



SIXTEENTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA: 3-14 MARCH 2013

The sixteenth meeting of the Conference of the Parties (CoP16) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) opens today in Bangkok, Thailand, and will continue through Thursday, 14 March 2013.

During CoP16, participants will consider many issues, including: a proposal to improve transparency of voting during meetings of the CoP; a proposed amendment to Rule 25 on methods of voting, on the use of secret ballots; budgetary proposals for 2014-2016; the CITES Strategic Vision; cooperation between CITES and other biodiversity-related conventions; the International Consortium on Combating Wildlife Crime; the relationship with the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES); the draft revision of Resolution Conf. 10.10 (Rev. CoP15) on trade in elephant specimens; introduction from the sea; non-detriment findings (NDF); a decision-making mechanism for a process of trade in ivory; Asian big cats; illegal trade in cheetahs; leopard quotas; monitoring the illegal killing of elephants (MIKE) and the illegal trade in ivory and other elephant specimens; rhinoceroses; tibetan and saiga antelope; and a draft resolution on implementation of the Convention for agarwood-producing taxa. Several proposals concern transfer of species from Appendix II to Appendix I, including polar bears. A number of other species are proposed for listing in Appendix II, including the porbeagle shark.

A BRIEF HISTORY OF CITES

CITES was established as a response to growing concerns that over-exploitation of wildlife through international trade was contributing to the rapid decline of many species of plants and animals around the world. The Convention was signed by representatives from 80 countries in Washington, DC, on 3 March 1973, and entered into force on 1 July 1975. There are currently 178 parties to the Convention. The latest to join was Lebanon, on 26 February 2013.

The aim of CITES is to ensure that international trade of wild animal and plant species does not threaten their survival. CITES parties regulate wildlife trade through controls and regulations on species listed in three appendices. Appendix I lists species endangered due to international trade, permitting such trade only

in exceptional circumstances. Appendix-II species are those that may become endangered if their trade is not regulated, thus require controls aimed at preventing unsustainable use, maintaining ecosystems and preventing species from entering Appendix I. Appendix-III species are those subject to domestic regulation by a party requesting the cooperation of other parties to control international trade in that species.

In order to list a species in Appendix I or II, a party needs to submit a proposal for approval by the CoP, supported by scientific and biological data on population and trade trends. The proposal must be adopted by a two-thirds majority of parties present and voting. As the trade impact on a species increases or decreases, the CoP decides whether or not the species should be transferred or removed from the appendices.

There are approximately 5,000 fauna species and 29,000 flora species protected under the three CITES appendices. Parties regulate international trade of CITES species through a system of permits and certificates that are required before specimens listed in its appendices are imported, exported or introduced from the sea. Each party is required to adopt national legislation and to designate two national authorities, namely a Management Authority, responsible for issuing these permits and certificates, and a Scientific Authority, responsible for providing advice. These two national authorities also assist with CITES enforcement through cooperation with customs, police and other appropriate agencies. Parties maintain trade records that are forwarded annually to the CITES Secretariat, thus enabling the compilation of statistical information on the global volume of international trade in appendix-listed species.

The operational bodies of CITES include the Standing Committee (SC) and two scientific committees: the Plants Committee (PC) and the Animals Committee (AC).

CONFERENCES OF THE PARTIES: The first CoP was held in Bern, Switzerland, in November 1976, and subsequent CoPs have been held every two to three years. The CoP meets to, *inter alia*: review progress in the conservation of species included in the appendices; discuss and adopt proposals to amend the lists of species in Appendices I and II; consider recommendations and proposals from parties, the Secretariat, the SC and the scientific committees; and recommend measures to improve the effectiveness of the Convention and the functioning of the Secretariat. The CoP also periodically reviews the list of resolutions and decisions, as well as the species listed in the appendices.

CITES CoP13: CoP13 met in Bangkok, Thailand, from 2-14 October 2004. Delegates addressed a range of topics, including 50 proposals to amend the CITES appendices. CoP13 approved



the listing of ramin, agarwood, the great white shark and the humphead wrasse in Appendix II, as well as the uplisting of the Irrawaddy dolphin from Appendix II to I. Regarding the African elephant, Namibia saw its request for an annual ivory quota rejected, but was allowed to proceed with a strictly-controlled sale of traditional ivory carvings. Delegates also agreed on an action plan to curtail unregulated domestic ivory markets. Namibia and South Africa were each allowed an annual quota of five black rhinos for trophy hunting, and Swaziland was allowed to open up strictly controlled hunting of white rhinos. Other decisions focused on synergies with the Food and Agriculture Organization of the UN (FAO) and the Convention on Biological Diversity (CBD). Enforcement issues also received considerable attention.

CITES CoP14: CoP14 met in The Hague, the Netherlands from 3-15 June 2007. Delegates addressed a range of topics, including: the CITES Strategic Vision 2008-2013; a guide to compliance with the Convention; management of annual export quotas; and species trade and conservation issues, including Asian big cats, sharks and sturgeons. Delegates agreed that no cetacean species should be subject to periodic review while the International Whaling Commission (IWC) moratorium is in place. CoP14 approved the listing of: slender-horned and Cuvier's gazelles and slow loris on Appendix I; and Brazil wood, sawfish and eel on Appendix II. It also agreed to amend the annotation on African elephants to allow a one-off sale of ivory from Botswana, Namibia, South Africa and Zimbabwe with a nine-year resting period for further ivory trade. The media spotlighted negotiations on the future of ivory trade and African elephant conservation, with many highlighting the consensus by African range states as a major achievement of this meeting.

CITES CoP15: CoP15 met in Doha, Qatar from 13-25 March 2010. The meeting considered 68 agenda items and 42 proposals to amend the CITES appendices. CoP15 adopted resolutions and decisions directed to parties, the Secretariat and Convention bodies on a wide range of topics including: electronic permitting; Asian big cats; rhinoceroses; bigleaf mahogany; and Madagascar plant species. Regarding species listings, CoP15 decided to list, among others: Kaiser's spotted newt; five species of tree frogs; the unicorn beetle; rosewood; holywood; and several Madagascar plant species.

INTERSESSIONAL HIGHLIGHTS

PC19: The 19th session of the PC convened in Geneva, Switzerland from 18-21 April 2011. PC19 adopted the recommendations on the PC work-plan, NDFs, the periodic review and amendments to the appendices, the Review of Significant Trade (RST), orchids annotations, Madagascar and agarwood-producing taxa. Discussions on annotations, which prominently involved industry and civil society, proved more difficult and resulted in the PC taking note, rather than adopting, certain recommendations.

AC25: The 25th meeting of the AC convened in Geneva, Switzerland from 18-22 July 2011. AC 25 discussed seventeen substantive items, including: cooperation with other multilateral instruments; strategic planning; capacity building; NDFs; the RST in Appendix II species; the periodic review of animal species included in the appendices; amendments to the appendices; sharks; snakes; and sturgeon. AC 25 adopted recommendations on: the Biodiversity Indicators Partnership; the periodic review; RST; ranching; identification of CITES-listed corals in trade; progress on the Identification Manual; production systems; sturgeons; sharks; snakes; turtles and tortoises; and sea cucumbers.

SC61: The 61st meeting of the SC met in Geneva, Switzerland from 15-19 August 2011. SC61 agreed to a number of recommendations, including on: the Report on the Working Group on revising the agreement between the CITES SC and the Executive Director of UNEP; conducting a study on the rationale and history of the rules applying to votes by secret ballot within CITES' CoPs; the adoption of national laws for the implementation of the Convention; the RST; enforcement matters; elephant management and conservation; and Asian big cats.

AC26 AND PC20 MEETINGS: AC26 convened in Geneva, Switzerland from 15-20 March 2012. AC26 was followed by the Joint Meeting of the AC and PC, which took place in Dublin, Ireland from 22-24 March 2012. Finally, PC20 met in Dublin from 26-30 March 2012. During AC26, participants adopted recommendations on: the RST in specimens of Appendix-II species; the Periodic Review of animal species included in the CITES appendices; the reports from Caspian Sea range states on the evaluation of sturgeon stock assessment and Total Allowable Catch (TAC) determination methodology; the implementation of Resolution Conf. 12.6 (Rev. CoP15) on conservation and management of sharks; and the report of the Working Group (WG) on sea cucumbers. During the Joint Meeting, the AC and PC adopted recommendations on: the IPBES; the Report of the joint WG on Climate Change; the Evaluation of RST; and NDFs, including a draft guidance on the making of NDFs.

At PC20, participants adopted recommendations on: the progress report on strategic planning; the CBD Global Strategy for Plant Conservation; the review of Resolution 14.8 (Periodic Review of the Appendices); annotations; RST in seven species of medicinal and aromatic plants; timber issues; the Periodic Review of plant species included in the CITES Appendices; bigleaf mahogany and other neotropical timber species; timber species, medicinal plants and agarwood-producing species; annotations; and proposals for possible consideration at CoP16.

SC62: SC62 met in Geneva, Switzerland from 23-27 July 2012. The Committee addressed a heavy agenda, including: financial matters; relationship with UNEP, focusing on instances of non-compliance with its MoU with CITES; cooperation with other organizations; livelihoods; compliance and enforcement; and species trade and conservation, with discussions focusing on elephants, rhinos and tigers, among others. The SC made progress on a package of measures on elephant conservation, in an attempt to tackle the entire ivory trade chain and consider both short- and longer-term measures. The Committee also agreed on measures to address the rhino crisis and on reporting on captive breeding of tigers, and endorsed a draft recommendation on livelihoods and guidelines for cooperation with the International Commission for the Conservation of Atlantic Tunas (ICCAT). Delegates also made progress on introduction from the sea.

SC63: SC63 met in Bangkok, Thailand on 2 March 2013. The Committee addressed: potential conflicts of interest; RST; e-commerce of CITES-listed species; and elephant conservation, illegal killing and ivory trade. During the discussion on elephant conservation, the Secretariat, noting the high level of illegal ivory trade, requested China, Kenya and Tanzania to increase the level of enforcement at their ports. The SC took note of the report on elephant conservation, illegal killing and ivory.

CITES COP16 HIGHLIGHTS: SUNDAY, 3 MARCH 20013

The sixteenth meeting of the Conference of the Parties (CoP16) to the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) convened in the morning in Bangkok, Thailand. Yingluck Shinawatra, Prime Minister, Thailand, officially opened the meeting. She highlighted Thailand's commitment to the Convention and to enhancing cooperation in conservation and combating illegal trade. John Scanlon, CITES Secretary-General, welcomed over 2000 registered participants from over 150 countries, including more than 200 non-governmental organizations (NGOs) and intergovernmental organizations.

In the afternoon, the CoP addressed possible changes to the Rules of Procedure, among different administrative and strategic matters. Noting the lack of consensus on the issue, the Chair deferred further discussions to a later date.

OPENING OF THE MEETING

The host country organizers of CITES CoP16 welcomed participants to Thailand, and informed them of the commitment of the host country and its Royal family to the conservation of the environment and wildlife.

Addressing participants via video, His Royal Highness Prince William, Duke of Cambridge, underscored threats to wildlife, including illegal killing of African elephants and rhinos and related illegal trade in ivory, and called on parties to work together to address them.

In his opening statement, Øystein Størkersen, Chair of the Standing Committee (SC), recognized that this CoP marks the 40th anniversary of CITES. He lauded its achievements, but cautioned that parties "cannot be complacent" and must continue to work to implement the Convention. Calling attention to the role of local communities and civil society in the "constantly-evolving dialogue" of CITES, he encouraged further exploration of synergies with a "multitude of partners" for finance and programming.

Achim Steiner, Executive Director, UN Environment Programme (UNEP), commended CITES on its 40 years of vision and energy. He recommended addressing: cross-border crime syndicates, enforcement and supply chain challenges affecting elephant and rhino populations; the need for synergies between CITES and other instruments to protect shark and ray species; and defining and measuring targets.

John Scanlon, Secretary-General, CITES, welcomed Bahrain, the Maldives and Lebanon as the three newest parties to CITES, which now has 178 parties. He said illegal trade has reached

a level that poses danger to wildlife, economies, stability and people, including those serving on the frontlines to protect wildlife. He called upon parties to take action to: reverse negative trends; address wildlife crime; ensure legal, sustainable and traceable trade of economically-valuable timber species; address introduction from the sea; and request the Global Environment Facility (GEF) to serve as a financial mechanism to CITES.

Yingluck Shinawatra, Prime Minister, Thailand, emphasized Thailand's efforts to reduce illegal trafficking of ivory by increasing international customs cooperation, limiting the supply of ivory products to domestic elephants and amending national legislation to put an end to ivory trade.

ADMINISTRATIVE MATTERS

ELECTION OF OFFICERS: In the afternoon, the CoP appointed: Preecha Rengsomboonsuk, Minister of Natural Resources and Environment (Thailand) as CoP Chair and Pithaya Pookaman, vice- Minister of Natural Resources and Environment Ministry (Thailand), as alternate; Augustin Ngumbi Amuri (Democratic Republic of Congo) as vice-Chair and Øystein Størkersen (Norway) as alternate; Carolina Caceres (Canada) as Chair of Committee I; Robert Gable (US) as Chair of Committee II; and Zhihua Zhou (China) as Chair of the Credentials Committee.

ADOPTION OF THE AGENDA AND WORK

PROGRAMME: Chair Rengsomboonsuk welcomed all delegates. Alternate Chair Pookaman then introduced the working programme (CoP16 Doc.3 (Rev.2)). The Secretariat proposed a minor change, wherein item 13 on cooperation with organizations and multilateral environmental agreements (MEAs) and item 15 on the International Consortium on Combating Wildlife Crime (ICWC) be transferred to Committee II and discussed together with item 14 on the draft resolution and decisions on the cooperation of CITES with other biodiversity-related conventions. The CoP adopted the document with the amendment.

RULES OF PROCEDURE: The alternate Chair addressed the timeline for discussing the three documents on Rules of Procedure, namely the Report of the Secretariat (CoP16 Doc.4.1 (Rev.1)), the proposal to improve transparency of voting during meetings of the CoP (CoP16 Doc.4.2 (Rev.1)) and the proposed amendment to Rule 25 on methods of voting – use of secret ballots (CoP16 Doc.4.3 (Rev.1)). He proposed that a simple majority be used for amending the Rules of Procedure.



GUINEA and JAPAN said that decisions should be made based on a two-thirds majority. EGYPT, citing the UN Convention on Biological Diversity (CBD), where decisions are taken by consensus, noted that secret ballots are not a question of procedure but of substance. Supported by CHINA, SOUTH AFRICA, GHANA, IRAN, the PHILIPPINES and KUWAIT, he objected to the proposal to use a simple majority, and stated that consensus is a better option. IRELAND, on behalf of the EU and its Member States and Croatia, and supported by MEXICO, stressed that decisions must be made on the basis of a simple majority, as described in the Rules of Procedure. COLOMBIA, ARGENTINA, ECUADOR, BRAZIL and the DEMOCRATIC REPUBLIC OF CONGO agreed with the EU and MEXICO.

Secretary-General Scanlon noted that the CBD and other conventions that use consensus, have the use of consensus specifically laid out in their rules, which he said is not the case for CITES.

Report of the Secretariat: The Secretariat introduced its Report (CoP16 Doc.4.1 (Rev.1)) along with proposed amendments to references to draft decisions, the deadline for submission of working documents and voting. It withdrew its proposed amendment to procedures for deciding on proposals for amendment of Appendices I and II. Delegates agreed to the recommendations after the Secretariat withdrew the proposed deadline change for submitting working documents and made a minor wording change, suggested by ISRAEL, to the proposed amendment on voting.

Proposal to improve transparency of voting during meetings of the CoP and Proposed amendment to Rule 25 on Methods of voting – Use of secret ballots: The Alternate Chair invited the proponents of the two proposals on voting procedures to introduce the documents, followed by discussions on both proposals.

IRELAND, on behalf of the EU and its Member States and Croatia, introduced a proposal from Denmark on behalf of the EU to improve transparency of voting during meetings of the CoP (CoP16 Doc. 4.2 (Rev.1)). He explained the intent of the proposal, stating the increased use of secret ballots in non-administrative matters had become the rule for many issues, rather than the exception, and said this practice threatened the transparency of decision-making in the Convention.

MEXICO introduced its proposal with Chile on a proposed amendment to Rule 25 on methods of voting (CoP16 Doc 4.3 (Rev.1)). He noted that the use of secret ballots had increased since CoP9 in 1994, when Rule 25 had been changed from requiring a simple majority to requiring the support of 10 countries. He said the 10-party threshold does not reflect the increase in the number of parties to CITES since CoP9.

In discussions, INDIA supported the EU proposal. The US and COLOMBIA supported the EU proposal, noting that if it was not approved, they could support the proposal from Mexico and Chile. Commenting that secret ballots should remain an option but should not be the rule, PARAGUAY also supported Mexico and Chile.

JAPAN stated that secret ballots allow states to vote freely and opposed changes to the voting threshold. He challenged the view that secret ballots were used too frequently, commenting that since CoP10, over 70% of votes had been conducted openly, and that parties had maintained a balance between transparency and democracy.

CHINA agreed that secret ballots are important for democracy, stating that the current CITES system strikes a good balance with transparency.

Noting the lack of consensus on the issue, the Chair deferred further discussions to a later date, following the meeting of the Credentials Committee.

ESTABLISHMENT OF CREDENTIALS COMMITTEE: Øystein Størkersen, SC Chair, reported that SC63 had nominated a chair and four members for the Credentials Committee. The CoP approved these nominations.

ADMISSION OF OBSERVERS: The Secretariat introduced the agenda item (CoP16 Doc.6), which the CoP accepted without amendment.

REPORT OF UNEP: UNEP introduced its report (CoP16 Doc.7) and highlighted substantial and technical support provided to CITES. She recommended amending the Memorandum of Understanding (MoU) between CITES and UNEP in light of lessons learned over the last sixteen months. The CoP took note of the report.

STRATEGIC MATTERS

STANDING COMMITTEE REPORT: Øystein Størkersen, SC Chair, introduced the SC report (CoP16 Doc.10.1.1), highlighting that, in the period since CoP15, the Committee focused on key tasks given to it by the CoP. The US said that the item on the SC's agreement on specific actions on mahogany is not reflected in the SC Report and asked that it be noted. UGANDA pointed out that reference to the review of Resolution 10.10 was left out. The CoP noted the Report.

ANIMALS COMMITTEE REPORT: Carlos Ibero Solana (Spain), Chair, Animals Committee (AC) presented the AC report (CoP16 Doc.10.2.1 (Rev.1)). He highlighted topics considered at the joint meeting of the AC and PC. The US encouraged further discussion on a supplementary budget to support the work of the technical committees and suggested the SC finance and budget subcommittee consider this intersessionally. The report was noted.

PLANTS COMMITTEE REPORT: Plants Committee (PC) Chair Margarita Clemente-Muñoz (Spain) presented the PC report (CoP16 Doc.10.3.1 (Rev.1)), outlining the work achieved at meetings of the PC from 2009-2012, the joint AC/PC meeting and various related regional and working group meetings. The report was noted.

WORLD WILDLIFE DAY: The Secretariat introduced the proposal by Thailand for World Wildlife Day (CoP16 Doc.24 (Rev.1)). JAPAN, EGYPT, GUINEA, KENYA, the DEMOCRATIC REPUBLIC OF CONGO, CHINA, INDIA, VENEZUELA, PERU and the US supported it, and the CoP adopted it.

IN THE CORRIDORS

The CoP opened with a stunning music-and-dance performance followed by a speech by Thailand's Prime Minister Shinawatra. One participant approved of the Prime Minister's between-the-lines suggestion that a ban on domestic ivory trade could help resolve the ivory crisis. After lunch, delegates tackled controversial proposed amendments to the Rules of Procedure concerning voting by secret ballot. By mid-way through the afternoon, the excitement that had flickered in the morning disappeared along with the internet connection, which was already intermittent, as divisiveness flared for the first, but likely not the last, time at CoP16.

CITES COP16 HIGHLIGHTS: MONDAY, 4 MARCH 2013

In the morning, ministers and high-level representatives convened for the roundtable on combating transnational organized wildlife and forest crime. In the afternoon, participants met in Committees. Committee I discussed, *inter alia*, climate change, non-detriment findings (NDFs) and nomenclature. Committee II addressed financing and budgeting of the Secretariat and the CoP.

COMMITTEE I

Committee I was chaired by Carolina Caceres (Canada).

CBD GSPC: The Chair of the Plants Committee (PC), Margarita Clemente-Muñoz (Spain), explained the intention of a resolution on cooperation with the Global Strategy for Plant Conservation (GSPC) of the Convention on Biological Diversity (CBD) (CoP16 Doc.16 (Rev.1)), based on Resolution 15.19. PC Vice-Chair Hesiquio Benitez Díaz (Mexico) introduced the draft resolution.

CHINA, INDIA, SOUTH AFRICA and GRENADA supported the resolution. ARGENTINA and JAPAN also supported the resolution, specifying they preferred the Secretariat's amendments. JAPAN also urged retaining text specifying meeting participation be subject to external funding.

Following further discussions, Committee I agreed to the resolution with an amendment specifying the role would be to represent the CITES PC at meetings of the CBD subsidiary bodies and other GSPC meetings. The Committee noted the reservations of IRELAND, on behalf of the EU and its Member States and Croatia, as to whether the resolution was needed, and also agreed this decision repealed Decision 15.19.

IPBES: MEXICO presented the document (CoP16 Doc.17 (Rev.1)) on behalf of the Working Group. He described the four draft decisions in CoP16 Doc.17 (Rev.1), noting they were drafted before the first plenary meeting of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES). He proposed, supported by the US, COLOMBIA, CHILE, JAPAN and BRAZIL, that a drafting group update the draft decisions.

The US raised several concerns, including on a possible Memorandum of Understanding (MoU) between the IPBES Secretariat and the Liaison Group on Biodiversity-related Conventions, stating it was too early to take some decisions. CHILE agreed the draft decisions were premature, given IPBES's recent creation. Chair Caceres invited the US,

COLOMBIA, IRELAND, on behalf of the EU and its Member States and Croatia, CHILE, JAPAN, INDIA, BRAZIL and MALAYSIA to join a drafting group on the issue.

CLIMATE CHANGE: On behalf of the SC, the US introduced the document on review of resolutions related to climate change (CoP16 Doc.27 (Rev.1)).

SWITZERLAND, IRELAND, on behalf of the EU and its Member States and Croatia, JAPAN and PARAGUAY supported the findings of the AC and PC, as endorsed by the SC. KENYA, supported by ISRAEL and the DEMOCRATIC REPUBLIC OF CONGO, preferred establishing a working group through the SC on further guidance on addressing climate change, but accepted the consensus of the Committee to take no new decision. Committee I took note of the document and recognized this repealed the three CoP15 decisions on climate change.

NDFs: PC Chair Clemente-Muñoz introduced the document on NDFs (CoP16 Doc.33 (Rev.1)).

A number of countries welcomed work on NDFs, with many, including MEXICO, the DEMOCRATIC REPUBLIC OF CONGO and IRELAND, on behalf of the EU and its Member States and Croatia, underscoring the importance of voluntary, non-binding guidelines. CHINA called NDFs the "cornerstone of the Convention," underscoring the importance of scientific information, not just guidelines, for implementing NDFs. AUSTRALIA supported the revised draft resolution. A number of parties, including INDIA, SOUTH AFRICA, JAPAN and the US, supported the intent of the resolution but preferred to continue clarifying and revising the text.

AUSTRALIA, CHINA, MEXICO, the DEMOCRATIC REPUBLIC OF CONGO, IRELAND, on behalf of the EU and its Member States and Croatia, INDIA, the US, CANADA, JAPAN and MALAYSIA volunteered to participate in a working group to refine and clarify the draft resolution, and SOUTH AFRICA agreed to chair the group.

Chair Caceres proposed, and parties agreed, to delay discussion on the draft decisions contained in Annex 4 of CoP16 Doc.33 (Rev.1) until after discussion on the documents on agarwood-producing taxa (CoP16 Doc.67.1 (Rev. 2) and CoP16 Doc.67.2 (Rev. 1)).

NOMENCLATURE: Ute Grimm, AC Nomenclature Specialist (Germany), and Noel McGough, PC Nomenclature Specialist (UK), introduced the document (CoP16 Doc.43.1 (Rev.1)) and its annexes and reported on nomenclatural tasks addressed by the AC and PC, respectively. Parties agreed to the list of standard references (CoP16 Doc.43.1 (Rev.1) Annex 6 (Rev.1)).



Hippocampus species: SWITZERLAND introduced a document on standard nomenclature for *Hippocampus* species (CoP16 Doc.43.2 (Rev.1)). AUSTRALIA supported the resolution, and further requested the CITES nomenclature experts to consider eight additional *Hippocampus* species, currently recognized by Australia, for inclusion in the CITES database. The Committee agreed to the resolution and took note of Australia's request.

COMMITTEE II

Committee II, chaired by Robert Gable (US), convened in the afternoon.

IMPLEMENTATION OF THE COSTED PROGRAMME OF WORK FOR 2010-2011: The Secretariat introduced the implementation of the costed programme of work (CPW) for 2010 and 2011 (CoP16 Doc.8.1 and Annexes 1-8). Committee II accepted the expenditures incurred and approved the CPW for 2010 and 2011, as reported by the Secretariat.

IMPLEMENTATION OF THE COSTED PROGRAMME OF WORK FOR 2012: The Secretariat introduced the implementation of the CPW for 2012 (CoP16 Doc.8.2 and Annexes 1-5). The US, supported by JAPAN, protested the use of the word "arrears" to refer to unpaid voluntary contributions, and requested this intervention be included in the meeting's written record. Committee II accepted the expenditures incurred and approved the CPW for 2012, including the intervention, as reported by the Secretariat.

