



**SUMMARY OF THE THIRTEENTH  
CONFERENCE OF THE PARTIES TO THE  
CONVENTION ON INTERNATIONAL TRADE  
IN ENDANGERED SPECIES OF WILD  
FAUNA AND FLORA:  
2-14 OCTOBER 2004**

The thirteenth Conference of the Parties (COP-13) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) convened from 2-14 October 2004, in Bangkok, Thailand. Drawing together 1,200 participants representing governments, intergovernmental and non-governmental organizations (IGOs and NGOs), the meeting considered 64 agenda items on a range of topics, including: reports and recommendations from the Animals and Plants Committees; the 2006-2008 budget and other administrative matters; implementation of the Convention; species trade and conservation issues; management of annual export quotas; the relationship between *in situ* conservation and *ex situ* captive breeding; trade control and marking issues; enforcement matters; cooperation with the Convention on Biological Diversity and the UN Food and Agriculture Organization; and 50 proposals to amend the CITES appendices.

COP-13 was characterized as a big victory for conservationists who saw the irrawaddy dolphin listed in Appendix I and the hump-head wrasse, great white shark and ramin listed in Appendix II. Many conservationists were also pleased with the rejection of a proposal to downlist minke whales from Appendix I. Results on elephants were mixed as the ban on ivory was maintained by rejecting a request by some Parties for an annual export quota of raw ivory, although allowing an exception for the sale of elephant hair and leather products in South Africa, and the non-commercial trade in worked ivory in Namibia. While some felt the trade in any elephant product would send a wrong signal to poachers, others feared it would equally send a wrong signal to local communities in Africa who had worked hard to develop well-managed conservation programmes based on sustainable use. The elephant issue, as with many others, reflects the continuing balancing act within CITES between conservation and sustainable trade.

**A BRIEF HISTORY OF CITES**

CITES entered into force on 1 July 1975 following growing concerns regarding over-exploitation of wildlife and the rapid decline of many plant and animal populations as a result of international trade. With 166 Parties, CITES regulates trade in wildlife through controls and regulations on the import and export of species listed under three appendices. Animal and plant species listed under Appendix I are considered highly threatened with extinction, and are excluded from trade, except in very special circumstances. Appendix II species are subject to regulated trade on the basis of quotas and permits to ensure that trade does not compromise their survival. Appendix III lists species that are subject to domestic regulation, and for which a Party requests the cooperation of other Parties to control international trade.

In order to list a species on Appendices I or II, Parties submit proposals for COP approval, supported by scientific and biological data on population and trade trends. Proposals are adopted by a two-thirds majority vote of Parties present at a COP. As the trade impact on a species increases or decreases, the COP decides

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whether the species should be transferred between, or removed from, the appendices. There are approximately 5,000 fauna species and 28,000 flora species currently listed under the Appendices.

CITES regulates international trade of species through a system of permits and certificates, required before specimens enter or leave a country. Each Party is required to adopt national legislation and designate a Management Authority responsible for issuing these permits and certificates, on the basis of advice provided by a designated Scientific Authority. These two national authorities assist CITES enforcement through cooperation with customs, police or other appropriate agencies, and maintain trade records that are forwarded to the CITES Secretariat, enabling the compilation of statistical information on the global volume of trade in listed species.

In addition to the Secretariat, which is responsible for day-to-day operations of the Convention at the international level, and provides Parties with trade information and technical and capacity-building support, the operational bodies of CITES include the Standing Committee (SC), Animals Committee (AC), Plants Committee (PC), Nomenclature Committee (NC), and Identification Manual Committee.

**COP-11:** The eleventh Conference of the Parties (COP-11) convened in Nairobi, Kenya, from 10-20 April 2000. COP-11 considered 61 proposals to amend the CITES appendices, and addressed, *inter alia*: the procedure to review criteria for amending Appendices I and II; species quotas; conservation of, and trade in, rhinoceroses and elephants; trade in freshwater turtles, seahorses, bigleaf mahogany, hard coral, and bear specimens; bushmeat; cooperation with other IGOs; Appendix I species breeding; measures for the sustainable use of significantly traded plants and animals; and a labeling system for sturgeon specimen identification.

**COP-12:** COP-12 convened from 3-15 November 2002, in Santiago, Chile. Delegates addressed, *inter alia*, strategic and administrative matters, and implementation of the Convention, and considered 60 proposals for amending the Appendices, including the listing of seahorses, basking and whale sharks and bigleaf mahogany in Appendix II, and the rejection of proposals to down-list populations of minke and bryde's whales. COP-12 also allowed three African States – Botswana, Namibia and South Africa – to sell a limited and strictly controlled amount of their registered ivory.

### COP-13 REPORT

Suwit Khunkitti, Natural Resources and Environment Minister of Thailand, opened COP-13 on Saturday, 2 October, emphasizing his country's commitment to CITES implementation, and stressing the importance of regional cooperation for implementation and enforcement, and the promotion of public awareness and education.

CITES Standing Committee Chair Kenneth Stansell (US) noted the meeting's ambitious agenda, highlighting proposals regarding whales, elephants and timber species, and agenda items relating to implementation, particularly financing. He noted that not a single species protected by CITES has become extinct since CITES' entry into force 30 years ago.

UNEP Executive Director Klaus Töpfer acknowledged the role of NGOs in successfully implementing the Convention, stressed CITES' link to the Millennium Development Goals and its role in mainstreaming biodiversity into major economic sectors and achieving the 2010 target to significantly reduce the rate of biodiversity loss, adopted by the World Summit on Sustainable Development (WSSD).

CITES Secretary-General Willem Wijnstekers underscored CITES' contributions to wildlife conservation and sustainable development and poverty reduction, and said CITES should be involved in the conservation of economically important species covered by other international agreements only where its instruments and tools can have added value.

Thaksin Shinawatra, Prime Minister of Thailand, stressed the need for global cooperation and regional efforts to fight organized criminal activities related to international trade in wildlife, and offered to host a meeting 2005 to establish a Southeast Asian law enforcement network to combat illegal trade in wildlife. He then declared COP-13 open.

During the course of the meeting, delegates met in five plenary sessions to discuss strategic and administrative matters, committee reports, and COP resolutions and decisions. On Monday, 4 October, delegates divided into two committees. Committee I met in 17 sessions to address species trade and conservation issues and recommendations to amend the Appendices. Committee II met in 14 sessions to consider finance, compliance and implementation issues. The following report summarizes discussions and their outcomes according to the meeting's agenda items. Unless otherwise noted, the plenary adopted all decisions and resolutions.

**ORGANIZATIONAL MATTERS:** On Sunday, 3 October, the plenary adopted the meeting's agenda (Doc.3 (Rev.5)) and working programme (Doc.4 (Rev.1)). Standing Committee (SC) Chair Stansell introduced a document on the use of secret ballots (Doc.1.1). The Netherlands, on behalf of the EU, and the US stated that they continue to regard the use of secret ballots as contrary to transparency and accountability. The plenary did not adopt any new changes to the existing rules.

Delegates adopted the Rules of Procedure (Doc.1.2 (Rev.1)), following an amendment regarding the submission of credentials in one of CITES' working languages in addition to a country's national language. The Secretariat also amended the rules to clarify that all members of the SC are part of the Bureau (Rule 15.1), and that if the COP Chair is absent or unable to fulfill his or her duties, the Bureau shall nominate one of the Vice-Chairs (Rule 15.3).

The plenary elected the following COP-13 officers: Minister Khunkitti (Thailand) as COP Chair; David Brackett (Canada) and Victoria Lichtschein (Argentina) as Vice-Chairs; and Holly Dublin (IUCN) as Committee I Chair and Martin Brasher (UK) as Committee II Chair. The Czech Republic was nominated as Credentials Committee Chair, with St. Lucia, Cameroon, Mexico and the United Arab Emirates (UAE) serving on the Credentials Committee.

The Secretariat introduced, and delegates adopted, the list of observers (Doc.6), which included 11 intergovernmental organizations, 51 international organizations and 88 national organizations.



**COMMITTEE REPORTS:** On Sunday, 3 October, the plenary heard reports of the Standing Committee, Animals and Plants Committee, and Nomenclature Committee. A summary of these reports is available online at: <http://www.iisd.ca/vol21/enb2136e.html>

### STRATEGIC AND ADMINISTRATIVE MATTERS

**REVIEW OF PERMANENT COMMITTEES: Review of the scientific committees:** On Monday, 3 October, Committee II considered Australia's proposal to review the scientific committees' operations (Doc.11.1 and Inf.48). AC Chair Thomas Althaus (Switzerland) and PC Chair Margarita Clemente (Spain) highlighted that scientists and organizations working on the committees give their time and advice for free and that outsourcing scientific advice may be more expensive. All delegates acknowledged the committees' significant contribution to CITES' work, and established a working group to prepare terms of reference (ToR) for the SC to carry out an evaluation of the scientific committees and report to COP-14.

On Tuesday, 12 October, the Netherlands, scientific committees working group Chair, presented draft decisions noting a recommendation that the scientific committees should draft the ToR. Committee II adopted the proposal with editorial corrections. The plenary adopted the decisions on the review of permanent committees.

**Final outcome:** The decisions (Com.II.20) direct the AC, PC and NC to draft the ToRs for a review of the committees to facilitate their performance and direct the SC to determine a process for carrying out the review, proceed with the review and present the results at COP-14.

**Improving regional communication:** PC Chair Clemente introduced proposed amendments to Res. Conf. 11.1 on regional communication and representation in the AC and PC (Doc.11.2). Delegates agreed that the working group established regarding the scientific committees would address the following issues: payment of expenses of the SC, AC and PC Chairs, in particular for developing country representatives; the need for formal commitments from governments and institutions to secure the necessary means to enable their representatives to undertake their activities; the need for a formal commitment from regional representatives to fulfill their duties; and authorizing committees to discuss and manage their budgets.

On Tuesday, 12 October, the Netherlands, scientific committees working group Chair, presented, and Committee II approved, a revised proposal.

**Final outcome:** The resolution (Com.II.20) requests the Secretariat to provide financial assistance to ensure participation of members and Chairs of the SC, PC and NC from developing countries and countries with economies in transition, and requests a formal commitment of support from governments and institutions that nominate a committee member. The resolution also directs, *inter alia*: the Secretariat to ensure that vacancies are communicated and filled promptly; the AC and PC to develop a manual on roles and duties for new representatives; and the Parties to provide a focal point to the AC, PC and NC.

**Standard nomenclature and operation of the NC:** On Monday, 4 October, Committee II considered Mexico's proposal to revise Res. Conf. 11.1 (Regulation of trade in plants) and 12.11

(Standard nomenclature) (Doc.11.3). Delegates referred the proposal regarding Res. Conf. 11.1 to the working group on the scientific committees.

On Tuesday, 5 October, delegates considered a revised proposal regarding Res. Conf. 12.11 (Doc.11.3 (Rev.1)). Regarding changes in a taxon's name and their implications, some delegates stressed that changes can affect the scope of protection of a species and agreed that the scope of protection as originally intended should not be altered by nomenclature changes. Regarding checklists, some delegates observed that the United Nations Environment Programme's World Conservation Monitoring Centre (UNEP-WCMC) checklist should only draw from names included in original proposals, standard reference or NC's recommendations. Some stressed the importance of taxon-based checklists, and suggested referring to them as basic reference. UNEP-WCMC clarified that it does not decide on nomenclature and that its standard lists are developed on the basis of CITES' basic reference lists.

On Tuesday, 12 October, Committee II adopted a revision to Res. Conf. 12.11 without further amendments, and considered a revised version of Res. Conf. 11.1. A summary of these discussions is available on line at: <http://www.iisd.ca/vol21/enb2138e.html>

**Final outcome:** Revised Res. Conf. 12.11 (Com.II.21) includes a procedure to ensure adequate communication and evaluation of the impact of changes in nomenclature on listings of particular species to ensure that the original intent of a specific listing is retained. The revised Res. Conf. 11.11 (Com.II.25) on establishing the NC includes a new procedure for updating and adopting standard nomenclature references.

**FINANCING AND BUDGET: Financial reports:** On Monday, 4 October, Committee II considered the financial reports for 2002-2003 (Doc.8.1 (Rev.1)). Some delegates said the UN scale of assessments may not be appropriate for CITES, with Argentina stressing its economic difficulties. Delegates approved the report.

**Estimated expenditures:** On Monday, 4 October, Committee II considered a document on estimated expenditures for 2004-2005 (Doc.8.2 (Rev.1)). Some delegates expressed concern regarding the status of the available reserve in the Trust Fund, and others cautioned against reducing the translation budget and increasing staff and rent costs. Delegates approved the document.

**External funding:** On Monday, 4 October, Committee II considered external funding (Doc.8.4). CITES Secretary-General Wijnstekers highlighted difficulties in obtaining external funding, the need to ensure full participation of developing countries and economies in transition, and the exhaustion of funding for the Monitoring the Illegal Killing of Elephants (MIKE) programme. Several developing countries and small island developing States stressed the need to secure funding for participation of at least two delegates from developing countries at COP meetings. Delegates took note of the document.

**Budget for 2006-2008:** On Monday, 4 October, and Tuesday, 12 October, Committee II considered the budget for 2006-2008 (Doc.8.3 (Rev.1)). CITES Secretary-General Wijnstekers stressed that the proposed 10.3% budget increase to US\$15,368,079 does not provide for safeguards and that a zero growth in Party contributions would require cuts in programmes and activities. Delegates established a working group, chaired by Kenneth Stansell (US).



