



COP-11 HIGHLIGHTS: SATURDAY, 15 APRIL 2000

Committees met throughout the day. Committee I reviewed proposals for amendment of Appendices. Committee II considered diagnostic samples, amendments to resolution 8.15 and cosmetics containing caviar. The Budget Committee considered a proposed 2001-2002 budget.

COMMITTEE I

PROPOSALS TO DOWNLIST WHALES: JAPAN introduced proposals to downlist from Appendix I to Appendix II the Eastern North Pacific stock of the Gray Whale (Prop. 11.15), the Southern Hemisphere stock of the Minke Whale (Prop. 11.16), and the Okhotsk Sea-West Pacific stock of the Minke Whale (Prop. 11.17). He remarked that: none of these stocks meet criteria for Appendix I listing; import controls prevent illegal trade; and there is no evidence of illegal trade in whale products. He challenged the accuracy of an IUCN study, endorsed by the Secretariat, which opposes the proposals (Inf.Doc. 11.8). IUCN underscored the factual integrity of its analysis.

Several delegations, including the EU, the US, NEW ZEALAND, the CZECH REPUBLIC, AUSTRALIA, MONACO, SLOVAKIA, VANUATU and FIJI, expressed their support for IWC's primacy, and opposed downlisting any species subject to the IWC moratorium. Many of the same delegations acknowledged IWC efforts to establish an appropriate management regime, but stressed that no such scheme exists yet. IWC underscored that a management scheme must be developed before commercial whaling can resume. NORWAY said Parties are paralyzing a CITES position on whaling by taking refuge in the IWC. SAINT LUCIA said whaling opponents were attempting to prevent CITES from taking decisions consistent with its mandate. ICELAND supported Japan's proposals and said scientific criteria should be the determinant. The REPUBLIC OF KOREA supported the principle of sustainable use. GUINEA supported downlisting these species with quotas that would not be harmful.

ANTIGUA and BARBUDA, CUBA, MONGOLIA, SURINAME, BANGLADESH, SAINT VINCENT and the GRENADINES supported the proposals, with some citing concerns over food security. The INTERNATIONAL FUND FOR ANIMAL WELFARE said regulation of whale products in consumer countries is very poor, and cited examples of endangered whale species products in consumer markets.

Eastern North Pacific Gray Whale: Regarding the Gray Whale, the US cautioned that the Western stock is endangered, and that downlisting the Eastern North Pacific stock would result in a split listing and further endanger the Western stock. JAPAN

acknowledged this stock is decreasing. The IWC cited recent data implying illegal Gray Whale meat in markets. JAPAN requested a secret ballot vote and the proposal was rejected.

Southern Hemisphere Minke Whale: JAPAN amended this proposal to reserve trade to Parties maintaining an appropriate DNA procedure. AUSTRALIA said the proposal failed to establish separate population estimates for the two species detected by the IWC Scientific Committee. Delegates rejected the proposal by a secret ballot vote.

SURINAME proposed an amendment to Japan's proposal to transfer the stock to Appendix II maintaining a zero quota until COP-12, assuming that the IWC will have taken a decision on its revised management system by then and will have set a quota that could be applicable to CITES. Several delegations noted points of order with Suriname's amendment, as the Japanese proposal had been defeated. Some felt consideration of the amendment violated the rules of procedure, and sought clarity on what would happen if the IWC has not made a decision by COP-12. SURINAME requested a secret ballot vote and the proposal was rejected.

Okhotsk Sea-West Pacific Minke Whale: JAPAN amended its proposal to limit trade to Parties that have DNA identification methods. Voting by secret ballot, the proposal was rejected.

Northeast Atlantic and North Atlantic Central Minke Whale: NORWAY introduced its proposal to downlist the Northeast Atlantic and the North Atlantic Central stocks of the Minke Whale (Prop. 11.18). NORWAY highlighted domestic monitoring mechanisms, including DNA testing. He underscored that an ecosystem approach should include human needs. ICELAND, JAPAN, CUBA and the IWMC supported the proposal, stressing that these species are not endangered. The NORTH ATLANTIC MARINE MAMMALS COMMISSION urged delegates to consider small coastal communities dependent on marine species for their livelihood. The EU opposed, noting it is premature to state that DNA tracking techniques are approved, this has yet to be discussed by the IWC Scientific Committee. The US opposed, cautioning against permitting trade without adequate monitoring. TUNISIA requested guidance from reliable scientific bodies. GREENPEACE INTERNATIONAL said allowing any trade would encourage illicit trade. Delegates rejected the proposal with a secret ballot vote.

COMMITTEE II

DIAGNOSTIC SAMPLES: SWITZERLAND proposed additional amendments to its earlier proposal to accommodate requirements under domestic or international law in the transboundary shipment of diagnostic samples deemed for conservation (Doc. 11.45.1). The EU, the UK and GERMANY, supported by the WORLD CONSERVATION SOCIETY and others, concurred on the need to eliminate bureaucracies impeding expeditious transfers



of diagnostic specimens for species conservation, particularly in emergency situations. The Secretariat said its inability to facilitate such requests is putting CITES into disrepute. Several delegations and observers objected, citing various reasons such as contravention of CITES, difficulty to regulate use, the need for conformity with CBD provisions on access to genetic resources, legal impediments arising from resolution 9.6 on derivatives of articles listed in Appendix I or II, and lack of alternative national regulatory mechanisms. A working group chaired by Mexico was established to chart the way forward.