BUDGETARY PROPOSALS FOR 2014 TO 2016: The Secretariat introduced the relevant document (CoP16 Doc.8.3) on budgetary proposals for 2014 to 2016. The Secretariat encouraged parties to consider the Zero Real Growth budget scenario. NORWAY, INDIA, AUSTRIA, BRAZIL, RUSSIA, SWEDEN, SOUTH AFRICA and BOTSWANA agreed. JAPAN differed, stating that it supports a Zero Nominal Growth scenario. The US, MEXICO, SOUTH AFRICA, CANADA, JAPAN, GERMANY, FRANCE, IRELAND on behalf of the EU and its Member States and Croatia, the UK, BOTSWANA, BELGIUM, NORWAY, AUSTRALIA, REPUBLIC OF KOREA, COLOMBIA, CHINA, the PHILIPPINES, KENYA and INDONESIA volunteered to participate in the Working Group on Budget. SWITZERLAND offered to chair it. The Working Group will report back on Wednesday, 6 March.

ACCESS TO GEF FUNDING: The Secretariat introduced the relevant document (CoP16 Doc.8.4) and: the proposed text for the resolution on financing and the CPW for 2014-2016; the recommendation that the CoP accept the Global Environment Facility (GEF) as a financial mechanism for CITES; and the draft decisions contained in Annex 2. He noted that the draft decisions, *inter alia*, request the GEF to serve as a financial mechanism for CITES, and enhance its biodiversity focal area in its Sixth Programming Strategy.

AUSTRALIA, concerned that there is not a robust analysis on the implications of the proposal, asked what would happen to the CITES Trust Fund. IRELAND, on behalf of the EU and its Member States and Croatia, noted that the GEF could already support countries in their national activities and that access to GEF funding is a country-driven process. He also stressed that CITES-related activities should be embedded in the CBD National Biodiversity Strategies and Action Plans (NBSAPs). JAPAN proposed some changes to the decision, including that the GEF is "invited," rather than "requested," to consider serving as the financial mechanism. The US noted that some CITES activities carried out at the national level may already be eligible for GEF funding. He also stressed that while the US does

not want to block the proposal, it would have to be evaluated carefully before the next GEF Council. CANADA said greater legal clarity might be needed before considering the proposed draft resolution. PERU, SAINT LUCIA, BOTSWANA, IRAN, SÃO TOMÉ AND PRÍNCIPE, NORWAY and BAHRAIN generally supported the proposal. KENYA and SOUTH AFRICA supported the opportunity to include CITES activities in the Sixth Programming Strategy.

In closing the discussion, the Secretariat noted that: the request has no impact on the Trust Fund; the Secretariat seeks to work through the NBSAPs and GEF Focal Points at the national level; and priorities would be articulated by working with the SC. In closing, Chair Gable proposed the Working Group on Budget take up this issue.

ACCESS TO OTHER SOURCES OF FUNDING: The Secretariat introduced the document (CoP16 Doc.8.5), which reports on its investigation of ways to secure funding to support the provision of technical assistance to CITES parties, as directed in Decision 15.20. He highlighted the six proposed draft decisions (contained in Annex 1). In the document, the Secretariat recommends that the CoP: adopt the draft decisions; delete Decision 15.20; and delete all decisions calling on the Secretariat to seek external funding for specific activities and avoid the adoption of new decisions of that nature.

The US suggested the SC serve as the oversight and enabling body for such funding initiatives, and opposed the recommendation on deleting decisions calling on the Secretariat to seek external funding for specific activities. The US and IRELAND, on behalf of the EU and its Member States and Croatia, supported the draft decisions. The Secretariat withdrew the proposal to delete all decisions on external funding, and the Chair closed the issue.

ARRANGEMENTS FOR MEETINGS: RWANDA introduced the relevant document (CoP16 Doc.9 (Rev.1)). The Secretariat was not supportive of the proposal, which he said would draw down limited funds and require additional staff. The Chair requested parties to consult with the Secretariat before pursuing the matter through formal channels.

IN THE CORRIDORS

"Where there are loopholes, there will be prospectors," said a speaker at a lunchtime side event on tigers, implying that whenever CITES leaves anything unspecified, traders move in to exploit that space. In the case of tigers, "space" is created by legal trade in captive-bred tiger skins, which, some claim, stimulates demand for tiger parts and leads to more poaching. Many NGOs have long questioned the effectiveness of banning international trade when domestic trade persists. According to one delegate, Thailand's Prime Minister's statement hinting at a ban on domestic trade in ivory might signal that certain parties are asking similar questions. Yet some countered that species such as rhinos, tigers and elephants, which are severely vulnerable to poaching, cannot wait for demand to ease. These commenters pointed to captive-bred populations—such as rhino farms in South Africa—as the only hope for their protection, and one expressed hope that debates later in the week on implementation of the Convention for captive-bred and ranched specimens would help to support those efforts. Delegates left the meeting to prepare for tomorrow morning's extraordinary plenary which will re-address the question of voting by secret ballot. As one delegate commented, "this is a very hard start to a CoP," as bridging the divisions that emerged on the first day will likely be challenging.



CITES COP16 HIGHLIGHTS: TUESDAY, 5 MARCH 2013

In the morning, participants convened in an extraordinary plenary to discuss the Rules of Procedure. The work of the Committees resumed before lunch. Committee I discussed saiga antelope and snakes. Committee II reviewed CITES resolutions. The Working Group on Rules of Procedure met during lunch.

In the afternoon, Committee I resumed discussions on snake trade and conservation. It then reviewed sharks and stingrays, queen conch and Madagascar. The Committee also began consideration of agarwood-producing taxa.

Committee II addressed: the review of resolutions; conflicts of interest; the CITES Strategic Vision; cooperation with other multilateral environmental organizations (MEAs) and other biodiversity-related conventions; and the International Consortium on Combating Wildlife Crime (ICWC). Discussions on arrangements for meetings were deferred to Wednesday, and an informal group on sturgeon was formed in anticipation of discussions next week. Working groups were also formed on the queen conch and conflicts of interest.

PLENARY

ADMINISTRATIVE MATTERS: Rules of Procedure: In the morning, delegates convened in an extraordinary plenary, chaired by SC Chair Øystein Størkersen, to resume discussions on the Rules of Procedure related to the use of secret ballots for voting.

The Chair of the Credentials Committee, Zhihua Zhou (China), provided a report on the work of the committee, announcing 127 parties had confirmed credentials, nine had credentials pending confirmation and several had not yet submitted their credentials.

Chair Størkersen re-introduced the discussion on the Rules of Procedure, noting that divergent views had been expressed on Sunday, 3 March, when the issue was initially raised. He suggested the CoP vote on the decision in CoP16 Doc.4.2 (Rev.1), submitted by the EU. Several interventions followed, questioning whether the outcome of such a vote would be decided by a simple or two-thirds majority, with opposing views expressed on whether this vote concerned a procedural or substantive issue. CITES Secretary-General John Scanlon clarified that no decision had been taken on the majority needed

for the proposal to pass but explained if the proposal was supported by less than a simple majority or more than a two-thirds majority, no such decision would be needed.

Extensive discussion followed, with many parties expressing confusion during the debates. Chair Størkersen emphasized that a ruling of the Chair could only be changed by a point of order.

MEXICO supported the Chair's proposal on the way forward. ICELAND asked that this vote be taken by secret ballot. SOUTH AFRICA expressed concern about voting without agreement on how to rule on the outcome of the vote raised a point of order based on Rule 21, that parties should work as far as possible to reach consensus on draft resolutions and decisions. SOUTH AFRICA said she was unconvinced the CoP had exhausted efforts to reach consensus, and requested re-opening debate before taking a vote. Several delegations applauded this intervention. ZAMBIA supported South Africa, and pointed to Rule 18 of the Convention on resolving disputes by negotiation. JAPAN made a procedural motion to apply a two-thirds majority to the outcome of the vote on the draft decision in CoP16 Doc.4.2 (Rev.1), and requested the CoP vote on the motion immediately.

Chair Størkersen, noting that parties wanted a decision on how the CoP would rule on the outcome of a vote before going to a vote, ruled for a simple majority. JAPAN raised a point of order requesting a two-thirds majority.

The Secretariat noted that the number of credentials had been updated to 134. Credentials Committee Chair Zhou, supported by GUINEA and CANADA, requested clarification on the source of this new total. The Secretariat responded it would consult with the Credentials Committee. CHINA, GRENADA, ICELAND and the RUSSIAN FEDERATION supported the motion of SOUTH AFRICA, with CHINA, ICELAND and the RUSSIAN FEDERATION stating that if the motion of Japan was to go forward first, they requested the vote be taken by secret ballot. SOUTH AFRICA reiterated the need to consider the issue of consensus before moving forward on Japan's motion.

The SC Chair proposed deferring the issue to Wednesday morning and asked SOUTH AFRICA to chair a working group on Rules of Procedure. He noted that, in absence of agreement, he will propose to revert back to Japan's proposal on voting.



COMMITTEE I**SPECIES TRADE AND CONSERVATION: Saiga**

Antelope: The Secretariat introduced the relevant document (CoP16 Doc.56), highlighting collaboration on saiga antelope with the Convention on the Conservation of Migratory Species of Wild Animals (CMS). He stressed that none of the range states had submitted their reports or implemented the CoP15 decisions. He noted that as a result he could not provide an assessment of the status of such decisions. He noted some threats faced by the species, including: the ongoing construction of a border fence between Uzbekistan and Kazakhstan, which could prevent saiga migration and facilitate poaching; livestock competition; disease; and illegal trade.

He highlighted the draft decisions, calling, *inter alia*, on range states to implement the measures that are contained in the Medium-Term International Work Programme for the Saiga Antelope (2011-2015), developed in support of the Memorandum of Understanding (MoU) concerning conservation, restoration and sustainable use of the Saiga Antelope and its Saiga Action Plan. He also highlighted the decision directed to consumer and trading countries of saiga parts and derivatives to contribute financially towards saiga antelope conservation.

CMS clarified, in response to a query from JAPAN, that the online saiga antelope database is being developed by the Saiga Conservation Alliance and the Association for the Conservation of Biodiversity of Kazakhstan (ACBK), as MoU Coordinators, and will be launched in June 2013.

The RUSSIAN FEDERATION proposed listing saiga antelope under CITES Appendix I, noting that a draft proposal is under preparation. CHINA questioned whether an Appendix I listing would be warranted, in light of the planned efforts and cooperation. The US and IRELAND, on behalf of the EU and its Member States and Croatia, expressed support for the proposed draft decisions. The US noted concern about the lack of reporting.

The Committee agreed to the proposed decisions.

Snake Trade And Conservation Management:

SWITZERLAND introduced the document (CoP16 Doc.57 (Rev.1)) on behalf of the SC. He reported on, *inter alia*, a workshop on trade of snakes in Asia (Decision 15.75) and introduced draft decisions on: a study of production systems for Asian snakes listed in Appendix II; guidance for making non-detriment findings (NDFs); methods for differentiating wild from captive species; a traceability system; capacity building and training; and collaboration on enforcement.

INDONESIA suggested several amendments to the draft decisions, including guidelines on wild population production systems and establishing a cost-effective marking system for captive-bred products. CHINA stressed the need to maintain a balance between trade in and conservation of Asian snake species.

The AC Chair noted a draft decision in paragraph 84 of CoP16 Doc.10.2.1 (Rev.1) on the final IUCN red list assessments for Asian snakes, which the AC recommended the CoP adopt. The Committee agreed.

Sharks and Stingrays: Committee I Chair Caceres

introduced the document (CoP16 Doc.61 (Rev.1)). NEW ZEALAND presented on the main activities of the Sharks Working Group since CoP15 and introduced two draft decisions as well as proposed amendments to Resolution Conf.12.6 (Rev. CoP15) on conservation and management of sharks. The first draft decision directs the Secretariat to: request parties to submit information on domestic laws and regulations concerning sharks; make this information available on the CITES website; and collaborate with the Food and Agriculture Organization (FAO) to develop a single resource on current Regional Fisheries Management Organization (RFMO) measures for sharks. The second draft decision, for which he suggested minor wording changes, directs parties to engage with the work of CMS. He also noted the Secretariat's suggestion to either delete Decision 15.85 on freshwater stingrays or transfer it to Resolution Conf.12.6 (Rev. CoP15).

COLOMBIA, as well as AUSTRALIA, supported retaining text on freshwater stingrays within Resolution Conf.12.6. CHINA suggested deleting the final clause of operative paragraph six in Resolution Conf.12.6, citing duplication with operative paragraph eight. IRELAND on behalf of the EU and its Member States and Croatia, HONDURAS and COLOMBIA agreed to the proposed draft decisions and resolution amendments. CMS and FAO reported on synergies with CITES. IUCN proposed additional text on the need for details specifying the nature of reported data on sharks. NEW ZEALAND agreed to deleting the final clause of operative paragraph six, as suggested by CHINA, but suggested adding the text proposed by IUCN to operative paragraph eight. MEXICO requested time to review the proposed textual revisions.

The Committee agreed to the proposed draft decisions, including the amendments by the Secretariat and New Zealand, and also agreed to delete the final clause of operative paragraph six in Resolution Conf. 12.6. Chair Caceres proposed, and parties agreed, to delay decisions about the wording of operative paragraph eight until the following day.

Sea Cucumbers: NEW ZEALAND introduced the document (CoP16 Doc.64 (Rev.1)), noting, *inter alia*, close collaboration between CITES and FAO. He said the AC believes its mandate fulfilled and recommends repealing Decision 14.100 (Rev. CoP15).

COLOMBIA requested additional explanation from the AC on its conclusions and follow-up. ECUADOR, supported by AUSTRALIA, on behalf of Oceania, recommended postponing the decision to repeal Decision 14.100 until CoP17. NEW ZEALAND, supported by the US, responded that the Working Group felt their mandate was fulfilled and said parties could propose Appendix II or III listings. NORWAY agreed, noting the need to distinguish between CITES and FAO tasks. JAPAN and CHINA also supported repealing Decision 14.100. AC Chair Solana agreed the mandate of Decision 14.100 had been fulfilled, and suggested additional work would require a further mandate.

AUSTRALIA said it would not block consensus. Noting that it has species listed under Appendix III, ECUADOR agreed to join the consensus. Parties agreed to repeal Decision 14.100.

Queen Conch: Colombia presented the document (CoP16 Doc.65 (Rev.1)) on regional cooperation on the management of and trade in the queen conch (*Strombus gigas*), and requested the establishment of a working group to address draft decisions concerning trade in and conservation of the species.

COLOMBIA, BELIZE, BAHAMAS, JAMAICA, the US, FRANCE and the UK, on behalf of the EU and its Member States and Croatia, CUBA, MEXICO, DOMINICAN REPUBLIC and ANTIGUA AND BARBUDA volunteered to participate in the working group, with COLOMBIA chairing. The Working Group will report back on Thursday, 7 March.

Madagascar: PC Chair Clemente-Muñoz introduced the draft decisions in the document (CoP16 Doc.66 (Rev.1)). Nomenclature Specialist Noel McGough (UK) highlighted work by Madagascar, including: development of identification techniques; preparation of identification material; field surveys for NDFs; and submission of proposals to CoP16 (CoP16 Prop. 51, 58, 63-66 and Prop.71). He said this work completes tasks outlined in Decision 15.97 and recommended repealing it.

MADAGASCAR described its activities on, *inter alia*: development of timber identification methodologies, noting its preference for simple, low-cost techniques; preparation of an identification guide on nineteen timber species, including seventeen *Dalbergia* and seven *Diospyros* species on the basis of macroscopic characteristics (PC20 Inf.3); capacity building for customs agents; a pilot project on community-based sustainable management; and ongoing studies to gather data on the trade of five succulent species.

IRELAND, on behalf of the EU and its Member States and Croatia, agreed the tasks had been accomplished and welcomed ongoing work by Madagascar. Parties agreed to note the document and reports and to repeal Decision 15.97.

Agarwood: The Chair introduced the PC Report (CoP16 Doc.67.1 (Rev.2) and the draft resolution on implementation of the Convention for agarwood-producing taxa (CoP16 Doc.67.2 (Rev.1)). PC Chair Clemente-Muñoz emphasized the extension of the application of Resolution Conf. 10.13 on implementation of the Convention for timber species to include not only timber but also traded tree species. KUWAIT noted that the draft resolution amended definitions of “artificially propagated plants” in Decision 15.94 on agarwood-producing taxa, which do not currently apply to field conditions, or to mixed-species plantations prevalent in the tropics. AUSTRALIA, supported by INDONESIA, CANADA, CHINA and BAHRAIN, preferred the scope and definitions in the draft resolution. The US and IRELAND, on behalf of the EU and its Member States and Croatia, requested forming a drafting group on the draft resolution. The Chair said the discussion would continue on Wednesday.

COMMITTEE II

INTERPRETATION AND IMPLEMENTATION OF THE CONVENTION: Review of Resolutions: The Secretariat introduced proposed amendments to resolutions contained in the annexes to the review of resolutions document (CoP16 Doc.25A1-11).

On Resolution Conf. 9.6 (Rev.) on trade in readily recognizable parts and derivatives in Annex three, the Committee discussed the exemption from CITES provisions of ambergris from sperm whale, urine and faeces. After a debate, the Committee agreed to the exemption of all three with amended language proposed by IRELAND, on the behalf of the EU and its Member States and Croatia. On Resolution Conf. 12.3 (Rev. CoP15) on permits and certificates contained in Annex eight, many countries disagreed with the Secretariat’s definition of “state of usual residence.” The Secretariat deleted the relevant text. IRELAND, on behalf of the EU and its Member States and Croatia, supported by the US, objected to the amendment of Resolution Conf.12.10 (Rev.CoP15) (registration of operations that breed Appendix-I animal species for commercial purposes) in Annex nine. The Committee rejected the change.

The Committee, *inter alia*, agreed to: revisions to Resolution Conf.9.5 (Rev.CoP15) on trade with states not party to the Convention in Annex two; minor changes to Resolution Conf.9.24 (Rev.CoP15) on criteria for amendment of Appendixes I and II in Annex four; and minor changes to Resolution Conf. 13.8 on participation of observers at meetings of the CoP in Annex 11.

STRATEGIC MATTERS: Potential conflicts of interest in the Animals and Plants Committees: IRELAND, on behalf of the EU and its Member States, Croatia and Iceland, introduced the document (CoP16 Doc.11 (Rev.1)) citing that, unlike other conventions, there are no provisions on conflict of interest for the CITES AC and PC. He introduced the proposal, which says, *inter alia*, that: candidates should disclose any current or past professional, financial or other interest that could call into question their impartiality, objectivity or independence in carrying out their duties; the declaration of interests of members shall be made publicly available by the Secretariat; and when a member, or the Secretariat, considers that this representative has a professional, financial or other interest that could call into question his or her impartiality, the Committee should be informed in advance, as the concerned member may participate in the discussion but not in the making of any decision on that subject.

NEW ZEALAND, AUSTRALIA, NORWAY and COLOMBIA supported the proposal. The US noted that the current proposal needs further clarification, including narrowing the scope to financial matters. CANADA, while supportive of addressing the issue, noted that the disclosure to the public of the declaration of interest is not warranted. CHINA, supported by INDONESIA, expressed concerns, noting that “conflict of interest” should be clearly defined and not apply to past conflicts of interests or those that could arise in the future. PC Chair Clemente-Muñoz called for ensuring transparency. The Committee established a working group to address the issue. IRELAND, on behalf of the EU and its Member States and Croatia, agreed to chair it. The US, CANADA, AUSTRALIA, NEW ZEALAND, CHINA, the UK, MEXICO, KENYA, NORWAY and JAPAN joined.

CITES Strategic Vision: The Secretariat presented the revised CITES Strategic Vision (CoP16 Doc.12), as agreed by the SC. Among the changes, he highlighted its extension to

2020 and references to the CBD Strategic Plan for Biodiversity and relevant Aichi Biodiversity Targets. He noted that if CITES could demonstrate its contribution to the Strategic Plan and Aichi Targets, there might be opportunities for CITES to access GEF financing.

IRELAND, on behalf of the EU and its Member States and Croatia, JAPAN and BRAZIL supported the revised text. The US, supported by INDIA, preferred excluding reference to the Aichi Targets and outcomes of the UN Conference on Sustainable Development (UNCSD or Rio+20) in the Strategic Vision. COLOMBIA agreed on the exclusion of Aichi Targets but wished to retain mention of Rio+20 outcomes.

Following consultations, the Committee agreed to delete text on the green economy in the general introduction, and to retain reference to the Aichi Targets and the Rio+20 outcomes, taking note that the US opposed these elements.

Cooperation with Organizations and MEAs and Draft Resolution and Decision on the Cooperation of CITES with Other Biodiversity-Related Conventions: The Secretariat introduced the relevant document on MEAs (CoP16 Doc.13) and suggested that cooperation efforts undertaken to implement goal three of the CITES Strategic Vision on cooperation fell into several clusters. He cited, in particular, cooperation with: FAO on the conservation and sustainable use of sharks; the International Tropical Timber Organization (ITTO) on trade in tropical timber; CMS on saker falcon, elephants, saiga antelope and sharks; and the CBD on integrating CITES priorities into National Biodiversity Strategies and Action Plans (NBSAPs).

Switzerland then introduced document CoP16 Doc.14 (Rev.1) and relevant draft resolution and decisions, related to the collaboration of CITES with biodiversity-related conventions.

CMS welcomed the report of the Secretariat. She noted that at CMS CoP10 in 2011, two species relevant to CITES were listed on the CMS Appendices, namely the saker falcon and the argali. She highlighted the meeting held in Bishkek, Kyrgyzstan in December 2012 on developing an argali action plan. She noted that argali sheep is particularly relevant to CITES because of the trophy hunting of the species. She then provided updates on the Sharks MoU.

IRELAND, on behalf of the EU and its Member States and Croatia, expressed support for the proposal by Switzerland and provided minor comments to ensure coherence in national-level implementation in addition to cooperation. The US expressed concern with the amount of time invested in the collaborative efforts and proposed reviewing and rationalizing existing resolutions on cooperation. She opposed the draft decision in CoP16 Doc.13.

Following amendments, the Committee agreed to both documents, now considered as one.

ICCWC: The Secretariat introduced the document on the ICCWC (CoP16 Doc.15 (Rev.1)), outlining the Consortium and its development, and noting, among other things, the recruitment of a junior professional staff member for a short-term post in the Secretariat, funded by the UK. The creation and work of the ICCWC was welcomed by the US, IRELAND, on behalf of the EU and its Member States and Croatia, AUSTRALIA, SOUTH AFRICA, DEMOCRATIC REPUBLIC OF CONGO and EL

SALVADOR. WWF, also on behalf of TRAFFIC, urged states, among other things, to implement the ICCWC wildlife and forest crime analytic toolkit. Committee II noted the report with appreciation.

Cooperation between Parties and Promotion of Multilateral Measures: SOUTH AFRICA introduced the relevant document (CoP16 Doc.18 (Rev.1)), highlighting the activities of the Working Group on Multilateral Measures. She said that the SC agreed it would be useful for the Secretariat to initiate a portal or web-based system for parties to provide information on their stricter domestic measures on a voluntary basis. She also noted the draft decisions, including the request that the Secretariat commission a consultancy report to assess whether all parties to the CoP implement resolutions consistently and whether there is a need to clarify, revise or repeal them.

INDIA pointed out that strict domestic measures may not always be implemented solely to fulfill CITES obligations. While supporting the establishment of a database, he objected to having a foreign consultant review and assess domestic legislation based on the current terms of reference. The US proposed changes to the terms of reference. The Committee agreed to the draft decisions taking into consideration, among other things, the concerns of the US.

ADMINISTRATIVE MATTERS

ARRANGEMENTS FOR MEETINGS: The Committee agreed to address the issue (CoP16 Doc.9 (Rev.1)) on Wednesday afternoon, to allow time for Rwanda and the Central African Republic to consult with the Secretariat.

IN THE CORRIDORS

Delegates left the morning's extraordinary plenary with many voicing frustration over failure to reach a consensus on voting by secret ballot. Several expressed confusion about the entire morning's debates. One explained he had lost track of whether he was supposed to vote on the secret ballot issue, or the majority needed to even address the secret ballot issue. This widespread uncertainty led to a plenary that one insider described as "full of ire" and another noted "had more passion than reason," with some delegates shouting and others banging placards. For some delegates, the debates also highlighted the intense pressures faced by those guiding discussions at the CoPs, with SC Chair Størkersen remarking that this was "the most contentious issue I have ever had on my plate." Many recognized the expertise possessed by some CITES senior staff, such as Jonathan Barszdo and Marci Yeater, whom one delegate referred to as the "gold medalists of CITES," for their ability to provide guidance to the parties. Another voiced concern about the impending loss of institutional memory when these individuals retire. Meanwhile, the contentious debate over the secret ballots will continue Wednesday morning in what promises to be another "extraordinary" extraordinary plenary.



CITES COP16 HIGHLIGHTS: WEDNESDAY, 6 MARCH 2013

In the morning, the extraordinary plenary completed its discussions on Rules of Procedure. Committee I discussed agarwood, bigleaf mahogany, periodic review of the appendices and other matters. Committee II addressed CITES and livelihoods, wildlife trade policy reviews, capacity building and other issues.