Reporting to the Committee on the outcome of the working group's discussions (Com.II.23) on Tuesday, 12 October, the working group Chair highlighted: lack of consensus for a 10.3% increase in party contributions; a zero growth budget would entail a 10.3% reduction in the Convention's work programme; and recommendations and options to achieve a zero growth budget. Delegates approved the working group's recommendations and options for cost-saving measures, including reducing publication costs, convening only two intersessional AC and PC meetings in Geneva only, and convening COP meetings in Geneva only, unless cost differences are covered by another host country. Nigeria cautioned against cost-saving measures that sacrifice documentation and communications requirements. Argentina favored cost-saving measures for travel costs rather than for AC and PC meetings. Delegates adopted the draft resolution by consensus. Mexico recorded their concern regarding reduction in AC and PC meetings and the determination of assessed contributions.

The plenary adopted the financial reports for 2002-2003, estimated expenditures for 2004-2005 and a document on external funding by consensus. Following a motion by Argentina, the budget for 2006-2008 was reopened. Argentina proposed, and delegates approved by consensus, requesting the SC to collect arrears through innovative strategies that would help countries pay their contributions, and avoiding reducing AC and PC meetings by saving in other areas. The EU and the UK expressed support for a moderate increase in contributions, while Mexico opposed. Kenya proposed, and delegates voted in favor of a 3% increase in contributions to maintain documentation costs and holding three AC and PC meetings in different locations (89 in favor, 17 against and 19 abstentions). The decision on the budget was then adopted by consensus. The US, Mexico, Japan, Namibia, the Russian Federation, Brazil, Dominica and India recorded their opposition to an increase in contributions. A summary of the budget discussions is available at: <http://www.iisd.ca/vol21/enb2137e.html> and <http://www.iisd.ca/vol21/enb2143e.html>

**Final outcome:** With the resolution (Com.II.23 Annex 2), the COP, *inter alia*:

- adopts the 2006-2008 budget annexed to the resolution;
- increases Party contributions by 3%;
- agrees that contributions to the Trust Fund be based on the UN scale of assessments;
- requests the Secretary-General to report to SC-53 on cost-saving measures;
- requests the SC to develop further budget containment strategies including for collection of arrears; and
- agrees that all COP meetings and regular SC meetings be held in Geneva unless a host country pays the difference in costs, and that no more than two regular meetings of the SC be convened between COPs.

**STRATEGIC VISION:** On Wednesday, 13 October, the plenary considered the Strategic Vision for the Convention (Doc.10, Doc.9.1.1 and Doc.9.2.1). Delegates agreed to invite input for the Strategic Plan Working Group from relevant IGOs. The EU said the revised strategic vision should contribute to the WSSD 2010 target to significantly reduce biodiversity loss, including through improved synergy between CITES and the Convention on Biological Diversity (CBD). The US and New

Zealand said CITES-CBD synergy should be addressed by the SC. IUCN called for measurable targets and indicators, and TRAFFIC and the Worldwide Fund for Nature (WWF) for a more serious approach to monitoring of CITES performance. Delegates adopted the decision by consensus with the proposed amendments, excluding the reference to improving CITES-CBD synergy.

A summary of discussions is available online at: <http://www.iisd.ca/vol21/enb2144e.html>

**Final outcome:** In the decision (Doc.10), the COP, *inter alia*:

- extends the time validity of the Strategic Vision through 2005 and its Action Plan until the end of 2007;
- establishes a Strategic Plan Working Group as a subcommittee of the SC to develop a proposal for a Strategic Vision and Action Plan through 2013, in particular in order to contribute to the achievement of the WSSD 2010 target to significantly reduce the rate of biodiversity loss;
- invites input from relevant IGOs for the work of the Strategic Plan Working Group, particularly with respect to possible synergies; and
- decides that the SC shall submit the proposal for a Strategic Vision and Action Plan through 2013 to COP-14.

#### **COOPERATION WITH OTHER ORGANIZATIONS:**

**CITES-CBD synergy: Greater synergy:** On Tuesday, 5 October, Committee II considered a joint EU-Kenya proposal, including a draft decision, on achieving greater synergy in CITES-CBD implementation (Doc.12.1.1 (Rev.1)), based on recommendations from the Vilm Workshop on CITES-CBD cooperation and synergies, held in Germany from 20-24 April 2004. CBD Executive Secretary and UNEP delivered statements on their CITES-relevant activities. PC Chair Clemente highlighted synergies between the CBD Global Strategy for Plant Conservation (GSPC) and the PC's work. Several delegates cautioned against rushing synergy, and suggested the SC consider the Vilm Workshop's outcomes prior to their incorporation into CITES' work.

On Friday, 8 October, delegates considered a revised draft decision (Com.II.2), and discussed a review process for the Vilm Workshop's report. Some countries requested deleting references to sustainable use, the ecosystem approach, and access and benefit sharing (ABS) in a paragraph on identifying priority actions. Following a vote, delegates agreed to retain references to these concepts and to delete a specific definition of the ecosystem approach. Adoption was deferred, pending consultations between Mexico and the EU on wording related to access to genetic resources.

On Monday, 11 October, Committee II discussed a revised draft decision. New Zealand and Australia said sustainable use refers to both consumptive and non-consumptive use. Some delegates requested referring to "access to genetic resources and benefit sharing," rather than "access and benefit sharing". Delegates adopted the decision with an added footnote stating that the terms are as used in the Vilm Workshop's report. The US recorded its objection to the decision. The plenary adopted the decision without amendment. A summary of discussions is available online at: <http://www.iisd.ca/vol21/enb2138e.html> and <http://www.iisd.ca/vol21/enb2141e.html>



**Final outcome:** The decision (Com.II.17) directs the Secretariat to: review the findings and recommendations of the Vilm report to identify its most relevant aspects, in collaboration with the AC and PC Chairs; and make its conclusions available to Parties before SC-53 in order to enable them to submit comments.

The SC is directed to:

- consider the Vilm report's recommendations and identify priority actions to improve synergies between CITES and CBD in order to contribute to reaching the WSSD 2010 target considering, *inter alia*, sustainable use, the ecosystem approach and access and benefit sharing; and
- provide guidance to the SC Strategic Plan Working Group and to the Secretariat to revise, in conjunction with the CBD Secretariat, the Work Plan for Implementation of Joint Activities before COP-14.

**Sustainable Use Principles and Guidelines:** On Tuesday, 5 October, Committee II considered Namibia's proposal, including a draft resolution, to incorporate the CBD's Addis Ababa Sustainable Use Principles and Guidelines into the Secretariat's work (Doc.12.1.2). Some delegates said not all principles are directly relevant to CITES. The US and Canada said Parties should consider, within national circumstances, using the Principles and Guidelines. Israel and Australia cautioned against incorporating the sustainable use concept into non-detriment finding processes. The EU supported using the concept for non-detriment findings, but stressed that these must remain based on trade, enforcement and scientific considerations.

On Friday, 8 October, delegates considered a revised proposal, including a resolution (Com.II.3) and a decision (Com.II.4). The US opposed the resolution, and New Zealand suggested urging Parties to take note of the Principles rather than make use of them. Following a vote, delegates adopted the resolution as proposed by Namibia. Regarding the decision, delegates could not agree on a review process for the Principles and Guidelines.

On Tuesday, 12 October, Committee II considered a revised draft decision (Com.II.24). Several delegates noted that the preparation of a report on incorporating the Addis Ababa Principles and Guidelines into the Secretariat's work should not be subject to availability of external funding. New Zealand and others stressed the voluntary nature of the Principles and said the report should precede their incorporation to CITES' work. The draft decision was adopted following deletion of references to preparing a report.

The plenary adopted the resolution and decision. Stressing the voluntary nature of the Addis Ababa Principles and Guidelines, New Zealand and the US recorded their concern about incorporating them into CITES work without prior study. A summary of discussions is available online at:

<http://www.iisd.ca/vol21/enb2141e.html> and

<http://www.iisd.ca/vol21/enb2144e.html>

**Final outcome:** The resolution (Com.II.3) urges Parties to, *inter alia*:

- make use of the Principles and Guidelines for the Sustainable Use of Biodiversity, taking into account scientific, trade and enforcement considerations determined by national circumstances, when adopting non-detriment-making processes and CITES non-detriment findings;
- endeavor to ensure that their CITES Management and Scien-

tific Authorities participate in the CBD's work; and

- take measures at policy and institutional levels to ensure CITES-CBD synergy, if the Party is also party to the CBD.
- The decision (Com.II.24) directs the Secretariat to, *inter alia*:
- invite Parties to provide case studies on how the Principles and Guidelines can be used in specific cases of Appendix II species exports;
  - incorporate consideration of the Principles into its work plan, with reference to CITES non-detriment findings and capacity building; and
  - incorporate the Principles into its capacity-building programme for CITES Scientific Authorities, in cooperation with the AC and PC Chairs.

**PC Chair's report:** On Friday, 8 October, delegates approved the PC's recommendation to collaborate with the CBD GSPC (Com.II.6). The plenary confirmed the decision.

**International Whaling Commission (IWC):** On Tuesday, 12 October, Committee II considered Japan's proposal CITES listing of whales stocks and IWC. (Doc.12.2). Japan highlighted its draft resolution urging the completion and implementation of the IWC's Revised Management Scheme. Brazil, the EU, the US, New Zealand and others opposed the draft resolution, while Namibia, Saint Kitts and Nevis, and Gabon supported it. Following a secret ballot, the draft resolution did not receive a two-thirds majority and was rejected by 63 against, 57 in favor and 13 abstentions.

**Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR):** On Friday, 8 October, Committee II considered Australia's proposal to revise Res. Conf. 12.4 on CITES cooperation with CCAMLR regarding trade in toothfish (Doc.12.3). Some delegates opposed the proposal noting that CCAMLR already receives reports on toothfish fishing through the use of its catch-document from fishing nations, and that CITES should concentrate on listed species. Many countries and NGOs supported the proposal saying that reporting by CITES Parties would be useful because it would complement efforts by CCAMLR by providing better information, not only from fishing nations, but also from transshipment ports and fisheries outside the CCAMLR region. Following a vote, Australia's proposal was not adopted.

**Food and Agriculture Organization (FAO):** On Friday, 8 October, Japan presented in Committee II a document on cooperation with the FAO (Doc.12.4). SC Chair Stansell reported on progress towards a CITES-FAO Memorandum of Understanding (MoU), proposing deferring discussions until the SC has completed its deliberations. Japan said that the MoU should clarify that CITES only addresses marine species in exceptional cases.

On Tuesday, 12 October, SC Chair Stansell recommended reinstating and revising Decision 12.7 (Establishment of a CITES-FAO MoU) to reflect the current status of negotiations and enable the SC to continue its work. Delegates noted the SC Chair's report and extended the validity of Decision 12.7.

**Final outcome:** The validity of Decision 12.7 on the negotiation of a MoU between CITES and FAO was extended.

**ECONOMIC INCENTIVES AND TRADE POLICY:** On Wednesday, 6 October, Committee II considered a Secretariat's proposal for draft decisions on economic incentives and trade policy (Doc.13 (Rev.1)). New Zealand said economic incentives



must be targeted and compatible with the World Trade Organization. Some delegates said proposals for reviews of national trade policy may expand beyond CITES' mandate and are resource intensive. The EU supported seeking funds from the Global Environment Facility (GEF) to carry out the review. Regarding further work, while some delegates favored undertaking country-level work, noting that economic incentives should be designed on a case-by-case basis, others stressed the benefits of convening additional workshops on economic incentives, possibly in conjunction with the CBD. Delegates approved the proposed decisions, except the one related to convening a second workshop, with an amendment clarifying that the scope of the review is limited to wild flora and fauna-related trade policies.

On Friday, 8 October, delegates adopted a revised draft decision on economic incentives, including an added paragraph inviting Parties to provide information on their use of economic incentives to SC-53 (Com.II.7). A summary of discussions is available online at: <http://www.iisd.ca/vol21/enb2139e.html>

**Final outcome:** Regarding national wild flora and fauna trade policy reviews (Doc.13 (Rev.1)), the COP directs the Secretariat to, *inter alia*:

- review Parties' policies regarding the use of, and trade in, specimens of CITES-listed species;
- produce a report on the socioeconomic and conservation impacts of national policies for trade in CITES-listed species;
- report to the SC and COP-14;
- submit a project proposal to the GEF, and other funding institutions and development agencies, to seek financial support to prepare the reviews; and
- invite all Parties, IGOs and NGOs to provide technical assistance to conduct the reviews.

Regarding further work on economic incentives (Com.II.7), the COP directs the Secretariat to:

- invite Parties and relevant organizations to provide information on economic incentives, and report to SC-53; and
- subject to funding availability, continue its cooperation on incentive measures with the CBD Secretariat, other biodiversity-related conventions, the private sector and relevant governmental organizations, IGOs and NGOs.

#### **FINANCING THE CONSERVATION OF AND SUSTAINABLE INTERNATIONAL TRADE IN SPECIES OF WILD FAUNA AND FLORA:**

On Tuesday, 5 October, Committee II considered a review of financial mechanisms to fund conservation and sustainable international trade in wildlife species (Doc.14), highlighting the possibility of establishing a financial mechanism, such as the GEF. CITES Secretary-General Wijnstekers suggested that Parties use the objective included in CBD's Strategic Vision that no species of fauna or flora should become extinct as a result of international trade to access GEF funds. Many countries highlighted the need for a financial mechanism, such as the GEF, to support implementation of *in situ* conservation and border controls. Other countries cautioned against using the GEF, noting that it is a finite source of funding. Developed countries urged other countries to include sustainable wildlife trade in their broader development and poverty reduction strategies to access bilateral funds, and supported further work on capacity building. The plenary noted the Secretariat's report.

