12.4 and suggested establishment of a working group to evaluate potential financial mechanisms for species conservation. They noted that the document was a step towards implementing the Strategic Plan and suggested the GEF as a possible source of funding. The delegation of Fiji noted the relevance of this document to SIDS, but was concerned about the wording of paragraph 4 of the draft decision as it only referred to species listed in the Appendices. The delegation of Japan was reluctant to support the proposal and raised the issue of development of funding mechanisms. The delegations of Botswana, Cameroon and Sierra Leone supported the document.

The Chairman suggested that the delegation of France should convene a small working group to look at the issues raised and to identify solutions.

The delegation of the United Kingdom of Great Britain and Northern Ireland raised a point of order and stated there had been a serious error of fact regarding the EU position on the relationship between CITES and IWC in a summary report of a Committee meeting. They considered it necessary that all documents and proceedings be withdrawn to be checked by the Secretariat. The delegation of the United States of America stated that they shared the concerns of the delegation of the United Kingdom of Great Britain and Northern Ireland

The session was closed at 12h10.

Chairman:	B. Asadi (Islamic Republic of Iran)
Secretariat:	W. Wijnstekers J. Armstrong M. Lindeque J. Sellar
UNEP:	P. Chabeda L. Meszaros E. Ortega
Rapporteurs:	G. Furness M. Groves K. Hamilton P. Mathew A. St. John

The Chairman opened the session and commented that the atmosphere during the meeting had demonstrated a spirit of collaboration among all Parties.

Strategic and administrative matters

12. Evolution of the Convention

4. Improvement of the effectiveness of the Convention: financing conservation of species of wild fauna and flora

The delegation of France introduced revised document Com. 11.33, based on document Doc. 11.12.4, and noted that discrepancies in the document were due to translation. These had been corrected and there was no need for further discussion; the document was then adopted.

16. Recognition of the important contribution made by observers to the CITES process at meetings of the Conference of the Parties

The delegation of the United States of America introduced document Doc. 11.16 and reiterated that this meeting of the Conference of the Parties had demonstrated the importance of the role of observers. The delegation of Japan endorsed these comments and agreed with the spirit of the document. They also confirmed that the rights of the Parties should come first. The Secretary-General confirmed the importance of the observers in this meeting of the Conference of the Parties and stated that this could stand as an example to future meetings. There being no further discussion, the document was adopted.

Interpretation and implementation of the Convention

17. Consolidation of valid Resolutions

The Secretary-General introduced document Doc. 11.17 and explained the two versions in each of the Annexes: the Annexes A provided the complete text of the existing Resolutions, and the Annexes B provided the consolidated text prepared by the Secretariat. The Secretariat stated that they supported the B versions of the three Annexes. This opinion was supported by the delegation of

Portugal on behalf of the Member States of the European Union, and by the Chairman of the Standing Committee.

The delegation of Japan opposed Annexes 1A and 1B, relating to cetaceans and stated that new scientific findings rendered the document obsolete. The delegation of Australia preferred that the Resolutions in Annex 1A not be repealed. They stated that Annex 1B created anomalies; if it were adopted it would mean that the Conference was accepting in the year 2000 a resolution passed by another organization in 1978.

The Chairman asked for a vote by show of cards to adopt the draft consolidated resolution in Annex 1B. There were 41 in favour and 5 against with 31 abstentions and the proposal was adopted.

The draft consolidated resolutions in Annexes 2B, regarding enforcement and compliance, and 3B, regarding exchanges of specimens, were adopted without objection.

Strategic and administrative matters

8. Matters relating to the Standing Committee

2. Election of new regional and alternate regional members

The following had been elected to the Standing Committee. Representation for the African region had been increased to four members.

Regional Representative

Alternate

Africa

Burkina Faso
Cameroon
United Republic of Tanzania
South Africa
Tunisia

Kenya
Zambia
Ghana

Asia

China
Saudi Arabia
India

Thailand

Central and South America and the Caribbean

St. Lucia
Ecuador
Panama

St Vincent and the Grenadines
Chile
Nicaragua

Europe

Italy
France
Norway

Czech Republic
Portugal
Turkey

North America

United States of America

Canada

Oceania

Australia

Vanuatu

11. Committee reports and recommendations

1. Animals Committee

b) Election of new regional and alternate regional members

The Chairman requested the Regional Representatives announce those newly elected to the Animals Committee:

Africa:

K. Howell (United Republic of Tanzania); M. Griffin (Namibia);
Alternates: E. Chidziya (Zimbabwe); R. Bagine (Kenya)

Asia:

T. R. Soehartono (Indonesia); S. Tunhikorn (Thailand);
Alternates: M. M. Hussain (Bangladesh); C-H. Giam (Singapore)
Central and South America and the Caribbean:

S. Incháustegui (Dominican Republic); M. P. Micheletti (Honduras)
Alternates: R. Ramos Tangarona (Cuba); M. M. Ojeda (Venezuela)
Europe:

M. Hoogmoed (Netherlands); K. Rodics (Hungary);
Alternates: T. Althaus (Switzerland); V. Fleming (United Kingdom)
North America:

S. Lieberman (United States of America)
Alternate: to be announced (Mexico)

Oceania:

R. Hay (New Zealand)
Alternate: R. J. Walting (Fiji)

2. Plants Committee

b) Election of new regional and alternate members

The Chairman requested the Regional Representatives announce those newly elected to the Plants Committee:

Africa:

J. Donaldson (South Africa); Q. Luke (Kenya)
Alternate: A. Akpangana (Togo)

Asia:

Z. Shaari (Malaysia); N. P. Singh (India)
Alternates: D. Siswomartono (Indonesia); J. J. Jia (China)

Central and South America and the Caribbean:

M. C. M. Wekhoven (Suriname); E. Forero (Colombia)
Alternates: F. Mereles (Paraguay); D. I. Rivera (Costa Rica)

Europe:

M. Clemente Muñoz (Spain); J. de Koning (Netherlands)
Alternates: H. Werblan-Jakubiec (Poland); D. Supthut (Switzerland)

North America:

B. von Arx (Canada)
Alternate: F. Ramírez (Mexico)

Oceania:

G. Leach (Australia)
Alternate: O. Gideon (Papua New Guinea)

4. Nomenclature Committee

b) Recommendations of the Committee

The Secretary-General suggested that the current representatives should retain their posts if the Parties approved. There being no opposition, M. Hoogmoed and N. McGough were re-elected.

The Chairman thanked the outgoing members of the Committees and wished the new members success.

10. Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties

The Chairman called on the Chairman of the Budget Committee to present the report of the Committee. The latter reported that the Committee had approved document Com. 11.21, this being a draft resolution on Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties. The document was prepared on the basis of a draft included in document Doc. 11.10.3 (Rev. 1) Annex 6, as amended by the Budget Committee.

He noted that document Com. 11.21 was the first such document submitted by the Budget Committee in its new role as a full Committee of the Conference, rather than as a subcommittee of Committee II. Participation was greatly facilitated by simultaneous interpretation as agreed at the previous meeting of the Conference of the Parties. Despite the competing demands of Committees I and II, there was good representation from all regions, including developing countries, which was indicative of the growing importance of full representation of the Parties in the Convention's financial decisions.

In approving document Com. 11.21, the Budget Committee accepted document Doc. 11.10.1 (Rev. 1) - Financial Report for 1997, 1998 and 1999; took note of document Doc. 11.10.2 – Estimated Expenditures for 2000 –; and, in approving document Doc. 11.10.4 – External Funding – accepted the Secretariat's recommendations on limiting the time that a project remained on the lists for which external funding was sought so that these lists could be kept current.

The Budget Committee Chairman reported that considerable and substantive debate had been required in the six sessions of the Committee in order to reach consensus on the most important items, the Budget for 2001-2002 and the Medium-term plan for 2001-2005, which appeared in Annexes 2 and 3 to document Com. 11.21. Importantly, this time frame related directly to implementation of the Convention's Strategic Plan, adopted earlier in the meeting.

This debate had focused on three primary concerns, which had to be recognized as the context for the decisions of the Budget Committee.

- 1) How best to respond to the substantial increase in the Secretariat's workload arising from an ever-growing number of new Parties, including many developing countries in need of greater assistance in achieving effective implementation of the Convention. This burden had been added to the ongoing requirements of the Parties and to the response of meetings of the Conference of

the Parties to the increasingly complex issues of the international wildlife trade, which have been embodied in 144 current Decisions (not counting those being generated at the present meeting). Those elements, as important as they were, had serious financial implications for the budget.

In an effort to address the above very legitimate needs, the Budget Committee approved a 2001-2002 biennium budget with an annual average which constituted a 26.5 per cent increase over the average annual budget in the previous triennium. However, this increase, a compromise achieved by the Committee, fell substantially short of the budget needs presented by the Secretariat, and some services to the Parties might have to be reduced.