Committee II Chair Gabel noted that agenda items 73 (proposed revision of Resolution Conf.10.9 on consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II), 36 (decision-making mechanism (DMM) for a process of trade in ivory) and 37 (proposal to amend Decision 14.77 on a DMM for a future trade in elephant ivory) would be discussed together on Thursday.

The Working Group on Conflicts and the informal working group on sturgeon met today. Committee II called for a small working group on CITES and livelihoods. Mexico announced that the Working Group on IPBES would meet Thursday.

PLENARY

ADMINISTRATIVE MATTERS: Rules of Procedure:

In the morning, delegates convened in another extraordinary plenary, chaired by SC Chair Øystein Størkersen, to resume discussions on the question of the majority required to decide on a motion for a secret ballot. The Chair of the Credentials Committee, Zhihua Zhou (China), updated the number of parties with confirmed credentials to 136.

SOUTH AFRICA, Chair of the Friends of the Chair Working Group established by the extraordinary plenary on Tuesday, reported that the group had failed to reach consensus on both the decision in CoP16 Doc.4.2 (Rev.1), submitted by the EU, and the majority required to amend the Rules of Procedure. SOUTH AFRICA noted some parties suggested deferring discussions to the next CoP and establishing an intersessional working group, while other parties preferred continuing discussions to reach consensus. IRELAND, on behalf of the EU and its Member States and Croatia, opposed postponing discussions to CoP17. MEXICO preferred to continue to seek consensus.

CHINA said consensus was impossible, and suggested voting without delay on the motion raised by Japan. COLOMBIA proposed amending the EU proposal by increasing the threshold of countries requesting a secret ballot from 10 to 40, while INDONESIA proposed an increase from 10 to 14. JAPAN, QATAR, KUWAIT, IRELAND, on behalf of the EU and its

Member States and Croatia, and GUINEA supported China's suggestion to vote immediately. CHINA reiterated his request for a secret ballot. Chair Størkersen opened the floor to supporting requests, and the threshold of 10 parties was met.

The CoP proceeded to a vote, with the outcome to be decided by a simple majority according to Rule 26.1. Japan's motion for a two-thirds majority was carried, with 71 voting in favor, 56 against and 3 abstaining.

Proposal to improve transparency of voting during meetings of the CoP: IRELAND, on behalf of the EU and its Member States and Croatia, reiterated the importance of transparency. The SC Chair called for a vote on Colombia's proposed amendment, to increase the threshold for countries to request a secret ballot from 10 to 40. CHINA proposed and 10 parties supported a vote by secret ballot. Colombia's proposed amendment was not accepted, with 67 voting against, 60 in favor and 4 abstaining.

The SC Chair then asked for a vote on the EU proposal. The proposal recommends amending Rule 25, specifically by deleting the sentence "the Presiding Officer shall ask whether the request is seconded. If it is seconded by 10 Representatives the vote shall be by secret ballot," and adding that the request for a secret ballot shall immediately be voted upon. It also states that the motion for a secret ballot may not be conducted by secret ballot. CHINA requested a secret ballot on this vote, which GUINEA, NAMIBIA, JAPAN, KUWAIT, ZAMBIA, THAILAND, SOUTH AFRICA, ZIMBABWE, MOROCCO, IRAN, the RUSSIAN FEDERATION, UGANDA, SINGAPORE, ALGERIA, ICELAND, QATAR, CUBA, TANZANIA and others supported.

The proposal was not accepted, as a two-thirds majority was not achieved, with 62 voting against, 62 in favor and 5 abstaining.

Proposed amendment to Rule 25 on Methods of voting – Use of secret ballots: MEXICO stressed that the motivation for the proposal was to achieve greater transparency. The US proposed an amendment to the proposal to require 25 votes, instead of 10, as set forth in Rule 25.

The SC Chair called for a vote on the proposal as amended by the US. CHINA requested voting by secret ballot. The vote was supported by GUINEA, GRENADA, SINGAPORE, JAPAN, MOZAMBIQUE, ANTIGUA AND BARBUDA, CHINA, VIET NAM, ALGERIA, KUWAIT, ZIMBABWE, INDONESIA, ICELAND, IRAN, QATAR, TANZANIA, GHANA, the RUSSIAN FEDERATION, BOTSWANA,



UGANDA, CUBA, CAMBODIA, EGYPT, the PHILIPPINES, COMOROS and DEMOCRATIC REPUBLIC OF CONGO, among others. The proposal was not accepted, as a two-thirds majority was not achieved. 41 voted in favor and 91 against.

Delegates then moved to vote on Mexico's proposal, which would increase the quorum to one-third for requesting a secret ballot and require that a motion for a secret ballot not be decided by secret ballot. CHINA asked for a vote by secret ballot. GUINEA, EGYPT, IRAN, ANTIGUA AND BARBUDA, NAMIBIA, SOUTH AFRICA, GRENADA, KUWAIT, ICELAND, THAILAND, JAPAN, VIETNAM, COMOROS, SAINT LUCIA AND THE GRENADINES, SINGAPORE, QATAR, UGANDA, INDONESIA, ZAMBIA, ALGERIA, CUBA, the RUSSIAN FEDERATION, GHANA, BOTSWANA, the PHILIPPINES, TANZANIA, DEMOCRATIC REPUBLIC OF CONGO, KENYA, MOROCCO and CAMBODIA supported the request, among others.

ISRAEL proposed voting on changing the quorum needed for the use of secret ballot first, and then voting on the motion that a secret ballot shall not proceed through secret ballot. MEXICO agreed. CHINA questioned the need for separate votes.

Delegates moved to vote on the question. The proposal to change the quorum for the secret ballot from ten to one-third was not accepted, as a two-thirds majority was not achieved, with 66 in favor, 64 against and 2 abstaining.

Delegates then moved to vote on the second part of Mexico's proposal. NAMIBIA asked whether a two-thirds majority was required on this vote. The SC Chair confirmed. The proposal was not accepted. 67 voted in favor, 50 against and 11 abstained.

COMMITTEE I

SPECIES TRADE AND CONSERVATION: Agarwood:

The Committee continued discussion on the draft resolution on implementation of the Convention for agarwood-producing taxa (CoP16 Doc 67.2 (Rev. 1)). The US expressed concern about the resolution's definition of "artificially propagated," which they felt could potentially allow repeated collection and export of wild specimens. The US then proposed a draft decision, requesting the PC to monitor the resolution's implementation to assess its contribution to the long-term survival of agarwood-producing species and to report at CoP17. CHINA, KUWAIT, CANADA, INDONESIA, AUSTRALIA, VIET NAM, MALAYSIA and THAILAND supported this decision and the draft resolution was accepted.

Committee I re-convened in the afternoon to consider the draft resolution and draft decisions in the PC Report on agarwood-producing taxa (CoP16 Doc.67.1 (Rev.2)). Chair Caceres noted divergent views from parties on whether amendments to Resolution Conf.10.13, as indicated in the draft resolution, were required in light of agreement on the draft resolution on agarwood-producing taxa. IRELAND, on behalf of the EU and its Member States and Croatia, CANADA, the US and KUWAIT supported the draft decisions but opposed the revision to Resolution Conf.10.13, particularly the addition of the term "mixed" to discussions of plantations. IRELAND, on behalf of the EU and its Member States and Croatia, BRAZIL and CHILE supported directing the PC to further examine the definition of plantations and to report to CoP17.

The Committee agreed to reject the changes to Resolution Conf.10.13 and accept the decisions contained in the document, including the direction to the PC to continue considering these production systems.

Bigleaf mahogany: PC Chair Clemente-Muñoz introduced the document (CoP16 Doc.68 (Rev.1)) and described the activities of the Working Group on the Bigleaf Mahogany and Other Neotropical Timber Species.

GUATEMALA proposed two draft decisions: to the PC, on the work and reporting of the Working Group; and to the Secretariat, on seeking external funding.

The PC Chair, the US, PERU, COSTA RICA, CHILE, IRELAND, on behalf of the EU and its Member States and Croatia, and MEXICO supported the proposals. The Committee agreed to the two decisions and repealed Decisions 15.91 and 15.92.

Sharks and Stingrays: Committee I Chair Caceres introduced document COP16 Doc 16.Com I.1 on proposed amendments to Resolution Conf.12.6 (Rev.CoP16) on conservation and management of sharks (class Chondrichthyes). NEW ZEALAND reminded delegates of its proposal to add "data reporting" to operative paragraph eight in Resolution Conf.12.6 (Rev.CoP15). Parties agreed to the addition.

***Cedrela odorata*, *Dalbergia retusa*, *Dalbergia granadillo* and *Dalbergia stevensonii*:** PC Chair Clemente-Muñoz introduced document CoP16 Doc.69 (Rev.1), outlining the PC's work and its Working Group on the Bigleaf Mahogany and Other Neotropical Timber Species in relation to tasks assigned under Decision 14.146 (Rev.CoP15) on *Cedrela odorata*, *Dalbergia retusa*, *D. granadillo* and *D. stevensonii*.

Noting that repealing Decision 14.146 (Rev.CoP15) would also repeal its Annex, the US asked to note that the existing Annex 4 work plan be considered when establishing terms of reference for the Working Group. Referencing its populations of *Cedrela odorata*, CÔTE D'IVOIRE requested the Working Group to develop provisions for artificial propagation of species in plantations outside range states.

Agreeing to the addition of comments by the US and CÔTE D'IVOIRE in the minutes of CoP16, Committee I noted the decision and agreed to repeal Decision 14.146 (Rev.CoP15).

TRADE CONTROL AND MARKING: Committee I Chair Caceres introduced draft decisions on non-detriment findings (NDFs) from agarwood and other timber species, as contained in CoP16 Doc.33 (Rev.1). KUWAIT proposed withdrawing the two draft decisions, noting the same language is included in the draft decision of the Annex on NDF. PC Chair Clemente-Muñoz agreed it was a duplication. Parties agreed to not adopt the draft decisions.

CRITERIA FOR THE INCLUSION OF SPECIES IN APPENDICES I AND II: CANADA, on behalf of the AC Working Group on Criteria and the SC, introduced the document on criteria for the inclusion of species in Appendices I and II (CoP16 Doc.71 (Rev.1)), noting the outcomes of work related to Decisions 15.28, 15.29 and 15.30, on the application to commercially exploited aquatic species of Annex 2a criterion B and the introductory text to Annex 2a of Resolution Conf.9.24 (Rev.CoP15). She said the AC had found, and the SC concurred, that it was not possible to provide guidance favoring a single approach. Committee I noted a comment by IUCN, also on behalf of TRAFFIC, recommending further discussion and possible guidance on the issue, and the Committee also noted the document and repealed the decisions.

CRITERIA RELATED TO RANCHED POPULATIONS: URUGUAY introduced the outcomes of the AC's work on Decision 15.51 related to the criteria for the transfer of ranched

populations from Appendix I to Appendix II, including the outcomes of a Working Group on the issue established at AC25 (CoP16 Doc.72 (Rev.2)).

CHINA noted concern about the application of criteria to ranching operations, and AUSTRALIA clarified the Working Group's goal was to consider reinstating ranching criteria as a criteria for appendix transfers.

Committee I agreed to modifications of Resolution Conf.9.24 A4 (Rev.CoP15), but did not agree to the recommendation in paragraph six to address Resolution Conf.11.16 (Rev.CoP15) and Resolution Conf.9.20 (Rev.) together, in a separate resolution.

PERIODIC REVIEW OF THE APPENDICES:

Revision of Resolution Conf.14.8 on Periodic Review of the Appendices: AC Chair Solana introduced the document (CoP16 Doc.74.1 (Rev.1)), noting the bracketed text represents changes proposed by SC62. MEXICO, supported by CHINA, supported the document as a whole.

In the flow chart on protocol for the assessment of taxa for consideration in the Periodic Review of the Appendices, contained in the Annex, NEW ZEALAND proposed adding IUCN's vulnerable and extinct categories to the existing list of endangered, critically endangered and least concerned species. SOUTH AFRICA suggested reference to extinct and extinct in the wild. The US expressed concern about adding to the number of species for review, noting existing difficulties in accomplishing reviews. MEXICO preferred retaining the original categories.

IUCN proposed adding vulnerable, extinct and extinct in the wild to the right side of the flow chart, rather than on the left as originally proposed. AC Chair Solana suggested looking for all the CITES species that IUCN has categorized as extinct or extinct in the wild in the next species selection exercise.

Following continued discussion, the Secretariat noted it has recognized challenges in applying the existing criteria for amending appendices to extinct or possibly extinct species that may warrant holistic review of extinct or possibly extinct species on the appendices.

Parties agreed to accept the amended text and to repeal decision 15.51, recognizing that the mandate had been fulfilled. Parties also agreed to consider the AC Chair's suggestion under the agenda item on proposals to amend Appendices I and II (CoP16 Doc.77).

Felidae: The US introduced the review of the appendices on Felidae (CoP16 Doc.74.2 (Rev.1)), noting it provided an update on progress on Decision 13.93 (Rev.CoP15) concerning the periodic review of Felidae as directed to the AC. She outlined: completed reviews for *Panthera onca* by Mexico and *Lynx* species by the US, with associated agreement by the AC on species listings in the Appendices; termination of several periodic reviews because of the lack of response by parties; and ongoing reviews for *Panthera leo*, *Puma concolor* and *P. concolor coryi*. The Committee agreed to the revised decision to extend Decision 13.93 to accommodate ongoing reviews, with amendment by the Secretariat to delete already-completed tasks, and by the AC Chair to replace the word "progress" with "results" in the request to the AC for a report at CoP17.

Proposals to amend Appendices I and II: The Secretariat introduced the document (CoP16 Doc.77), drawing attention to paragraph twelve on extinct or possibly extinct species.

PARAGUAY, AUSTRALIA, ISRAEL, MEXICO and IUCN, also on behalf of TRAFFIC, thanked the Secretariat for this work. PARAGUAY asked for clarification related to higher taxa. Noting it encountered several challenges in developing listing proposals, AUSTRALIA asked parties to support their proposals on their merits. Noting it also has a proposal on this discussion, MEXICO supported Australia. MEXICO, supported by ISRAEL, also recommended the AC and PC more closely examine the issue of extinct and possibly extinct species. Parties agreed to accept the decision.

COMMITTEE II

STRATEGIC MATTERS: CITES and livelihoods: PERU introduced the document (CoP16 Doc.19 (Rev.1)). She provided an overview of the activities of the Working Group on CITES and livelihoods, the draft resolution and the draft decisions aimed at, *inter alia*, encouraging parties to carry out voluntary rapid assessments of the impact of implementation of CITES listing decisions on the livelihoods of poor rural communities and on mitigation of negative impacts.

BRAZIL asked for clarification on access to genetic resources, traditional knowledge and access and benefit sharing, and also proposed deleting the reference to cultural and intellectual property rights. SOUTH AFRICA agreed to Brazil's amendment on traditional knowledge. ARGENTINA, supported by COLOMBIA, welcomed the attention to this issue and proposed minor changes to the draft decisions. The US, while supportive of the work of the Working Group, urged its completion and opposed the proposed draft resolution, on the basis that the issues it describes are addressed by the Convention on Biological Diversity (CBD). The US also opposed most of the draft decisions. IRELAND, on behalf of the EU and its Member States and Croatia, supported the draft resolution and decisions but noted that CITES species listings are not the only factors that impact livelihoods.

IUCN, supported by EL SALVADOR, requested that a deleted reference to human-wildlife conflict be retained.

Chair Gabel called for a small working group on CITES and livelihoods. PERU, SOUTH AFRICA, the US, BRAZIL, ARGENTINA, IRELAND, ZIMBABWE, CANADA, AUSTRALIA, MEXICO and COLOMBIA volunteered to participate in the working group, with PERU chairing.

Potential conflicts of interest in the Animals and Plants Committees – Report from the Working Group: IRELAND, on behalf of the EU and its Member States and Croatia, reporting for the Working Group on conflict of interest, noted that the Working Group had met three times and planned to meet again Wednesday evening. Chair Gabel requested the distribution of the Working Group's text Thursday morning for consideration in Committee II on Thursday afternoon.

Financing and budgeting of the Secretariat and of meetings of the CoP – Report from the Working Group: SWITZERLAND reported on fruitful discussions, but noted the Working Group has not completed its work.

Wildlife trade policy reviews: The Secretariat introduced the document (CoP16 Doc.20), highlighting the "Framework for reviewing wildlife trade policies" contained in Annex two. She also reviewed two draft decisions. The first requests parties that voluntarily undertake wildlife trade policy reviews to provide details to the Secretariat. The second directs the Secretariat to make this information available online and assist parties in undertaking wildlife trade policy reviews. She said

the Secretariat believes Decision 15.8, on national wildlife trade policy reviews, had been implemented, and recommended its deletion.

UGANDA described its experience as one of four pilot countries to review its national wildlife trade policies using the proposed framework, and expressed support, along with IRELAND, on behalf of the EU and its Member States and Croatia, for the draft decisions.

Committee II agreed to the draft decisions in CoP16 Doc.20 A1 and to delete Decision 15.8.

Capacity Building: The Secretariat introduced the relevant document (CoP16 Doc.21), highlighting the draft decisions, which, *inter alia*, encourage parties, donors and partners to support party-driven activities, including through financial and in-kind support.

Many countries welcomed the report and draft decisions, recognizing the importance of capacity building. BAHRAIN proposed that one of the draft decisions refer specifically to support for new parties and their scientific and management authorities. NEW ZEALAND supported the draft decisions, recognizing the importance of capacity building.

Committee II accepted the draft decisions with some amendments.

Proposal concerning a needs assessment for strengthening the implementation of CITES in developing countries:

GHANA introduced the document concerning a needs assessment to strengthen CITES implementation in developing countries (CoP16 Doc.22 (Rev.1)). SIERRA LEONE and GHANA said the Secretariat's recommendation limited the scope of the proposed needs assessment. The US, supported by IRELAND, on behalf of the EU and its Member States and Croatia, asked the document's proponents and the Secretariat to refine their text together. The Chair noted this, and requested it be done and discussed in a future session.

Capacity-building programme for science-based establishment and implementation of voluntary national export quotas for Appendix-II species – Report of the Animals and Plants Committees:

AC Chair Carlos Ibero Solana (Spain) introduced the document (CoP16 Doc.23) and highlighted the activities of the Intersessional Working Group on Capacity Building, mandated by PC19 and AC25 to provide suggestions for improving the Secretariat's capacity-building materials related to NDFs. He introduced a draft decision directing the Secretariat to, among other things, invite parties to submit experiences related to NDFs for inclusion on the CITES website. He introduced a proposed amendment to Resolution Conf.11.1 (Rev.CoP15) making the provision of scientific advice on training materials used in capacity-building a regular part of the Committees' work. He also introduced amendments to Decisions 12.91 and 15.24.

Committee II accepted the draft decision and the proposed amendments.

ADMINISTRATIVE MATTERS: Arrangements for meetings: RWANDA said the proposal proponents agreed to prepare guidelines. The proposal on advising the Secretariat on the organization of special meetings was withdrawn.

INTERPRETATIONS AND IMPLEMENTATION OF THE CONVENTION: Review of Resolutions: The Committee reviewed the proposed amendment to Resolution Conf.9.5 (Rev.

CoP15) (CoP16 Com.II.1). CANADA made a further proposal to simplify the text. The Committee accepted the document with Canada's change.

On the draft amendment to Resolution Conf.12.3 (Rev.CoP15) on permits and certificates (CoP16 Com. II. 2), CANADA, supported by the US, proposed reinstating the deleted text on the quantity of specimens. In absence of agreement, the discussion was suspended until Thursday, 7 March.

The Committee agreed to the proposed amendments to Resolution Conf.13.6 on the implementation of Article vii, paragraph two, concerning "pre-convention" specimens (CoP16 Com.II.3).

Physical inspection of timber shipments: The US introduced the document on physical inspection of timber shipments (CoP16 Doc.42 (Rev.1)) and explained the proposed decision directed the Secretariat to obtain information from parties that have developed procedures for identification and measurement of CITES-listed tree species. IRELAND, on behalf of the EU and its Member States and Croatia, supported the draft decision, and thanked Italy for its report (SC62 Doc.36) on the progress of the working group for capacity building. The Committee then accepted the draft decision with the Secretariat deletion of decision 14.61 (Rev.CoP15).

Electronic permitting: The Secretariat introduced the document on electronic permitting (CoP16 Doc.34), praising CITES for updating the e-permitting toolkit to trace permits down the trading chain. He encouraged parties to adopt the draft decision, which *inter alia*: encouraged collaboration with UNEP World Conservation Monitoring Centre (WCMC), the World Customs Organization (WCO) and others to standardize e-permitting. INDONESIA expressed concerns about trade between compliant and non-compliant states, system security and paperless systems. THAILAND, the US and CANADA requested to join the existing working group. The Committee accepted both the draft decision and the deletion of Decisions 15.54 and 15.55.

IN THE CORRIDORS

After the morning extraordinary plenary's decision on voting and secret ballots, delegates turned their attention to the "real business" of the CoP: listings and proposals. Several delegates, particularly those who expressed dismay on the secret ballot outcome, expressed more pessimism than they had in the first few days of the CoP. One suggested the behavior and lobbying exhibited over the past two days indicates there will be "nasty debates" and tactics in the days ahead, particularly on the question of the listing of sharks. Others remained optimistic, saying that such tactics would not prevent this year from becoming the year of the sharks; many pointed to growing Latin American, African and Arab support for listing the porbeagle, hammerhead and oceanic whitetip. Lobbying on the proposed uplisting of polar bears was seen in full force, with one delegate commenting that "we've seen polar bears everywhere," referring to the prevalence of plush polar bear toys being distributed by some NGOs and paraded by conference staff. Another worried that "scientific "misinformation would confuse parties' decisions. Discussions surrounding plants seemed more muted, with the resolutions on agarwood passing without contentious debate, leading one observer to hope that "resolutions on plants will smooth the way for the animals."



CITES COP16 HIGHLIGHTS: THURSDAY, 7 MARCH 2013

Committee I reviewed proposals to amend Appendices I and II throughout the day. Committee II discussed, among other topics: reports from the Secretariat and TRAFFIC on monitoring the illegal killing of elephants (MIKE) and the elephant trade information system (ETIS); the proposed new resolution concerning the African Elephant Action Plan (AEAP) and African Elephant Fund (AEF); and introduction from the sea.

COMMITTEE I

PROPOSALS TO AMEND APPENDICES I AND II: On Thursday morning, Committee I began considering proposals to amend Appendices I and II (CoP16 Doc.77).

***Rupicapra pyrenaica ornate*:** IRELAND, on behalf of the EU and its Member States and Croatia, introduced the proposal to transfer Abruzzo chamois (*Rupicapra pyrenaica ornate*) from Appendix I to Appendix II (CoP16 Prop.1), as endorsed by the AC. He noted that Italy, as the range state, had undertaken a Periodic Review for the species, and highlighted the strict protection in place at the national and regional level. Committee I accepted the proposal.

***Vicugna vicugna*:** ECUADOR introduced the proposal to transfer vicuña (*Vicugna vicugna*) from Appendix I to Appendix II (CoP16 Prop.2), with an annotation specifying, among other things, enabling requirements. ARGENTINA, CHILE, QATAR, COSTA RICA, VENEZUELA, SENEGAL and COLOMBIA supported the proposal. MEXICO lauded the proposal, but queried whether the annotation could be amended to align its provisions with annotations of other vicuña listings. ECUADOR agreed, and IRELAND, on behalf of the EU and its Member States and Croatia, and PERU supported the proposal with the modified annotation. Committee I agreed to the proposal as amended.

***Ursus maritimus*:** The US introduced the proposal to transfer the polar bear (*Ursus maritimus*) from Appendix II to Appendix I (CoP16 Prop.3). Noting the projected decline in polar bear habitat of 66% by 2050, and pointing to climate change, not trade, as the main threat to the species, he said an Appendix I listing "is not the solution, but is part of the solution" for the protection of the species.

In extensive discussions, parties expressed divergent views, differing on whether the polar bear met the scientific and trade criteria for uplisting.

Among others, INDIA, LIBERIA, SENEGAL, UKRAINE, NIGER, COMOROS and the CENTER FOR BIOLOGICAL DIVERSITY supported the US proposal.

The RUSSIAN FEDERATION strongly supported the US proposal, highlighting its concerns that legal international trade facilitates illegal trade and poaching of Russian sub-populations.

ICELAND, JAPAN, KUWAIT, SOUTH AFRICA and the ASSOCIATION OF WESTERN FISH AND WILDLIFE AGENCIES opposed it. GREENLAND, on behalf of Denmark, opposed the proposal on the grounds that the species does not meet the biological criteria, noting the proposal was recommended for rejection by the CITES Secretariat, IUCN, TRAFFIC and the majority of the IUCN/Species Survival Commission (SSC) Polar Bear Specialist Group.

CANADA rejected the US proposal, stating that the polar bear does not meet the criteria for an appendix transfer and that uplisting the species would put the integrity of the Convention at risk. A representative of the territorial government of Nunavut, Canada, spoke on behalf of the Arctic people of Canada and opposed the US proposal. He underscored the relationship between the Inuit and polar bear, and outlined domestic management arrangements, which he said are dynamic and adaptive. He stated CITES intervention is not in the best interest of polar bears.

Noting efforts to find common ground and a constructive way forward, IRELAND, on behalf of the EU and its Member States and Croatia, presented an amendment to the US proposal. He regretted that the gap between opposing positions among range states had not yet been bridged. Recognizing the need for CITES parties to engage in addressing climate change, he said parties also "can and must" do more for the polar bear within CITES, outlining the EU proposal to maintain the Appendix II listing with an annotation describing a "package of measures," including for range states to set export quotas at subpopulation levels and the AC to include the polar bear in the Review of Significant Trade (RST) as an urgent case to review before CoP17, along with several draft decisions.