#### **ELEPHANT AFRICAN DIALOGUE MEETING**

**REPORT:** On Wednesday, 13 October, Committee I took note of the report of the African Elephant Dialogue meeting (Doc.15), which took place from 28-30 September 2004. MIKE said that the MIKE baseline data at a global level would not be in place before 2005, and noted a strong connection between the illegal killing of more than 4,000 African elephants per year and the ongoing unregulated domestic ivory market. The Elephant Trade Information System (ETIS) reported that the level of illegal trade in ivory is below its 1992 level. Delegates emphasized that the information from MIKE and ETIS should be considered in the context of the status of elephant populations and management capacity within range States.

#### **CONVENTION INTERPRETATION AND IMPLEMENTATION**

**REVIEW OF RESOLUTIONS:** On Wednesday, 6 October, Committee II considered a document on review of resolutions (Doc.16 (Rev.1)). Committee II adopted the suggested revisions to Res. Conf. 4.6 on deadlines for submission of documents; Res. Conf. 11.21 on Annotations to Appendices I and II; and Res. Conf. 9.11 on Interpretation and application of quotas for species included in Appendix I. Regarding the revision to Res. Conf. 5.11 on the definition of a pre-Convention specimen, delegates agreed to use the date of incorporation of a species into an Appendix as the date previous to which a specimen will be considered pre-Convention, even if for some reason that specimen in particular was not covered by the Convention at that time (for example if the country where it was located was not a CITES Party). Regarding the proposed consolidation of Res. Conf. 10.6 on control of trade in tourist souvenir specimens and Res. Conf. 12.9 on personal household effects, delegates agreed to establish a working group to consider the issue within the context of household effects and to agree on the proposed consolidation provisionally pending the outcome of discussions within this group. The plenary confirmed the proposed revisions.

**REVIEW OF DECISIONS:** On Wednesday, 6 October, Committee II approved most of the Secretariat's proposals for review of decisions (Doc.17). Regarding consolidation of Decision 9.7 (Issuance of permits) into Res. Conf. 12.3 (Permits and certificates), delegates agreed that Parties verify the origin of Appendix I species to avoid issuing export permits when use is primarily for commercial purposes and specimens do not originate in CITES-registered breeding operations. Regarding consolidation of Decision 9.31 (Reports on infractions) into Res. Conf. 11.3 (Compliance and enforcement), delegates agreed that a report on enforcement matters be submitted at each SC meeting in addition to COP meetings. The US opposed integrating Decision 9.15 (Violation of CITES by diplomats and UN troops) into Res. Conf. 12.9 (Personal and household effects), and said it would prepare a draft resolution on CITES violation by diplomats and UN troops for consideration at a later stage.

Regarding consolidation of Decisions 10.54, 10.76 and 10.86 (Trade in alien species) into a COP-13 resolution, the EU proposed that the Secretariat, in conjunction with the AC and PC, cooperate with the CBD Secretariat, in addition to the IUCN/Species Survival Commission (SSC) Invasive Species Specialist Group.



On Friday, 8 October, delegates adopted a draft resolution on trade in alien invasive species (Com.II.9), with minor amendments, including references to “alien species that are potentially invasive” rather than “alien invasive species.” On Tuesday, 12 October, delegates adopted the amended review of decisions without further amendment. A summary of discussions is available at: <http://www.iisd.ca/vol21/enb2139e.html>

**Final outcome:** The amended review of decisions and retention of Decisions 9.38 (Trade in plants), 12.79 (Museum and herbarium specimens), 12.7 (CITES-FAO MoU), and 12.90 to 12.93 (capacity building for Appendix II-species national export quotas) were adopted.

The resolution on trade in alien invasive species recommends that Parties: consider the problems of invasive species when developing national legislation and regulations dealing with trade in live animals or plants; consult with the Management Authority of a proposed country of import, when considering exports of potentially invasive species, to determine whether there are domestic measures regulating such imports; and consider opportunities for CITES-CBD synergy. The Secretariat is instructed to establish cooperation with the CBD Secretariat and the IUCN/SSC Invasive Species Specialist Group.

### REGULAR AND SPECIAL REPORTS

**REPORTING REQUIREMENTS:** On Wednesday, 6 October, Committee II considered a Secretariat’s proposal on reporting requirements (Doc.18), including the format for biennial reports. Committee II adopted the proposals without amendment.

**Final outcome:** Revised Res. Conf. 11.17 (Annual reports and monitoring trade) includes requirements for biennial reports. Revised Res. Conf. 4.6. (Submission of draft resolutions and other documents for COP meetings) requests Parties to ensure that reporting requirements are included in the annual or biennial reports to reduce the reporting burden.

New decisions (Doc.18) direct the Secretariat to: identify ways to reduce reporting burdens, and incorporate in the guidelines for annual reports specific guidance on reporting on plants, raw ivory corals and timber; and collaborate with other biodiversity-related conventions to prevent duplication in reporting requirements

**APPENDIX I SPECIES EXPORT QUOTAS:** On 4 October, Committee I considered Namibia’s and South Africa’s proposals to increase export quotas for leopard and black rhinoceros.

**Leopard:** Delegates approved Namibia’s proposal (Doc.19.1) to increase its annual export quota from 100 to 250 specimens for leopard hunting trophies and skins. Some delegates stressed the need for a precautionary approach and better international trade regulations. Delegates approved South Africa’s proposal (Doc.19.2) to increase the export quota for leopard from 75 to 150 specimens.

**Black Rhinoceros:** Delegates approved Namibia’s proposal (Doc.19.3 and Doc.19.3 Addendum) for an export quota of five black rhinoceros hunting trophies. Some delegates expressed reservations, recommending more time to set up monitoring systems.

Delegates approved South Africa’s proposal (Doc.19.4) for a hunting quota of five black rhinoceroses.

In plenary, Chad and Mali requested reopening discussions on black rhinoceros export quotas. The request was denied with a vote of 89 against, 14 in favor and 24 abstentions. The plenary adopted

the resolution (Com.I.2) with amendments approving the establishment of an annual export quota of five hunting trophies of adult male black rhinoceros from South Africa and five from Namibia, and recommending that an importing country’s Scientific Authority approves permits if it is satisfied that trophies being considered are from range States to which an export quota has been granted, and will be traded in accordance with the resolution’s provisions.

**TRADE IN VICUÑA CLOTH:** On Thursday, 7 October, the Secretariat reported to Committee II on trade in vicuña cloth (Doc.20). Many countries supported including information on trade data in annual reports, including quantity of exported fiber. Parties to the Vicuña Convention opposed repealing Res. Conf. 11.6 (Trade in vicuña cloth), noting its importance to ensure sound management of vicuñas. Delegates adopted a revised Res. Conf. 11.6 deleting special reporting requirements.

**TRANSPORT OF LIVE SPECIMENS:** On Monday, 4 October, Committee I considered draft decisions on transport of live specimens (Doc.21). Regarding a proposed MoU between CITES, the International Air Transport Association (IATA) and the World Association of Zoos and Aquariums (WAZA), the Secretariat expressed regret that IATA did not endorse the MoU, and suggested revising Res. Conf. 10.21 (Transport of live animals) to consider replacing the CITES Guidelines with IATA regulations. Delegates approved the decisions, with an amendment by Jamaica on developing recommendations regarding preparation of live animals. The plenary adopted the decisions.

### COMPLIANCE ISSUES

**NATIONAL LAWS:** On Thursday, 7 October, Committee II considered a Secretariat’s proposal on national laws for CITES implementation (Doc.22 (Rev.2)). Some delegates suggested allowing more flexibility when implementing CITES-related legislation, and proposed holding regional capacity-building workshops on legislation. Delegates discussed whether the SC could adopt commercial trade restrictions in CITES specimens for countries that do not have appropriate legislation. Delegates agreed by consensus that the SC may consider recommending the suspension of commercial trade, and adopted the decision. The plenary adopted the decisions on national laws for implementing the Convention, without further amendment.

**Final outcome:** On national laws for implementation of the Convention (Com.II.11), the decisions direct, *inter alia*:

- the Secretariat to continue with the National Legislation Project;
- Parties and dependent territories that have not yet have categorized their legislation to continue working towards this end;
- Nigeria and Paraguay to enact adequate legislation in accordance with the Action Plans agreed by SC-53;
- Parties and dependent territories to enact adequate legislation by 30 September 2006; and
- SC to consider appropriate measures including recommendations for suspension of commercial trade in CITES-listed species for Parties that do not comply with the above mentioned decisions.

**ENFORCEMENT MATTERS:** On Thursday, 7 October, Committee II considered a Secretariat’s report on CITES enforcement including the recommendations from the Enforcement



Working Group (Doc.23). The Secretariat proposed delaying adoption of a resolution on this topic until COP-14. Some Parties opposed delaying discussions, and said that some of the issues addressed in the report exceed CITES' scope. The Russian Federation said enforcement-related information from the public and NGOs should follow the procedure set forth in CITES Article XIII (International measures), and opposed submission of anonymous information. Delegates adopted the proposed decisions, adding prosecuting agencies to the directory of enforcement agencies.

On Monday, 11 October, delegates adopted a proposal by the EU to increase capacity building and training of CITES enforcement officers. On Wednesday, 13 October, Fiji, on behalf of Oceania, proposed a draft decision instructing the Secretariat to seek funding to convene a capacity-building workshop and a regional meeting before SC-54 and delegates adopted it. The plenary adopted the decisions.

**Final outcome:** The decisions (Com.II.10 and Com.II.22) request, *inter alia*: Parties to present the contact details of their national enforcement and prosecuting agencies; the SC to consider and the Secretariat to distribute this information; the Secretariat to increase capacity building and training of CITES enforcement and prosecuting officers, and convene a capacity-building workshop for Oceania and a regional meeting before SC-54 for full participation of the region in Committee meetings.

**REVISION OF RES. CONF. 11.3:** On Thursday, 7 October, Committee II considered Kenya's proposal to revise Res. Conf. 11.3 (Compliance and enforcement) (Doc.24 (Rev.1)). Kenya noted that the proposal incorporates the CITES Enforcement Expert Group's recommendations. The EU noted that enforcement issues related to Appendix I species differ from those for Appendix II species. Delegates adopted the proposal with the inclusion of prosecution authorities (Com.II.12). The plenary confirmed the revision to Res. Conf. 11.3.

**Final outcome:** Revised Res. Conf. 11.3 recommends, *inter alia*, that Parties recognize the priority of illegal wildlife trade for enforcement agencies, consider formulating national action plans to enhance CITES enforcement, and provide training to enforcement officials.

**GUIDELINES:** In Committee II on Thursday, 7 October, the EU presented a document on compliance guidelines (Doc.25), noting that since the SC had established a Working Group on Compliance the proposal was outdated and withdrew it. Some delegates said that guidelines should reflect a supportive rather than punitive approach. Committee II and the plenary took note of the Working Group's report.

### **SPECIES TRADE AND CONSERVATION ISSUES**

**GREAT APES:** On Thursday, 7 October, Committee II considered an EU proposal on the conservation of, and trade in, great apes, including a draft resolution and a draft decision (Doc.26). Uganda, supported by other range States, said the proposal does not sufficiently address, *inter alia*: linkages between poverty and conservation; costs of wildlife conservation; the importance of great apes to local communities; the human/great ape conflict; and habitat conservation. Some delegates recommended CITES-CBD cooperation on this issue. Delegates discussed the use of great apes as diplomatic gifts, with Uganda opposed to addressing it in the

resolution and some range States suggesting that the issue not be restricted to diplomatic gifts. Nigeria opposed addressing bushmeat under CITES.

On Monday, 11 October, delegates adopted a revised draft resolution (Com.II.16), deleting explicit reference to limiting use of great apes as gifts other than for captive breeding purposes, and a paragraph on eliminating sales of great apes meat.

On Tuesday, 12 October, Committee II adopted the draft decision without amendment. Plenary adopted the revised resolution (Com.II.27) and the decision without further amendment.

A summary of discussions is available at:  
<http://www.iisd.ca/vol21/enb2140e.html>

**Final outcome:** The resolution (Com.II.16) urges Parties to:

- adopt and implement comprehensive legislation, including a prohibition of all international trade for primarily commercial purposes and deterrent penalties aimed at eliminating illegal trade;
- strengthen enforcement controls, including anti-poaching measures in great ape habitats and anti-smuggling measures at international borders;
- limit the international use of great apes to nationally approved zoological institutions, education centers, rescue centers and captive-breeding centers in accordance with CITES; and
- promote the protection of great ape habitat, including cross-border cooperation between neighboring range States for contiguous habitat management, and restore such habitats.

The Secretariat is directed to, *inter alia*, develop measures, including legislative and enforcement measures and regional and subregional initiatives, to eliminate illegal trade in great apes, and assist range States for implementation.

The SC is directed to, *inter alia*, review implementation of the resolution and consider other measures such as technical missions, in cooperation with the Great Ape Survival Project (GrASP) and other appropriate partnerships, followed by political missions if necessary.

The resolution further:

- urges the Secretariat, the SC and the AC to work with GrASP and explore other conservation measures and promotion of public awareness;
- calls upon Parties to other relevant multilateral agreements such as the CBD and the Convention on Migratory Species (CMS) to cooperate with GrASP and other appropriate partnerships to develop a common conservation strategy;
- calls upon governments, IGOs, international aid agencies, and NGOs to stop illegal trade in great ape specimens and assist range States to conserve great apes, including through provision of funding, assistance with enforcement, capacity building, monitoring, habitat management and restoration, mitigation of human/ape conflict and development of projects benefiting local communities; and
- calls upon the Secretariat to collaborate with the CBD, in particular with regard to *in situ* conservation.

The decision (Com.II.27) directs the Secretariat, in consultation with the SC, to examine all Appendix I species-specific resolutions to prepare, for COP-14, a consolidated resolution on the enforcement of trade controls of Appendix I species.