In the discussions, Party delegations participating in the Committee reinforced the priorities of implementation, capacity building, regional coordination, and certain other new activities. Further the Budget Committee approved a process whereby Decisions taken at the current meeting, as well as any shortfall in funding of the Secretariat resulting from the budget compromise, would be identified as having high priority for funding from any savings generated or possible increases in the Trust Fund balance that might be realized. These priorities were presented in Annex 4 (Rev. 1) to document Com. 11.21.

2) The long-term budget implications of the need for increased staffing of the Secretariat to respond adequately to the increased workload in support of the Parties were balanced against the need to fund other priority activities resulting from the Decisions of the Conference of the Parties. To provide funding of additional project activities and phase-in the long-term costs of additional posts, the Budget Committee reduced the number of new posts previously approved by the Standing Committee from seven to five and financed a portion of the costs of these posts in the base funding of the Secretariat. The draft resolution approved by the Committee also directed the Secretariat, in association with the Standing Committee, "to identify one-off and discrete projects that conclude before or soon after 2002 with a view to allocating the freed-up resources to future funding priorities".

3) There was a growing concern about significant discrepancies between the anticipated resources available from Party contributions to the Trust Fund and the projected expenditures required after 2002, due to a significant shortfall in the current level of Party contributions. Further, this had to be considered in the light of current realities in the capacity of the Parties to provide more substantial increases in annual contributions. The previous meeting had approved a 5 per cent increase in annual Party contributions for the average annual budget for 1998-2000, and the Budget Committee finally agreed to a 6 per cent increase in annual contributions for 2001-2002.

The Budget Committee believed that the projected balance in the Trust Fund resulting from accumulated reserves, which would permit a continuation of the drawdown procedure established at the previous meeting (which had been modified by the Budget Committee), as well as the flexibility provided to the Secretariat to make necessary staffing decisions as funding permits, would offset the anticipated shortfall in Party contributions in 2001-2002.

The Budget Committee Chairman emphasized, however, that in order to secure the long-term financial viability of the Convention, it was critical to pursue aggressively the objectives of Goal 7 of the Strategic Plan, to "Provide the Convention with an improved and secure financial and administrative basis." This was especially important as the budget estimates projected for the 2003-2005 triennium would require a 27 per cent increase in annual Party contributions to maintain the base operations of the Convention.

In conclusion, the Budget Committee recommended that the Parties approve the draft resolution on Financing and budgeting of the Secretariat and of the meetings of the Conference of the Parties in document Com. 11.21.

The Chairman thanked the Chairman of the Budget Committee for his report and asked for any comments. The delegation of Japan thanked the Chairman of the Budget Committee for his report, stating that they were neither hesitant nor reluctant to approve the document. However, they noted, as a point of concern, the lack of specific and clear figures showing how the 13 per cent programme

support charge levied by UNEP had been spent. They asked that UNEP submit this information to the Parties. The Chairman indicated that he was sure UNEP would pass this information on to the Standing Committee.

The observer from WWF International, speaking on behalf of his organization, the TRAFFIC Network and IUCN – the World Conservation Union, expressed concern that the proposed budget document eliminated funding for two posts dedicated to regional assistance that were especially needed. He urged Parties to provide additional voluntary contributions to finance several important but unfunded activities, such as assistance in preparing legislation, to help developing countries implement the Convention.

There being no further interventions, the Chairman declared document Com. 11.21 adopted.

The Chairman of Committee II then presented the results of the Committee's deliberations for adoption.

13. Terms of reference of permanent committees

Document Com. 11.1 was adopted.

14. Synergy with the United Nations Food and Agriculture Organization

Document Doc. 11.14 was noted.

15. International Whaling Commission

1. Relationship with the International Whaling Commission

Document Doc. 11.15.1 (Rev. 1) had been rejected and this was confirmed.

2. Reaffirmation of the synergy between CITES and the International Whaling Commission

Document Doc. 11.15.2 had been withdrawn.

Interpretation and implementation of the Convention

18. Interpretation and implementation of Article III, paragraph 5, Article IV, paragraphs 6 and 7 and Article XIV, paragraphs 4, 5 and 6, relating to introduction from the sea

Documents Com. 11.17 and Com. 11.18 had been rejected and this was confirmed.

19. Report on national reports required under Article VIII, paragraph 7 (a), of the Convention

Document Doc. 11.19 was adopted.