Chair Caceres confirmed that, under Rule 23.5, any representative may propose an amendment to a proposal to reduce its scope or make it more precise, and said the EU proposal does this. ISRAEL challenged the Chair's ruling on the validity of the EU proposal (CoP16 Inf. 44), claiming it did not reduce the scope of CoP16 Prop.3. The motion went to a vote and did not obtain a simple majority. It was not carried, with 26 voting in favor, 73 against and 15 abstaining.



The range states of NORWAY and GREENLAND, on behalf of Denmark, supported the EU proposal, and suggested revisiting CITES measures to protect the polar bear, including a possible Appendix I listing, at CoP17, based on updated scientific knowledge.

The US and NIGER opposed the EU proposal. The RUSSIAN FEDERATION opposed the EU proposal, saying it preserves the status quo. CANADA opposed the EU proposal, with an Inuit representative, on behalf of Canada, stating that it would undermine the management of polar bears by Inuit peoples and the Canadian government. EGYPT requested further clarification on the science.

BRAZIL welcomed the EU proposal but requested the deletion of the decision directed to the parties, noting that it more appropriately falls under the mandate of the UN Framework Convention of Climate Change (UNFCCC). In response, IRELAND, on behalf of the EU and its Member States and Croatia, recognized that climate change is the main stress on the polar bear's future and not a fundamental pillar of the draft decisions. He agreed to remove the decision related to climate change.

PARAGUAY requested clarification on declines in polar bear population estimates from the IUCN Polar Bear Specialist Group. IUCN said, *inter alia*: the global population of polar bears is approximately 20,000-25,000, which is not small; the area of distribution is not restricted; and the population has not undergone a marked decline from a hypothesized baseline, noting that each of these estimates is accompanied by a large degree of uncertainty. Noting that CITES guidelines only specify a 5 to 10 year timeframe when evaluating declines for Appendix II species, she recommended clarifying the time periods on which future declines can be estimated.

The NATURAL RESOURCES DEFENSE COUNCIL (NRDC), also on behalf of the International Fund for Animal Welfare (IFAW) and Humane Society International, noted, *inter alia*, increases in prices for polar bear hides and quotas in Canada, stressing that quotas in Canada are determined at the subnational, not national, level. He urged parties to support the US proposal.

INUIT TAPIRIIT KANATAMI stressed the potential impact of the decision on the livelihoods of Inuit populations and urged parties to oppose the US proposal.

The Committee voted on the EU proposal, with 63 in favor, 43 against and 17 abstaining. The Committee then voted on the US proposal, with 38 in favor, 42 against and 46 abstaining. Neither vote obtained the two-thirds majority needed to pass.

Pteropus brunneus: AUSTRALIA introduced its proposal (CoP14 Prop.4) to delete *Pteropus brunneus* (Dusky flying fox), from Appendix II, stating its intention to simplify the appendices by removing a species that is extinct. NEW ZEALAND and QATAR supported the proposal. The Committee agreed to the proposal.

Thylacinus cynocephalus*, *Onychogalea lunata*, *Caloprymnus campestris*, *Chaeropus ecaudatus*, *Macrotis leucura: AUSTRALIA presented its proposals to remove *Thylacinus cynocephalus* (Tasmanian tiger) (CoP16 Prop.5), *Onychogalea lunata* (Crescent nailtail wallaby) (CoP16 Prop.6), *Caloprymnus campestris* (Buff-nosed rat-kangaroo) (CoP16 Prop.7), *Chaeropus ecaudatus* (Pig-footed bandicoot) (CoP16 Prop.8), *Macrotis leucura* (Lesser rabbit-eared bandicoot) (CoP16 Prop.9) from Appendix I as a set.

AUSTRALIA said all five species are extinct and therefore it did not consider it necessary to apply the precautionary measure of moving the species from Appendix I to Appendix II to monitor its trade. NEW ZEALAND, QATAR, PARAGUAY and CHINA supported the proposals, and the Committee agreed.

Ceratotherium simum simum: KENYA outlined the objectives of its proposal for amending an annotation on the South Africa and Swaziland populations of *Ceratotherium simum simum* (Southern white rhino) listed in Appendix II to specify a temporary zero quota on hunting trophies (CoP16 Prop.10). He explained the aim was to reduce the quantity of legal rhino horn entering illegal markets and to reduce, as a result, poaching in Kenya and other rhino range states. Noting opposition from some parties to the proposed annotation, he outlined a number of consultations held on the proposal and its goals, and announced the withdrawal of the proposal. He asked parties to instead consider and support the decisions contained in CoP16 Doc.54.1 and Doc.54.2, to be discussed in Committee II. The proposal was withdrawn.

Loxodonta africana: BURKINA FASO, also on behalf of Kenya, withdrew their proposal on *Loxodonta africana* (African elephant) (CoP16 Prop.12). KENYA called on parties to: address illegal killing of and trade in elephants; address consumer demand; and respect the moratorium on ivory.

Trichechus senegalensis: SENEGAL, with BENIN and SIERRA LEONE, presented the proposal to transfer *Trichechus senegalensis* (West African manatee) from Appendix II to Appendix I (CoP16 Prop.13). SENEGAL noted actions being taken by range states, and their general support for the listing proposal. Acknowledging the limited data available on the species and its status, BENIN underscored the threat to the species from illegal international trade and the need to adopt a precautionary approach to its conservation. Numerous delegates expressed support for the proposal, including COLOMBIA, the US, EGYPT and HUMANE SOCIETY INTERNATIONAL, on behalf of the Species Survival Commission (SSC). The CONVENTION ON MIGRATORY SPECIES (CMS) highlighted efforts under CMS, including a Memorandum of Understanding (MoU) on the conservation of the manatee and small cetaceans of Western Africa and Macaronesia.

Committee I accepted the proposal by consensus.

Caracara lutosa: MEXICO introduced its proposal to delete *Caracara lutosa* (Guadalupe caracara) (CoP16 Prop.14) from Appendix II, noting that the species is extinct. PARAGUAY, PERU, VENEZEULA, BRAZIL, AUSTRALIA, CHILE and NEW ZEALAND supported the proposal, with NEW ZEALAND adding that an annotation was not needed. Committee I agreed to the proposal.

Gallus sonneratii: NEW ZEALAND, on behalf of the AC, presented the proposal on the removal of *Gallus sonneratii* (grey junglefowl) from Appendix II (CoP16 Prop.15). INDIA, supported by PAKISTAN and QATAR, opposed the proposal, highlighting concerns about declining populations and the potential for a de-listing to threaten the species by promoting trade in feathers. The US noted India's opposition and supported their position. The US, supported by AC Chair Solana, urged states to participate in Periodic Reviews. Committee I did not accept the proposal.

Ithaginis cruentus: NEW ZEALAND, on behalf of the AC, introduced the proposal to remove *Ithaginis cruentus* (blood pheasant) from Appendix II (CoP16 Prop.16), noting the outcome of the Periodic Review indicated it no longer met listing criteria.

Range states CHINA, INDIA, NEPAL and BHUTAN, supported by PAKISTAN, opposed the proposal, indicating deletion from the Appendix might trigger international trade that would threaten the species. The US supported range state views, but noted “frustration” that range states had not responded during the Periodic Review.

The Committee did not accept the proposal.

Lophura imperialis: FRANCE introduced the proposal to delete *Lophura imperialis* (Imperial pheasant) (CoP16 Prop.17) from Appendix I. He reported that *Lophura imperialis* is a hybrid between *L. edwardsi* (Edward’s pheasant), which is also listed, and *L. nycthemera*. VIET NAM, the range state, supported the proposal. Parties agreed to support the proposal with the Secretariat’s editorial modification.

Tetraogallus caspius: NEW ZEALAND, on behalf of the AC, introduced the proposal to transfer *Tetraogallus caspius* (Caspian snowcock) (CoP16 Prop.18) from Appendix I to Appendix II. He said the population does not meet the criteria for an Appendix I listing. GEORGIA supported downlisting if the other six range states agreed. ARMENIA informed parties its population is vulnerable and opposed the proposal. GEORGIA then opposed the proposal.

Committee I rejected the proposal.

Tetraogallus tibetanus: NEW ZEALAND, on behalf of the AC, introduced the proposal to transfer *Tetraogallus tibetanus* (Tibetan snowcock) from Appendix I to Appendix II (CoP16 Prop.19), noting the Periodic Review found the species no longer meets the biological criteria for Appendix I. Range states CHINA, INDIA, NEPAL and BHUTAN, supported by QATAR, opposed the proposal, citing lack of data and concerns that a downlisting would spur trade. AC Chair Solana recognized the right of range states to participate in appendix listings and transfers, but cited concern with justifications raised in the discussion based on anecdotal observations and data gaps.

Committee I did not accept the proposal.

Tympanuchus cupido attwateri: SWITZERLAND, on behalf of the US, presented the proposal to transfer *Tympanuchus cupido attwateri* (Attwater’s greater prairie chicken) from Appendix I to Appendix II (CoP16 Prop.20). The US supported the proposal, saying the species is intensively managed and protected in the US, and no threat is posed by the appendix transfer.

Committee I agreed to the proposal.

Campephilus imperialis: MEXICO introduced the proposal to delete *Campephilus imperialis* (Imperial woodpecker) from Appendix I, noting it is extinct. AUSTRALIA, PARAGUAY and VENEZUELA supported the proposal. The Committee agreed to the proposal.

Sceloglaux albifacies: NEW ZEALAND introduced the proposal to remove *Sceloglaux albifacies* (laughing owl) (CoP16 Prop.22) from Appendix II, noting that it is extinct. AUSTRALIA and VENEZUELA supported the proposal. The Committee agreed to the proposal.

COMMITTEE II

ELEPHANTS: MIKE: The CITES Secretariat introduced document CoP16 Doc.53.1 and the addendum. Before discussing the document, the IUCN African Elephant Specialist Group provided a report, highlighting decline in data quality, habitat loss and human wildlife conflict. The Secretariat explained that MIKE evaluates relative poaching levels based on the proportion of illegally killed elephants (PIKE), calculated by dividing the number of illegally killed elephants by the total number of elephant carcasses found, aggregated by year for each site.

He noted increased trends in illegal killing of elephants. He emphasized correlations between higher levels of poaching and: poverty; poor enforcement; corruption; and demand. He stressed that all these factors must be addressed to curb poaching.

KENYA welcomed the reference to the correlation between illegal killing and demand. He said the demand is too high and asked for a ban in the sale of ivory. INDIA requested to develop a sustainable funding mechanism to support MIKE, which IRELAND, on behalf of the EU and its Member States and Croatia, pledged to continue to support. CHINA expressed concern for the rise in illegal trade. While acknowledging the importance of international cooperation, he said the primary responsibility for preventing poaching lies with the African range states. SWAZILAND said demand would never be eliminated and recommended focusing efforts on reducing demand and making it sustainable. DEMOCRATIC REPUBLIC OF CONGO called for a higher-level response in the form of an international force. INTERNATIONAL RANGER FEDERATION highlighted the loss of human lives in implementing CITES decisions on elephants. He called for a full ban on ivory trade.

The Committee took note of the report.

Monitoring of illegal trade in ivory and other elephant specimens: Report of the Secretariat: The Secretariat introduced the document (CoP16 Doc.53.2.1), noting the amount of seized ivory has escalated since CoP15 and is at its highest level in the 16-year period examined by ETIS. He noted the need for better communication, collaboration and coordination, and the use of controlled delivery techniques and wildlife forensic technology.

Chair Gabel proposed, and the Committee agreed, considering the draft decisions in this report together with the draft decisions in the TRAFFIC report.

ETIS report of TRAFFIC: TRAFFIC presented the relevant report (CoP16 Doc.53.2.2 (Rev.1)). He pointed to Thailand, Malaysia, the Philippines, Viet Nam, Hong Kong (SAR), South Africa, Kenya, Tanzania and China as “priorities of greatest concern” with regards to illegal ivory trade. He stated that the amount of ivory seized in 2011 was indicative of organized crime. He said the nine-year moratorium and one-off sale of ivory in the same year sent “mixed signals,” and made it difficult to estimate the effects of CITES decisions.

The US proposed the CoP follow the lead of SC63 and develop country-specific actions on ivory trade and markets. CHINA lamented the focus on a select group of Asian countries. SWAZILAND noted that 40% of the illegal trade could be addressed by engaging China and Viet Nam and thus supported efforts to improve investigative techniques.

WWF called for strong measures to make countries accountable for the implementation of their commitments, which he said are important for the reputation of CITES.

The Committee suspended discussion on these two agenda items and called for a working group to revise the draft decisions, consisting of the US, IRELAND on behalf of the EU and its Member States and Croatia, the PHILIPPINES and KENYA. The Working Group will report back on Friday, 8 March.

Proposed new resolution concerning the AEAP and AEF: NIGERIA proposed a new resolution concerning the AEAP and AEF (CoP16 Doc.53.3 (Rev. 2)). LIBERIA, BURKINA FASO and SAUDI ARABIA supported the resolution, while IRELAND, on behalf of the EU and its Member States and Croatia, emphasized that range states should prioritize fundraising at a national level.

The Secretariat was supportive of the resolution, but stated it would have difficulty fulfilling the requests due to lack of capacity.

Draft revision of Resolution Conf.10.10 (Rev.CoP15) on trade in elephant specimens: The Secretariat introduced the relevant document (CoP16 Doc.26 (Rev.1)) and provided background information, noting the draft revision merges and streamlines different proposals.

MOZAMBIQUE called for delinking the trade in raw ivory from the AEAP and proposed the establishment of a drafting group to amend the wording. CHINA questioned the proposed recommendation in the draft revision asking range states to maintain an inventory of their ivory stockpiles.

Chair Gable suspended the discussion and established a drafting group joined by THAILAND, INDIA, SOUTH AFRICA, INDONESIA, MALAYSIA, GERMANY, on behalf of the EU and its Member States and Croatia, KENYA, CHINA and the US.

Decision-making mechanism (DMM) for a process of trade in ivory and proposal to amend Decision 14.77 on a (DMM) for a future trade in elephant ivory: The Secretariat introduced the document on a DMM for a process of trade in ivory (CoP16 Doc.36 (Rev.1)), underlining that this mechanism does not propose ivory trade but instead: clarifies the basis for the CoP to make a decision on whether to authorize commercial international trade in ivory; specifies criteria needed for such trade; explains the organization and management of any future trade; and determines the roles of CITES bodies in monitoring and evaluating compliance. In the decisions, the Secretariat directed the SC to postpone approval of the mechanism to CoP17, establish a working group with regional representation from range states, among others, and conduct work in both French and English.

BURKINA FASO introduced CoP16 Doc.37 (Rev.1) on amending Decision 14.77 on a DMM for a future trade in elephant ivory, which also requests postponement of the mechanism to CoP17.

INDIA called for caution in pursuing this mechanism. The WILDLIFE CONSERVATION SOCIETY (WCS), supported by the ENVIRONMENTAL INVESTIGATION AGENCY (EIA), opposed the focus on the DMM, believing it distracts from law enforcement and demand reduction. SOUTH AFRICA, supported by BOTSWANA, expressed disappointment in the delay in implementing Decision 14.77, and thus did not support either document.

The Chair asked the proponents of the two resolutions to confer to find compromise text.

Proposed revision of Resolution Conf.10.9 on consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II: CÔTE D'IVOIRE presented the document (CoP16 Doc.73 (Rev.1)). She presented a draft decision directing the SC to establish a working group to further review and revise Resolution Conf.10.9 in advance of CoP17.

SIERRA LEONE supported the proposed draft decision and amendments, while BOTSWANA and SOUTH AFRICA opposed them. The US, supported by IRELAND, on behalf of the EU and its Member States and Croatia, noted that the draft decision presented by CÔTE D'IVOIRE was similar to the draft decision proposed by the Secretariat in CoP16 Doc.73 (Rev.1), and suggested harmonizing them. The Chair suspended discussion to allow the Secretariat and CÔTE D'IVOIRE to consult.

TRADE CONTROL AND MARKING: Introduction

from the sea: The Secretariat introduced the relevant document (CoP16 Doc.32 (Rev.1)), highlighting the work of the Working Group on Introduction from the Sea and the development of draft decisions and revisions to existing resolutions.

AUSTRALIA highlighted that the proposed revisions provide clarity on the role of flag and port states in the introduction from the sea process. BRAZIL, the US, CANADA, NEW ZEALAND, NORWAY, PEW ENVIRONMENT GROUP and others welcomed the proposed revisions and draft decisions, including the amendments on the draft decisions set forth in the revised EU proposal (CoP16 Inf.48), circulated by IRELAND, on behalf of the EU and its Member States and Croatia. CHINA noted that their views are not reflected in the document, and that the legal definitions are too simple. He and INDIA opposed adopting the results of the Working Group. ARGENTINA and others objected to the text.

To address the lack of consensus, Chair Gabel called for a vote to adopt the revised resolutions, including the text in brackets, and the draft decisions as amended by the EU proposal. The vote carried, with 56 in favor, 15 opposed and 14 abstaining.

Improving the efficiency of international cooperation on permit and certificate verification: CHINA introduced the document on improving the efficiency of international cooperation on permit and certificate verification (CoP16 Doc.35 (Rev.1)). IRELAND, on behalf of the EU and its Member States and Croatia, AUSTRALIA, the US, CHINA and SOUTH AFRICA volunteered to participate in a working group to amend Resolution Conf.12.3 on Permits and Certificates instead of considering the proposed new draft resolution.

Cross-border movement of musical instruments: The US introduced the document on cross-border movement of musical instruments (CoP16 Doc.40 (Rev.1)), addressing challenges faced by musicians and institutions traveling with musical instruments containing CITES-listed species. She proposed an amendment to add to the groups allowed certain permits, then proposed a working group be set up to refine this text. The Chair agreed, and CANADA, AUSTRALIA, GERMANY, IRELAND, SWITZERLAND, CHINA, SOUTH AFRICA and INDONESIA volunteered to join.

IN THE CORRIDORS

Many participants teared up in reaction to dramatic statistics on the loss of human life in the fight against elephant poaching, described by the International Ranger Federation in Committee II. Some highlighted how the plight of the widows and orphans of rangers killed in the line of duty is often "lost in the cracks," while the world focuses on images of slaughtered elephants. The morning discussions on elephants revealed great uncertainty, with divergent data and views on: range-wide population trends; correlations between one-off sales and poaching; and whether a complete ban or a mechanism allowing controlled trade represented the most promising way forward. Meanwhile, Committee I listened to conflicting views and impassioned statements on polar bears. The US proposal to uplist the polar bear and the EU's compromise text both failed to gain the two-thirds majority needed for acceptance, but one NGO reminded her colleagues that "this is just a Committee — nothing is final until next week, in the CoP." Another noted the large number of parties that abstained, suggesting the potential to pick up a few extra votes over the next week.



CITES COP16 HIGHLIGHTS: FRIDAY, 8 MARCH 2013

On Friday, Committee I heard reports on the progress of working groups. Committee I then resumed its consideration of amendments to the appendices. Committee II considered rhinoceros, great apes and illegal trade in cheetah, and suspended discussions on Asian big cats to address new amendments to the draft decisions.

COMMITTEE I

PROPOSALS TO AMEND APPENDICES I AND II:

***Crocodylus acutus*:** COLOMBIA introduced the proposal to transfer a population of *Crocodylus acutus* (American crocodile) from Appendix I to II (CoP16 Prop.23) adding an annotation preventing exchange between the population and Appendix-I listed populations as well as a provisional zero export quota (CoP16 Prop.23 Addendum (Rev.1)). He outlined a conservation project focused on the population, highlighting community participation, including former poachers.

THAILAND, PERU, EGYPT, HONDURAS, CUBA, VENEZUELA, COSTA RICA, BRAZIL, LIBERIA, PANAMA, URUGUAY, MEXICO, INDONESIA, ECUADOR, PARAGUAY, SENEGAL, QATAR and ARGENTINA supported the proposal.

IRELAND, on behalf of the EU and its Member States and Croatia, the US, ISRAEL and SWITZERLAND noted Colombia's efforts and encouraged their ongoing work, but stated the population did not meet biological criteria for downlisting and did not support the proposal. The US raised concern that such a transfer would set a precedent for future proposals. IRELAND, on behalf of the EU and its Member States and Croatia, suggested alternative approaches, including submitting a proposal under the ranching resolution or drafting decisions related to ranching for consideration at CoP17.

In a vote, the proposal did not achieve a two-thirds majority, with 57 in favor, 50 opposed and 16 abstentions.

***Crocodylus porosus*:** THAILAND introduced the proposal to transfer *Crocodylus porosus* (saltwater crocodile) from Appendix I to Appendix II with a zero quota for wild specimens (CoP16 Prop.24). He said the proposal applies only to the Thai population. GAMBIA, the PHILIPPINES, VIET NAM, MADAGASCAR, PAKISTAN, MYANMAR, COLOMBIA, CHINA, BRAZIL and CAMBODIA supported the proposal.

IRELAND, on behalf of the EU and its Member States and Croatia, opposed, saying reestablishment of wild populations should be the basis for downlisting. INDIA also opposed, expressing concern that downlisting would stimulate trade in

wild specimens from range states. AUSTRALIA, supported by the US, said *Crocodylus porosus* continued to meet biological criteria for Appendix I and opposed the proposal.

Noting a lack of consensus, Chair Caceres proposed a vote. THAILAND requested voting by secret ballot, which more than ten parties supported. The proposal was rejected, with 61 in favor, 54 against and 6 abstaining. The US requested its vote against the proposal be recorded in the meeting record, noting it will publicly announce its position on all secret ballots.

***Crocodylus siamensis*:** THAILAND introduced the proposal to transfer their population of *Crocodylus siamensis* (Siamese crocodile) from Appendix I to Appendix II, with a zero quota for wild specimens (CoP16 Prop.25). THAILAND explained the zero quota placed on wild specimens would ensure only captive-bred populations, which contribute to local livelihoods, would be traded. The GAMBIA, ECUADOR, PAKISTAN, UGANDA, MADAGASCAR, COLOMBIA, BRAZIL, LAO PEOPLE'S DEMOCRATIC REPUBLIC (PDR), the PHILIPPINES, CAMBODIA, INDONESIA and CHINA, among others, commended Thailand's captive breeding program and supported the proposal. The US, IRELAND, on behalf of the EU and its Member States and Croatia, and SWITZERLAND did not support the proposal, stating that Thailand's wild population is small, fragmented and does not meet the biological criteria for downlisting, emphasizing that the IUCN Crocodile Specialist Group also opposed the proposal as the species remains Critically Endangered. The proposal was put to a vote. It failed to meet the two-thirds majority needed to pass, with 69 voting in favor, 49 against and 11 abstaining.

***Naultinus*:** NEW ZEALAND introduced the proposal to transfer all nine species of geckos in the genus *Naultinus* from Appendix III to Appendix II (CoP16 Prop.26), explaining an uplisting would increase their protection by destination states in the international pet trade. He noted *N. gemmaeus* meets the biological criteria for uplisting and said the other species meet the "look-alike" provisions. Many supported the proposal, including JAPAN, ECUADOR, MEXICO, MADAGASCAR, AUSTRALIA, SAMOA, CUBA, COLOMBIA, PERU, CHILE, KENYA, LIBERIA, IRAN, IRELAND, on behalf of the EU and its Member States and Croatia, and PRO-WILDLIFE. Committee I agreed to the proposal.

***Protobothrops mangshanensis*:** CHINA introduced the proposal to include all populations of *Protobothrops mangshanensis* (Mangshan pit viper) on Appendix II (CoP16 Prop.27), highlighting the small population size, restricted



distribution and threats from the international pet trade. The US, PAKISTAN and MADAGASCAR agreed with the proposed Appendix II listing.

Committee I accepted the proposal.

Chelodina mccordi: The US introduced the proposal to transfer *Chelodina mccordi* (Roti Island snake-necked turtle) from Appendix II to Appendix I (CoP16 Prop.28), highlighting that the species is listed as one of IUCN's top 25 endangered tortoises and freshwater turtles.

INDONESIA, as a range state, opposed the proposal, stating that international trade is mainly in captive-bred specimens. He proposed adding an annotation to the current Appendix II listing for a zero export quota from the wild.

CHINA, QATAR and GUYANA supported Indonesia's amendment.

The US did not wish to block consensus, and so agreed to the amendment, but asked for a decision requesting the AC to undertake a Periodic Review of the species.

Committee I agreed to the amended proposal with the added annotation, and to a decision for its consideration in a Periodic Review.

Clemmys guttata: The US introduced the proposal to list *Clemmys guttata* (spotted turtle) on Appendix II (CoP16 Prop.29), noting among other reasons, its: capture from the wild for trade, primarily bound for Asia; life history characteristics and upgrading to endangered on the IUCN red list. CANADA, IRELAND, on behalf of the EU and its Member States and Croatia, SENEGAL and SWITZERLAND supported the proposal. Committee I agreed to the proposal.

Emydoidea blandingii: The US introduced the proposal to list *Emydoidea blandingii* (Blanding's turtle) on Appendix II (CoP16 Prop.30), noting, similar reasons to the spotted turtle, including upgrading to endangered on the IUCN red list. CANADA, IRELAND, on behalf of the EU and its Member States and Croatia, and SENEGAL supported the proposal. Committee I agreed to the proposal.