**BEARS:** On Thursday, 7 October, Committee II considered a report on conservation of, and trade in, bears (Doc.27). The plenary took note of the report.

**ASIAN BIG CATS:** On Thursday, 7 October, Committee II considered a report on the conservation of, and trade in, Asian big cats (Doc.28), recommending, *inter alia*, to convene a meeting of the CITES Tiger Enforcement Task Force. Range States requested financial and technical assistance to conserve big cats. On Tuesday, 12 October, the Secretariat's draft decision was adopted without amendment.

**Final outcome:** The decision requests the Secretariat to seek external funding to convene a meeting of relevant members of the CITES Tiger Enforcement Task Force to examine, in particular, the illicit trade in Asian big cats to facilitate exchange of enforcement information and coordination of investigations.

**ELEPHANTS: ETIS and MIKE:** On Monday, 11 October, TRAFFIC reported in Committee I on ETIS and monitoring of illegal trade in ivory and other elephant specimens (Doc.29.2). He said only China has significantly improved its efforts to address law enforcement in ivory seizure. The Secretariat introduced a document on monitoring of illegal hunting in elephant range States (Doc.29.3). He said MIKE data drew attention to Africa and the need to assist range States to curb these activities. The plenary took note of the reports.

**Trade in elephant specimens:** On Monday, 11 October, Committee I considered a draft action plan for controlling trade in African elephant ivory (Doc.29.1 Annex). China and India requested that they be involved in the elephant dialogue meeting. The plenary adopted the Action Plan. A summary of discussions is available online at: <http://www.iisd.ca/vol21/enb2142e.html>

**Final outcome:** The Action Plan states that all African range States should urgently: prohibit unregulated domestic sale of ivory; issue instructions to law enforcement and border control agencies to rigorously enforce legislation; and engage in public awareness campaigns publicizing prohibitions on ivory sales.

The Action Plan further states that Parties should, by 31 March 2005, report to the Secretariat on progress made and that, in the interim, the Secretariat should work with relevant countries to provide technical assistance to implement the Plan.

The Secretariat is also directed to:

- publicize the Action Plan and make efforts to halt domestic ivory sales through contacting relevant organizations;
- seek assistance to support the eradication of illegal exports of ivory and the unregulated domestic markets that contribute to illicit trade;
- ensure that work is undertaken to assess, on a country-by-country basis, progress made in implementing the action plan; and
- report on implementation of the action plan at each SC meeting.

The Action Plan further recommends that range States cooperate with existing research projects studying the identification of ivory and that, in cases where the plan is not being implemented, a Notification to the Parties should be issued recommending that commercial trade in CITES-listed specimen not be done with the country in question.

**Illegal ivory trade and control of internal markets:** On Monday, 11 October, Committee I considered Kenya's proposal to revise Res. Conf. 10.10 (Trade in elephant specimens) and draft decisions concerning compliance with control of internal ivory trade (Doc.29.4). The proposed revisions request, *inter alia*, that Parties refrain for six years from submitting downlisting proposals and engaging in trade of raw and worked ivory.

The EU proposed asking Parties whose elephant populations are included in Appendix I to refrain for "a sufficient period" following the conditional sale of registered ivory stocks agreed at COP-12 to allow a ruling by the SC on the detrimental impact of a one-off sale. Tanzania, Botswana, Uganda, South Africa and Zambia opposed any sort of moratorium or adopting punitive measures, and, with Japan, opposed the proposal, while Mali, Chad, Liberia, Senegal and others supported it. Delegates agreed to vote on the EU-proposed paragraphs and a new paragraph instructing the SC to make necessary changes resulting from the adoption of the amendments. The proposed revisions failed to get a two-thirds majority with a vote of 53 in favor, 41 against and 32 abstentions. The three draft decisions proposed by Kenya on implementing the resolution were also defeated, by a vote of 17 in favor, 32 against and 76 abstentions. The plenary took note of the result.

**Export of registered ivory stocks:** On Monday, 11 October, Kenya withdrew its proposal on export of registered ivory stocks (Doc.29.5).

**Ivory Stocks in Burundi:** On Monday, 11 October, Committee I considered a document on ivory stocks in Burundi (Doc.29.6). Burundi drew attention to the lawsuit initiated by private ivory traders against his government. Delegates took note of the document.

**RHINOCEROS:** On Monday, 4 October, Committee I considered a document on conservation of, and trade in, rhinoceros (Doc.30 (Rev.1)), recommending repealing or amending Res. Conf. 9.14 (Rev.) (Conservation of and trade in African and Asian rhinoceros). Namibia said available information, including from the IUCN African Rhino Specialist Group, should be used in reporting. Delegates were divided on whether to repeal the resolution to alleviate the reporting burden.

A draft decision encouraging collaboration between the Secretariat and IUCN on rhinoceros conservation and trade reporting was formulated. The plenary adopted three decisions on information related to rhinoceros. A summary of discussions is available at: <http://www.iisd.ca/vol21/enb2137e.html>

**Final outcome:** The decisions (Com.I.3) direct the Secretariat to:

- invite the IUCN/SSC African and Asian Rhinoceros Specialist Groups to share information on the conservation status of rhino species, legal and illegal trade, illegal killings, and conservation and management strategies and actions; and
- submit a summary of the information for consideration at COP-14.

There are also two decisions directing range States to support the IUCN/SSC Specialist Groups in collecting and collating information, and urging Parties and other donors to provide support to the Specialist Groups for undertaking the activities.



**TIBETAN ANTELOPE:** On Thursday, 7 October, Committee II considered a report on the conservation of, and trade in, Tibetan antelope (Doc.31), recommending, *inter alia*, that some states in India stop processing Tibetan antelope wool and shahtoosh products. India opposed making reference to specific Indian states, while China proposed that the SC undertake regular reviews of trade in wool and shahtoosh products. Delegates agreed to revise Res. Conf. 11.8 (Conservation and trade in Tibetan antelope) by deleting paragraphs on tasks completed by the Secretariat, and including China's proposal. Committee II adopted a revision to Res. Conf. 11.8 on conservation of and trade in Tibetan antelope (Com.II.Rep.8).

**SAIGA ANTELOPE:** On Tuesday, 5 October, Committee I considered an EU proposal on the conservation of *Saiga tatarica* (Doc.32). CMS said two out of the four range States expressed interest in signing the MoU between CITES and CMS. A working group, chaired by Germany, was established to further discuss the issue. On Tuesday, 12 October, draft decisions from the working group were adopted by consensus.

**Final outcome:** The decisions (Com.I.6) direct range States to, *inter alia*: sign the CITES-CMS MoU on conservation, restoration and sustainable use of the saiga antelope; implement the saiga Action Plan; and encourage China to report on its saiga population and undertake conservation activities.

The Secretariat is directed to, *inter alia*:

- assist in implementing the saiga Action Plan of the MoU;
- facilitate technical assistance on trade-related aspects of saiga conservation;
- verify conservation, management and enforcement efforts and implementation of the saiga action plan; and
- identify and encourage action from consumer and trading countries of saiga parts and derivatives.

In addition, the decisions direct the SC to recommend action on saiga conservation and trade between SC-53 and COP-14, and direct Parties to report to the Secretariat on saiga stockpiles and steps taken to control their trade, and assist range States and consumer countries in saiga conservation.

**TORTOISES AND FRESHWATER TURTLES:** On Tuesday, 5 October, Committee I considered a report on the conservation of, and trade in, tortoises and freshwater turtles (Doc.33), including a proposed format for reporting progress on implementation of Res. Conf. 11.9 (Conservation of, and trade in, tortoises and freshwater turtles) and two draft decisions. Delegates agreed to use biennial reports instead of maintaining separate reporting requirements in order to reduce reporting burdens, and retained the proposed reporting format. Noting redundancies between existing resolutions and the draft decision on transportation of species in compliance with IATA guidelines, the US and Australia proposed incorporating these decisions into Res. Conf. 11.9.

On Monday, 11 October, Committee I approved the proposed revisions to Res. Conf. 11.9 and draft decisions, which were subsequently adopted in Plenary.

**Final outcome:** The revised Res. Conf. 11.9 (Com.I.5) urges Parties to:

- encourage NGOs to develop, produce and distribute posters and other educational materials, and facilitate the compilation, dissemination and translation into local languages of infor-

mation;

- ensure that shipments are transported in compliance with relevant IATA guidelines; and
- facilitate developing partnerships between NGOs and other bodies to develop and operate rescue centers for seized or confiscated tortoises and freshwater turtles in cooperation with range States and relevant government agencies.

The decisions direct the Secretariat to, *inter alia*, submit a written summary of information on implementing Res. Conf. 11.9 contained in biennial reports at COP-14, liaise with the World Customs Organization (WCO) to promote headings within the tariff classifications of the Harmonized System for tortoises and freshwater turtles, and ensure that proceedings of the technical workshop on tortoises and freshwater turtles, held in 2002, be made available to the general public via the CITES website.

**HAWKSBILL TURTLE:** On Tuesday, 5 October, Committee I considered a document on the conservation of the hawksbill turtle (Doc.34). Several delegates expressed disappointment with the Secretariat's report, which they said implied a lack of interest on the issue in the region, and supported addressing the issue at COP-14. On Friday, 8 October, Committee I adopted revised draft decisions on the conservation of hawksbill turtles.

**Final outcome:** The decisions (Com.I.2) request the Secretariat to: arrange one meeting of the wider Caribbean region on the hawksbill turtle to facilitate regional collaboration and cooperation with other multilateral agreements; and report on the regional conservation strategy and national management plans at COP-14. The Parties are requested to, *inter alia*: further develop a collaborative regional conservation strategy; implement the strategy in collaboration with multilateral environmental agreements; adopt standard monitoring protocols; and implement measures to reduce illegal hawksbill turtle catch and trade. The decision also calls on governments, IGOs and NGOs to provide funds for implementation of the Caribbean regional hawksbill strategy.

**SHARKS:** On Tuesday, 5 October, Committee I considered a document on the conservation and management of sharks (Doc.35). AC Chair Althaus highlighted the AC's review on progress in implementing the FAO International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks). The US introduced an information document (Inf.35) supporting an FAO technical consultation of experts on sharks. Norway, Japan and Iceland rejected the AC's draft decisions, stressing that sharks should be considered within FAO. Germany, Australia and the IUCN stressed the legitimate responsibility of CITES in shark conservation and management. Canada said the AC's draft decisions are beyond CITES' mandate to regulate trade in endangered species. A working group on sharks was established to amend the draft decisions.

On Tuesday, 12 October, New Zealand, Chair of the sharks working group, presented revised decisions. Japan and Singapore rejected the decision on stricter domestic measures for CITES-listed sharks. Following a vote, delegates maintained the decision asking the AC to identify cases where trade is having an adverse impact on sharks (71 in favor, 24 against and 28 abstentions). The draft decisions were adopted without reference to stricter domestic measures.



**Final outcome:** The decisions (Com.I.7) direct, *inter alia*: the AC to review implementation of CITES-listed shark issues, and identify trade cases adversely impacting sharks; and Parties to consider convening a workshop on shark conservation and management via their FAO delegations at the 26th session of the FAO's Committee on Fisheries; improve data collection and reporting to FAO of catches, landings and trade of sharks; and seek assistance from FAO or other organizations to build management capacity.

**DISSOSTICHUS SPECIES:** On Thursday, 7 October, Committee II considered a report on the conservation of, and trade in, *dissostichus* (toothfish) species (Doc.36 (Rev.1)). Delegates took note of the report.

**STURGEONS:** On Tuesday, 5 October, Committee II considered a proposal to revise Res. Conf. 12.7 (Conservation and trade in sturgeons and paddlefish) (Doc.65), noting a lack of clear deadlines and mechanisms to ensure compliance by range States and proposing to include deadlines for the publication of quotas, for the submission of information to the Secretariat and for the authorization of exports. A working group was established.

On Tuesday, 12 October, Romania, sturgeon working group Chair, presented a draft revision of Res. Conf. 12.7 and draft decisions (Com.II.19 and Com.II.30). Some countries, opposed by the Russian Federation, supported recommending that range States, starting in 2006, export all caviar stocks before the end of the year when they were harvested, allowing the 2004 harvest to be sold up to 31 March 2005. Iran proposed that the Secretariat only confirm that quotas have been agreed by all relevant range States by 30 November of the preceding year. Committee II adopted the drafts with these amendments. The plenary adopted the revised version of Res. Conf. 12.7 and the draft decisions. The Russian Federation, Ukraine, Bulgaria and China expressed their reservations.

**Final outcome:** The revisions to Res. Conf. 12.7 (Com.II.19) state that: Parties intending to authorize exports of shared stocks should inform the Secretariat by 31 January of every year the nature and quantities of specimens held in stock; in 2005, all remaining stocks of caviar should be exported by 31 March at the latest; and from 2006 onward, all caviar must be exported before the end of the quota year in which it was harvested and processed.

In the decisions (Com.II.19 and Com.II.30), Parties are directed to, *inter alia*, consider the feasibility of establishing a database on trade in sturgeon, and where possible, submit a proposal to the SC for a pilot project on this issue and report on its outcome.

**SEA CUCUMBERS:** On Tuesday, 5 October, Committee I considered the AC report and proposed draft decisions on trade in sea cucumbers (Doc.37.1). Noting that the AC had not been able to complete its task of producing a discussion document on biological and trade status of sea cucumbers for COP-13, AC Chair Althaus proposed the AC continue addressing the issue based on guidance from the COP. Ecuador introduced its proposed draft decisions on implementing Decision 12.60 (Sea cucumbers) (Doc.37.2), which call for extending the deadline in preparing the discussion paper until COP-14, and ask the Secretariat to assist in obtaining supporting funds to this end. Some delegates said it was premature to adopt the AC's proposed decisions before completing the discussion document, and supported Ecuador's proposal to extend the deadline to COP-14. Indonesia, China, Japan, Cuba and others said

sea cucumbers are a fisheries management issue, best addressed by the FAO or national or regional fisheries organizations. Delegates agreed on Ecuador's proposal to extend the deadline until COP-14 and in plenary delegates adopted decisions on implementing Decision 12.60.

