



CITES COP-12 HIGHLIGHTS: WEDNESDAY, 6 NOVEMBER 2002

Delegates met in committees throughout the day. Committee I continued discussion on the Caribbean hawksbill turtle dialogue and considered: trade in sea cucumbers, implementation of the review of significant trade process, scientific basis for Appendix II export quotas, registration for Appendix I captive breeding operations, and criteria for Appendices I and II amendments. Committee II discussed sustainable use of and trade in CITES species, economic incentives, financing of species conservation, and review of decisions.

COMMITTEE I

HAWKSBILL TURTLE: The Secretariat outlined the results of the wider Caribbean Hawksbill Turtle Dialogue Meetings (Doc.20.2), requesting delegates to endorse the prepared draft resolution or one of two draft decisions. COSTA RICA stated its intention to host another dialogue meeting. Delegates, avoiding a species-specific resolution, endorsed the draft decision prepared by the Secretariat with minor amendments, including an additional objective to ensure that any use of the regional population would be sustainable.

SEA CUCUMBERS: The US presented the working group's draft decisions on sea cucumbers in the families *Holothuridae* and *Stichopodidae*, noting that they were modeled after COP-11 language on seahorses and freshwater turtles. The decisions call on the Secretariat to convene a technical workshop, and prepare a discussion paper for COP-13 on biological and trade status and actions needed to secure conservation status.

JAPAN opposed the proposal, noting uncertainties regarding the status of sea cucumbers. CHINA favored a study, but, together with NORWAY and the REPUBLIC OF KOREA, noted that it should be conducted by other organizations. NEW ZEALAND said a workshop would help resolve uncertainties. Animal Committee Chair Hoogmoed (the Netherlands) noted that the seahorses and turtles workshops were based on prior initiatives, and suggested that language on sea cucumbers be modeled after the swiftlet resolution.

TRADE IN SPECIMENS: The Secretariat presented the document on implementation of Resolution Conf. 8.9 (Rev.) on trade in specimens of Appendix II species taken from the wild (Doc.48.1), stressing the need to simplify and clarify the process for countries subject to review of significant trade. Debate focused on the roles of the Standing, Plants and Animals Committees in determining if a

species should be removed from the process. Delegates agreed to text clarifying that the Secretariat shall, in consultation with the Chairman of the Standing Committee, notify Parties on the removal of a species.

APPENDIX II EXPORT QUOTAS: The US introduced its proposal regarding the scientific basis for export quotas for Appendix II species (Doc.49). He stressed that only Resolution Conf. 10.2 (Rev.) provides guidance on quota employment. The US, supported by several others, recommended establishing an Export Quota Working Group that could continue on an intersessional basis to further discuss the issue. Expressing concerns regarding financing a new mechanism, the Secretariat, supported by INDONESIA, ARGENTINA and JAPAN, preferred to deal with the issue through the Animals and Plants Committees. TANZANIA opposed the proposal, stressing that it already had policies and action programmes in place that are based on scientific advice. Also opposing the proposal, ZIMBABWE, supported by several African countries, stressed capacity building at the national level. Chair Morgan requested the US to chair an informal working group on the issue.

REGISTERING CAPTIVE BREEDING OPERATIONS: The Secretariat introduced its recommendation to use a single registration process for plants and captive-bred animals (Doc.55.1), and illustrated the discrepancies in existing resolutions (Resolutions Conf. 8.15 and 11.14) on registering captive breeding operations.

The EU and SENEGAL supported the proposal. Mexico, on behalf of the LIKE-MINDED GROUP OF MEGA-DIVERSE COUNTRIES, supported by the BAHAMAS, CHILE, CUBA, ANIMAL DEFENDERS, and THE BORN FREE FOUNDATION, opposed the proposal, outlining, *inter alia*, the: differences between plants and animals; lack of distinction between commercial and non-commercial purposes; and need for criteria for captive facilities. ISRAEL, MEXICO and the US offered alternative solutions. Chair Morgan tasked a working group to formulate a new proposal.

CRITERIA FOR APPENDIX I AND II AMENDMENTS: The Secretariat introduced the document on criteria for amendment of Appendices I and II, including five detailed annexes (Doc.58). He noted that at its 46th meeting, the Standing Committee requested the Secretariat to prepare a thorough review of criteria for amendment of Appendices I and II, and that a criteria working group was formed. He explained that the criteria working group found that the CITES criteria for Appendix I could be applied objectively, but that criteria for Appendix II was ambiguous. He expressed the Secretariat's belief that CITES should act upon this review's outcomes. Chair Morgan announced a substantive discussion for Thursday morning.