20. Enforcement

1. Review of alleged infractions and other problems of implementation of the Convention

Document Doc. 11.20.1 was acknowledged as useful.

2. Implementation of Resolutions

Document Doc. 11.20.2 was adopted.

21. National laws for implementation of the Convention

1. National legislation project

Document Doc. 11.21.1 was adopted with amendments.

2. Measures to be taken with regard to Parties without adequate legislation

Document Com. 11.2 was adopted.

22. Report of seizures

Document Doc. 11.22 had been withdrawn.

23. Persistent offenders

Document Doc. 11.23 had been withdrawn.

24. Use of annotations in the Appendices

Document Doc. 11.24 was adopted with amendments.

26. Definition of the term "appropriate and acceptable destinations"

Document Com. 11.35, a draft resolution based on document Com. 11.14, was adopted.

27. Recognition of risks and benefits of trade in wildlife

Document Doc. 11.27 had been withdrawn.

29. Trade in bear specimens

Document Com. 11.22 was adopted.

30. Conservation of and trade in tigers

Document Com. 11.32 was adopted.

33. Exports of vicuña wool and cloth

Document Doc. 11.33 was adopted.

34. Conservation of and control of trade in Tibetan antelope

Document Com. 11.5 (Rev. 1) was adopted.

38. Timber species

1. Report from the Secretariat

Document Doc. 11.38.1 was adopted with amendments.

41. Significant trade in Appendix-II species

2. Revision of Resolution Conf. 8.9

Document Doc. 11.41.2 was adopted.

43. Amendment of Resolution Conf. 5.10 on the definition of "primarily commercial purposes"

Document Doc. 11.43 had been withdrawn.

44. Bushmeat as a trade and wildlife management issue

Document Doc. 11.44 was adopted.

45. Amendment of Resolution Conf. 9.6

1. Concerning diagnostic samples, samples for identification, research and taxonomic purposes and cell cultures and serum for biomedical research

Document Com. 11.31 (Rev. 1) was adopted.

2. Concerning final cosmetic products containing caviar

Document Doc. 11.45.2 had been rejected and this was confirmed.

46. Cross-border movements of live animals for exhibition

Document Doc. 11.46 was noted.

47. Revision of resolutions on ranching and trade in ranched specimens

Document Doc. 11.47 (Rev.1) was adopted with amendments.

48. Registration of operations breeding specimens of Appendix-I species in captivity for commercial purposes

Documents Com. 11.27 and Com. 11.28 were adopted with amendments.

The delegation of Israel asked the Secretariat to note that they had opposed both documents as these created, in essence, a split listing for Appendix-I species in captive breeding operations. Furthermore, they noted that the documents contained no provisions for Appendix-I species known to be in illegal trade.

50. Use of microchips for marking live animals in trade

Document Com. 11.20 was adopted.

51. Universal tagging system for the identification of crocodilian skins

Document Doc. 11.51 was adopted with amendments.

52. Movement of sample crocodilian skins

Document Com. 11.24 was adopted.

53. Universal labelling system for the identification of sturgeon specimens (caviar)

Document Com. 11.29 was adopted with amendments.

55. Definition of the term "prepared"

Document Doc. 11.55 had been withdrawn.

56. Trade in traditional medicines

Document Doc. 11.56 was adopted with amendments.

57. The Information Management Strategy

Document Doc. 11.57 was endorsed.

The delegation of Saudi Arabia suggested that the Secretariat develop a short brochure about CITES.

58. Potential risk of wildlife trade to the tourism industry

Document Doc. 11.58 had been withdrawn.

The Chairman noted that there were no comments on document Com. II 11.11.

The Chairman of Committee I presented the results of the Committee's deliberations for adoption.

Strategic and administrative matters

11. Committee reports and recommendations

4. Nomenclature Committee (continuation)

b) Recommendations of the Committee

The first part of document Doc. 11.11.4.2 had been referred to the Budget Committee, and the second part of the document had been considered under Agenda item 39.

Interpretation and implementation of the Convention

25. Procedure for the review of criteria for amendment of Appendices I and II

Document Doc. 11.25 was adopted.

28. Quotas for species in Appendix I

1. Leopard

Document Doc. 11.28.1 (Rev. 1) was adopted.

2. Markhor

Document Doc. 11.28.2 was adopted.

32. Conservation of and trade in rhinoceroses

Document Com. 11.19 was adopted with amendments.