**Final outcome:** The decisions (Doc.37.2) direct:

- the AC to review the proceedings of the workshop on the conservation of sea cucumbers and the forum on Advances in Sea Cucumber Aquaculture and Management, and to prepare for COP-14, a discussion paper on the biological and trade status of sea cucumbers in the families *Holothuriidae* and *Stichopodadae*; and
- the Secretariat to assist in obtaining funds to support the preparation of the AC's discussion paper.

**STONY CORAL:** On Wednesday, 13 October, in Committee I, AC Chair Althaus agreed to withdraw the document on stony coral trade (Doc.38), given that the UK and the EU proposals to analyze the Parties' interpretation of fossil coral exemptions were approved instead. The plenary noted the withdrawal of the document.

**BIGLEAF MAHAGONY:** On Wednesday, 6 October, Committee I considered the report of the Bigleaf Mahogany Working Group (Doc.39). Several range States said the Working Group should continue its work while PC Chair Clemente stressed the need to secure funding for it. The EU said the PC's priority actions on bigleaf mahogany should be extended to importing countries. On Wednesday, 13 October, Committee I adopted the draft decisions based on the Working Group's outcome.

**Final outcome:** The decisions (Com.I.4) direct, *inter alia*: the working group to continue its work under the PC; Parties to prepare and adopt mahogany management plans at national and sub-regional levels, conduct forest inventories, and share information via regional workshops and capacity building programmes; and the PC to present a progress report made by the working group at COP-14.

#### REVIEW OF SIGNIFICANT TRADE EVALUATION

**(RST):** On Wednesday, 6 October, Committee I considered proposed ToR for the RST evaluation (Doc.40). Malaysia proposed adding text on financial assistance and capacity building for implementation, and deleting language on monitoring and review. The EC, Chair of the ToR working group, suggested reflecting that the ongoing monitoring and reviewing process should take into account differing points of view as to where authority should lie. The ToR were approved with these amendments.

**Final outcome:** The ToR for RST evaluation (Doc.40) sets out the objectives, including: evaluating the contribution of RST; assessing impact over time; formulating recommendations in view of the results of the evaluation and the impact assessment; and preparing a document on the review of RST for the first appropriate COP.

The ToR also explain the process for the evaluation. The evaluation should include, *inter alia*: assessment activities, which are outlined in the ToR; case studies of a representative range of species and countries subject to recommendations to assess subsequent short- and long-term changes; and an analysis of the information to assess the effectiveness and costs and benefits of the RST, by looking at costs, duration, and means to improve the contribution it can make to the Convention's objectives.



## TRADE CONTROL AND MARKING ISSUES

**INTRODUCTION FROM THE SEA:** On Friday, 8 October, Committee II considered a US proposal on the interpretation of “introduction of specimens from the sea” (Doc.41), to conform to the UN Convention on the Law of the Sea (UNCLOS), and revise Res. Conf. 12.3 (Permits and certificates) in order to adapt it to fishing practices. Some countries objected to the proposal, noting that this decision was premature and that there was a need for further discussion. Others emphasized urgency in addressing the issue.

On Tuesday, 12 October, the US presented a revised draft resolution and decision (Doc.41 Annex 2 (Rev.1) and Com.II.15). While the EU supported the proposal, Australia and the Russian Federation opposed, noting that terms used under CITES must be consistent with UNCLOS and not seek to reinterpret its concepts. Other countries opposed the proposal, stressing that fishery bodies, in particular the FAO, are the appropriate fora to consider the issue. The US withdrew its proposal to revise Res. Conf. 12.3.

Delegates also considered draft decisions, which, *inter alia*, instruct the SC to convene a workshop on introduction from the sea to consider implementation and technical issues, taking into account relevant FAO expert consultations. Japan opposed the decision. Following a vote, the draft decisions were adopted. In Plenary, Iceland proposed, and delegates voted against, reopening the debate. The decisions were adopted.

**Final outcome:** The decisions (Com.II.15) instruct the SC to convene a workshop on introduction from the sea to consider implementation and technical issues, taking into account the two FAO expert consultations on this issue.

**COMMERCIAL TRADE IN APPENDIX I SPECIES:** On Monday, 11 October, Committee II considered Israel’s proposal on commercial trade in Appendix I species (Doc.42) aimed at amending the definition of “primarily commercial purposes” to prevent loopholes in CITES implementation. Many delegates opposed the proposal, noting that it would impact legitimate trade in Appendix I species for primarily non-commercial purposes. Some expressed concerns regarding potential impacts on range States. The US, supported by the EU, proposed alternative language requesting the SC to perform a review of trade in Appendix I species (Doc.Inf.61). Supporting an SC review, Israel withdrew its proposal. Mexico proposed to include in the review the identification of existing exemptions. Committee II adopted the US proposal with this amendment.

**Final outcome:** The decision (Doc.Inf.61, as amended) directs the SC to perform a review of trade in Appendix I species including the identification of existing exemptions.

**MANAGEMENT OF ANNUAL EXPORT QUOTAS:** On Monday, 11 October, Committee II considered the Secretariat’s proposals regarding the management of annual export quotas (Doc.43). Cameroon, Export Quota Working Group Chair, noted progress towards developing guidelines on the topic, and requested reinstating Decisions 12.90 to 12.93 (Capacity building for Appendix II species export quotas), and delegates agreed. Delegates also agreed on the deletion of Decisions 12.17 and 12.18 (Export Quota Working Group) and on the revision of Decision

12.72 (Management of annual export quotas) to request the SC to consider improving annual export quotas management and to report to COP-14.

The plenary adopted the Committee’s recommendations, and adopted a new decision requesting the SC to instruct the Export Quota Working Group to develop guidelines on the establishment of, implementation of, monitoring of and reporting on national export quotas for CITES-listed *taxa* (Com.II.29).

**CITES CERTIFICATES:** On Friday, 8 October, Committee II adopted the Secretariat’s proposal aimed at simplifying use of CITES certificates with international transport of goods documentation (ATA or TIR carnets) (Doc.44), with minor amendments. The plenary adopted the proposed revisions to Res. Conf. 9.7 (Transit and transshipment) and 12.3 (Permits and certificates), without further amendment.

**Final outcome:** Revised Res. Conf. 9.7 states that: the phrase “transit or transshipment of Specimens” also refers to cross-border movements of sample collections of specimens that comply with the provisions of section XV of Res. Conf. 12.3 and are accompanied by an ATA carnet; and that the ultimate destination of the shipment shown on valid export documentation must, in the case of a sample collection, be the country of issuance. The resolution urges all Management Authorities to communicate with customs and other competent CITES enforcement officials to ensure that all CITES shipments traveling on ATA or TIR carnets comply with the applicable provisions of CITES.

Revised Res. Conf. 12.3 includes a new section on documents for sample collections covered by ATA carnets, which, *inter alia*, recommends that sample collections, as defined in the section, be considered “in transit” and entitled to the special provisions set out in Res. Conf. 9.7, on several conditions, including that the number of the accompanying ATA carnet be recorded, if necessary, by customs or other CITES enforcement officials responsible for the endorsement of the CITES document.

**ELECTRONIC PERMITTING SYSTEMS:** On Friday, 8 October, Committee II considered an EU proposal on electronic permitting systems for CITES specimens (Doc.45). The US suggested involving the World Customs Organization (WCO). Many countries drew attention to the technical and capacity-building needs of developing countries. Chair Brasher asked the EU to revise its proposal to include these changes.

On Tuesday, 12 October, Chair Brasher read out the amendments proposed by the EU and Committee II adopted the decisions with the proposed amendments.

**Final outcome:** The decisions (Doc.45, as amended) were adopted to, *inter alia*, instruct the SC to establish a working group to explore the use of information technology and electronic systems to enhance the implementation of CITES and to include the WCO.

**RETROSPECTIVE ISSUANCE OF PERMITS:** On Monday, 11 October, Committee II considered an EU proposal for revision of Res. Conf. 12.3 (Permits and certificates) regarding retrospective issuance of permits (Doc.46). The US requested: deleting references to exceptional extenuating circumstances; adopting penalties and restrictions on subsequent sales within six months; and, opposed by Switzerland and the EU, limiting the retrospective issuance of permits to personal items. Following



informal consultations, delegates adopted the proposal by consensus, as amended by the US, and with added reference to personal and household effects including live pets traveling with their owners (Com.II.28).

The plenary confirmed the revisions to Res. Conf. 12.3, with an additional paragraph noting that the discretion to issue permits and certificates retrospectively not be afforded to repeat offenders.

**Final outcome:** Revised Res. Conf. 12.3 (Com.II.28) recommends that exceptions to the non-issuance or acceptance of retrospective permits only be made with regard to Appendix II and III specimens, only where the Management Authorities of both the exporting and importing countries are satisfied that, *inter alia*, the irregularities that have occurred are not attributable to the (re-)exporter or the importer or, in the case of specimens imported or re-exported as personal or household effects (including live pets traveling with their owner); the Management Authority, in consultation with the relevant enforcement authority, is satisfied that there is evidence that a genuine error has been made and that there was no attempt to deceive. It further recommends that, whenever exceptions are made, the reasons for the relaxation are listed in the biennial report to the Secretariat, and urges Parties, where retrospective permits are issued for personal effects, to make provisions for penalties and restrictions on subsequent sales within the following six months to prevent abuse.

**SOURCE CODE 'R':** On Monday, 11 October, following agreement to establish a working group on production systems that would address the definition of ranching, the US withdrew its proposal regarding the definition of the source code 'R' for ranched specimens (Doc.47). The plenary took note of the withdrawal.

**MARKS AND NUMBERS:** On Monday, 11 October, Committee II considered the US proposal to revise Res. Conf. 12.3 (Permits and Certificates) in order to allow the use of marks and numbers *in lieu* of the bill of lading numbers for CITES export and re-export documents for timber species (Doc.48). Some countries stressed that marks can be erased upon shipping, and that monitoring and control would be very complex. The proposal was withdrawn.

**PRODUCTION SYSTEMS:** On Monday, 11 October, Committee II considered a US proposal to establish a working group on production systems for specimens of CITES-listed species (Doc.49 Annex I). Regarding the group's ToR, the EU requested including the definition of ranching. Australia said the definition of ranching should be considered within the context of previous resolutions. Committee II adopted the US proposal, including the definition of ranching in the group's ToR.

**Final outcome:** The decision (Doc.49) establishes an intersessional working group between the AC and PC on production systems for CITES listed species.

**PLANTS SPECIMEN EXEMPTIONS:** On Monday, 11 October, Committee II considered Switzerland's proposal to: standardize language on export permits for plants imported under a CITES exemption and later falling within CITES' scope (Doc.50); revise Res. Conf. 11.11 (Regulation of trade in plants); and revise Res. Conf. 12.3 (Permits and certificates). The EU suggested, and others opposed, issuing a re-export permit in cases where a specimen ceases to qualify for CITES exemptions. Mexico suggested

including the type of exemption in the export permit and, if known, the country of origin. Committee II adopted the proposal as originally drafted with added reference to the type of exemption.

**Final outcome:** The revision to Res. Conf. 11.11 (Regulation of trade in plants) (Com.II.26) establishes that when a specimen ceases to qualify under a CITES exemption it is deemed to originate in the country where it is located. The revision to Res. Conf. 12.3 (Permits and certificates) establishes that the country of origin of a specimen will be that where it is located when it ceases to qualify for an exemption and adds a reference identifying the exemption.

**REVIEW OF PLANT RESOLUTIONS:** On Wednesday, 6 October, Committee I considered a US proposal on reviewing resolutions on plants and plant trade, and the definition of "artificially propagated" (Doc.51), including revisions to Res. Conf. 11.11 (Regulation of trade in plants). Regarding the definition of "artificially propagated," the US opposed an alternative definition proposed by Chile allowing some Appendix I plants grown from wild-collected seeds to be considered as artificially propagated and, with Canada and the EU, suggested that such species be considered under ranching provisions. Many delegates supported Chile's definition, indicating that for some species, artificially propagated seeds collected from Appendix I species can be useful for conserving wild populations. A drafting group was established to revise the proposal.

Delegates agreed to recommendations from the PC on *Aquilaria spp.* and *Harpagophytum spp.* species (Doc.9.2.1).

The plenary adopted revisions to Res. Conf. 11.11 and decisions regarding artificially propagated plants, as well as decisions referred by the PC on *Aquilaria spp.* and *Harpagophytum spp.*

**Final outcome:** The revised Res. Conf. 11.11 (Com.I.10) recommends that an exception may be granted and specimens deemed to be artificially propagated if grown from wild-collected seeds or spores only if, for the taxon involved, *inter alia*:

- establishing a cultivated parental stock presents difficulties;
- seeds or spores are collected from the wild and grown under controlled conditions within a range State;
- the relevant Scientific Authority determined that collecting seeds or spores was not detrimental to the survival of the species and allowing trade has a positive effect on the conservation of wild populations; and
- limiting collection of seeds allows regeneration of the wild population, a portion of the plants of the plants produced is used to establish plantations, and a portion of the plants is used for replanting in the wild.