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Karen Alvarenga <karen@iisd.org>, Prisca Nuengsigkapien <prisna@iisd.org>, Mark Schulman <mark@iisd.org>, Silke Speier <silk-speier@yahoo.com>, and Elsa Tsioumani <elsa@iisd.org>. The Digital Editor is David Fernau <david@iisd.org>. The Editor is Pamela S. Chasek, Ph.D. <pam@iisd.org> and the Director of IISD Reporting Services is Langston James "Kimo" Goree VI <kimo@iisd.org>. The Operations Manager is Marcela Rojo <marcela@iisd.org> and the On-Line Assistant is Diego Noguera <diego@iisd.org>. The Sustaining Donors of the *Bulletin* are The Netherlands Ministry of Foreign Affairs, the Government of Canada (through CIDA), the United States (through USAID), the Swiss Agency for Environment, Forests and Landscape (SAEFL), the United Kingdom (through the Department for International Development-DFID), the European Commission (DG-ENV), the Danish Ministry of Foreign Affairs, and the Government of Germany (through the German Federal Ministry of Environment-BMU, and the German Federal Ministry of Development Cooperation-BMZ). General Support for the *Bulletin* during 2002 is provided by the Ministries of Foreign Affairs and Environment of Finland, the Government of Australia, the Ministry of Environment and the Ministry of Foreign Affairs of Sweden, the Ministry of Environment of Iceland, the Ministry of Foreign Affairs and Trade of New Zealand, the Ministries of Foreign Affairs and Environment of Norway, Swan International, the Japanese Ministry of Environment (through the Institute for Global Environmental Strategies-IGES) and the Japanese Ministry of Economy, Trade and Industry (through the Global Industrial and Social Progress Research Institute-GISPRI). Funding for the ENB Spanish version is provided by the Spanish Climate Change Bureau. The *Bulletin* can be contacted by e-mail at <enb@iisd.org> and at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted by e-mail at <info@iisd.ca> and at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada. The opinions expressed in the *Earth Negotiations Bulletin* are those of the authors and do not necessarily reflect the views of IISD and other funders. Excerpts from the *Earth Negotiations Bulletin* may be used in non-commercial publications only and only with appropriate academic citation. For permission to use this material in commercial publications, contact the Director of IISD Reporting Services. Electronic versions of the *Bulletin* are sent to e-mail distribution lists and can be found on the Linkages WWW server at <http://www.iisd.ca>. Satellite image provided by The Living Earth, Inc. <http://livingearth.com>. For information on the *Earth Negotiations Bulletin* or to arrange meeting coverage, conference or workshop, send e-mail to the Director, IISD Reporting Services at <kimo@iisd.org> or call to +1-212-644-0217.



COMMITTEE II

IMPLEMENTATION: The US reported on the progress of the working group on implementation issues, explaining that its draft decisions direct the Standing Committee to: identify typical categories of difficult technical implementation issues; and establish a process for the Standing Committee to act as a clearinghouse that forwards the issues to the appropriate body. The draft recommendations direct the Animals and Plants Committees to continue working on scientific implementation issues and to recommend ways to assist the Standing Committee. The draft will be distributed on Thursday.

SUSTAINABLE USE: NORWAY introduced its proposal on sustainable use of and trade in CITES species (Doc.17), stressing the importance of placing CITES in a sustainable development context and strengthening cooperation between relevant conventions. Upon the Secretariat's view that the proposal is redundant, he stated the inadequacy of addressing sustainable use in Resolution Conf. 8.3 on benefits of trade in wildlife, and said that CITES implementation should be harmonized with the CBD through guidelines on defining sustainable use. On the "sunset clause" for automatic review of CITES Appendices, he clarified that it refers to species not threatened by trade.

JAPAN, CUBA, NAMIBIA, CHINA, the RUSSIAN FEDERATION, ANTIGUA AND BARBUDA, GABON and HONDURAS supported the proposal. CUBA said sustainable use should be integrated in the CITES decision-making process. CANADA, the US, AUSTRALIA and the INTERNATIONAL WILDLIFE COALITION expressed concerns with the document's conceptual application, particularly the "sunset clause." The US and AUSTRALIA also noted ongoing work on listing criteria. MALI suggested taking into account decentralization to empower local communities. A working group, chaired by Norway, was established.