Malaclemys terrapin: The US introduced the proposal to include *Malaclemys terrapin* (diamondback terrapin) in Appendix II (CoP16 Prop.31). The US emphasized an Appendix II listing could enhance domestic law enforcement, highlighting concerns that wild-caught specimens were being falsely declared as captive-bred in trade.

IRELAND, on behalf of the EU and its Member States and Croatia, the UK, BURKINA FASO, SENEGAL, SWITZERLAND, SOUTH AFRICA and CHINA supported the listing.

Committee I accepted the proposal.

Freshwater box turtles: Citing Rule 23.6, Committee I Chair Caceres indicated that this proposal (CoP16 Prop.32), as the least restrictive to trade, would be considered prior to Proposals 33-35.

CHINA introduced the proposal, submitted with the US, to include 15 species of freshwater box turtles from the Family Geoemydidae in Appendix II (*Cyclemys atripons*, *C. dentate*, *C. shanensis*, *C. oldhamii*, *C. pulchristriata*, *Geoemyda japonica*, *G. spengleri*, *Hardella thurjii*, *Mauremys japonica*, *M. nigricans*, *Melanochelys trijuga*, *Morenia petersi*, *Sacalia bealei*, *S. quadriocellata* and *Vijayachelys silvatica*) and to annotate the Appendix II listings of another 15 species with a zero quota on wild specimens for commercial purposes (*Batagur borneoensis*, *B. trivittata*, *Cuora aurocapitata*, *C. flavomarginata*, *C. galbinifrons*, *C. mccordi*, *C. mouhotii*, *C. pani*, *C. trifasciata*, *C. yunnanensis*, *C. zhoui*, *Heosemys annandalii*, *H. depressa*, *Mauremys annamensis* and *Orlitia borneensis*). He pointed to

threats to turtles, including the high risk of overexploitation from international trade. The US urged for support to list turtles at a family level, rather than taking a species-by-species approach.

JAPAN agreed with the need to protect turtles. She questioned the *Mauremys* species listing but said she would not block consensus.

PARAGUAY, PAKISTAN, SENEGAL, LIBERIA, INDONESIA and GUINEA supported the proposal. INDIA strongly supported the proposal, adding he would prefer the species be listed under Appendix I.

Chair Caceres noted that the adoption of the proposal would preclude consideration of Prop.33-35. JAPAN stated instead her intent to register a national zero export quota. VIET NAM submitted a motion to allow discussion of Prop.33 and Prop.35.

Following further discussion, Committee I agreed to CoP16 Prop.32.

VIET NAM, under Rule 18.1, appealed the Chair's ruling, based on Rule 23.6, that adoption of Prop.32 necessarily implies the rejection of Prop.33 and Prop.35. In a simple majority vote, the Chair's ruling was sustained, with 27 voting yes, 59 no and 17 abstaining.

Recognizing the outcome of the vote, VIET NAM said the species in Prop.33 and Prop.35 (*Cuora galbinifrons* and *Mauremys annamensis*) qualify for inclusion in Appendix I and asked that these species be included in the Periodic Review as a matter of priority.

Committee I agreed that Prop. 33-35 would not be addressed and noted Viet Nam's request.

Platysternidae: VIET NAM introduced the proposal to transfer *Platysternidae* (big-headed turtles) from Appendix II to Appendix I (CoP16 Prop.36). She said, *inter alia*, populations have decreased in markets, indicating that they are rare in the wild, and that they are not known to breed in captivity. Noting *Platysternidae* requires unpolluted high mountain streams in closed canopy forests, which are uncommon habitats, the US, as the co-proponent, urged support for the proposal. SENEGAL and IRELAND, on behalf of the EU and its Member States and Croatia, supported the proposal. Committee I agreed to accept the proposal.

Geochelone platynota: The US introduced the proposal to transfer *Geochelone platynota* (Burmese star tortoise) from Appendix from II to I (CoP16 Prop.37). She said the species, *inter alia*: is included on the IUCN's list of the world's 25 most endangered tortoises and freshwater turtles; may be extinct in the wild; and experiences ongoing demand from the high-end pet trade.

IRELAND, on behalf of the EU and its Member States and Croatia, supported the proposal. Committee I agreed to the proposal.

Softshell turtles: The US introduced the proposal, co-sponsored by CHINA, to include in Appendix II eight species of softshell turtles (*Aspideretes leithii*, *Dogania subplana*, *Nilssonina formosa*, *Palea steindachneri*, *Pelodiscus axenaria*, *P. maackii*, *P. parviformis* and *Rafetus swinhoe*) from the family Trionychidae, and to transfer from Appendix II to Appendix I two *Chitra* species (*Chitra chitra* and *C. vandijkii*) (CoP16 Prop.38). CHINA underscored the high demand for these species in international trade.

PARAGUAY, THAILAND, INDIA and HUMANE SOCIETY INTERNATIONAL (HSI) supported the proposal, with INDIA noting his preference for an Appendix I listing and HSI lauding China's co-sponsorship of the proposal.

Committee I accepted the proposal.

***Epipedobates machalilla*:** ECUADOR introduced the proposal to include *Epipedobates machalilla* (Machalilla poison dart frog) on Appendix II (CoP16 Prop.39). He noted that *machalilla*, which had been recently transferred from the genus *Colostethus*, was the only species in the *Epipedobates* genus not included in the standard reference for amphibians adopted at CoP15 (Resolution Conf. 12.11 (Rev.CoP15)). Nomenclature Specialist Ute Grimm (Germany) said that from a taxonomic point of view, the AC Nomenclature Specialist Working Group felt unable to give a recommendation on whether *E. machalilla* was covered in the original *Epipedobates* listing in 1987, and therefore recommended that Ecuador, as the range state, undertake an investigation and submit a proposal.

BRAZIL, PARAGUAY, URUGUAY, VENEZUELA, ARGENTINA, MADAGASCAR and DEFENDERS OF WILDLIFE supported the proposal. Committee I agreed to the proposal.

***Rheobatrachus silus* and *Rheobatrachus vitellinus*:**

Following a request by AUSTRALIA, parties agreed to discuss together the proposals to delete *Rheobatrachus silus* (southern gastric-brooding frog) (CoP16 Prop.40) and *Rheobatrachus vitellinus* (northern gastric-brooding frog) (CoP16 Prop.41) from Appendix II. Following explanation from Australia that the species are extinct, the Committee agreed to support the proposals.

SNAKE TRADE AND CONSERVATION

MANAGEMENT: Committee I addressed amended text on Asian snakes (Doc.Com.I.2) and amended text on non-detriment findings (NDFs) as contained in Doc.Com.I.3. SWITZERLAND, on behalf of Indonesia, suggested amendments related to, *inter alia*, guidance on NDFs and management systems for wild populations and, where possible, standardization of NDFs by range states sharing CITES-listed species. Committee I agreed to the revised text, with additional amendments on NDFs and quotas from CHINA and JAPAN, and repealed Decisions 15.75, 15.76, 15.77 and 15.78.

NDFs: SOUTH AFRICA introduced the revised document (CoP16 Com.I.3) on behalf of the Working Group and emphasized extensive consultation on the original document, including by the AC and PC.

CHINA requested: deleting reference to considering illegal trade and replacing “national and international” with “range states” in text on considering population structure, status and trends. The US, supported by SOUTH AFRICA, the UK, on behalf of the EU and its Member States and Croatia, and the PC Chair, opposed these changes, noting in particular that one of the proposed deletions is of Convention text. CHINA said it would not block consensus but requested its comments be recorded in the Committee I summary.

Parties agreed to adopt CoP16 Com.I.3 with a minor amendment proposed by Mexico.

COMMITTEE II

TRADE CONTROL AND MARKING: Purpose codes on CITES permits and certificates: CANADA introduced the document (CoP16 Doc.38 (Rev.1)), which contains proposed revisions to Resolution Conf.12.3 on permits and certificates. INDONESIA, AUSTRALIA, CHINA, the PHILIPPINES, PERU, SOUTH AFRICA and LEWIS AND CLARK COLLEGE opposed the deletion of certain purpose codes in the revised resolution. The majority of parties supported retaining Decision 14.54, which requests the SC to re-establish an intersessional working group to review the use of purpose-of-transaction codes. The Committee accepted the retention of Decision 14.54 with its dates amended.

Transport of live specimens: AUSTRIA introduced the relevant document (CoP16 Doc.39 (Rev.1)), highlighting proposed amendments to Resolution Conf.10.21 (Rev.CoP14). The Committee adopted the document with some textual changes proposed by IRELAND, on behalf of the EU and its Member States and Croatia.

USE OF TAXONOMIC SERIAL NUMBERS: CANADA introduced the document (CoP16 Doc.41 (Rev.1)), highlighting CoP15 decisions that the CoP is asked to adapt. The US objected to the draft decision directing the Secretariat to compile information on the usefulness of incorporating taxonomic serial numbers in their domestic data. The Committee agreed to the document with the US amendment.

IDENTIFICATION MANUAL: Report of the Secretariat: The Secretariat introduced the report (CoP16 Doc.44.1). IRELAND, on behalf of the EU and its Member States and Croatia, supported by MEXICO, welcomed the revisions to Resolution Conf.11.19 except for the requested reporting requirements. The Committee agreed to the revisions as amended.

Report of the PC: PC Chair Clemente-Muñoz introduced the document (CoP16 Doc.44.2 (Rev.1)), noting its aim to improve identification and guidance. The US proposed some textual changes, which were agreed.

E-commerce of specimens of CITES-listed species: The Secretariat introduced document (CoP16 Doc.45) and reported on the development of a CITES website portal on the e-commerce of CITES-listed species, and work with INTERPOL on creating a forum for sharing intelligence on internet-related wildlife crime. He stated that Decision 15.58 had been implemented.

The US proposed a recommendation that asks the SC, in collaboration with the Secretariat, to liaise with the World Customs Organization with regards to including CITES-listed species in the Harmonized Commodity Description and Coding System. The Committee accepted the deletion of Decision 15.58 and accepted the recommendation proposed by the US.

EXEMPTIONS AND SPECIAL TRADE PROVISIONS:

Personal and household effects: CHINA introduced the document (CoP16 Doc.46 (Rev.1)) and the proposed amendments to Resolution Conf.13.7 (Rev.CoP14), as well as the proposed annex containing a set of guidelines for interpretation of personal and household effects.

IRELAND, on behalf of the EU and its Member States and Croatia, supported by KENYA and ISRAEL, proposed an additional amendment to Resolution Conf.13.7 (Rev.CoP14) to exclude all hunting trophies from exemptions for personal and household effects. SOUTH AFRICA, supported by CANADA, MEXICO, NAMIBIA and BOTSWANA, proposed excluding only rhino and elephant hunting trophies. The US suggested further discussion was needed on the appropriate scope of exclusion were it to extend beyond rhinos and elephants. SAFARI CLUB INTERNATIONAL noted that widening the scope of exclusion would go against the consensus of the Working Group on Personal and Household Effects.

Chair Gabel suggested establishing a small working group, including IRELAND, on behalf of the EU and its Member States and Croatia, SOUTH AFRICA, CANADA, the US and CHINA, as Chair of the SC Working Group on Personal and Household Effects, to discuss the scope of exclusions from exemptions for hunting trophies. The Working Group will report to the Committee on Monday, 11 March.

Implementation of the Convention relating to captive-bred and ranched specimens: The Secretariat introduced the document (CoP16 Doc.48 (Rev.1)), highlighting that the issue

was raised in the SC because a number of parties issue permits for specimens declared as captive-bred or ranched without confirming these declarations.

SWITZERLAND, the US and IRELAND, on behalf of the EU and its Member States and Croatia, welcomed the draft decisions, with the latter noting that many specimens have been incorrectly marked as “ranched” in the past. INDONESIA proposed adding a paragraph in the first draft decision calling for the development of socio-economic feasibility studies. The Committee accepted the draft decisions with minor revisions.

RHINOCEROSES: The UK presented the report of the Working Group on Rhinoceroses (CoP16 Doc.54.1 (Rev.1)), which included: an annex on a strategy for reducing the demand for rhino horn products of illegal origin; and recommendations on international movement of rhino horns and rhino protection measures.

The Secretariat introduced its report (CoP16 Doc.54.2 (Rev.1)) explaining *inter alia*: the work of CITES Ivory and Rhinoceros Enforcement Task Force, where information was exchanged on illegal rhino horn trade; the use of DNA forensics in cases of illegal trade; and guidelines for international exchange of CITES specimens to be used as evidence in court.

IUCN introduced its report (CoP16 Inf.51), explaining that although rhino populations had grown over the last two decades in Africa, poaching was reversing these gains. He emphasized the need for each country involved to apply “strong and deterrent penalties” to offenders, flagging Mozambique and Kenya as transit states with weak prosecution.

TRAFFIC introduced its report, contained in Annex two on African and Asian rhinos, highlighting a report by South Africa (CoP16 Inf. Doc.38) showing that half the hunting applications received have been from Viet Nam nationals. He recommended that South Africa, Viet Nam and Zimbabwe continue to report intersessionally, along with Mozambique and China, which he said are emerging as “countries of concern.”

VIET NAM, MOZAMBIQUE, ZIMBABWE and KENYA affirmed they were amending their current legislation to apply stricter penalties. ENVIRONMENTAL INVESTIGATION AGENCY (EIA) and WWF underscored the need for time-bound reports on CITES commitments along with recommendations for compliance measures where progress is not made. With wide support for all the reports, SOUTH AFRICA, the UK, ZIMBABWE, IRELAND on behalf of the EU and its Member States and Croatia, WWF, the US, SWAZILAND, SAFARI CLUB INTERNATIONAL, JAPAN, KENYA, MOZAMBIQUE, CHINA, VIET NAM, NAMIBIA, INDONESIA, MALAYSIA and the SPECIES SURVIVAL NETWORK (SSN) volunteered for the Working Group, with the UK as chair.

GREAT APES: The Secretariat introduced the document (CoP16 Doc.49) and the draft revision of Resolution Conf.13.4 on conservation of and trade in great apes (CoP16 Doc.49 Annex 1). She reviewed the report of the Secretariat’s technical missions to Gabon, Cameroon and Uganda to assess current enforcement activities and identify best practices and challenges in these gorilla range states.

UGANDA, supported by CAMEROON, SIERRA LEONE, DEMOCRATIC REPUBLIC OF CONGO, RWANDA, TRAFFIC and UNEP, requested the establishment of a working group to draft amendments to Resolution Conf.13.4 concerning, *inter alia*, a monitoring system to mitigate illegal trade. TRAFFIC underscored the scale and severity of illegal international trade in great apes, driven by demand in Asia. CHINA stated that they followed CITES regulations when importing great apes.

The Committee convened a drafting group to prepare a decision directing the SC to establish an intersessional working group to further revise Resolution Conf.13.4, and UGANDA agreed.

The Committee noted the document (CoP16 Doc.49) and accepted the proposed revisions to Resolution Conf.13.4 (CoP16 Doc.49 Annex 1), with the understanding it can be further revised. The Committee also noted the recommendations (CoP16 Doc.49 Annex 2), and suspended further discussion until a new draft decision had been finalized.

ASIAN BIG CATS: The Secretariat introduced the document (CoP16 Doc.50 (Rev.1)), highlighting a “relatively poor” response rate on reporting in compliance with Decisions 15.46 and 15.47 on Asian big cats. He also noted the activities of the Global Tiger Initiative, Project Predator and the guide for enforcement officers prepared by the EIA.

The discussion was suspended to allow parties time to review the document, in light of new comments from the Secretariat. The US, INDIA, IRELAND, on behalf of the EU and its Member States and Croatia, CHINA and MALAYSIA offered to confer with the Secretariat to review those revisions. Discussion on this item was postponed until Monday, 11 March.

ILLEGAL TRADE IN CHEETAH: ETHIOPIA introduced the document (CoP16 Doc.51 (Rev.1)), highlighting that Somalia, in particular, has been reported as a commonly used transit route for the illegal trafficking of cheetahs.

SOUTH AFRICA supported the amendments on the draft decisions submitted by the Secretariat. She objected to employing an independent consultant for the study, noting range states could provide the information to the Secretariat. BOTSWANA and the Secretariat agreed. UNITED ARAB EMIRATES noted that the document does not explain the other threats to the species. ETHIOPIA, in response to a question from QATAR, said the goal of proposed decisions is to assess the scale of the trade, not to blame the Middle East.

The Committee accepted the document and draft decisions with the Secretariat’s amendments.

IN THE CORRIDORS

In theory, the weekend offers delegates a break from business attire, meeting rooms and agenda items after six non-stop days of CITES negotiations, not to mention the Standing Committee meeting that preceded the CoP. In practice, delegates will be busier than ever as they dash from working groups to drafting groups to regional meetings and back to working groups. The IPBES working group has completed its tasks, but the working groups on trade in elephant specimens, CITES and livelihoods and permits and certificate verification are still deliberating and while the one on the cross-border movement of musical instruments continues to be conducted. “At the CoP at The Hague, we used to ride bicycles on the weekend,” one participant reminisced jokingly. “Here I don’t have time to go on a CITES field trip!” But CITES is renowned for accomplishing ambitious agendas despite being short on time and other resources. “The crammed days can be a strain,” said another participant, “but we’ve also made good progress on many agenda items in and out of official meeting hours.” On Friday alone, over twenty turtle species were listed in Appendix II, with annotations and Appendix transfers of several others, prompting one delegate to crown it “the turtle CoP.” Delegates hope the weekend will prove equally productive in advancing the CITES agenda in other ways pointing to opportunities to convince additional parties to support species listings.

CITES COP16 HIGHLIGHTS: MONDAY, 11 MARCH 2013

Committee I discussed shark and manta ray proposals, agreed by vote, and a sawfish proposal, accepted by consensus. Committee II addressed: amendment of the Appendices; compliance and enforcement issues; leopard quotas; Tibetan antelope; hawksbill turtle; freshwater turtle and tortoises; and sturgeon and paddlefish. Working Groups on rhino, annotations, conflict of interests and musical instruments met during lunch.

COMMITTEE I

PROPOSALS TO AMEND APPENDICES I AND II:

Carcharhinus longimanus: COLOMBIA introduced the proposal (CoP16 Prop.42) to include *Carcharhinus longimanus* (oceanic whitetip shark) on Appendix II, with an annotation to delay the entry into effect by 18 months to resolve technical and administrative issues. She underscored the proposal is justified by scientific criteria, outlining agreement among organizations including the Food and Agriculture Organization of the UN (FAO).

BRAZIL and the US supported the proposal as co-proponents. IRELAND, on behalf of the EU and its Member States and Croatia, LIBERIA, the BAHAMAS, NORWAY, REPUBLIC OF CONGO, VENEZUELA, NIGERIA, MALI, SENEGAL, GUINEA and BENIN, among others, also supported the proposal.

Others opposed the listing, including JAPAN, CHINA, SAINT VINCENT AND THE GRENADINES, GRENADA, SINGAPORE and the INTERNATIONAL COALITION OF FISHERIES ASSOCIATIONS.

BRAZIL, HONDURAS and NEW ZEALAND emphasized the species meets the biological criteria for listing in Appendix II, with BRAZIL noting a 2012 finding *Carcharhinus longimanus* had declined by 86%.

The proponents and AUSTRALIA stressed that action by CITES would complement measures by Regional Fisheries Management Organizations (RFMOs). AUSTRALIA underscored her country's success in species-level identification of sharks, including the oceanic whitetip, and said non-detriment findings (NDFs) can be made to allow continued trade in sharks while ensuring their sustainable management.

On implementation, NEW ZEALAND emphasized that financial and technical support would be available for capacity building. IRELAND, on behalf of the EU and its Member States and Croatia, announced it has provided €1.2 million to support capacity building. NIGERIA welcomed the availability of identification guides and offers of capacity-building assistance

for developing countries. Stressing that parties have a range of tools for regulating international trade, REPUBLIC OF THE CONGO said concerns about monitoring mechanisms should not be used as an argument for rejecting the proposal.

The BAHAMAS said sharks are protected in their Exclusive Economic Zone (EEZ) but are targeted in international waters. SENEGAL emphasized support for listing of the oceanic whitetip shark expressed by Western and Central African states at regional meetings. BENIN stated an Appendix II listing would better control international trade and support food security.

CHINA underscored that opposition to a CITES listing does not indicate a lack of concern about shark conservation and sustainable management.

THAILAND called attention to management measures for sharks developed by RFMOs. JAPAN noted doubts that an Appendix II listing would complement the work of RFMOs and expressed concern about implementation and bycatch. CHINA also raised concerns about implementation and enforcement of an Appendix II listing, including, among other things, a lack of stock assessment models in some regions, which would compromise robust NDFs, and challenges in identification of mixed shipments of fins.

SAINT VINCENT AND THE GRENADINES expressed concern that the proposed listing did not fully consider the negative impacts on livelihoods of coastal communities. SINGAPORE commented generally on all three sharks proposals (CoP16 Prop.42-44), opposing the inclusion of commercially exploited aquatic species under CITES, and doubted effective implementation would be possible, pointing to concerns, *inter alia*, about requirements for introduction from the sea.

FAO cautioned that benefits of the listing would depend on its effective implementation.

PEW ENVIRONMENT GROUP, speaking on behalf of WWF, International Fund for Animal Welfare (IFAW) and The Wildlife Conservation Society (WCS) supported the proposal.

As there was no consensus, the Committee put the proposal to vote by secret ballot, as requested by Japan and supported by at least 10 parties. The proposal passed, with 92 for, 42 against and 8 abstentions. Several parties publicly announced their votes.

Sphyrna lewini*, *S. mokarran* and *S. zygaena: BRAZIL introduced the proposal (CoP16 Prop.43) to include *Sphyrna lewini* (scalloped hammerhead shark) on Appendix II with an annotation to delay the entry into effect by 18 months, with *S. mokarran* (great hammerhead shark) and *S. zygaena* (smooth hammerhead shark) included as look-alike species. He said *S. lewini* is a low productivity species whose populations have declined worldwide and said the proposal will complement current RFMO measures.



Many spoke in favor of the proposal. MEXICO, IRELAND, on behalf of the EU and its Member States and Croatia, HONDURAS, COLOMBIA, COSTA RICA and ECUADOR supported the proposal as co-proponents, with many stressing unregulated international trade in fins.

Noting the importance of shark catch for coastal communities, MEXICO said 90% of its production is national. IRELAND, on behalf of the EU and its Member States and Croatia, and COLOMBIA noted *Sphyrna*'s importance for tourism.

COMOROS, ARGENTINA and NEW ZEALAND, among others, supported the proposal. SIERRA LEONE highlighted the West Africa Subregional Fisheries Commission's support for the listing. NEW ZEALAND noted the decline of *S. lewini* might even qualify it for inclusion in Appendix I. She emphasized the listing would likely have a positive impact on food and livelihoods for subsistence fisheries, by reducing illegal, unreported and unregulated (IUU) fishing. The US underscored that an Appendix II listing does not affect domestic fisheries and trade. FAO stressed, *inter alia*, that IUU fishing remains a threat to the species.

Several parties spoke against the proposal, including the Southern African Development Community (SADC), CHINA, INDIA and JAPAN.

NAMIBIA raised concern that the listing of these three species would lead to the inclusion of other hammerhead shark species on Appendix II as lookalike species. GHANA, on behalf of the Ministerial Conference on Fisheries Cooperation among African States Bordering the Atlantic Ocean (COMHAFAT ATLAFCO), noted concerns about the socio-economic implications of the listing. CHINA highlighted implementation concerns, stating these are even more challenging for hammerhead species than for the oceanic whitetip shark. INDIA stated that information on Indian Ocean stocks for hammerhead sharks is inadequate and unreliable.

JAPAN raised concerns with a CITES listing, including: implementation challenges, including monitoring of small-scale fishing vessels; challenges for some countries in conducting NDFs, leading to a *de facto* trade ban for those countries; and identification problems for customs officers.

Noting a lack of consensus, the Committee proceeded to a vote by secret ballot, as requested by CHINA. The proposal passed, with 91 in favor, 38 against and 8 abstaining. More than ten parties announced their vote for the official record.

Lamna nasus: IRELAND, on behalf of the EU and its Member States and Croatia, introduced the proposal (CoP16 Prop.44) to list *Lamna nasus* (porbeagle shark) on Appendix II. He noted *L. nasus* meets the biological criteria for listing, as recognized by IUCN, TRAFFIC and the FAO Expert Panel.

EGYPT, COMOROS and BRAZIL supported the proposal as co-proponents. Among others, EL SALVADOR, REPUBLIC OF CONGO, CANADA, NEW ZEALAND, LIBERIA, the US, PERU, BURKINA FASO, COLOMBIA, MALI, SENEGAL, HONDURAS, ARGENTINA, the DEMOCRATIC REPUBLIC OF CONGO and WWF, also on behalf of IFAW, Wild Aid and Pew Environment Group supported the proposal.

Noting implementation concerns, IRELAND, on behalf of the EU and its Member States and Croatia, supported by BRAZIL, stressed the porbeagle is primarily fished by developed countries and the listing will not result in additional burdens for developing countries. He concluded that, despite assurances at previous CoPs that RFMOs will manage *L. nasus*, RFMOs have not yet done so.

CANADA commended implementation of measures by the EU to protect the porbeagle, noting indications of recovery of the Northwest Atlantic stock, and said an Appendix II listing can

support and complement RFMO efforts. He said decisions taken on introduction from the sea would help CITES implement this listing.

NEW ZEALAND, supported by IRELAND, on behalf of the EU and its Member States and Croatia, provided information not included in the listing proposal. On Southern stocks, he noted examples of their substantial decline. Stressing that it is not sufficient for one country to manage this species, SENEGAL urged African states, particularly on the western and Atlantic coast, to support the proposal and ensure enforcement.