35. Trade in freshwater turtles and tortoises to and in Southeast Asia

Document Com. 11.7 was adopted with amendments.

36. Trade in seahorses and other members of the family Syngnathidae

Document Com. 11.6 was adopted with amendments.

37. Identification and reporting requirements for trade in specimens of hard coral

Document Com. 11.9 was adopted with amendments.

38. Timber species

2. Progress in the conservation of *Swietenia macrophylla* (bigleaf mahogany)

The Conference noted document Doc. 11.38.2 and document Com. 11.8 was adopted.

39. Standard nomenclature

Documents Doc. 11.11.4.2, Doc. 11.39, Com. 11.30, Inf. 6 and Inf. 9 were adopted.

40. Assistance to Scientific Authorities for making non-detriment findings

Committee I had referred part of document Doc. 11.40 to the Budget Committee. This document was adopted.

41. Significant trade in Appendix-II species

1. Implementation of Resolution Conf. 8.9

The delegation of the United States of America, seconded by the delegation of Canada, requested reopening of the debate on this agenda item. Following discussions with the delegations of Canada, the Islamic Republic of Iran and the Russian Federation, they suggested the following amendment to document Com. 11.4. The first paragraph under "Directed to the Parties" should read: Starting from January 1st 2001, range States to declare coordinated intergovernmental level annual export and catch quotas per basin, or biogeographical region where appropriate, for all commercial trade in specimens of Acipenseriformes. Parties should inform the Secretariat, prior to 31 December of the preceding year. Parties that fail to inform the Secretariat will automatically be treated as having a zero quota for the following year. This was agreed.

Document Com. 11.4 was then adopted as amended and the Conference noted document Doc. 11.41.1.

Document Com. 11.16 was adopted as amended in Committee I.

42. Trade in specimens of species transferred to Appendix II subject to annual export quotas

The Conference noted document Doc. 11.42.

49. Animal hybrids: amendment of Resolution Conf. 10.17

Document Doc. 11.49 was adopted.

54. Transport of live animals

Document Doc. 11.54 was adopted.

31. Conservation of and trade in elephants

1. Experimental trade in raw ivory of populations in Appendix II

The Conference noted document Doc. 11.31.1.

2. Monitoring of illegal trade and illegal killing

The Conference noted document Doc. 11.31.2.

3. Revision of Resolution Conf. 10.10

Document Doc. 11.31.3 was adopted with amendments.

4. Non-commercial disposal of ivory stockpiles

Document Doc. 11.31.4 had been withdrawn.

Consideration of proposals for amendment of Appendices I and II

59. Proposals to amend Appendices I and II

1. Proposals resulting from the periodic review by the Plants Committees

Proposals Prop. 11.1, 11.2, 11.3, 11.4, 11.6, 11.8 and 11.11 were adopted. Proposals Prop. 11.7 and 11.10 were adopted as amended. Proposal Prop. 11.5 had been rejected and this was confirmed and proposal Prop. 11.9 had been withdrawn.

2. Proposals concerning export quotas for specimens of species in Appendix I and II

Proposal Prop. 11.12 was adopted.

3. Other proposals

The following proposals were adopted: Prop. 11.19, 11.25, 11.26, 11.28, 11.31, 11.33, 11.34, 11.35, 11.36, 11.45, 11.46, 11.50, 11.53, 11.55 and 11.57.

Proposals Prop. 11.13, 11.20, 11.30, 11.38, 11.54, 11.59 and 11.61 were adopted with amendments.

The delegation of Switzerland requested a point of clarification on the amendment to proposal Prop. 11.13 and noted that proposals may only be amended to reduce the scope of effect. The Secretary-General responded that the Secretariat would clarify the annotation to read: zero quota for animals taken from the wild and traded for primarily commercial purposes.

Proposals Prop. 11.32, 11.37, and 11.52 had been rejected in Committee I and this decision was confirmed.

The proposals that had been withdrawn were: Prop. 11.14, 11.21, 11.22, 11.23, 11.24, 11.27, 11.29, 11.39, 11.40, 11.42, 11.43, 11.44, 11.51, 11.56, 11.58, 11.60 and 11.62.

Proposals Prop. 11.14, 11.56, 11.60 and 11.62 having been withdrawn from consideration, documents Com. 11.23, Com. 11.15, Com. 11.11, and Com. 11.25, respectively, had been drafted. These were adopted. Proposal Prop. 11.29 having also been withdrawn, documents Com. 11.12 and Com. 11.13 had been drafted; these were adopted.