The decisions on artificially propagated plants (Com.I.9) direct: the PC to monitor the effects of implementing the revised definition of "artificially propagated" contained in Res. Conf. 11.11; and the Secretariat to consider the revised definition of "artificially propagated" and make only necessary changes in Res. Conf. 9.19 (Guidelines for registering nurseries exporting artificially propagated specimens of Appendix I species) to remove inconsistencies between the two resolutions. The decision on *Aquilaria spp.* (Doc.9.2.1) directs the Secretariat to invite the IUCN to reevaluate the threatened status of all agarwood-producing *taxa* according to



the 2000 IUCN criteria. The decision on *Harpogophytum spp.* directs the PC to decide on what action is required for outstanding reports from the importing countries of *Harpogophytum spp.*

**DEFINITION OF PLYWOOD:** On Monday, 11 October, Committee II considered a US proposal to revise Res. Conf. 10.13 (Timber species) to include a definition of plywood of *Swietenia macrophylla* (Doc.52). Committee II adopted the proposal without amendment.

**DISPOSAL OF SPECIMENS:** On Tuesday, 12 October, Committee II considered Kenya's proposal to broaden the scope of Res. Conf. 9.10 (Disposal of illegally traded, confiscated and accumulated specimens) to dead specimens of species listed under the three Appendices (Doc.53). Some delegates suggested that guilty importers should also cover disposal and returning costs for Appendix I species. Others said financial assistance to facilitate return of live specimens in absence of legislation should not only come from NGOs and should also be sought for return of Appendix I species. Delegates approved the proposal with these and editorial amendments.

**Final outcome:** Regarding the disposal of illegally traded, confiscated and accumulated specimens of Appendix I species, revised Res. Conf. 9.10 recommends that Parties transfer dead specimens, including parts and derivatives, only for *bona fide* scientific/educational or enforcement/identification purposes, and save in storage or destroy those excess specimens whose transfer for these purposes is not practicable.

Regarding the disposal of illegally traded, confiscated and accumulated specimens of Appendices II and III species, the resolution recommends that confiscated dead specimens, including parts and derivatives, be disposed of in the best manner possible.

The revised resolution confirms that Parties have the right to allow or, should they choose to do so, not to allow the sale of confiscated dead specimens, including parts and derivatives, of Appendix II and III species.

Irrespective of the Appendix listing, the resolution recommends that Parties:

- adopt legislation to require the guilty importer and/or the carrier to meet the costs of confiscation, custody, storage, destruction and disposal, including returning specimens to the country of origin or re-export; and
- where such legislation does not exist and the country of origin or re-export wishes the live specimens to be returned, financial assistance be sought to facilitate the return.

**IDENTIFICATION MANUAL:** On Wednesday, 13 October, the Secretariat introduced, and delegates noted, in Plenary the Identification Manual (Doc.54 (Rev.1)). He added that future activities include the conversion of all published sheets on mammals in electronic format has been completed in English, but other progress has been slowed due to a significant reduction in the identification manual budget at COP-12.

#### EXEMPTIONS AND SPECIAL TRADE PROVISIONS

**PERSONAL EFFECTS: Amendments to Res. Conf. 12.9:** On Tuesday, 12 October, Committee II considered China's proposal to amend Res. Conf. 12.9 (Personal and household effects) (Doc.55.1 (Rev.1) and Annex). Some countries opposed requiring export permits for all household effects as a general rule, noting that it reverses the Principle included in CITES Article VII

that excludes most household effects from CITES regulations. Delegates suggested amendments to: maintain that, as a general rule, household effects are excluded from CITES regulations. Delegates adopted the proposal with the amendments proposed.

**Amendments to Res. Conf. 12.9:** On Tuesday, 12 October, Committee II considered an EU proposal to revise Res. Conf. 12.9 (Doc.55.2 (Annex I) and Com.II.18) to set quantitative limits for dead corals and giant clams' shells, and a draft decision to develop a process for consideration of specimens of personal and household effects of Appendix II species. Regarding corals, many countries noted that the proposal could have a negative impact on their conservation efforts. The EU withdrew its proposal on dead corals, noting that the SC should address the issue. Regarding giant clams' shells, Committee II agreed to increase the number of giant clam specimens eligible for exemption to three. Regarding a process to consider additions to the list of exemptions (Doc.55.2 Annex 2), the US requested, *inter alia*, adding a reference to quantitative limits that may be necessary for exemption and setting a timeframe to define the process. Committee II adopted the decision as amended. Plenary adopted the revision to Res. Conf. 12.9 and the decision.

**Amendments to Resolution Conf. 12.9:** On Tuesday, 12 October, delegates adopted an Australian proposal limiting exemptions for *hippocampus spp.* to four specimens per person.

**Final outcome:** Revised Res. Conf. 12.9 (Doc.55.3, as amended orally) includes:

- preambular paragraphs referring to CITES articles on household effects and stricter domestic measures;
- provisions stating that Parties shall require export permits for personal or household effects when they have been advised by the Secretariat that the Party requires an export permit;
- that a country's relevant information on household effects regulations should be included in the CITES website;
- an increase in the number of giant clam specimens eligible for exemption to three; and
- a limit of four specimens per person in the exemptions for *hippocampus spp.*

The decision sets a process for consideration of specimens of personal and household effects of Appendix II species by COP-14, including the need to have quantitative limits set to allow exemptions.

**REGISTRATION EVALUATION:** On Wednesday, 6 October, Committee I considered the document on evaluation of registration of operations that breed Appendix I species in captivity for commercial purposes (Doc.56.1). Many delegates supported the AC's recommendations on improving the registration system contained in Res. Conf. 12.10 (Registration for Appendix I species breeding), but opposed the Secretariat's suggestion that the registration system might not be needed. Australia opposed the recommendation that the SC examine trade in Appendix I species from non-registered operations. A working group was established to incorporate the AC's recommendations into Res. Conf. 12.10, with the exception of the recommendation to refer discussion on trade of non-registered operations to the SC. The plenary adopted revisions to Res. Conf. 12.10.



**Final outcome:** The revisions to Res. Conf. 12.10 (Com.I.8) urge that: Management Authorities work closely with captive-breeding operations to prepare the information required; and Parties provide incentives to their captive-breeding operations to register. The revised resolution also encourages: Parties to provide application forms to operations that wish to be registered; and importing countries to facilitate import of Appendix I species from registered captive-breeding operations.

Provisions were added to the annexes stating that where actual documentation is difficult to obtain, the Management Authority may accept signed affidavits supported by other documents until COP-14 and on disseminating details of the specific marking method used by the registered captive-breeding operation.

**Applications to Register Operations:** No applications to register operations that breed Appendix I animal species for commercial purposes were submitted.

**Relationship between *ex situ* Breeding and *in situ* Conservation: AC Report:** On Wednesday, 6 October, Committee II considered the AC's report (Doc.56.3.1). Some countries highlighted concerns about ABS implications. On Friday, 8 October, Committee II adopted a decision on the relationship between *ex situ* breeding and *in situ* conservation, directing the SC to decide on the appropriate way to continue consideration of this issue (Com.II.1). The plenary adopted this decision.

**Relationship between commercial *ex situ* breeding operations and *in situ* conservation of Appendix I species:** On Wednesday, 6 October, Committee II considered Mexico's proposal to adopt a resolution aimed at encouraging cooperation between Parties with *ex situ* breeding operations and those with *in situ* conservation programmes (Doc.56.3.2). Many countries supported the proposal and others suggested including a reference to ongoing negotiations on ABS in the CBD.

On Monday, 11 October, Mexico introduced a revised draft resolution, noting an additional reference to CBD Decision VII/19 on the negotiation of an ABS regime. Committee II adopted the resolution. The plenary adopted the resolution, and Brazil noted that the CBD is the competent forum to deal with ABS of genetic resources.

**Final outcome:** The resolution (Com II.13), *inter alia*, encourages Parties with *ex situ* operations that breed Appendix I animal species or artificially propagated Appendix I plant species to seek cooperative measures that would support *in situ* conservation based on resources generated by those captive breeding operations.

The decision directs the SC to decide on an appropriate way to continue analyzing the relation between *ex situ* breeding and *in situ* conservation.

**CRITERIA FOR AMENDMENT OF APPENDIX I AND II:** On Wednesday, 6 October, Committee I considered a proposal on criteria for amendment of Appendices I and II (Doc.57), revising Res. Conf. 9.24 (Criteria for amendment of Appendices I and II). Norway and Senegal supported deleting a paragraph referring to the precautionary approach, as proposed by the Secretariat, while several NGOs, supported by Argentina, preferred retaining the paragraph. The proposed revision of the resolution was accepted by consensus with the addition of the Secretariat's recommendations to, *inter alia*, remove the criterion to include species

that may satisfy the biological criteria for Appendix I within a period of five years. On Thursday, 14 October, the plenary adopted the revision of Res. Conf. 9.24 with minor amendments.

**Final outcome:** Revisions in criteria to include species in the Appendices (Doc.57, as amended) refer to, *inter alia*, a definition of species decline for commercially exploited aquatic species in Appendix I and II; a decrease in habitat area as criteria for listings in Appendix I; a criteria to include species in Appendix II when regulation is necessary to avoid Appendix I-listing; and consideration of the ease with which plant species can be propagated artificially in uplisting proposals in special listings.

**ANNOTATIONS FOR MEDICINAL PLANTS:** On Thursday, 7 October, Committee I considered a document on annotations for medicinal plants in the appendices (Doc.58). Many delegates supported the PC's main principles on drafting future annotations for medicinal plants. The Secretariat requested that preparation of a glossary and training material for the amended annotations should be subject to funding availability. Namibia suggested including both medicinal and ornamental trade within the document's main principles. Switzerland clarified that the supervisory group reviewing the annotations was aware of species traded for more than one purpose. Delegates approved the incorporation of these main principles into the decisions.

**Final outcome:** Delegates adopted decisions directing, *inter alia*: the PC to focus on commodities that first appear in international trade and that dominate the trade and demand for the wild resource when drafting future annotations for medicinal plants; and the Secretariat to prepare a glossary and training material that illustrate and visualize the amended annotations and their practical application during enforcement pending funding availability.

**STANDARD NOMENCLATURE: Birds:** On Thursday, 7 October, Committee I discussed Mexico's proposal on standard nomenclature for birds (Doc.59.1), requesting Parties to return to the original taxonomic reference for *Psittaciformes* and *Trochilidae* to conform to internationally accepted taxonomic reference and to avoid split-listing, particularly for *Amazona ochrocephala*. Several Parties opposed, noting that taxonomic changes would have impacts on national legislation and databases. The US and New Zealand suggested referring this issue to the NC for review.

On Friday, 8 October, Mexico proposed, and delegates agreed to, text directing the NC to review standardized nomenclatures for all bird species listed in Appendices for COP-14. The plenary took note of the text.

**Chamaeleo excubitor:** On Thursday, 7 October, Committee II considered Kenya's proposal recognizing *Chamaeleo excubitor* as a separate species (Doc.59.2). Noting that this is not a separate species, the EU suggested, and delegates agreed, referring the issue to the NC.

**BUSHMEAT: Bushmeat Working Group:** On Tuesday, 12 October, Committee II considered the Bushmeat Working Group's outcomes (Doc.62.1 (Rev.1)), highlighting that the issue touches upon matters beyond CITES' mandate and may be better addressed by other organizations. The Republic of Congo, Bushmeat Working Group Chair, emphasized that the group's work enabled Central African countries to adopt relevant action plans, and with the support of others, proposed to continue working within CITES. The Secretariat then proposed a series of amendments to reflect that



the recommendations contained in the proposed resolution were meant to be advice to Parties. Delegates adopted a resolution and two decisions.

**Bushmeat:** On Tuesday, 12 October, Committee II considered an EU proposal on bushmeat (Doc.62.2), including a decision requesting the CITES Secretariat to work with the FAO and the CBD and an invitation for FAO to convene an international workshop. Delegates adopted the decision.

**Final outcome:** The resolution (Doc.62.1(Rev.1) advises Parties to, *inter alia*, prohibit the offtake of Appendix I species for consumption as food and to encourage sustainable offtake of Appendix II and III species; identify alternative sources of protein and other measures to reduce the demand for bushmeat.

The decisions (Doc.6.2.1(Rev.1) and Doc.6.2.2), *inter alia*, direct Parties to continue the working group renamed "Central Africa Bushmeat Working Group" that will report through the Secretariat to COP-14, and invite the FAO to convene a workshop to facilitate the development of an action plan to tackle the socio-economic and environmental issues associated with the unsustainable trade in bushmeat.

#### CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

From Thursday, 7 October, to Tuesday, 12 October, Committee I considered proposals for amendment of Appendices I and II. Proposals are adopted by a two-thirds majority vote of Parties present at a COP.

**INTERPRETATION SECTION:** Following much opposition, the EU withdrew its proposal to include a paragraph in the interpretation section of the Appendices (Prop.1), which would have exempted from the Convention's provisions: *in vitro* cultivated DNA that does not contain any part of the original from which it was derived; cells or cell lines cultivated *in vitro*; urine and feces; medicines and other pharmaceutical products; and fossils.

Switzerland also withdrew its proposal to include a paragraph in the interpretation section of the Appendices (Prop.2), which would have exempted from the Convention *in vitro* cultivated DNA that does not contain any part of the original; urine and feces; synthetically produced medicines and other pharmaceutical products; and fossils.

**IRRAWADDY DOLPHIN:** Noting that destruction of the species' habitat poses a greater threat than international trade, Thailand's proposal to uplist *Orcaella brevirostris* from Appendix II to Appendix I (Prop.3) was adopted by secret ballot with 73 in favor, 30 against and 8 abstentions.

**MINKE WHALES:** Japan's proposal to downlist the Okhotsk Sea West Pacific Stock, the Northeast Atlantic Stock and the North Atlantic Stock of minke whale (*Balaenoptera acutorostrata*) from Appendix I to Appendix II (Prop.4) was rejected by secret ballot with 63 against, 57 in favor and 13 abstentions.