ECONOMIC INCENTIVES: The Secretariat introduced a document on economic incentives and trade policy (Doc.18) that aims to: encourage the use of social and economic incentives at the domestic level; and ensure synergies with relevant multilateral environment agreements and acceptance of CITES measures by the WTO. It contains a draft decision recommending a workshop on the issue and a draft resolution recommending, *inter alia*: using economic incentives; removing incentives that are detrimental to the Convention's implementation; and avoiding stricter domestic measures. CHILE, JAPAN, NORWAY and others supported both the draft resolution and decision. INDIA, the EU, the US and BRAZIL opposed the draft resolution, stating that the Convention's Article XIV allows for stricter domestic measures. Regarding the draft decision, delegates supported Brazil's suggestion to recognize Parties interested in organizing the technical workshop. They also accepted language inviting Parties to inform the Secretariat of their wish to be included in the trade-policy review. With these amendments, the draft decision was approved.

Regarding the draft resolution, delegates also agreed to include preambular language on the World Summit on Sustainable Development Plan of Implementation regarding the mutual supportiveness of trade, environment and development, and deleted language on avoiding the application of stricter domestic measures. They agreed to retain language on favoring multilateral collaboration in the adoption of international incentive measures, rejecting a proposal by Senegal for deletion. ARGENTINA suggested reference to 'positive incentives' over 'incentives', which was accepted. Delegates then discussed a US suggestion to delete language on removing perverse economic incentives and on ensuring acceptance of CITES measures by the WTO. A document containing the amendments will be distributed on Thursday for consideration.

RESOLUTION REVIEW: The Secretariat introduced a document on review of resolutions and decisions (Doc.21.2) containing two lists of decisions: those proposed to be repealed and those to be transferred to resolutions. He explained that decisions are meant to be time-bound, while resolutions contain texts of longer validity. Chair Delahunt (Australia) called delegates to move through decisions proposed for repeal. Delegates approved deleting Decisions 11.10 on entry into force of COP resolutions and decisions, 11.62 on timber identification, 11.63 on the biological and trade status of *harpagophytum* and 11.69 on implementation of the Quito Declaration.

SPECIES CONSERVATION FINANCING: The Secretariat introduced its document on financing conservation of species of wild fauna and flora (Doc.19), which provides an overview of actions taken by the Parties and the Standing Committee to implement COP-11 decisions related to funding mechanisms for species conservation. The Secretariat proposed two draft decisions: one instructing the Secretariat to review existing and innovative mechanisms for financing species conservation; and another instructing Parties to provide information on best practices for financing species conservation, such as trust funds, government budgetary allocations, user fees, taxes and fines, subsidies, partnerships, and international donor aid.

The EU, CANADA, and SENEGAL supported the draft decisions, while JAMAICA, BRAZIL and SAINT LUCIA opposed mandatory language of the draft decision on provision of information. The Secretariat suggested substituting "Parties should" to "Parties are invited to" provide information on best practices. Delegates accepted the amendment. ANTIGUA AND BARBUDA, opposed by the EU and the Secretariat, proposed inserting the expression "and trade in" immediately after the word "conservation" throughout the draft, and proposed deferring decision for further consultation. Chair Delahunt said Committee II would return to this issue on Friday morning to address Antigua and Barbuda's amendment.

SUSTAINABLE USE WORKING GROUP: The working group, chaired by Norway, discussed, *inter alia*: interpretation of sustainable use; the concept of the "sunset clause"; the proposal's redundancy; interlinkage between CITES, CBD and FAO; and preparation of CITES listing criteria. Participants started drafting decision language, focusing on sustainable international trade.

IN THE CORRIDORS

Like many before them, delegates today struggled with the definition and application of "sustainable use," revealing differing views. Some delegates expressed a desire for CITES to take a leadership stand on defining sustainable use, while others stressed that CITES should focus on conservation and sustainability in international trade and leave the principle of sustainable use for more appropriate fora, such as the CBD. Nevertheless, some delegates felt that now was the time to seize the opportunity to create specific mechanisms of collaboration with CITES sister convention. It remains to be seen if the newly established working group on the issue can resolve differences concerning the largely contentious interpretation of sustainable use.

THINGS TO LOOK FOR TODAY

COMMITTEE I: Committee I will meet in Conference Room 1 at 9:00 am and 2:00 pm to discuss criteria for amendment of Appendices I and II, conservation of pancake tortoises and sharks, and proposals to amend Appendices I and II for lovebirds, bottlenose dolphins and vicuna.

COMMITTEE II: Committee II will meet in Conference Room 2 at 9:00 am and 2:00 pm to consider results of the implementation working group; cooperation with other organizations; review of resolution and decisions; and financing and budgeting.