FAO reported that the majority of the FAO Expert Panel agrees the species meets the biological criteria for Appendix II.

Many opposed the proposal, including ICELAND, CHILE, the GAMBIA, REPUBLIC OF KOREA, MOZAMBIQUE, on behalf of SADC, MOROCCO and CREATIVE CONSERVATION SOLUTIONS. THAILAND called for a full stock assessment of the Southern hemisphere prior to a decision on listing. CHINA pointed to implementation challenges. JAPAN opposed, noting: major fisheries targeting porbeagle are well-managed; incidental take is not a major threat to the species; the species as a whole does not meet Appendix-II listing criteria; and identification challenges would confuse customs officials.

The Committee then voted by secret ballot, as requested by GUINEA. The proposal passed, with 93 in favor, 39 against and 8 abstaining. More than 20 parties stated that they voted yes. DENMARK said it voted yes but noted that Greenland opposed the proposal.

Pristis microdon: AUSTRALIA introduced the proposal (CoP16 Prop.45) to transfer *Pristis microdon* (freshwater sawfish) from Appendix II to Appendix I. She explained the Pristidae family is listed on Appendix I with the exception of *P. microdon*, and said the species warrants greater CITES protection. She added the transfer to Appendix I would improve enforcement for all Pristidae species.

Among others, SIERRA LEONE, INDONESIA, INDIA, the US, KENYA, COSTA RICA, DEMOCRATIC REPUBLIC OF THE CONGO, SAMOA, HUMANE SOCIETY INTERNATIONAL and SSN, on behalf of Shark Advocates International, Project AWARE, WCS, the German Elasmobranch Society and Shark Trust supported the proposal.

JAPAN asked for further details on the benefits of uplisting. AUSTRALIA clarified the proposal would address look-alike concerns for other listed species, reinforce its domestic export ban and deter traders anticipating future legal international trade. JAPAN said he was not convinced, but did not wish to block consensus.

Committee I accepted the proposal.

Manta: ECUADOR introduced the proposal (CoP16 Prop.46) to include the Genus *Manta* (manta rays) in Appendix II with an annotation to delay its entry into effect, noting the genus is distinct from other rays and underscoring its low rates of reproduction and high vulnerability to growing trade in gill plates. BRAZIL and COLOMBIA, as co-proponents, supported the proposal, with BRAZIL underscoring that local fishing communities do not depend on manta rays for food or income. COLOMBIA, supported by SOUTH AFRICA, reiterated that *Manta* conservation may benefit local communities through ecotourism.

Many parties supported the proposal, including MOZAMBIQUE, on behalf of SADC, IRELAND, on behalf of the EU and its Member States and Croatia, URUGUAY, LIBERIA, THAILAND, SOUTH AFRICA and QATAR. AUSTRALIA and the US recognized data gaps, but said the species' vulnerability justified the precaution of listing.

The Convention on the Conservation of Migratory Species of Wild Animals (CMS) informed that *Manta* are listed on CMS Appendix I and that 112 CITES parties are also CMS parties.

CAMBODIA and CHINA opposed the proposal, saying scientific data was insufficient. JAPAN questioned the complementarity of CITES and RFMOs on manta rays, noting the proponents had not raised the need for conservation measures under the relevant RFMOs.

FAO said, *inter alia*, that: it was unable to identify reliable information to assess against decline or population criteria or to comment on projected trends; and trade is an important driver for targeted fisheries.

The Committee voted by secret ballot, as requested by Cambodia. The proposal passed, with 96 in favor, 23 against and 7 abstaining. Many parties announced their votes.

COMMITTEE II

AMENDMENT OF THE APPENDICES: Annotations – Report of the Plants Committee and Development and application of annotations: PC Chair Clemente-Muñoz introduced the document (CoP16 Doc.76 (Rev.1)), highlighting CoP recommendations on: orchids; the review of annotations for *Cactaceae* and *Orchidaceae*; and the annotations to the Appendices for plants.

The US introduced the document (CoP16 Doc.75 (Rev.1)), highlighting challenges associated with developing and implementing annotations.

Several countries expressed support for some of the proposed revisions and draft decisions. CANADA, supported by AUSTRALIA, noted the SC Working Group on Annotations should complete its activities before developing new procedures. IRELAND, on behalf of the EU and its Member States and Croatia, supported simplifying procedures.

Chair Gabel established a working group on these two agenda items, joined by CANADA, AUSTRALIA, the US, GERMANY and the UK, on behalf of the EU and its Member States and Croatia, INDONESIA and the PC Chair.

LEOPARD QUOTAS: SOUTH AFRICA introduced the document (CoP16 Doc.52 (Rev.1)) and the proposed revisions and draft decisions to Resolution Conf.10.14 (Rev.CoP14) on quotas for leopard hunting trophies and skins for personal use. She noted textual amendments suggested by the Secretariat. CONSERVATION FORCE suggested that the proposed changes to tag and quota information on export permits for leopard skins should also apply to elephant and crocodile trophies, and, supported by TANZANIA, proposed an intersessional working group. The US stated that the proposed amendments mirror the tagging requirements in the resolution on crocodylians (Resolution Conf.11.129 (Rev.CoP15)). IRELAND, on behalf of the EU and its Member States and Croatia, *inter alia*, requested clarification on whether the term “harvest quota” included leopards killed in defense of humans or livestock. INDIA, NAMIBIA and TANZANIA supported the proposed revisions and draft decisions.

Committee II accepted the document with the Secretariat’s amendments. It also requested IRELAND, on behalf of the EU and its Member States and Croatia, CONSERVATION FORCE and other interested parties to draft a decision directing the SC to monitor progress and implementation and to explore the applicability to other species of the tagging and reporting changes to leopard export permits.

TIBETAN ANTELOPE: The Secretariat presented the document (CoP16 Doc.55). He noted that the SC had: reviewed enforcement measures taken by parties to eliminate illegal trade in Tibetan antelope products, as directed by Resolution Conf.11.8 (Rev.CoP13); concluded poaching was “considerably reduced”

from previous levels; and recommended deleting the reporting requirement from Resolution Conf.11.8 (Rev.CoP13). He stated that, since the document was prepared, several large seizures of products made from Tibetan antelope wool (shahtoosh) had been reported, indicating “significant” illegal trade. The Secretariat and SC therefore withdrew their recommendation.

CHINA welcomed the withdrawal of the recommendation and proposed two new draft decisions. The first directs parties to bring seizures of illegal Tibet antelope wool and its products to the attention of the Secretariat, as well as to report progress on follow-up investigations. The second directs the Secretariat to report information about seizures and investigations to SC65. The Committee accepted the draft decisions proposed by China.

TORTOISES AND FRESHWATER TURTLES: Report of the Standing Committee: The US introduced the report (CoP16 Doc.58.1 (Rev.1)), highlighting the draft decisions designed, *inter alia*, to strengthen data collection, outreach and collaboration.

Report of the Animals Committee: The AC Chair introduced the document (CoP16 Doc. 58.2 (Rev.1)) and noted several recommendations, including to communicate the result of a study on non-detriment findings (NDFs) to the SC.

Chair Gabel proposed reconciling the two reports.

HAWKSBILL TURTLE: The Secretariat introduced the document (CoP16 Doc.59 (Rev.1)), noting that Decision 15.84 on the hawksbill turtle has been implemented so that it can be deleted, but a number of recommendations arising from a 2009 regional workshop remain to be implemented.

IRELAND, on behalf of the EU and its Member States and Croatia, and JAMAICA welcomed the document. Committee II agreed to the document, its draft decisions and annex.

STURGEON AND PADDLEFISH: Report of Animals Committee: The AC Chair introduced the report (CoP16 Doc.60.1 (Rev.1)), and explained the background of Resolution Conf.12.7 (Rev.CoP14) on conservation of and trade in sturgeons and paddlefish.

The US, supported by IRAN, IWMC-WORLD CONSERVATION TRUST and IRELAND, on behalf of the EU and its Member States and Croatia, expressed concern about the Secretariat’s expansion of the definition of “mixed species” in the labeling of high-quality caviar. The US said it does not accept exports with the mixed code, and could not support expanding its use. With wide support for the Secretariat to provide an overview of molecular, DNA-based and other forensic methods that could assist in identifying the species in trade, the Committee agreed to delete the new definition of mixed species and accept the document.

Report of the Secretariat: The Secretariat introduced the report (CoP16 Doc.60.2 (Rev.1)) and the amendments to Resolution Conf.12.7 (Rev.CoP14) on conservation of and trade in sturgeons and paddlefish, stressing that the shift to aquaculture and captive breeding of sturgeons has reduced the need for establishing complex harvest and export quotas for specimens of wild origin.

The US stated there was no evidence that shared stocks have recovered and asked the Secretariat to reinstate the deleted procedures. IRELAND, on behalf of the EU and its Member States and Croatia, supported reference to SC61 Doc.48.2 with regard to range states’ monitoring and evaluation of stocks, while UKRAINE and IRAN, on behalf of AZERBAIJAN, did not support this reference, referring instead to the informal working group on sturgeons and paddlefish’s Inf.Doc.53.

The Committee decided to suspend debate until Tuesday, 12 March, after parties have reviewed Inf.Doc.53 and the Secretariat’s report.

COMPLIANCE AND ENFORCEMENT: National laws for implementation of the Convention: The Secretariat introduced the document (CoP16 Doc.28). She reported on progress made by the Secretariat on facilitating, and parties on implementing, CITES-relevant legislation as described in Resolution Conf.8.4 (Rev.CoP15).

The US, *inter alia*, expressed concern about the “perpetual cycle” of parties failing to enact legislative plans and drafts submitted to the Secretariat. He also proposed textual amendments to exclude parties who have been party to the Convention for more than twenty years from claiming that exceptional circumstances prevented them from adopting appropriate measures for implementation. Numerous parties updated the Committee on the status of implementing CITES-relevant national legislation, and requested financial or technical assistance. TANZANIA voiced concern about the time it takes to enact legislation. CHINA supported the proposed draft decisions.

The Committee formed a drafting group, composed of the US, IRELAND, on behalf of the EU and its Member States and Croatia, and CHINA, to work on the amendments suggested by the US.

Enforcement matters: The Secretariat introduced the document (CoP16 Doc.29 (Rev.1)), highlighting that illegal trade in a number of CITES-listed species remains a growing problem. He introduced proposed revisions to Resolution Conf.11.3 (Rev. CoP15) on compliance and enforcement along with its draft decisions.

The US supported the report and agreed to the proposed revisions and draft decisions, including the recommendations that parties increase efforts to combat wildlife crime. He proposed, *inter alia*, that in the application of Article XIII on CITES compliance procedures and the timeline for responding to a Secretariat’s request on a compliance matter, “one year” be changed to “six months.” IRELAND, on behalf of the EU and its Member States and Croatia, welcomed the report and supported some of the US amendments. The IUCN Pangolin Specialist Group welcomed the attention of the report to illegal trade in pangolins, with LEWIS AND CLARK COLLEGE proposing language to address the scale of the trade, supported by the US and the PHILIPPINES, with some minor additions.

The Committee noted the report and accepted the proposed amendments to the resolution and draft decisions with amendments. Following this, KENYA asked that African pangolins be also considered. The Chair suggested Kenya raise this issue in plenary.

National Reports: The Secretariat and the UK, as Chair of the SC Working Group on Special Reporting Requirements, introduced the document on national reports (CoP16 Doc.30 (Rev.1)), which contained, *inter alia*, harmonization of reporting and reduction of the reporting burden (Decision 14.38). He requested reports from Afghanistan, Equatorial Guinea, Grenada, Lesotho and the Former Yugoslav Republic of Macedonia.

CHINA welcomed the document, praising the use of modern technology to ease the reporting burden. On the development of the Annual Report Upload Facility, UNEP-World Conservation Monitoring Centre (WCMC) clarified that the available facility was a prototype, which would be completed, subject to funding, within two years.

The Committee accepted the document with an amendment and a few minor deletions. Annex five on a new national report format under Article eight was returned to the Working Group for further consideration.

Disposal of illegally-traded and confiscated specimens of Appendix-I, -II and -III species: INDONESIA introduced the document (CoP16 Doc.31 (Rev.2)) and the draft decision (CoP16 Doc.31 (Rev. 2) Annex).

HSI voiced concerns that sharing profits from selling confiscated specimens with the countries of origin enabled collusion between exporting states and traders in importing countries. JAMAICA, COLOMBIA, INDIA and IWMC-WORLD CONSERVATION TRUST supported the draft decision, though INDIA expressed reservations about the repatriation of proceeds from sales of confiscated specimens. CHINA, the US, IRELAND, on behalf of the EU and its Member States and Croatia, ISRAEL, KENYA, SERBIA and LEWIS AND CLARK COLLEGE opposed the draft decision, citing, *inter alia*, potential negative impacts on law enforcement and conservation. The US, supported by IRELAND, on behalf of the EU and its Member States and Croatia, proposed drafting a new decision calling for a general review of existing resolutions. INDONESIA stated that the main purpose of its proposal was to improve communication between importing and exporting countries when a specimen is confiscated.

The Committee suspended discussions until the US, Indonesia and China could draft a new decision.

IN THE CORRIDORS

Despite some early morning grumbles from tired delegates after their work-filled “weekend,” participants turned quickly to business on Monday morning, with Committee II delving into what one described as the “dull but necessary details of the Convention.” The real excitement and passion flowed out of Committee I, with shouts of excitement heard down the halls as parties agreed (by vote) on shark and manta ray proposals. After Friday afternoon declarations that CoP16 was the “turtle CoP,” delegates reflected it might instead be the “marine CoP.” Obvious regional tensions on positions emerged, particularly among African nations, some of whom were accused by peers of deviating from agreed-upon positions. Despite such contention, cheers that followed the secret ballot overpowered the Chair’s voice, as she gamely tried to call on numerous countries seeking to announce their “yes” vote for the record, in a bid to promote transparency. A few delegates sagely pointed out that shouts of joy over listing a species were misplaced, saying such listings actually represent a failure among parties to conserve species or regulate trade. Still, one cautiously optimistic delegate said that if tomorrow’s discussions on timber go well, this CoP could be judged as a success, “provided parties return home and get down to the real business of CITES: implementation.”

CITES COP16 HIGHLIGHTS: TUESDAY, 12 MARCH 2013

In the morning, CITES Secretary-General John Scanlon exchanged the Maldives non-party plaque for a party plaque, welcoming them as a party to CITES. The MALDIVES informed delegates that his country had conserved many species of flora and fauna before becoming a party, including banning trade and imports of endangered species. He said the Maldives looked forward to working with the CITES community to achieve full compliance of the Convention. Committee I continued and completed work on proposals to amend the Appendices. Committee II addressed, *inter alia*: humphead wrasse, elephants and rhinoceroses.

COMMITTEE I

PROPOSALS TO AMEND APPENDICES I AND II:

Paratrygon aiereba: COLOMBIA presented the proposal (CoP16 Prop.47) to include *P. aiereba* (Ceja river stingray) in Appendix II with an annotation to postpone entry into effect by 18 months. He urged parties to employ the precautionary principle to list the species, which would allow non-detriment findings (NDFs) to be conducted. ECUADOR, BRAZIL, COSTA RICA, EL SALVADOR, ARGENTINA, MADAGASCAR, QATAR, SENEGAL, PANAMA and DEFENDERS OF WILDLIFE supported the proposal.

IRELAND, on behalf of the EU and its Member States and Croatia, did not support the proposal, saying there was insufficient information and they would support an Appendix-III listing instead. The FOOD AND AGRICULTURE ORGANIZATION OF THE UN (FAO) indicated that the species does not meet the biological criteria for an Appendix-II listing.

With 51 votes for, 51 votes against and 19 abstaining, the proposal failed to meet the two-thirds majority necessary for it to pass.

Potamotrygon motoro and P. schroederi: COLOMBIA introduced the proposal (CoP16 Prop.48) to list *P. motoro* (South American freshwater stingray) and *P. schroederi* (Rosette river stingray) on Appendix II, with an annotation to postpone its entry into effect. ECUADOR, as co-proponent, recognized the lack of information about these species, but said an Appendix II, rather than Appendix III, listing would allow, *inter alia*, international control and NDFs.

BRAZIL, VENEZUELA and URUGUAY, as range states, along with SENEGAL, ARGENTINA and the US, supported the proposal.

PARAGUAY and GUYANA, as range states for *P. motoro*, supported by IRELAND, on behalf of the EU and its Member States and Croatia, opposed the proposal and preferred listing these species on Appendix III.

In a vote, Committee I did not accept the proposal, with 55 voting yes, 52 no and 25 abstaining.

Papilio hospiton: IRELAND, on behalf of the EU and its Member States and Croatia, introduced the proposal (CoP16 Prop.49) to transfer *P. hospiton* (Corsican swallowtail butterfly) from Appendix I to Appendix II, noting that the species is not traded either legally or illegally.

PERU and SWITZERLAND supported the proposal. The Committee agreed to the proposal.

Yucca queretaroensis: MEXICO introduced the proposal (CoP16 Prop.50) to list *Y. queretaroensis* (Queretaro yucca) in Appendix II, highlighting, *inter alia*, growing demand on international markets. He pointed to an identification guide, included in an annex, to differentiate the species from other *Yucca* species.

IRELAND, on behalf of the EU and its Member States and Croatia, noted that, in spite of limited available information on trade levels and the effects of harvest, they supported the proposal.

Committee I agreed to the proposal.

Madagascar plants: MADAGASCAR introduced seven proposals for Appendix II listings: CoP16 Prop.51 (*Operculiyya decaryi*); Prop.64 (*Senna meridionalis*); Prop.65 (*Adenia firringalavensis*); Prop.66 (*A. subsessifolia*); Prop.67 (*Uncarina grandidieri*); Prop.68 (*U. stellulifera*); and Prop.71 (*Cyphostemma laza*). He outlined the justification for each proposal.

The US highlighted the improvement in data on these proposals since CoP15, particularly through significant field research on population trends. NIGERIA and QATAR also supported the proposal.

SOUTH AFRICA said explanations provided informally by Madagascar had convinced him of threats to wild populations from international trade and the difficulties in tracking trade, and so did not oppose the listing.

IRELAND, on behalf of the EU and its Member States and Croatia, did not support the proposal, explaining, *inter alia*, the available trade information does not justify the listing, but said it would not block consensus. IUCN noted a lack of funding had prevented its assessment of Madagascar's submitted data and hoped funding would become available to support this work.

Committee I accepted the seven proposals.

Hoodia: NAMIBIA introduced Cop16 Prop.52 to amend the annotation of *Hoodia* spp. (Hoodias), with Botswana and South Africa as co-proponents. She said the annotation had caused confusion on the term "agreement," which other parties interpreted to mean an agreement between the three governments. She said the original aim of the proposal was to address individual agreements by management authorities with either manufacturers, distributors or agents within the country.



SWITZERLAND explained it had previously entered a reservation because the annotation focused on artificially propagated species but said it would not block consensus.

IRELAND, on behalf of the EU and its Member States and Croatia, welcomed the amendment and, supported by the US, proposed including a draft decision directed to the SC Working Group on Annotation to “review the annotation to the listing of *Hoodia* species with a view to its standardization and amendment as appropriate.”

IRELAND, on behalf of the EU and its Member States and Croatia, supported by the US, also requested excluding finished products. NAMIBIA opposed this suggestion, expressing concern it would expand the scope of the proposal, which Chair Caceras supported in a ruling.

Committee I then adopted the proposal with a minor amendment by the Secretariat and the decision directed to the SC.

***Panax ginseng* and *P. quinquefolius*:** The US introduced the proposal (CoP16 Prop.53) to amend the annotation to the listings of *P. ginseng* and *P. quinquefolius*, included in Appendix II, to exclude manufactured parts and derivatives. She noted previous annotations had been changed to harmonize with other Appendix-II listed medicinal species, but that had created confusion in enforcement.

IRELAND, on behalf of the EU and its Member States and Croatia, supported the proposal, but also proposed a new decision recommending the SC refer the amended annotations to its Working Group on Annotations for standardization and amendment as appropriate. CANADA supported this proposed new decision. On the US proposal, CANADA said she did not view a change to the annotation as necessary but would not block consensus.

Committee I agreed to the proposal to amend the annotation and to the proposed decision.

***Tillandsia* species:** BRAZIL introduced proposals (CoP16 Prop.54-56) on the deletion of three *Tillandsia* species from Appendix II: *T. kautskyi* (Prop.54); *T. spregeliana* (Prop.55); and *T. sucrei* (Prop.56). He clarified the species no longer qualify for an Appendix II listing.

The PC Chair, IRELAND, on behalf of the EU and its Member States and Croatia, CHILE and MADAGASCAR supported the proposal.

Committee I agreed to the three proposals.

***Dudleya stolonifera* and *Dudleya traskiae*:** The US introduced the proposal (CoP16 Prop.57) to delete *D. stolonifera* (Laguna beach live-forever) and *D. traskiae* (Santa Barbara Island live-forever) from Appendix II. She said no wild trade or illegal trade has been recorded, since their transfer from Appendix I to Appendix II, following a periodic review of the appendices for these two species.

Committee I agreed to the proposal.

***Diospyros* spp. and *Dalbergia* spp.:** MADAGASCAR presented together the proposals to include the populations of *Diospyros* spp. (Malagasy ebony) (CoP16 Prop.58) and *Dalbergia* spp. (Malagasy rosewood) (CoP16 Prop.63) in Appendix II, with an annotation limited to logs, sawn wood and veneer sheets. He noted, *inter alia*, that the Appendix III listing had not prevented exploitation and the populations continued to decline.

The US, SENEGAL, SOUTH AFRICA, CAMEROON, REPUBLIC OF KOREA, THAILAND, IRELAND, on behalf of the EU and its Member States and Croatia, COLOMBIA and the PC Chair supported the proposals. CHINA, supported by IRELAND, on behalf of the EU and its Member States and Croatia, proposed amending the text of the proposed action plan to add “especially developed country parties” when requesting importing countries to work with Madagascar.

Parties agreed to the proposals and the action plan (CoP16 Inf.52) as amended by China and with a minor amendment by the Secretariat.

***Aniba rosaeodora*:** BRAZIL introduced the proposal (CoP16 Prop.59) on amending the annotation to the Appendix-II listing of *A. rosaeodora* (Brazilian rosewood), to reflect the new definition of “extract,” as agreed to by Committee II (CoP16 Doc.75), specifying the annotation excludes finished products. He noted the new definition considers essential oils as extracts.

ARGENTINA, MADAGASCAR and SENEGAL supported the proposal.

Committee I accepted the proposal to amend the annotation for *A. rosaeodora*.

***Dalbergia cochinchinensis*:** THAILAND introduced the proposal (CoP16 Prop.60) to include *D. cochinchinensis* (Siamese rosewood) in Appendix II, with an annotation specifying logs, sawn wood and veneer sheets. VIET NAM, as the co-proponent, highlighted the vulnerability of the species.

Several speakers, including MADAGASCAR, SENEGAL, SOUTH AFRICA, INDONESIA, SWITZERLAND, LIBERIA, BELIZE and ENVIRONMENTAL INVESTIGATION AGENCY UK supported the proposal. IRELAND, on behalf of the EU and its Member States and Croatia, suggested the species meets the criteria for listing on Appendix I.

Committee I accepted the proposal with the annotation.

***Dalbergia retusa* and *D. granadillo*:** BELIZE introduced the proposal (CoP16 Prop.61) to include *D. retusa* (black rosewood) and *D. granadillo* in Appendix II, and proposed adding an annotation specifying logs, sawn wood, veneer and plywood. He said *D. retusa* meets the listing criteria for Appendix II and that *D. granadillo* qualifies as a look-alike.

Several spoke in support of the proposal, including PANAMA, THAILAND, MADAGASCAR and SSN.

Committee I agreed to the proposal with the proposed annotation.

***Dalbergia stevensonii*:** BELIZE introduced the proposal (CoP16 Prop.62) to include *D. stevensonii* (Honduras rosewood) in Appendix II, adding annotation 6. He noted this species was included in the action plan referred to during discussions of CoP16 Prop.61. He pointed to threats from legal and illegal logging for international trade.

Committee I agreed to the proposal with its annotation.

***Osyris lanceolata*:** KENYA introduced its proposal to include *O. lanceolata* (East African sandalwood) on Appendix II (CoP16 Prop.69). He amended the proposal to restrict inclusion in Appendix II to populations in Kenya, Tanzania, Uganda, Rwanda, Burundi and Ethiopia and to add Annotation 2.

TANZANIA, ETHIOPIA, UGANDA, BURUNDI and others supported the proposal, stressing that exploitation and trade threatens its survival.

The Committee agreed to adopt the proposal as amended by Kenya with Annotation 2 and to adopt the decision directed to the PC, the East African Range States and the Secretariat.

***Aquilaria* spp. and *Gyrinops* spp.:** CHINA introduced the proposal (CoP16 Prop.70), with co-proponents KUWAIT and INDONESIA, to delete the current annotation to the listing of *Aquilaria* spp. and *Gyrinops* spp. (agarwood-producing taxa) in Appendix II, and replace it with a new annotation. She also presented two new proposed draft decisions, directing: export and import states of agarwood-producing taxa on the development of an identification manual for agarwood products; and the Secretariat to make this manual available through the CITES website.

SENEGAL, EGYPT, QATAR and MALAYSIA supported the proposal with the amendments.

TRAFFIC raised concerns about the exemption of exhausted powder, pointing to difficulties for regulatory and enforcement officers to distinguish between exhausted and unexhausted, or pure, powder.