**BOBCAT:** The US withdrew its proposal to delete *Lynx rufus* from Appendix II (Prop.5), requesting that the SC consider the issue in its periodic review of the Appendices for look-alike species for the genus *Lynx*.

**LION:** Kenya withdrew its proposal to uplist *Panthera leo* from Appendix II to Appendix I (Prop.6).

**AFRICAN ELEPHANT:** Namibia introduced its proposal to amend annotation #604 regarding its Appendix II-listed population of *Loxodonta Africana* to include: an annual export quota of 2000 kg of raw ivory accumulated from natural mortalities; trade in worked ivory products; and trade in elephant leather and hair goods for commercial purposes (Prop.7), with delegates agreeing to address the amendments separately. Delegates rejected establishing an annual export quota by a vote of 31 in favor, 59 against and 20 abstentions, and rejected an annotation allowing for trade in individually marked and certified worked ivory amulets (*ekipas*) with a vote of 35 in favor, 54 against and 23 abstentions. The amendment to include trade in leather and goods for commercial purposes was adopted by consensus.

Namibia reopened discussion in Plenary on worked ivory, revising the annotation to include trade in individual marked and certified *ekipas* for non-commercial purposes as opposed to commercial purposes. Delegates voted by secret ballot, with 71 in favor, 23 against and 35 abstentions. Namibia's amended annotation was adopted. The maintenance of South Africa's population of *Loxodonta Africana* in Appendix II, with an annotation allowing for the commercial trade in leather products (Prop.8), was adopted by consensus.

**SOUTHERN WHITE RHINOCEROS:** Swaziland's proposal to downlist its population of *Ceratotherium simum simum* from Appendix I to Appendix II for the exclusive purpose of allowing international trade in live animals and hunting trophies (Prop.9) was approved with 88 in favor, 15 against and 21 abstentions. Delegates agreed to include in the report of the meeting Swaziland's proposed additional amendments as guiding principles for Swaziland's implementation, which include: limiting annual harvest and export to an upper limit of 7% of the population; exporting no more than 1% annually as trophies; and marking exported specimens with microchips.

**BALD EAGLE:** The US proposal to downlist *Haliaeetus leucocephalus* from Appendix I to Appendix II (Prop.10) was adopted by consensus.

**LESSER SULPHUR-CRESTED COCKATOO:** Indonesia's proposal to uplist *Cacatua sulphurea* from Appendix II to Appendix I (Prop.11) was adopted by consensus.

**PEACH-FACED LOVEBIRD:** The joint proposal by Namibia and the US to delete *Agapornis roseicollis* from Appendix II (Prop.12) was adopted by consensus.

**LILAC-CROWNED PARROT:** Mexico's proposal to uplist *Amazona finschi* from Appendix II to Appendix I (Prop.13) was adopted by consensus.

**PAINTED BUNTING:** The joint US-Mexico proposal to include *Passerina ciris* in Appendix II (Prop.14) failed to obtain the two-thirds majority with a vote of 63 in favor, 57 against and 13 abstentions.

**MADAGASCAR SPIDER TORTOISE:** Madagascar's proposal to downlist *Pyxis arachnoids* from Appendix II to Appendix I (Prop.15) was adopted by consensus.

**MALAYAN SNAIL-EATING TURTLE:** The US withdrew its proposal to include the genus *Malayemys* in Appendix II (Prop.16) in favor of Indonesia's proposal to include the single species *Malayemys subtrijuga* in Appendix II (Prop.17), which was adopted by consensus.



**MALAYAN FLAT-SHELLED TURTLE:** The US withdrew its proposed Appendix II listing of *Notochelys spp.* (Prop.18) in favor of Indonesia's proposal to list *Notochelys platynota* in Appendix II (Prop.19), which was adopted by consensus.

**SOUTHEAST ASIAN SOFTSHELL TURTLE:** The US proposal to include the genus *Amyda* in Appendix II (Prop.20) was amended to include only *Amyda cartilaginea* as the single species. The amended proposal was adopted by consensus.

**PIG-NOSED TURTLE:** The US withdrew its proposed Appendix II listing of the family *Carettochelyidae* in Appendix II (Prop.21) in favor of Indonesia's proposal to include *Carettochelys insculpta* in Appendix II (Prop. 22), which was adopted by consensus.

**ROTI SNAKE-NECKED TURTLE:** The joint proposal by the US and Indonesia to include *Chelodina mccordi* in Appendix II (Prop.23) was adopted by consensus.

**AMERICAN CROCODILE:** Cuba's proposal to transfer its populations of *Crocodylus acutus* from Appendix I to Appendix II for the purposes of ranching (Prop.24) was adopted by consensus.

**NILE CROCODILE:** Namibia's proposal to transfer its populations of *Crocodylus niloticus* from Appendix I to Appendix II (Prop.25) was adopted by consensus, while Zambia withdrew its proposal to subject its Appendix II-listed *Crocodylus niloticus* to an annual export quota of 300 specimens (Prop.26).

**LEAF-TAILED GECKOS:** Madagascar's proposal to include *Uroplatus spp.* in Appendix II (Prop.27) was adopted by consensus.

**LEAF-NOSED AND ARBOREAL SNAKES:** Madagascar withdrew its proposals to include *Langaha spp.* (Prop.28) and *Stenophis citrinus* (Prop.29) in Appendix II due to lack of appropriate scientific information on populations.

**MT. KENYA BUSH AND KENYA HORNED VIPERS:** Citing lack of information on population size and trends by several Parties, Kenya withdrew its proposals to include *Atheris desaixi* (Prop.30) and *Bitis worthingtoni* (Prop.31) in Appendix II.

**GREAT WHITE SHARK:** Madagascar and Australia introduced their proposal to list *Carcharodon carcharias* in Appendix II (Prop.32), withdrawing their proposal for a zero annual export quota. Japan, Norway, Saint Lucia and others opposed, while the EU, Brazil, Kenya and others supported the proposal for listing in Appendix II. FAO said its panel of experts could neither support nor reject the proposal based on insufficient information. Following a vote by secret ballot, the proposal was adopted, with 87 in favor, 34 opposed and 9 abstentions. In Plenary, Japan, China and Saint Lucia noted their reservations, but did not ask to reopen debate.

**HUMPHEAD WRASSE:** The proposal by Fiji, the EU and the US to list *Cheilinus undautilus* in Appendix II (Prop.33) was adopted by consensus. The Seychelles registered a reservation, noting lack of scientific data on this species in the Indian Ocean region.

**BIRDWING BUTTERFLIES:** The proposal by Switzerland, as depositary government, to delete the annotation "sensu D'Abrear" in Appendix II in relation to *Ornithoptera spp.*, *Trogonoptera spp.* and *Triodes spp.* (Prop.34) was adopted by consensus.

**MEDITERRANEAN DATE MUSSEL:** The proposal by Slovenia and Italy to list *Lithophaga lithophag* in Appendix II (Prop.35) was adopted by consensus.

**CORAL ROCK:** Switzerland withdrew its proposal to exclude fossil corals from CITES provisions (Prop.36) in favor of three decisions proposed orally by the UK and the EU in Committee I, which, *inter alia*, direct: Parties involved in stony coral's trade to determine how they will interpret the annotation exempting fossil corals from the Convention's provisions by 2005; and the AC to proceed with an analysis of the Parties' interpretation of the fossil coral annotation and to report to the Secretariat by the end of 2006. The decisions were adopted.

**HOODIA:** South Africa's joint proposal with Namibia and Botswana for an Appendix II listing of *Hoodia* (Prop.37), including all derivatives, except seeds and pollen, and finished pharmaceuticals, was adopted with a vote of 49 in favor, 10 against and 42 abstentions.

**EUPHORBIACEAE SPP:** Thailand's proposal to exempt from CITES controls certain forms of artificially propagated specimens of *Euphorbiaceae* (Prop.38) was adopted by consensus.

**EUPHORBIA MILI:** Thailand's proposal to exempt artificially propagated cultivars of *Euphorbia mili* (Prop.39) from CITES controls was adopted by consensus.

**ORCHIDACEAE:** Thailand's proposed Appendix II annotation of *Orchidaceae* (Prop.40) to exclude artificially propagated specimens of *Orchidaceae* hybrids was approved with a vote of 60 in favor, 20 against and 11 abstentions. Mexico reopened the debate in plenary, noting that exempting some 900 genera of hybrid orchids would make enforcement difficult, particularly in mega-diverse countries. The US proposed an amendment to limit the exemption to the following four genera: *cymbidium*, *vandal*, *dendrobium* and *phalaenopsis*. The amendment was adopted in Plenary with a vote of 105 in favor, 3 against and 17 abstentions.

A revised annotation to remove three South American orchid species, namely *Miltonia*, *Odontoglossum* and *Oncidium* from Appendix II (Prop.41) was adopted with a vote of 33 in favor, 16 against and 45 abstentions. Switzerland's amendment of the annotation of *Orchidaceae* in Appendix II regarding *Phalaenopsis* was withdrawn (Prop.42).

**CHRISTMAS ORCHID:** Colombia's proposal to transfer *Cattelya trianaei* from Appendix I to Appendix II (Prop.43) was adopted by consensus.

**BLUE VANDA ORCHID:** Thailand's proposal to downlist *Vanda coerulea* from Appendix I to Appendix II (Prop.44) was adopted by consensus.

**DESERT LIVING CISTANCE:** China's proposal on listing *Cistanche deserticola* (Prop.45), designating all parts and derivatives, except seeds, spores and pollen, seedlings or tissue cultures contained *in vitro*, in solid or liquid media, and cut flowers of artificially propagated plants. The proposal was adopted by consensus.

**MANAMBE PALM:** Madagascar's proposal to uplist *Chrysalidocarpus decipiens* from Appendix II to Appendix I (Prop.46) was adopted by consensus, despite calls from the EU, South Africa and Dominica to maintain the species in Appendix II with annotations for international seed control.



**HIMALAYAN YEW:** The joint proposal by China and the US to amend the annotation for *Taxus wallichiana* designating parts and derivatives, except seeds, pollens and finished pharmaceutical products (Prop.47), was adopted by consensus.

**ASIAN YEWS:** The joint proposal by China and the US to include *Taxus chinensis*, *T. cuspidata*, *T. fauna*, *T. sumatrana* and other intraspecific *taxa* in Appendix II (Prop.48), with an annotation excluding seeds, pollens and finished pharmaceutical products, was adopted, following an EU amendment to exclude artificially propagated horticultural species.

**AGARWOOD:** Indonesia's proposal to include Agarwood producing species *Aquilaria spp.* and *Gyrinops spp.* in Appendix II (Prop.49), with an annotation designating all parts and derivatives, was adopted with 72 in favor, 9 against and 23 abstentions.

**RAMIN:** Indonesia's proposal to uplist *Gonystylus spp.* from Appendix III to Appendix II (Prop.50) was adopted by consensus, with an annotation designating all parts and derivatives except: seeds, spores and pollen; seedling or tissue cultures obtained *in vitro*; and cut flowers of artificially propagated plants.

### COMMITTEE MEMBER ELECTIONS

**STANDING COMMITTEE:** Delegates nominated the following regional and alternate SC members: Cameroon, Kenya, Zambia and Ghana, with Guinea, Uganda, Botswana and Egypt as alternates, for Africa; China, Japan and Malaysia, with India, Jordan and the United Arab Emirates as alternates, for Asia; Chile, Nicaragua and Saint Vincent and the Grenadines, with Colombia, Costa Rica and Dominica as alternates, for Central and South America and the Caribbean; Germany, Iceland and the Czech Republic, with the United Kingdom, Portugal and Bulgaria as alternates, for Europe; Canada, with Mexico as alternate, for North America; Australia, with Fiji as alternate, for Oceania.

**ANIMALS COMMITTEE:** Delegates nominated the following members: R. Bagine (Kenya) and E. Chidziya (Zimbabwe), with Khaled Zahzah (Tunisia) and M.A. Mahmoud (Egypt) as alternates, for Africa; Mohammad Reza Pourkazemi (Iran) and S. Nuramaliati (Indonesia), with Nobuo Ishii (Japan) and C.H. Giam (Singapore) as alternates, for Asia; Mario Jolon Morales (Guatemala) and P. Vogel (Jamaica), with Marcel Calvar (Uruguay) and Alvaro Jose Velasco (Venezuela) as alternates, for Central and South America and the Caribbean; Katalin Rodics (Hungary) and Thomas Althaus (Switzerland), with Alexander Sorokin (Russian Federation) and Carlos Solana (Spain) as alternates, for Europe; Rodrigo Medellin (Mexico), with Robert Gabel (US) as alternate, for North America; and Rod Hay (New Zealand), with Papua New Guinea as alternate (candidate to be confirmed), for Oceania.

**PLANTS COMMITTEE:** Delegates nominated the following new members: David Hafashimana (Uganda) and Beatrice Khayota (Kenya), with K. Akpagana (Togo) and Quentin Luke (Kenya) as alternates, for Africa; Irawati (Indonesia) and Wichar Thitiprasert (Thailand), with Z. Mukshar Shaari (Malaysia) and M. Sanjappa (India) as alternates, for Asia; Fatima Mereles (Paraguay) and Dora Riveria Luther (Costa Rica), with M. de Jesus Mites Cadena (Ecuador) and George Proctor (Jamaica) as alternates, for Central and South America and the Caribbean; Margarita Clemente (Spain) and Giuseppe Frengueilli (Italy), with Nika Debeljak (Slovenia) and J. Luthy (Switzerland) as alternates, for Europe;

Robert Gabel (US), with C. Caceres (Canada) as alternate, for North America; and Greg Leach (Australia), with O. Gideon (Papua New Guinea) as alternate, for Oceania.