The observer from Safari Club International announced that they were organizing a technical workshop on Urial and other Caprinae to be held in 2001 in Central Asia. The goal would be to create synergy

among range States, the scientific community, conservation interests and the hunting community. They invited IUCN, the TRAFFIC Network, WWF and other interested organizations to participate. They also invited the participation and funding support of the governments of the Member States of the European Union and the United States of America.

The session was closed at 16h45.

Chairman: B. Asadi (Islamic Republic of Iran)

Secretariat: W. Wijnstekers
J. Armstrong

UNEP: K. Töpfer
J. Illueca

Rapporteurs: J. Caldwell
T. Inskipp
M. Jenkins
J. Lyke

The Chairman noted that there were no comments on document Com.I 11.12 and asked that any corrections to document Com. II 11.14 be sent to the Secretariat.

The Chairman of Committee I presented further results of the Committee's deliberations for adoption.

Consideration of proposals for amendment of Appendices I and II

59. Proposals to amend Appendices I and II

3. Other proposals

Proposals Prop. 11.15, Prop. 11.16 and Prop. 11.17 had previously been rejected in Committee I and their rejection was confirmed.

Regarding proposal Prop. 11.18, which had been rejected by a vote in Committee I, the delegation of Norway reported that they had amended the proposal and wished to re-open the debate. This motion was seconded by the delegation of Iceland, with the delegations of Portugal and the United Kingdom speaking in opposition. There being more than one third of the Parties in favour of the motion, the debate was re-opened.

The delegation of Norway added the following annotations to the existing proposal: i) trade only in products from animals of these stocks taken inside areas of national jurisdiction and ii) trade only between countries where DNA-based identification systems for trade control are implemented. The delegations of Iceland and Japan and the observer from High North Alliance spoke in favour of the amended proposal, stating that the stocks did not meet the criteria for inclusion in Appendix I and that the amendments satisfied the concerns raised in IUCN's Analyses. The delegation of Australia opposed the proposal, reminding the Parties that they had adopted a Resolution on Introduction from the sea in accordance with which certificates should not be issued for the introduction from the sea of any species of cetacean protected by the IWC. The amended proposal was inconsistent with this. The delegation of the United States of America also opposed the proposal, stating that neither Japan nor Norway had adequate DNA control systems. The observer from the World Wide Fund for Nature expressed opposition to the proposal because all populations of highly migratory whales must be under the control of the IWC.

The delegation of Norway then requested a secret ballot and received the required support. The proposal was rejected with 53 votes in favour and 52 against.

Regarding proposal Prop. 11.41, which had been rejected by a vote in Committee I, the delegation of Cuba, seconded by the delegation of Suriname, proposed that the debate be reopened. After a vote by a show of hands, the debate was reopened by the delegation of Cuba who provided the following

annotation as an addition to the original proposal: This trade shall not take place until such time as the trade control system in Japan has been verified under the auspices of the Standing Committee. This procedure shall be completed within 12 months of the entry into force of the transfer to Appendix II.

The delegation of Costa Rica opposed the proposal and indicated that they had a draft decision relevant to the species, which they could table if required. The delegation of Fiji and the observer from the Wider Caribbean Sea Turtle Conservation Network also opposed the proposal. The delegations of Colombia and El Salvador and the observer from IWMC – the World Conservation Trust – spoke in support of the proposal. The delegation of Cuba then asked for a secret ballot and received the required support. Raising a point of order, the delegation of Portugal, on behalf of the Member States of the European Union, requested that the draft decision referred to by the delegation of Costa Rica be tabled and discussed before the vote. The Secretary-General clarified that this was not possible because the draft decision was not an amendment to the proposal put forward by the delegation of Cuba. The proposal was rejected with 67 votes in favour, 41 against and nine abstentions.

Proposals Prop. 11.47 and Prop. 11.48 had been rejected by Committee I and this was confirmed.

The delegation of the United Kingdom of Great Britain and Northern Ireland requested that the debate be reopened on proposal Prop. 11.49, which had been rejected in Committee I. The delegation of Malta supported this motion and the delegations of Antigua and Barbuda and Singapore opposed. The motion to reopen the debate was carried by a show of hands.