RISKS AND BENEFITS OF TRADE IN WILDLIFE: Delegates reconsidered Kenya's draft resolution (Doc. 11.27 (Rev. 1)), which repeals resolution 8.3. SWITZERLAND, the EU, JAPAN, CUBA and NIGERIA opposed the resolution, while the US expressed support. Chair Koester noted significant opposition, and KENYA requested time to consult with opposing Parties. The issue will be revisited.

REVISION OF RESOLUTION 8.9: Delegates adopted the revised resolution on trade in specimens in Appendix II species taken from the wild (Doc. 11.41.2).

TRADE IN BEAR SPECIMENS: Working group Chair Yvan Lafleure (Canada) outlined a resolution requesting Parties to, *inter alia*: report on trade control of bear parts; report on imposition of penalties; share forensic information; and assess technical missions on tigers to India for applicability to bears. He said the Standing Committee should consider bears at its next sessions, identify additional measures and report to COP-12 on implementation progress. The resolution was adopted.

BREEDING IN CAPTIVITY: Animals Committee Chair Hank Jenkins introduced a draft resolution on guidelines for registering Appendix I species bred in captivity for commercial purposes. He noted polarized views in the Committee on resolution 8.15 and reported that only a definition of "bred in captivity for commercial purposes" was achieved. Parties established a working group on this draft resolution.

MOVEMENT OF LIVE ANIMALS: The Secretariat reported a lack of consensus in the Standing Committee on COP-10 instructions to establish a simplified procedure for cross-border movement of live animals (Doc. 11.46). Annex II contains a US proposal submitted at the last meeting of the Standing Committee. The RUSSIAN FEDERATION said its proposal is not reflected but urged delegates to consider it. The Committee noted the document.

RANCHING AND TRADING IN RANCHED SPECIMENS: The Secretariat explained that the revised issue (Doc. 11.47 (Rev.1)) distinguishes the Secretariat's comments from those of the Animals Committee. The document was adopted with minor amendments.

COSMETIC PRODUCTS CONTAINING CAVIAR: GERMANY reported that no consensus was reached through informal consultations to specify caviar contents in final re-exportation products, and called for a roll-call vote. Delegates rejected the proposal.

USE OF MICROCHIPS: The Secretariat introduced a draft resolution incorporating the Czech Republic's proposals to direct: the Secretariat to consult with the central International Standards Organization Secretariat; the Management Authorities to contact microchip implant manufacturers; and the Animals Committee to monitor microchip-implant technology development. Delegates will later consider a revised draft.

WORKING GROUP ON DIAGNOSTIC SAMPLES: Delegates focused on three possible options: negotiate Switzerland's proposal at COP-11; mandate the work to an intersessional group; or separate CITES and CBD issues, and resolve CITES issues at COP-11. Delegates agreed to develop a TOR for an intersessional group.

BUDGET COMMITTEE

Chair Stansell introduced an informal document on new proposed 2001-2002 budget estimates, which addresses an overall 20% reduction and highlights a list of reduced budget items. He added that this proposed budget requires increases of 10% in year one and a 15% in year two. The Secretariat noted the revised personnel component considers the Parties' request to fund new staff positions, half from the budget and half from the Trust Fund balance reserve. SWITZERLAND inquired about how new member contributions and interest rates could be taken into account. COLOMBIA, NEW ZEALAND and the WCMC stressed the need to focus on budget items for programme activities. TRAFFIC expressed concern about the implication of budget cuts for implementation, particularly activities for capacity building and legislation development.

Parties met in an informal group to review the Secretariat's proposed budget. NEW ZEALAND, on behalf of the group, expressed a number of concerns, including the 10% Party contribution increase, the lack of work programme activities and the liability of seven new posts. The group proposed: cutting the new posts to four, two funded through the Trust Fund and two through the balance reserve; transferring programme activity items back to the budget; and using the balance reserve to offset increased membership contributions.

Chair Stansell introduced a revised budget in the afternoon. The Secretariat underlined that a deficit in contributions for the biennium in the proposed budget would amount to approximately 10%. He noted the regional assistance officer, legal and trade policy officer, and permit and data assistance officer positions were excluded under the new scenario. AUSTRALIA, on behalf of the *ad hoc* group, proposed retaining the legal and trade policy officer post, and said funding for the capacity-building officer position should come from alternative sources. He also noted agreement to establish a lower reserve balance limit to offset increased contributions. COLOMBIA stressed the importance of retaining a capacity-building position. JAPAN emphasized the importance of capacity building, particularly in Asia. Chair Stansell suggested adding an annex listing priority activities and posts to be included in the budget in the event that extra funds become available. The modified budget proposal was accepted.

IN THE BREEZEWAYS

Attempts to relax CITES regulations on the issuance of permits for cross-border transfers of diagnostic samples, including cell culture and serum, with the expressed intent of conservation, was torpedoed by many delegates and observers. Some delegates said that the strongest proponents also host the world's leading pharmaceutical agencies, and speculate the increased demand for blood from the African Chimpanzee, following scientific findings that they may harbor the origin of the HIV/AIDS virus, may explain the urgency in resolving this old CITES issue. Participants conceded that the proposal covers samples for medical commercial uses as well, thus relaxing the rules within CITES may provide a loophole needed to circumvent CBD provisions on access and benefit sharing of genetic materials. While many acknowledged the problem, they say a solution is evasive and unlikely to be resolved without CBD cooperation.

THINGS TO LOOK FOR TODAY

COMMITTEES: Committees will meet following regional group meetings. Committee I will address conservation of elephants. Committee II will consider the working group proposal on "introduction from the sea," Kenya's proposals, and will vote on IWC resolutions. The Budget Committee may meet in the afternoon to review the midterm plan.