**NOMENCLATURE COMMITTEE:** Delegates nominated Ute Grimm (Germany) as NC zoologist and Noel McGough (UK) as NC botanist.

### CLOSING PLENARY

On Thursday, 14 October, Parties convened for the closing Plenary session, following consideration of proposals to amend the Appendices and other outstanding issues. The Netherlands offered to host COP-14 in 2007. Parties congratulated the Government and people of Thailand for hosting COP-13, and thanked Committee Chairs and the Secretariat for their work. COP-13 Chair Suwit Khunkitti closed the meeting at 12:00 pm.

### A BRIEF ANALYSIS OF COP-13

Worth billions of dollars each year, the illegal trade in wildlife ranks only third to drug and weapons smuggling. The market thrives on a strong consumer demand for such products as shark fins and ground rhino horn for medicinal purposes, poached elephant ivory for carvings, whales for food, and hardwood timber for picture frames and wood chips. Southeast Asia is perhaps one of the largest hubs of the illegal wildlife trade – a visit to a weekend market in Bangkok, where many endangered reptiles, birds and fish are up for sale, offers a glimpse into the widespread disregard for national and international trade and conservation laws. The fact that the thirteenth meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES COP-13) was held for the first time in Southeast Asia was seen by many as a significant move to put a spotlight on the region's illegal trade situation and an opportunity for the region to coordinate efforts to implement and enforce the CITES Convention. Thailand, the host country, took the lead, offering several proposals to list species on the Appendices, including giving the highest protection available to the meeting's official 'poster boy' species – the highly endangered river dolphin. An additional 49 proposals and numerous resolutions were also agreed upon at COP-13, which will play an important role in determining the future of many animals and plants.

This analysis will discuss the consolidating trends as well as synergies with other international fora that have emerged from COP-13. It will also explore how CITES can address funding issues and enforce its measures on a regional basis.

### CONSOLIDATING TRENDS

For years, there has been a reluctance within CITES to list high-valued marine and timber species. At COP-12, delegates parted ways with past trends by agreeing to list seahorses, basking and whale sharks, Bigleaf mahogany, and rejecting the downlisting of minke and Bryde's whale populations. This year the trend was further consolidated with the Appendix I listing of the irrawaddy dolphin and an Appendix II listing for the great white shark and humphead wrasse, as well as several Asian yew trees and ramin, one of Southeast Asia's major export timbers.

Regarding whales, the Parties once again rejected a proposal to downlist three populations of minke whales from Appendix I to Appendix II, a proposal put forward by pro-whaling nations.



General opposition by delegates to downlist whales prevailed, partly due to their desire for CITES to be consistent with measures agreed by the International Whaling Commission (IWC). Although the IWC banned commercial whaling in the 1980s, some conservationists fear it is only a matter of time before pro-whaling nations have their day, considering that the vote to lift the IWC moratorium on whaling is gaining ground. Once this happens, whales may not get the CITES protection they have long enjoyed, as Parties may decide to downlist some whale species that do not satisfy the criteria for an Appendix I listing, but have been kept there in support of the IWC moratorium.

Concerns raised by some countries over the potential for CITES to conflict with international fisheries and timber management organizations have up to now proved unfounded since CITES Parties have consistently, in their decisions, respected and supported the measures taken by such organizations as the IWC and the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR). Moreover, management organizations deal with issues such as conservation, catches and quotas, whereas CITES only regulates international trade. For this reason, the trend of covering high commercial value fish and timber is likely to continue.

#### **SYNERGIZING FORA**

Although a number of Parties still try to deflect commercial fish and timber management issues to other international fora where they tend to have more favorable outcomes, growing cooperation with CITES may result in harmonizing related issues. Most noticeable at COP-13 was an increased cooperation between CITES and the UN Food and Agriculture Organization (FAO). For the first time, the FAO provided opinions on marine species proposals to amend the Appendices and Parties adopted a decision that requests the FAO and the International Tropical Timber Organization (ITTO) to provide opinions on timber-related species in the future. Delegates also underlined progress made on a Memorandum of Understanding (MoU) between CITES and the FAO, which calls for greater cooperation in promoting capacity building in developing countries for issues relating to commercially-exploited aquatic species listed on the CITES Appendices. In the words of one participant, CITES-FAO cooperation will move ahead with or without the MoU as long as marine species are on the Appendices.

Equally noticeable were efforts to improve synergy with the Convention on Biological Diversity (CBD). Delegates agreed to incorporate the CBD's Sustainable Use Principles and Guidelines into CITES work. Although some countries expressed fear that open-ended concepts like sustainable use may "pollute" the more scientific approaches of CITES, such as including references to sustainable livelihoods in non-detriment findings, most delegates said the fears were exaggerated since the concept of sustainable use is already being used by national authorities in managing CITES species.

The issues of access and benefit sharing for the use of genetic resources and alien invasive species are other CBD-related topics that permeated discussions. A proposal to list *Hoodia* in Appendix II included the need to obtain permission by the country of origin to trade in all parts and derivatives, and resolutions were adopted to

encourage synergies between the CITES and CBD Secretariats regarding alien species, and on cooperation between *ex situ* breeding operations and *in situ* conservation programmes.

#### **LOOKING FOR FUNDING**

At each COP the CITES Secretariat is tasked by Parties with more and more activities to perform, and with each COP there are renewed calls for a budget increase to help cover the ever-increasing costs of these activities. This year, much to the chagrin of the Secretariat, Parties agreed to a minimal 3% increase in annual contributions (which translates into a 7% decrease in the actual budget). Many worry that severe budget constraints will undermine efforts to implement numerous CITES programmes and activities, especially capacity building in developing countries. Calls to cut one meeting of the Plants and Animals Committees in between COPs were quickly struck down as Parties stressed the fundamental input that scientific committees provide to the COPs. Some believe a Secretariat move from Geneva to a lower cost city may be one solution to offset administrative costs, but others think that such a move would not go far enough, be time consuming and expensive in its own right. CITES is not the only multilateral environment agreement facing a tight budget, and several participants said this reflected a general trend of governments "downlisting" environmental issues from their international agenda to focus on what many perceive as more pressing issues, such as international security, poverty alleviation and human rights.

#### **ENFORCEMENT**

For many, an international agreement's success is judged on how well implementing measures can be enforced. This is especially true for CITES, which involves a system of trade permits. An Appendix listing alone is not a foolproof measure to ensure species' protection or sustainable use; it needs enforcement measures behind it. Enforcement received considerable attention at COP-13, beginning with Thai Prime Minister Thaksin Shinawatra's speech stressing Thailand's willingness to take the lead in the formation of a new Southeast Asian regional law enforcement network to combat nature crimes. That idea was further elaborated upon when the ten Environment Ministers of the Association of Southeast Asian Nations (ASEAN) agreed to formulate a regional action plan on trade in wild fauna and flora, based on joint law enforcement. Delegates welcomed the declaration, but admitted that only political goodwill and proper funding could determine the success of such an ambitious initiative.

The ASEAN initiative could not have come at a better time as Asia's economic growth has resulted in the rising demand for birds and reptiles for pet trade, luxury items from ivory, hawksbill turtle shell products, and high-value traditional medicines such as musk and ginseng. CITES can play an equally important regional role to the one it plays at the international level in ensuring that international trade in specimens of wild animals and plants does not threaten their survival. Not one species protected by CITES has become extinct as a result of trade since the Convention entered into force 30 years ago. Many are hoping that this trend will continue in the future.



## UPCOMING MEETINGS

### SECOND MEETING OF THE PARTIES TO

**ACCOBAMS:** The second meeting of the Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), organized by the Convention on Migratory Species, will take place from 9-12 November 2004, in Palma de Mallorca, Spain. For more information, contact: ACCOBAMS Secretariat; tel: +377-93-15-80-10; fax: +377-93-50-95-91; e-mail: [mcvanklaveren@accobams.net](mailto:mcvanklaveren@accobams.net); Internet: <http://www.accobams.mc>

### 3RD IUCN WORLD CONSERVATION CONGRESS:

**PEOPLE AND NATURE, ONLY ONE WORLD:** The 3rd IUCN World Conservation Congress will be held from 17-25 November 2004, in Bangkok, Thailand. For more information, contact: Ursula Hiltbrunner, IUCN; tel: +41-22-999-0232; fax: +41-22-999-0020; e-mail: [ursula.hiltbrunner@iucn.org](mailto:ursula.hiltbrunner@iucn.org); Internet: <http://www.iucn.org/congress/index.cfm>

### EIGHTH INTERNATIONAL WILDLIFE LAW CONFERENCE – INTERNATIONAL WILDLIFE LAW AND THE PROTECTION OF THE MARINE ENVIRONMENT:

This meeting is scheduled to take place from 19-20 November 2004, in New Orleans, Louisiana, US. This year's international wildlife law conference will focus on protection of the marine environment. For more information, contact: William C.G. Burns, Chair, American Society of International Law; tel: +1-650-281-9126; fax: +1-801-838-8710; e-mail: [William\\_Burns@redlands.edu](mailto:William_Burns@redlands.edu); Internet: <http://www.internationalwildlifelaw.org/8IWLC.pdf>

**SEVENTH ASIAN FISHERIES FORUM:** The 7th Asian Fisheries Forum, organized by the Asian Fisheries Society, will convene from 30 November to 4 December 2004, in Penang, Malaysia. For more information, contact: Forum Secretariat; tel: +60-4-653-3888 ext.3961; fax: +60-4-656-5125; e-mail: [7aff2004@usm.my](mailto:7aff2004@usm.my); Internet: <http://www.usm.my/7AFF2004>

### INTERNATIONAL CONFERENCE ON BIODIVERSITY

– **SCIENCE AND GOVERNANCE:** Sponsored by UNESCO and organized by the French Ministry of Research, this conference will be held from 24-28 January 2005, in Paris, France. For more information, contact: Conference Organizing Committee; e-mail: [biodiv2005paris@recherche.gouv.fr](mailto:biodiv2005paris@recherche.gouv.fr); Internet: <http://www.recherche.gouv.fr/biodiv2005paris/en/index.htm>

**CBD SBSTTA-10:** The 10th meeting of the Convention on Biological Diversity's Subsidiary Body on Scientific, Technical and Technological Advice is scheduled to take place from 7-11 February 2004, in Bangkok, Thailand. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: [secretariat@biodiv.org](mailto:secretariat@biodiv.org); Internet: <http://www.biodiv.org/>

**THIRD MEETING OF THE CBD WORKING GROUP ON ACCESS AND BENEFIT-SHARING:** The third meeting of the CBD's *Ad Hoc* Open-ended Working Group on Access and Benefit-sharing will convene from 14-18 February 2005, in Bangkok, Thailand. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: [secretariat@biodiv.org](mailto:secretariat@biodiv.org); Internet: <http://www.biodiv.org/>

## 23RD SESSION OF THE UNEP GOVERNING

**COUNCIL/GMEF:** The 23rd session of the UNEP Governing Council/Global Ministerial Environmental Forum is scheduled to be held from 21-25 February 2005, in Nairobi, Kenya. For more information, contact: Beverly Miller, UNEP Governing Council; tel: +254-2-623431; fax: +254-2-623929; e-mail: [beverly.miller@unep.org](mailto:beverly.miller@unep.org); Internet: <http://www.unep.org>

**MINISTERIAL MEETING AND 26TH SESSION OF THE FAO COMMITTEE ON FISHERIES:** The 26th session of the FAO Committee on Fisheries will convene from 7-11 March 2005, in Rome, Italy. It will be followed by a Ministerial Meeting on Fisheries on 12 March 2005. For more information, contact: Benedict Satia, COFI Secretary; tel: +39-06-5705-2847; fax: +39-06-5705-6500; E-mail: [benedict.satia@fao.org](mailto:benedict.satia@fao.org); Internet: <http://www.fao.org/fi/>

**MINISTERIAL MEETING AND 17TH SESSION OF THE FAO COMMITTEE ON FORESTRY:** The 17th meeting of FAO Committee on Forestry will convene from 15-19 March 2005, in Rome, Italy. It will be preceded by a Ministerial Meeting on Forestry on 14 March 2005. For more information, contact: Michael Martin, Director, Forestry Policy and Information; tel: +39-06-5705-3302; fax: +39-05-5705-5137; e-mail: [michael.martin@fao.org](mailto:michael.martin@fao.org); Internet: <http://www.fao.org/forestry/site/cofo/en>

**FIRST MEETING OF THE CBD WORKING GROUP ON PROTECTED AREAS:** The first meeting of the CBD *Ad Hoc* Open-ended Working Group on Protected Areas is scheduled to take place from 18-22 April 2005, in Italy. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: [secretariat@biodiv.org](mailto:secretariat@biodiv.org); Internet: <http://www.biodiv.org/>

**57TH ANNUAL MEETING OF THE INTERNATIONAL WHALING COMMISSION:** The International Whaling Commission's 57th annual meeting will take place in June/July 2005 in Ulsan, Republic of Korea. For more information, contact: IWC; tel: +44-1223-233-971; fax: +44-1223-232-876; e-mail: [secretariat@iwcoffice.org](mailto:secretariat@iwcoffice.org); Internet: <http://www.iwcoffice.org/meetings/meeting2005.htm>

**FIRST INTERNATIONAL MARINE PROTECTED AREAS CONGRESS:** This Congress will convene from 23-27 October 2005, in Geelong, Australia. For more information, contact: Congress Organizers; tel: +61-3-5983-2400; fax: +61-3-5983-2223; e-mail: [sm@asnevents.net.au](mailto:sm@asnevents.net.au); Internet: <http://www.impacongress.org/>

**CITES COP-14:** The Netherlands will host the 14th CITES Conference of the Parties in April 2007. For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: [cites@unep.ch](mailto:cites@unep.ch); Internet: <http://www.cites.org>