Committee I agreed to the proposal for the deletion of the annotation, replacement with the new annotation as amended and the two proposed draft decisions by consensus.

STRATEGIC MATTERS: IPBES: MEXICO introduced the draft decisions on the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) (CoP16 Com.I.4).

Committee I agreed to adopt CoP16 Com.I.4 and to repeal decisions 15.12, 15.13 and 15.14.

Strombus gigas: COLOMBIA introduced the draft decisions on the management of and trade in *S. gigas* (queen conch) (CoP16 Com.I.5).

FRANCE requested several amendments to decisions, adding reference to the Working Group on Queen Conch (Decision 16AA).

CUBA, JAMAICA and BELIZE stressed their commitment to the conservation of *S. gigas*. IRELAND, on behalf of the EU and its Member States and Croatia, supported the proposed decisions.

The FAO drew attention to a 2009 FAO publication on *S. gigas*.

Committee I agreed to adopt the decisions, as amended by Colombia and France.

EXEMPTIONS AND SPECIAL TRADE PROVISIONS: Proposed revision of Resolution Conf.13.7 (Rev.CoP14) on control of trade in personal and household effects: KUWAIT requested an amendment to CoP16 Doc.47 (Rev.1) to exempt species of agarwood products and quantities on personal and household effects.

QATAR, MALAYSIA, INDONESIA and OMAN supported the amendment.

The Committee agreed to adopt the proposed revision of Resolution Conf.13.7 (Rev.CoP14).

COMMITTEE II

HUMPHEAD WRASSE: CHINA introduced the document (CoP16 Doc.62 (Rev.1)). He highlighted its recommendations, including that the IUCN Species Survival Commission (SSC) Groupers and Wrasses Specialist Group (GWSG) supports parties in achieving sustainable fisheries.

CHINA highlighted the importance of bilateral cooperation. The US and IRELAND, on behalf of the EU and its Member States and Croatia, welcomed the Secretariat's proposed amendments. The IUCN SSC GWSG highlighted the existence of illegal markets and wild-caught humphead wrasse exported as ratched.

The Committee accepted the document with the understanding that the recommendations would be considered draft decisions.

TOOTHFISH: REPORT OF THE COMMISSION FOR THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES (CCAMLR): The Committee noted the report without introduction (CoP16 Doc.63 (Rev.1)).

REPORT OF THE CENTRAL AFRICA BUSHMEAT WORKING GROUP: DEMOCRATIC REPUBLIC OF THE CONGO introduced the document (CoP16 Doc.70 (Rev.1)). He highlighted the recommendation that the Central Africa Bushmeat Working Group should meet regularly to exchange information, with support from the Secretariat.

IRELAND, on behalf of the EU and its Member States and Croatia, expressed disappointment with the lack of progress on the implementation of Decisions 14.73 and 14.74 (Rev.CoP15) directed to the Working Group, noting the Group has not met since 2011.

The Committee noted the document and the Secretariat's comments and agreed to retain the decisions.

STURGEONS AND PADDLEFISH: Report of the Secretariat: The Committee considered CoP16 Inf.53, which contains a proposal by the informal working group on sturgeons. The RUSSIAN FEDERATION introduced the document and

highlighted the differences between its proposed revisions to Resolution Conf.12.7 (Rev.CoP14) and those proposed by the Secretariat in CoP16 Doc.60.2.

The RUSSIAN FEDERATION, UKRAINE, JAPAN and IRAN supported the revisions proposed in CoP16 Inf.53, including deletion of reference to SC61 Doc.48.2 on, *inter alia*, stock assessments. The US and IRELAND, on behalf of the EU and its Member States and Croatia, opposed the proposed amendments, favoring instead the Secretariat's proposals.

The Committee voted to retain reference to SC61 Doc.48.2 in the draft resolution, with 51 in favor, 8 against and 27 abstaining. The Committee voted to accept the revisions proposed by the Secretariat on page five of Inf.43, with 51 for, 14 against and 30 abstaining. The RUSSIAN FEDERATION stressed that stock assessment was "beyond the competence of CITES," and stated she would not accept reference to SC61 Doc.48.2. She lodged a complaint in accordance with Rule 29 of the Rules of Procedure.

The Committee voted on CoP16 Inf.53 with the two controversial aspects of the text as agreed by the previous votes. The Committee accepted CoP16 Inf.53 with the agreed amendments, with 59 in favor, 5 against and 29 abstaining.

STRATEGIC MATTERS: CITES and livelihoods: PERU introduced the document prepared by a drafting group, on the basis of document CoP16 Doc.19 (Rev.1) and Annex 1 with all proposed amendments accepted (CoP16 Com.II.11 (Rev.1)).

The PHILIPPINES, ARGENTINA, SOUTH AFRICA, ZIMBABWE, TRAFFIC and others supported the document. MEXICO and the US proposed minor textual changes. The US noted its concern with some elements of the document and expressed its interest in addressing those concerns through participation in the Intersessional Working Group.

The Committee agreed to the amended document.

Proposal concerning a needs assessment for strengthening the implementation of CITES in developing countries: GHANA introduced the document (CoP16 Com.II.10) following discussion of CoP16 Doc.22.

GHANA proposed expanding the document's scope to include developed countries. The US proposed expanding the document's scope to all parties.

The Committee accepted the document with the proposed changes.

COMPLIANCE AND ENFORCEMENT: Disposal of illegally-traded and confiscated specimens of Appendix-I, -II and -III species: INDONESIA presented the draft decision (CoP16 Com.II.21) prepared by a drafting group. The decision directs the SC to review Resolutions Conf.9.9, Conf.9.10 and Conf.10.7 (Rev.CoP15) to determine whether to consolidate or simplify any of their provisions, and report its conclusions and recommendations to CoP17.

The Committee accepted the document.

Improving the efficiency of international cooperation on permit and certificate verification: CHINA presented the Working Group's draft amendment (CoP16 Com.II.20) to Resolution Conf.12.3 (Rev.CoP15). JAPAN supported the revised draft amendment, stating he hoped this would encourage prompt communication between relevant management authorities. The Committee accepted the proposal with a minor modification.

EXEMPTIONS AND SPECIAL TRADE PROVISIONS: Personal and household effects:

IRELAND, on behalf of the EU and its Member States and Croatia, presented the drafting group's proposed amendment to CoP16 Doc.46 (Rev.1), which added text to specify that the export of rhino horn or elephant ivory do not qualify for the personal and household effects exemption.

The Committee accepted the draft amendment with a modification.

PERIODIC REVIEW OF APPENDICES: Development and application of annotations: The US introduced the document (CoP16 Com.II.27), reflecting recommendations prepared by the Working Group on the basis of CoP16 Doc.75 (Rev.1) and CoP16 Doc.76 (Rev.1). The Committee accepted the recommendations.

The US and the PC Chair reviewed the definitions proposed in CoP16 Doc.75 (Rev.1) and CoP16 Doc.76 (Rev.1). The Committee accepted the definitions.

The PC Chair invited the Committee to note the recommendations included in paragraph 13 of CoP16 Doc.76 (Rev.1), relating to annotations for orchids listed on Appendix II. The Committee noted the paragraph and accepted the proposed recommendations, including the draft decision as amended in the annex.

TRADE CONTROL AND MARKING: Purpose codes on CITES permits and certificates: IRELAND, on behalf of the EU and its Member States and Croatia, introduced the draft amendment (CoP16 Com.II.2) to CoP Resolution Conf.12.3 (Rev.CoP15) on permits and certificates based on CoP16 Doc.38 (Rev.1).

IRELAND, on behalf of the EU and its Member States and Croatia, noted there was no consensus on the document but stated that no changes would be put forward at this stage. The Committee accepted it.

Identification Manual: The Secretariat introduced the document he prepared on the basis of document CoP16 Doc.44.2 (Rev.1) (CoP16 Com.II.16), which the Committee accepted.

ELEPHANTS: Monitoring the Illegal Killing of Elephants (MIKE) and monitoring of illegal trade in ivory and other elephant specimens: IRELAND, on behalf of the EU and its Member States and Croatia, introduced the draft decisions of the CoP on monitoring of illegal trade in ivory, prepared in the drafting group (CoP16 Com.II.22).

The US proposed language requesting the Secretary-General to cooperate with the UN Office on Drugs and Crime (UNODC) on national security implications and illegal killing of elephants. KENYA proposed, *inter alia*: lowering the weight of ivory seizure requiring forensic analysis to 500kg and backdating the analysis of seizures recorded by the Elephant Trade Information System (ETIS) to 24 months. THAILAND said that expanding the analysis to 24 months would be challenging.

GABON introduced language on demand reduction strategies. SOUTH AFRICA, supported by BOTSWANA, preferred the original wording. IRELAND, on behalf of the EU and its Member States and Croatia, requested that this text be directed to major consumer states. SAVE THE ELEPHANTS supported Gabon, urging consumer states to initiate public awareness campaigns to reduce demand.

The Committee accepted the decisions with the amendments from the US, Kenya and Thailand.

Draft CoP resolution on proposed new resolution concerning the African Elephant Action Plan (AEAP) and African Elephant Fund (AEF): NIGERIA introduced the document (CoP16 Com.II.17), prepared in consultation with the Secretariat, on the basis of document CoP16 Doc.53.3 (Rev.2) Annex 1.

KENYA proposed recognizing the work of the IUCN SSC Elephant Specialist Group in the preamble. The US asked, *inter alia*, that the language on the modalities of UNEP support to the Elephant Fund Steering Committee be revised.

The Committee accepted the document without the US proposed revisions.

Draft revision of Resolution Conf.10.10 (Rev.CoP15) on trade in elephant specimens: The US presented the recommendations of the drafting group (CoP16 Com.II.26) concerning the draft revision of Resolution Conf.10.10 (Rev. CoP15) on trade in elephant specimens.

The Committee accepted: the recommendations of the drafting group (CoP16 Com.II.26); the renewal of Decision 14.78 (Rev. CoP15); textual amendments to the draft revision of Resolution Conf.10.10 (Rev.CoP15) suggested by the US, KENYA, GABON, SOUTH AFRICA and MALAYSIA; and the deletion of Decisions 13.26, 14.76, 14.79 and 15.74 (Rev.CoP15).

Draft decision of the CoP on a Decision-making mechanism (DMM) for a process of trade in ivory: The Secretariat introduced CoP16 Com.II.18 which harmonized documents CoP16 Doc.36 (Rev.1) and CoP16 Doc.37 (Rev.1) on the DMM for a process of trade in ivory, proposing postponing the approval of the DMM to CoP17 and requesting the SC to develop a DMM in consultation with all African and Asian elephant range states, in French and English when possible. KENYA expressed concern that deleting reference to “authorizing” a process of ivory trade would change the meaning of the text. The Secretariat agreed to note this comment. DAVID SHEPHERD WILDLIFE FOUNDATION called on CITES to suspend discussion on the DMM.

The Committee accepted the document.

Proposed revision of Resolution Conf.10.9 on consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II: CÔTE D’IVOIRE introduced the draft decision (CoP16 Com.II.19) prepared following discussion of document CoP16 Doc.73 (Rev.1) and asked the SC to establish a working group to review Resolution Conf.10.9.

The Committee accepted the draft decision.

TORTOISES AND FRESHWATER TURTLES: The US introduced the document (CoP16 Com.II.23), prepared by the SC Chair of the Working Group on tortoises and freshwater turtles, in consultation with the AC Chair and the Secretariat, on the basis of documents CoP16 Doc.58.1 (Rev.1) and CoP16 Doc.58.2 (Rev.1).

The Committee accepted the report.

RHINOCEROSSES: The UK introduced the document (CoP16 Com.II.24) prepared by the working group on the basis of documents CoP16 Doc.54.1 (Rev.1) and CoP16 Doc.54.2 (Rev.1) and highlighted a large degree of consensus.

Several amendments were proposed. UGANDA and TANZANIA proposed referencing rhino “specimens” instead of “horns” when discussing illegal seizures. SWAZILAND proposed adding reference to rhino “possession” in addition to illegal trade. VIET NAM asked for a review of the term “hunting trophy.”

The Committee I agreed to the document with amendments.

IN THE CORRIDORS

The raucous cheers that followed Monday’s Committee I discussions on sharks and rays had quieted by Tuesday. Instead, many breathless delegates were seen running between Committees I and II, as the Committee II schedule for discussion of documents became more unpredictable as the day progressed. Committee II ended a half-hour later than scheduled, with unresolved items still on its agenda and reports pending from three working groups. Some delegates groaned about the resumed discussion on Wednesday and the delay of plenary, but one said she was “relieved no one called for an evening session.”

Participants emerging from Committee I’s meeting room spoke more buoyantly, with several expressing relief the discussions on stingrays and plants had proceeded so smoothly. One pointed to the resolution of several proposals on precious timber species, noting these decisions would have been “undreamed of” a few CoPs ago. Throughout the day, some participants continued to lobby for their positions on some of the more divisive proposals, in case the decisions were re-opened in plenary. Several delegates, however, felt most parties would respect the work of the Committees and let their decisions stand.

CITES COP16 HIGHLIGHTS: WEDNESDAY, 13 MARCH 2013

In the morning, Committee II reconvened to complete outstanding agenda items. The Plenary met shortly after and proceeded to adopt reports and decisions from Committees I and II.

COMMITTEE II

GREAT APES: The Secretariat introduced the draft decisions prepared after discussion of document CoP16 Doc.49 (CoP16 Com.II.13).

The Committee accepted the document.

ASIAN BIG CATS: The Secretariat introduced three draft decisions (Com.II.30), prepared by a working group following discussion of document CoP16 Doc.50 (Rev.1), which direct parties, the SC and the Secretariat to, *inter alia*, report on and review the conservation of and trade in Appendix-I Asian big cat species.

INDIA supported the draft decisions with a minor amendment. INDONESIA, supported by CHINA and THAILAND, requested deferring reporting to CoP17 rather than SC65. The US, supported by IRELAND, on behalf of the EU and its Member States and Croatia, urged reporting to SC65. The Committee voted to keep the text requiring reporting to SC65, with 64 in favor, 20 against and 28 abstentions. The Committee agreed to the draft decisions with a minor amendment.

CROSS-BORDER MOVEMENT OF MUSICAL INSTRUMENTS: The US introduced the amendment to Resolution Conf.12.3 (Rev.CoP15) on the basis of document CoP16 Doc.40. AUSTRALIA objected to requiring border officials sign the instruments' certificates, citing implementation challenges.

The Committee accepted the document noting Australia's comments.

STRATEGIC MATTERS: Potential conflicts of interest in the Animals and Plants Committees: IRELAND, on behalf of the EU and its Member States and Croatia, introduced the document (CoP16 Com.II.28) prepared on the basis of document CoP16 Doc.11 (Rev.1). He noted the general agreement on the need for addressing the issue but highlighted that there was no consensus on the definition of conflict of interest, which remained in brackets.

MEXICO noted this matter is crucial for fostering transparency and objectivity. The US emphasized concerns about financial interests. NEW ZEALAND added that at this stage it is important to define financial interests. INDONESIA objected to declaring any interests. After some discussion, the Committee agreed to limiting the conflict of interest to "financial interests."

The Committee accepted the document.

COMPLIANCE AND ENFORCEMENT: National reports: Committee I accepted the document prepared on the basis of CoP16 Doc.30 (Rev.1).

National laws for implementation of the convention: The US introduced the revised document on national laws for implementation of the convention (CoP16 Doc.28). The Committee accepted amendments from the US and IRELAND, on behalf of the EU and its Member States and Croatia, and adopted the document.

ADMINISTRATIVE MATTERS: Financing and budgeting of the Secretariat and of meetings of the CoP: Draft decisions of the CoP on Financing and the costed programme of work for the Secretariat for the triennium 2014-2016 and draft decisions of the CoP on access to GEF funding: SWITZERLAND introduced the documents (CoP16 Com.II.31 (Rev.1) and Com.II.32). The first contains a revised draft resolution (Resolution Conf.16.1) on the financing and costed programme of work for the Secretariat for the triennium 2014-2016, presenting, *inter alia*, a compromise between a zero nominal and zero real growth budget. The second presents a draft decision directing the Secretariat to, *inter alia*, continue exploring a financial mechanism for CITES, such as the Global Environment Facility (GEF), and report on progress at SC65 and CoP17.

The Committee accepted the documents.

PLENARY

ADMINISTRATIVE MATTERS: Credentials Committee: The CoP adopted the document with an amendment. The Chair of the Credentials Committee reported that 149 party credentials were accepted out of 170 registered parties.

Financing and budgeting of the Secretariat and of meetings of the CoP: The CoP adopted documents and recommendations on: the implementation of the costed programme of work for 2012; draft decisions of the CoP on financing and the costed programme of work for the Secretariat for the triennium 2014-2016; draft decisions of the CoP on access to GEF funding; and access to other sources of funding.

Arrangements for meetings: Committee II Chair reported that the proponents withdrew their document and the Secretariat agreed to prepare a document for the consideration of the SC.

STRATEGIC MATTERS: The CoP adopted documents and decisions on: potential conflicts of interest in the AC and PC; the CITES Strategic Vision; cooperation with organizations and multilateral environmental agreements (MEAs); a resolution on cooperation with the Global Strategy for Plant Conservation (GSPC) of the Convention on Biological Diversity (CBD); Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES); cooperation between parties and promotion of multilateral measures; CITES and livelihoods;



wildlife trade policy reviews; proposal concerning a needs assessment for strengthening the implementation of CITES in developing countries; and capacity-building programme for science-based establishment and implementation of voluntary national export quotas for Appendix-II species.

On the capacity building document and decisions, which the CoP adopted, the BAHAMAS said that the UN Development Programme (UNDP) Human Development Index (HDI) should not be used as the only criteria for determining who receives support. He asked that his comment go on record. The CoP adopted the document.

REVIEW OF RESOLUTIONS: The CoP adopted the recommendations of the Committees on proposals of the Secretariat and climate change.

COMPLIANCE AND ENFORCEMENT: The CoP adopted the recommendations of the Committees on: national laws for implementation of the Convention; enforcement matters; national reports; and disposal of illegally-traded and confiscated specimens of Appendix-I, -II and -III species.

TRADE CONTROL AND MARKING: The CoP adopted the recommendations of the Committees on: introduction from the sea; non-detriment findings (NDFs); electronic permitting; improving the efficiency of international cooperation on permit and certificate verification; decision-making mechanism (DMM) for a process of trade in ivory; proposal to amend Decision 14.77 on a DMM for a future trade in elephant ivory; purpose codes on CITES permits and certificates; transport of live specimens; cross-border movement of musical instruments; use of taxonomic serial numbers; physical inspection of timber shipments; standard nomenclature, including the report of the AC and PC and standard nomenclature for *Hippocampus* species; identification manual, including the report of the Secretariat and of the PC; and e-commerce of specimens of CITES-listed species.

EXEMPTIONS AND SPECIAL TRADE PROVISIONS: The CoP adopted the recommendations of the Committees on: personal and household effects; proposed revision of Resolution Conf.13.7 (Rev.CoP14) on control of trade in personal and household effects; and implementation of the Convention relating to captive-bred and ranched specimens.

SPECIES TRADE AND CONSERVATION: The CoP adopted the recommendations of the Committees on: great apes; Asian big cats; illegal trade in cheetahs; leopard quotas; elephants (including monitoring the illegal killing of elephants; monitoring of illegal trade in ivory and other elephant specimens; recommendations on the draft revision of Resolution Conf.10.10 (Rev.CoP15) on trade in elephant specimens; and a resolution on the African Elephant Action Plan and African Elephant Fund); rhinoceroses; Tibetan antelope; Saiga antelope; snake trade and conservation management; hawksbill turtle; sturgeons and paddlefish (including reports of the AC and the Secretariat); sharks and stingrays; humphead wrasse; sea cucumbers; regional cooperation on the management of and trade in the queen conch (*Strombus gigas*); Madagascar; agarwood-producing taxa (including the report of the PC and draft resolution on implementation of the Convention for agarwood-producing taxa); bigleaf mahogany; *Cedrela odorata*, *Dalbergia retusa*, *D. granadillo* and *D. stevensonii*; and the report of the Central Africa Bushmeat Working Group.

On tortoises and freshwater turtles, INDONESIA asked that reference to the Asian region in the SC's report be deleted, and requested to re-open debate, seconded by MALAYSIA. The US opposed and the CoP voted on re-opening debate. With 24 for, 86 against and 21 abstaining, the Indonesian proposal did not carry, and debate remained closed.

The CoP noted the report on toothfish: report of CCAMLR (Doc.63 (Rev.1)).

AMENDMENT OF THE APPENDICES: The CoP adopted the recommendations of the Committees on: criteria for the inclusion of species in Appendices I and II; criteria related to ranched populations; proposed revision of Resolution Conf.10.9 on consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II; Periodic Review of the Appendices (including revision of Resolution Conf.14.8 on Periodic Review and review of the Appendices: Felidae); and development and application of annotations and annotations – report of the PC.

PROPOSALS TO AMEND APPENDICES I AND II: On proposals to amend Appendices I and II, the CoP adopted the two draft decisions in CoP16 Doc.77.

The CoP noted the withdrawal of proposals on: *Ceratotherium simum simum* and *Loxodonta africana*. The CoP also noted the decisions on *Cuora galbinifrons*, *Geoemyda japonica* and *Mauremys annamensis*.

The CoP adopted proposals on: *Rupicapra pyrenaica ornate*, *Vicugna vicugna*, *Pteropus brunneus*, *Thylacinus cynocephalus*, *Onychogalea lunata*, *Caloprymnus campestris*, *Chaeropus ecaudatus*, *Macrotis leucura*, *Trichechus senegalensis*, *Caracara lutosa*, *Lophura imperialis*, *Tympanuchus cupido attwateri*, *Campephilus imperialis*, *Sceloglaux albifacies*, *Naultinus spp.*, *Protobothrops mangshanensis*, *Chelodina mccordi*, *Clemmys guttata*, *Emydoidea blandingii*, *Malaclemys terrapin*, freshwater box turtles, *Geochelone platynota* and softshell turtles. The CoP rejected proposals on: *Ursus maritimus*, *Gallus sonneratii*, *Ithaginis cruentus*, *Tetraogallus caspius*, *T. tibetanus* and *Crocodylus acutus*.

On *Crocodylus siamensis*, THAILAND, supported by ECUADOR and CAMBODIA, requested reopening the proposal. IRELAND, on behalf of the EU and its Member States and Croatia, supported by SWITZERLAND, questioned the need to re-open discussion. The motion to re-open the discussion carried, with 48 in favor, 74 against and 16 abstentions. After a discussion, the CoP voted on the proposal, which was rejected, with 57 in favor, 70 against and 11 abstentions.

IN THE CORRIDORS

As delegates sipped coffee in the hallways on Wednesday morning while waiting for Committee II to reconvene, several commented that the delays caused by their uncompleted work might leave plenary pressed for time. But by mid-afternoon, not only had Committee II ended and plenary begun, but the CoP had completed its entire agenda for the day and had swiftly moved on to consideration of Thursday's work. One noted the hard work of Committees and drafting groups was paying off, as many of the most divisive issues had found—if not full resolution—outcomes acceptable to parties, either through compromise text, amendments and revisions, or, in some cases, clear decisions through the votes. Around 3:30pm, another delegate was heard excitedly whispering to his colleague that CoP16 perhaps might end an entire day early, leaving them with extra time for shopping and temple visits before their flights home.

As anticipated by some delegates over the past days, the most difficult agenda items were on proposals to amend the Appendices, with the debates re-opened on the Siamese crocodile. Nervous anticipation over whether the shark, manta ray or stingray proposals would be re-opened was suspended, as the Chair closed the plenary session promptly at 5:00pm, three frog proposals short of considering the oceanic whitetip shark.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of CITES CoP16 will be available on Monday, 18 March 2013 online at: <http://www.iisd.ca/cites/cop16/>

SUMMARY OF THE SIXTEENTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA: 3-14 MARCH 2013

The sixteenth meeting of the Conference of the Parties (CoP16) to the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) convened in Bangkok, Thailand from 3-14 March 2013. Thai Prime Minister Yingluck Shinawatra officially opened the meeting and highlighted Thailand's commitment to the Convention and to enhancing cooperation in conservation and combating illegal trade. More than 2000 participants from 170 countries, including more than 200 non-governmental organizations and intergovernmental organizations, attended.

CoP16 adopted 55 new listing proposals, including on sharks, manta rays, turtles and timber. Nine proposals were rejected (caspien snowcock, tibetan snowcock, saltwater crocodile, siamese crocodile, South American freshwater stingray, Rosette river stingray, blood pheasant and two species of freshwater turtles). Three proposals were withdrawn: Southern white rhino and two African elephants. Three were not considered: Indochinese box turtle; Ryukyu black-breasted leaf turtle; and Annam leaf turtle. The CoP also adopted strong enforcement measures to address wildlife crime.

CoP16 was marked by a general effort towards consensus. Many delegates commented at the end that they were "very happy" with the outcomes, with some remarking that CoP16 had been the most successful CoP in 40 years, particularly for marine species.

The next CoP will be held in South Africa in 2016.

A BRIEF HISTORY OF CITES

CITES was established as a response to growing concerns that over-exploitation of wildlife through international trade was contributing to the rapid decline of many species of plants and animals around the world. The Convention was signed by representatives from 80 countries in Washington, DC, on 3 March 1973, and entered into force on 1 July 1975. There are currently 178 parties to the Convention.