The delegation of the United Kingdom of Great Britain and Northern Ireland presented an amended proposal that included provisions to delay the implementation of the listing for 12 months in order to allow identification materials to be developed and distributed. In their supporting statement, the delegation of the United Kingdom of Great Britain and Northern Ireland made the following key points: many basking shark products in international trade come from sharks caught in national waters; the taxon was listed as Vulnerable on the IUCN Red List; the analyses of the CITES Secretariat, the TRAFFIC Network and IUCN – the World Conservation Union – agreed that the proposal met the criteria for inclusion in Appendix II; the proposal set no precedent for further shark-listing proposals; the proposal would complement the Food and Agriculture Organization of the United Nations (FAO) Plan of Action for sharks; the proposal was aimed at ensuring sustainable use, not preventing it; identification materials would be provided; it was relatively simple to identify the species in trade, though a DNA test was available as a back-up test, which the United Kingdom of Great Britain and Northern Ireland would assist other Parties in implementing; draft circular 954, issued by FAO, concluded that CITES was an appropriate mechanism for addressing the issue. The delegation of the United Kingdom of Great Britain and Northern Ireland concluded that their amended proposal was consistent with the CITES-listing criteria, the FAO management plan on sharks, FAO draft circular 954 on CITES criteria, and the CITES Strategic Plan. They urged the Parties to support the proposal.

The delegation of Norway urged the Parties to vote against the proposal, stating that FAO and appropriate regional organizations were the competent authorities to address the conservation and management of fish species, and that there was insufficient information to determine whether the basking shark met the criteria for inclusion in Appendix II.

The delegation of Singapore echoed the comment of the delegation of Norway regarding the purview of CITES with respect to fish. They also stated that processed products were not easily identifiable in trade, and that an Appendix-II listing would effectively prohibit trade since countries would be unable to make the required non-detriment findings for exports. They read a statement on behalf of the Association of Southeast Asian Nations (ASEAN), representing 10 Southeast Asian countries opposed to the proposal, and appealed to the delegation of the United Kingdom to postpone a decision on the matter until the next meeting of the Conference of the Parties. They called for a secret ballot in the event of a vote.

The delegation of the United States of America supported the proposal made by the delegation of the United Kingdom of Great Britain and Northern Ireland as amended. They stated that it was a strong proposal, which had been further strengthened by the work of the United Kingdom of Great Britain

and Northern Ireland to develop a DNA-identification process and the amendment to postpone implementation for 12 months.

The delegation of Brazil also supported the proposal, based on the scientific information provided, the information contained in FAO draft circular 954 and their belief that management of the basking shark fishery was an issue that transcended normal commercial fisheries management.

The observer from the International Coalition of Fisheries Associations urged Parties to reject the proposal as amended and requested the Chairman to allow FAO to take the floor prior to a vote. The observer from FAO stated that it would be inappropriate to comment on the issue until their appraisal of the suitability of CITES criteria for listing commercially-exploited aquatic species had been completed at the 26th session of the Committee on Fisheries (COFI). He noted that a detailed assessment and review of the proposal would be necessary. He went on to underscore that FAO draft circular 954 did not form the official FAO view, which would not appear until March 2001 when the FAO would decide what, if any, recommendations it would pass forward.

The observer from IUCN – the World Conservation Union – noted that harvesting had been a major factor leading to a decline in this species, which was listed as Vulnerable on the IUCN Red List, and that a quota on catches of basking sharks in EU waters had been established.

The Chairman requested a show of hands concerning the request from the delegation of Singapore for the vote to be conducted by secret ballot. This motion was approved. A secret ballot on the adoption of proposal Prop. 11.49 as amended was conducted and it was rejected with 67 votes in favour, 42 against and eight abstentions.

With reference to proposals Prop. 11.18 and Prop. 11.49, the delegation of Denmark stated that, while they supported the position of the European Union on these, they had abstained in the vote, exercising their rights under Declaration 25 of the Maastricht Treaty on representation of the interests of the overseas countries and territories referred to in Article 227(3) and (5)(a) and (b) of the Treaty establishing the European Community. They asked that the representative of Greenland on their delegation be allowed to make a brief statement. The latter stated that Greenland supported the Norwegian proposal on the minke whale (Prop. 11.18) and opposed the proposal to include the basking shark in Appendix II (Prop. 11.49).

The delegation of Mexico stated that they had voted against proposal Prop. 11.41 because they favoured the strengthening of regional cooperation on this issue. They announced their intention to host a regional workshop on sea turtles that they hoped would lead to the development of a regional management plan for such species. They stated further that they planned to work with Cuba and IUCN – the World Conservation Union – to coordinate this initiative. The delegation of Bahamas encouraged Cuba and sea turtle consumer nations to support the workshop and the development of a regional management plan.

The Chairman announced that work on Agenda item 59 was completed.

The delegation of Brazil expressed concern that a draft resolution they had prepared concerning the Secretariat's analysis of the proposals to amend the Appendices had been provided to the Secretariat but had apparently not been distributed. They asked that this be noted.

The Minister of State for the Federal Ministry of Environment of Nigeria expressed appreciation of the unrelenting efforts of governments, non-governmental organizations and the Secretariat in ensuring the sustainable management of wildlife in the 151 States party to the Convention. He appealed through the Secretariat to international donor agencies to assist in Nigeria's wildlife management effort, and in particular in a survey of the country's elephant population. He hoped that workshops for Scientific Authorities would also take place in anglophone Africa.

The head of the delegation of Argentina, Victoria Lichtschein, as outgoing regional representative on the Standing Committee for Central and South America and the Caribbean, wished personally to commend her colleagues on the Standing Committee and in particular her fellow representatives from the region. She wished every success to the new members of the Committee.

Conclusion of the meeting

60. Determination of the time and venue of the next regular meeting of the Conference of the Parties

The delegation of Chile stated that their country would like to host the 12th meeting of the Conference of the Parties and requested a 90-day period to examine the feasibility of doing so. The Secretary-General thanked the delegation of Chile but also asked other Parties to consider hosting the meeting, in case Chile decided that they would be unable to do so.

61. Closing remarks

The delegation of Portugal, on behalf of the Member States of the European Union, expressed their gratitude to UNEP for having hosted the meeting, to the Secretariat and the Chairmen of the meeting and the Committees and to all Parties for the spirit of constructive dialogue in which the meeting had been conducted. They noted particular satisfaction in the consensus reached by the African Parties on the elephant issues and drew attention to the recent Cairo Declaration on partnership in environmental matters between Europe and Africa. They reiterated a pledge of financial support from the European Union and the European Commission for MIKE (monitoring of illegal killing of elephants) and other sustainable-use initiatives and stressed the importance of the precautionary principle.

The observer from the Born Free Foundation, speaking as a representative of the Species Survival Network, also lauded the collegiate atmosphere in which the meeting had been conducted and stated that this should be a model for future meetings of the Conference of the Parties. They drew attention to the results of some of the proposals to amend the Appendices, notably those concerning elephants, cetaceans, the hawksbill turtle and sharks, and expressed satisfaction at the enhanced role of observers at the present meeting. They considered that this represented an important widening of stakeholder involvement.

The delegation of Kenya congratulated UNEP on having successfully hosted the meeting and hoped that participants had enjoyed their stay in Kenya. They noted that Kenya and UNEP would shortly be co-hosting the fifth meeting of the Conference of the Parties to the Convention on Biological Diversity.

The Deputy Secretary-General paid tribute to the Secretariat, UNON, UNEP, the interpreters, rapporteurs and others for their dedication and professionalism in ensuring the success of the meeting.

The Executive Director of UNEP considered that the meeting had been a success thanks largely to the diligence, dedication and desire for dialogue of the Parties. He also lauded the role that non-governmental organizations had played. He noted that the meeting and the decisions taken were not ends in themselves but now needed to be translated into concrete action by the Parties and others, and drew attention to the need to improve public understanding of the Convention. He considered the Strategic Plan for the Convention, which had been adopted at the meeting, to be a significant milestone and stressed the importance of synergy between CITES and other biodiversity-related conventions. He emphasized the fundamental importance of poverty eradication in ensuring sustainable use of natural resources. Finally, he thanked all those who had helped make the meeting a success and offered the full support of UNEP to Chile in its bid to host the next meeting.

The Secretary-General also said the meeting had been a great success with a friendly atmosphere, and commended the Parties and observers for their constructive contributions. He considered the outcome of discussions on elephants to be a victory for Africa and hoped that the dialogue among range States would continue. He considered the adoption of the Strategic Plan to have been a major step forward for the Convention, but noted that the decisions on the budget had been somewhat disappointing and cautioned that this would be likely to compromise the ability of the Secretariat to implement the Plan fully. Finally he thanked UNEP for having hosted the meeting.

The Chairman emphasized the largely consensual nature of the decisions of the Conference and applauded all those who had taken part. He too stressed the importance of the outcome regarding elephants.

The Chairman closed the meeting at 13h05.