The aim of CITES is to ensure that international trade of wild animal and plant species does not threaten their survival. CITES parties regulate wildlife trade through controls and regulations on species listed in three appendices. Appendix I lists species endangered due to international trade, permitting such trade only in exceptional circumstances. Appendix-II species are those that may become endangered if their trade is not regulated, thus they require controls aimed at preventing unsustainable use, maintaining ecosystems and preventing species from entering Appendix I. Appendix-III species are those subject to domestic regulation by a party requesting the cooperation of other parties to control international trade in that species.

In order to list a species in Appendix I or II, a party needs to submit a proposal for approval by the CoP, supported by scientific and biological data on population and trade trends. The proposal must be adopted by a two-thirds majority of parties present and voting. As the trade impact on a species increases or decreases, the CoP decides whether or not the species should be transferred or removed from the appendices.

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There are approximately 5,000 fauna species and 28,000 flora species protected under the three CITES appendices. Parties regulate international trade of CITES species through a system of permits and certificates that are required before specimens listed in its appendices are imported, exported or introduced from the sea. Each party is required to adopt national legislation and to designate two national authorities, namely, a Management Authority responsible for issuing permits and certificates based on the advice of a Scientific Authority. These two national authorities also assist with CITES enforcement through cooperation with customs, police and other appropriate agencies. Parties maintain trade records that are forwarded annually to the CITES Secretariat, thus enabling the compilation of statistical information on the global volume of international trade in appendix-listed species.

The operational bodies of CITES include the Standing Committee (SC) and two scientific committees: the Plants Committee (PC) and the Animals Committee (AC).

CONFERENCES OF THE PARTIES: The first CoP was held in Bern, Switzerland, in November 1976, and subsequent CoPs have been held every two to three years. The CoP meets to, *inter alia*: review progress in the conservation of species included in the appendices; discuss and adopt proposals to amend the lists of species in Appendices I and II; consider recommendations and proposals from parties, the Secretariat, the SC and the scientific committees; and recommend measures to improve the effectiveness of the Convention and the functioning of the Secretariat. The CoP also periodically reviews the list of resolutions and decisions, as well as the species listed in its appendices.

CITES CoP13: CoP13 met in Bangkok, Thailand, from 2-14 October 2004. Delegates addressed a range of topics, including 50 proposals to amend the CITES appendices. CoP13 approved the listing of ramin, agarwood-producing taxa, the great white shark and the humthead wrasse in Appendix II, as well as the uplisting of the Irrawaddy dolphin from Appendix II to I. Regarding the African elephant, Namibia saw its request for an annual ivory quota rejected, but was allowed to proceed with a strictly-controlled sale of traditional ivory carvings. Delegates also agreed on an action plan to curtail unregulated domestic ivory markets. Namibia and South Africa were each allowed an annual quota of five black rhinos for trophy hunting, and Swaziland was allowed to open up strictly controlled hunting of white rhinos. Other decisions focused on synergies with the Food and Agriculture Organization of the UN (FAO) and Convention on Biological Diversity (CBD), while enforcement issues also received considerable attention.

CITES CoP14: CoP14 met in The Hague, the Netherlands from 3-15 June 2007. Delegates addressed a range of topics including: the CITES Strategic Vision 2008-2013; a guide to compliance with the Convention; management of annual export quotas; and species trade and conservation issues, including Asian big cats, sharks and sturgeons. Delegates agreed that no cetacean species should be subject to periodic review while the International Whaling Commission moratorium is in place. CoP14 approved the listing of: slender-horned and Cuvier's gazelles and slow loris on Appendix I; Brazil wood, sawfish and eel on Appendix II; and to amend the annotation on African

elephants to allow a one-off sale of ivory from Botswana, Namibia, South Africa and Zimbabwe with a nine-year resting period for further ivory trade. Media spotlight was on negotiations on the future of the ivory trade and African elephant conservation, with many highlighting the consensus by African range states as a major achievement of this meeting.

CITES CoP15: CoP15 met in Doha, Qatar from 13-25 March 2010. The meeting considered 68 agenda items and 42 proposals to amend the CITES appendices. CoP15 adopted resolutions and decisions directed to parties, the Secretariat and Convention bodies on a wide range of topics including: electronic permitting, Asian big cats, rhinoceroses, bigleaf mahogany, and Madagascar plant species. Regarding species listings, CoP15 decided to list, among others: Kaiser's spotted newt; five species of tree frogs, the unicorn beetle, rosewood, holywood, and several Madagascar plant species.

COP16 REPORT

CITES CoP16 convened Sunday morning, 3 March 2013, in Bangkok. Addressing participants via video, His Royal Highness Prince William, Duke of Cambridge, underscored threats to wildlife, including illegal killing of African elephants and rhinos and related illegal trade in ivory, and called on parties to work together to address them. Øystein Størkersen, Chair of the CITES Standing Committee (SC), recognized that this CoP marks the 40th anniversary of CITES. Achim Steiner, Executive Director, UN Environment Programme (UNEP), recommended addressing cross-border crime syndicates, enforcement and supply chain challenges affecting elephant and rhino populations.

John Scanlon, Secretary-General, CITES, welcomed Bahrain, the Maldives and Lebanon as the three newest parties to CITES, which now has 178 parties.

The CoP elected: Preecha Rengsomboonsuk, Minister of Natural Resources and Environment, Thailand, as CoP Chair and Pithaya Pookaman, Vice-Minister of Natural Resources and Environment Ministry, Thailand, as alternate; Augustin Ngumbi Amuri (Democratic Republic of the Congo) as Vice-Chair and Øystein Størkersen (Norway) as alternate; Carolina Caceres (Canada) as Chair of Committee I; Robert Gabel (US) as Chair of Committee II; and Zhihua Zhou (China) as Chair of the Credentials Committee.

The CoP then adopted the agenda (CoP16 Doc.2) and working programme (CoP16 Doc.3 (Rev.2)), with a minor change.

SC Chair Størkersen reported that SC63 had nominated a Chair and four members for the Credentials Committee: in addition to Chair Zhou, Frank Antram (Australia), Pat Awori (Kenya), Jorge Hidalgo (Mexico), and Volodymyr Domashlinets (Ukraine). The CoP approved these nominations. The Secretariat then introduced the document on admission of observers (CoP16 Doc.6), which the CoP accepted.

UNEP introduced its report (CoP16 Doc.7 Rev.2) and recommended amending the Memorandum of Understanding (MoU) between CITES and UNEP in light of lessons learned over the last sixteen months.

Delegates met in two committees throughout the meeting and, unless noted, the CoP adopted the committees' decisions on Wednesday or Thursday, 13-14 March.

ADMINISTRATIVE MATTERS

RULES OF PROCEDURE: On Sunday, 3 March, Chair Pookaman addressed the timeline for discussing the three documents on Rules of Procedure, namely the Report of the Secretariat (CoP16 Doc.4.1 (Rev.1)), the proposal to improve transparency of voting during meetings of the CoP (CoP16 Doc.4.2 (Rev.1)) and the proposed amendment to Rule 25 on methods of voting – use of secret ballots (CoP16 Doc.4.3 (Rev.1)). He proposed that a simple majority be used for amending the Rules of Procedure.

Guinea and Japan said that decisions should be made based on a two-thirds majority. Egypt, supported by China, South Africa, Ghana, Iran, the Philippines and Kuwait, objected to the proposal to use a simple majority. Ireland, on behalf of the European Union (EU) and its Member States and Croatia, and supported by Mexico, stressed that, according to the Rules of Procedure, decisions must be made on the basis of a simple majority. Colombia, Argentina, Ecuador, Brazil and the Democratic Republic of the Congo agreed.

Report of the Secretariat: The Secretariat introduced its report (CoP16 Doc.4.1 (Rev.1)) along with proposed amendments to references to draft decisions, the deadline for submission of working documents and voting. It withdrew its proposed amendment to procedures for deciding on proposals for amendment of Appendices I and II.

The CoP agreed to the recommendations after the Secretariat withdrew the proposed deadline change for submitting working documents and made a minor wording change, suggested by Israel, to the proposed amendment on voting.

Proposal to improve transparency of voting during meetings of the CoP and proposed amendment to Rule 25 on methods of voting – use of secret ballots: On Sunday, 3 March, Chair Pookaman invited the proponents of the two proposals on voting procedures to introduce the documents.

Ireland, on behalf of the EU and its Member States and Croatia, introduced a proposal from Denmark, on behalf of the EU, to improve transparency of voting during meetings of the CoP (CoP16 Doc.4.2 (Rev.1)). He stated the increased use of secret ballots in non-administrative matters had become the rule for many issues, rather than the exception, and said this practice threatened transparency in the convention.

Mexico introduced its proposal with Chile on a proposed amendment to Rule 25 on methods of voting (CoP16 Doc.4.3 (Rev.1)). He noted that the use of secret ballots had increased since CoP9 in 1994, when Rule 25 had been changed from requiring a simple majority to requiring the support of only 10 countries. He said the 10-party threshold does not reflect the increase in the number of parties to CITES since CoP9.

India, the US and Colombia supported the EU proposal. Japan and China challenged the view that secret ballots were used too frequently, commenting that parties had maintained a balance between transparency and democracy.

On Tuesday, 5 March, delegates convened in an extraordinary plenary, chaired by SC Chair Størkersen, to resume discussions. Chair Størkersen suggested the CoP vote on the decision in CoP16 Doc.4.2 (Rev.1), submitted by the EU. Several interventions followed, questioning whether the outcome of such

a vote would be decided by a simple or two-thirds majority, with opposing views expressed on whether this vote concerned a procedural or substantive issue.

Mexico supported the Chair's proposal. Iceland requested a secret ballot. Parties agreed to defer further discussion to another extraordinary plenary on Wednesday. In the interim, the use of secret ballots was discussed in a "Friends of the Chair" group chaired by South Africa on Tuesday and Wednesday, 5-6 March.

South Africa requested re-opening debate on Tuesday, 5 March, before taking a vote, supported by Zambia, China, Grenada, Iceland and the Russian Federation. Japan requested the CoP vote on the motion immediately.

On Wednesday, 6 March, South Africa, Chair of the Friends of the Chair group, reported that the group had failed to reach consensus on both the decision submitted by the EU and the majority required to amend the Rules of Procedure. China suggested voting without delay on the motion raised by Japan. Colombia proposed amending the EU proposal by increasing the threshold of countries requesting a secret ballot from 10 to 40, while Indonesia proposed an increase from 10 to 14. Japan, Qatar, Kuwait, Ireland, on behalf of the EU and its Member States and Croatia, and Guinea supported China's suggestion to vote immediately. The CoP proceeded to a secret ballot. Japan's motion for a two-thirds majority was carried, with 71 voting in favor, 56 against and 3 abstaining.

SC Chair Størkersen called for a vote on Colombia's proposed amendment, to increase the threshold for countries to request a secret ballot from 10 to 40. China proposed and 10 parties supported a vote by secret ballot. Colombia's proposed amendment was not accepted, with 67 voting against, 60 in favor and 4 abstaining.

SC Chair Størkersen then asked for a vote on the EU proposal. The proposal recommends amending Rule 25, specifically by deleting the sentence "the Presiding Officer shall ask whether the request is seconded. If it is seconded by 10 Representatives the vote shall be by secret ballot," and adding that the request for a secret ballot shall immediately be voted upon. It also states that the motion for a secret ballot may not be conducted by secret ballot. China requested a secret ballot on this vote, which more than 10 parties supported. The proposal was not accepted, as a two-thirds majority was not achieved, with 62 voting against, 62 in favor and 5 abstaining.

Mexico then introduced his proposal to amend Rule 25. The US proposed an amendment to the proposal to require 25 votes, instead of 10, as set forth in Rule 25. The SC Chair called for a vote on the proposal as amended by the US. China requested voting by secret ballot, which was supported by more than ten parties. The proposal was not accepted, as a two-thirds majority was not achieved. 41 voted in favor and 91 against.

Delegates then moved to vote on Mexico's proposal, which would increase the quorum to one-third for requesting a secret ballot and require that a motion for a secret ballot not be decided by secret ballot. China asked for a vote by secret ballot, which was supported by more than 10 parties.

Israel, supported by Mexico, proposed voting on changing the quorum needed for the use of secret ballot first, and then voting on the motion that a secret ballot shall not proceed through secret ballot. China questioned the need for separate votes. The CoP

agreed to the separate votes. The proposal to change the quorum for the secret ballot from 10 to one-third was not accepted, as a two-thirds majority was not achieved, with 66 in favor, 64 against and 2 abstaining. The proposal on the use of secret ballots to decide secret ballots was also not accepted, as 67 voted in favor, 50 against and 11 abstained.

Final Outcome: Rule 25 of the Rules of Procedure on the use of secret ballots was not changed.

FINANCING AND BUDGETING OF THE SECRETARIAT AND OF MEETINGS OF THE CONFERENCE OF THE PARTIES:

This agenda item was discussed in Committee II on Monday, 4 March, and on Wednesday, 13 March. Items on budgetary proposals for 2014-2016 and access to Global Environment Facility (GEF) funding were discussed in the Working Group on Budget throughout the meeting. The US, Mexico, South Africa, Canada, Japan, Germany, France, Ireland, on behalf of the EU and its Member States and Croatia, the UK, Botswana, Belgium, Norway, Australia, Republic of Korea, Colombia, China, the Philippines, Kenya and Indonesia volunteered to participate in the working group. Switzerland offered to chair.

Budgetary proposals for 2014-2016 and access to GEF funding: On Monday, 4 March, the Secretariat introduced the relevant document (CoP16 Doc.8.3) on budgetary proposals for 2014-2016. The Secretariat encouraged parties to consider the zero real growth budget scenario. Norway, India, Austria, Brazil and others agreed. Japan differed, stating that it supports a zero nominal growth scenario.

The Secretariat then introduced the document on GEF funding (CoP16 Doc.8.4), with the recommendation that the CoP accept the GEF as a financial mechanism for CITES.

Ireland, on behalf of the EU and its Member States and Croatia, stressed that CITES-related activities should be embedded in the CBD National Biodiversity Strategies and Action Plans. Japan proposed some changes to the decision, including that the GEF is “invited,” rather than “requested,” to consider serving as the financial mechanism. The US stressed that, while the US does not want to block the proposal, it would have to be evaluated carefully before the next GEF Council. Peru, Saint Lucia, Botswana, Iran, São Tomé and Príncipe, Norway and Bahrain generally supported the proposal.

On Wednesday, 13 March, in Committee II, Switzerland introduced documents CoP16 Com.II.31 (Rev.1) and Com. II.32. The first contains a revised draft resolution (Resolution Conf.16.1) on the financing and costed programme of work (CPW) for the Secretariat for the triennium 2014-2016, presenting, *inter alia*, a compromise between a zero nominal and zero real growth budget. The second contains a draft decision directing the Secretariat to, *inter alia*, continue exploring a financial mechanism for CITES, such as the GEF, and report on progress at SC65 and CoP17. Committee II accepted the documents.

Final Outcome: The CoP adopted a revised draft resolution (CoP16 Com.II.31 (Rev.1)), where it:

- decides that the implementation of the CPW for the triennium 2014-2016 shall be covered by the Trust Fund budget in the amounts of US\$5,836,735 for 2014, US\$6,018,089 for 2015 and US\$6,655,307 for 2016; and

- requests the Secretary-General to prepare budget proposals in the same format for consideration at CoP17, including, as a minimum, a zero nominal growth budget scenario and a zero real growth budget scenario and, in consultation with the SC, if necessary, a third scenario.

The CoP also adopted draft decisions (CoP16 Com.II.32):

- deferring consideration of a financial mechanism for CITES, such as the GEF, to CoP17; and
- directing the Secretariat to: explore the necessity and feasibility as well as the legal and other implications of the GEF becoming a financial mechanism for CITES; report on progress to SC65; and continue, in collaboration with the CBD Secretariat, to explore a closer working relationship with the GEF to enhance its biodiversity strategy in its sixth programming strategy by strengthening the species-based component.

Implementation of the costed programme of work for 2010-2011:

On Monday, 4 March, in plenary, the Secretariat introduced the implementation of the CPW for 2010 and 2011 (CoP16 Doc.8.1 and Annexes 1-8). Committee II accepted the expenditures incurred and approved the CPW for 2010 and 2011, as reported by the Secretariat.

Final Outcome: The CoP adopted the expenditures as reflected in revised draft resolution (CoP16 Com.II.31 (Rev.1)).

Implementation of the costed programme of work for 2012:

On Monday, 4 March, in plenary, the Secretariat introduced the implementation of the CPW for 2012 (CoP16 Doc.8.2 and Annexes 1-5). The US, supported by Japan, protested the use of the word “arrears” to refer to unpaid voluntary contributions. Committee II accepted the expenditures incurred and approved the CPW for 2012, including the US’s intervention, as reported by the Secretariat.

Final Outcome: The CoP adopted the expenditures as reflected in the revised draft resolution (CoP16 Com.II.31 (Rev.1)).

Access to other sources of funding: On Monday, 4 March, the Secretariat introduced document CoP16 Doc.8.5), which reports on its investigation of ways to secure funding to support the provision of technical assistance to CITES parties, as directed in Decision 15.20. In the document, the Secretariat recommends that the CoP: adopt the draft decisions; delete Decision 15.20; and delete all decisions calling on the Secretariat to seek external funding for specific activities and avoid the adoption of new decisions of that nature.

The US and Ireland, on behalf of the EU and its Member States and Croatia, supported the draft decisions. The Secretariat withdrew the proposal to delete all decisions on external funding.

Final Outcome: The CoP adopted the report.

STRATEGIC MATTERS

STANDING COMMITTEE REPORT: On Sunday, 3 March, SC Chair Størkersen introduced the SC report (CoP16 Doc.10.1.1), highlighting that, in the period since CoP15, the Committee focused on key tasks given to it by the CoP. The US asked that the item on the SC’s agreement on specific actions on mahogany be noted in the SC Report. Uganda pointed out that reference to the review of Resolution 10.10 was left out. The CoP noted the report.

ANIMALS COMMITTEE REPORT: On Sunday, 3 March, AC Chair Carlos Ibero Solana (Spain) presented the AC report (CoP16 Doc.10.2.1 (Rev.1)). He highlighted topics considered at the joint meeting of the AC and PC. The US encouraged further discussion on a supplementary budget to support the work of the technical committees and suggested the SC finance and budget subcommittee consider this intersessionally. The report was noted.

PLANTS COMMITTEE REPORT: On Sunday, 3 March, PC Chair Margarita Clemente-Muñoz (Spain) presented the PC report (CoP16 Doc.10.3.1 (Rev.1)), outlining the work achieved at meetings of the PC from 2009-2012, the joint AC/PC meeting and various related regional and working group meetings. The report was noted.

POTENTIAL CONFLICTS OF INTEREST IN THE ANIMALS AND PLANTS COMMITTEES: On Tuesday, 5 March, Ireland, on behalf of the EU and its Member States, Croatia and Iceland, introduced document CoP16 Doc.11 (Rev.1) citing that, unlike other conventions, there are no provisions on conflict of interest for the CITES AC and PC. He introduced the proposal, which says, *inter alia*, that: candidates should disclose any current or past professional, financial or other interest that could call into question their impartiality, objectivity or independence in carrying out their duties; the declaration of interests of members shall be made publicly available by the Secretariat; and when a member, or the Secretariat, considers that this representative has a professional, financial or other interest that could call into question his or her impartiality, the committee should be informed in advance, as the concerned member may participate in the discussion but not in the making of any decision on that subject.

New Zealand, Australia, Norway and Colombia supported the proposal. The US noted that the current proposal needs further clarification, including narrowing the scope to financial matters. Canada, while supportive of addressing the issue, noted that disclosure to the public of the declaration of interest is not warranted. China, supported by Indonesia, expressed concerns, noting that “conflict of interest” should be clearly defined and not apply to past conflicts of interests or those that could arise in the future. PC Chair Clemente-Muñoz called for ensuring transparency. Committee II established a working group to address the issue, which Ireland, on behalf of the EU and its Member States and Croatia, agreed to chair. The US, Canada, Australia, New Zealand, China, the UK, Mexico, Kenya, Norway and Japan joined. The Working Group on Conflict of Interest met multiple times between its formation and the delivery of its report.

On Wednesday, 13 March, the Working Group Chair introduced document CoP16 Com.II.28, prepared on the basis of document CoP16 Doc.11 (Rev.1). He noted general agreement on the need for addressing the issue but highlighted the lack of consensus on the definition of conflict of interest, which remained in brackets.

Mexico noted this matter is crucial for fostering transparency and objectivity. The US and New Zealand emphasized concerns about financial interests. Indonesia objected to declaring any interests. After some discussion, the Committee agreed to limit the conflict of interest to “financial interests.”

The Committee accepted the document.

Final Outcome: In its decision (CoP16 Com.II.28), the CoP adopted the amended resolution Conf.11.1 (Rev.CoP15), which, *inter alia*:

- defines a conflict of interest as any current financial interest that could significantly impair the individual’s impartiality, objectivity or independence in carrying out his or her duties as a member of the AC or PC;
- requests candidates proposed as members or alternate members to, together with their name and curriculum vitae (CV), provide a declaration of interest that discloses any current financial interest, which should be circulated to the parties of the region concerned at least 120 days before the meeting of the CoP at which the representatives will be elected;
- requests each member to declare any interests that he or she thinks would call into question his or her impartiality, objectivity or independence regarding any subject on the agenda for that meeting. If a member declares such an interest, he or she may take part in discussions but not in decision-making regarding the agenda item in question and may not chair the meeting for the agenda item; and
- requests the Secretariat to make available the declaration of interest and the CV of each member and alternate member to the Chair and members of the Committee concerned.

In its decision (CoP16 Com.II.28), the CoP also adopted the decision calling on:

- the SC to assess the functioning of the conflict of interest policy and make recommendations for refining the definition of conflict of interest and for a mechanism to deal with such conflicts for consideration at CoP17; and
- the Secretariat to compile examples of conflict of interest procedures under other relevant agreements and organizations and to prepare a report for SC65.

CITES STRATEGIC VISION: On Tuesday, 5 March, the Secretariat presented the revised CITES Strategic Vision (CoP16 Doc.12), as agreed by the SC. Among the changes, he highlighted its extension to 2020 and references to the CBD Strategic Plan for Biodiversity and relevant Aichi Biodiversity Targets. He noted that if CITES could demonstrate its contribution to the Strategic Plan and Aichi Targets, there might be opportunities for CITES to access GEF financing.

Ireland, on behalf of the EU and its Member States and Croatia, Japan and Brazil supported the revised text. The US, supported by India, preferred excluding reference to the Aichi Targets and outcomes of the UN Conference on Sustainable Development (Rio+20) in the Strategic Vision. Colombia agreed on the exclusion of Aichi Targets but wished to retain mention of the Rio+20 outcomes.

Following consultations, the Committee agreed to delete text on the green economy in the general introduction, and to retain reference to the Aichi Targets and the Rio+20 outcomes, taking note that the US opposed these elements.

Final Outcome: The decision (CoP16 Com II.4) contains a general introduction, a statement of purpose, a vision statement, three goals and corresponding objectives. The goals of the Strategic Vision are, among others, to ensure compliance with

and implementation and enforcement of the convention and secure the necessary financial resources and means for the operation and implementation of the convention.

INTERNATIONAL CONSORTIUM ON COMBATING WILDLIFE CRIME (ICCWC): On Tuesday, 5 March, the Secretariat introduced the document on the ICCWC (CoP16 Doc.15 (Rev.1)), outlining the Consortium and its development, and noting, among other things, the recruitment of a junior professional staff member for a short-term post in the Secretariat, funded by the UK. Many welcomed the creation and work of the ICCWC including the US, Ireland, on behalf of the EU and its Member States and Croatia, and Democratic Republic of the Congo. WWF, also on behalf of TRAFFIC, urged states to, among other things, implement the ICCWC wildlife and forest crime analytic toolkit. Committee II noted the report with appreciation.

RESOLUTION ON COOPERATION WITH THE GLOBAL STRATEGY FOR PLANT CONSERVATION OF THE CBD: On Monday, 4 March, PC Chair Clemente-Muñoz explained the intention of the resolution on cooperation with the CBD Global Strategy for Plant Conservation (GSPC) (CoP16 Doc.16 (Rev.1)), based on Resolution 15.19. PC Vice-Chair Hesiquio Benitez Díaz (Mexico) introduced the draft resolution.

China, India, South Africa and Grenada supported the resolution. Argentina and Japan supported the resolution, specifying they preferred the Secretariat's amendments. Japan also urged retaining text specifying meeting participation be subject to external funding.

Following further discussions, Committee I agreed to the resolution with an amendment specifying the role would be to represent the CITES PC at meetings of the CBD subsidiary bodies and other GSPC meetings. The Committee noted the reservations of Ireland, on behalf of the EU and its Member States and Croatia, as to whether the resolution was needed, and also agreed this decision repealed Decision 15.19.

Final Outcome: In its decision (CoP16 Com.I.13), the CoP adopted the revised resolution and its annex, calling on parties to, *inter alia*, take note of the potential contribution of CITES to the objectives and targets of the updated GSPC 2011-2020; and promote and enhance collaboration between their GSPC focal point and CITES authorities.

The CoP directs:

- the Secretariat to, *inter alia*, encourage the exchange of information related to the GSPC and other plant conservation and sustainable use initiatives; and
- the PC and the Secretariat to, *inter alia*, promote collaboration with the CBD on implementation of the GSPC.

IPBES: On Monday, 4 March, Mexico presented document CoP16 Doc.17 (Rev.1) on behalf of the Working Group on the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES). He described the four draft decisions in CoP16 Doc.17 (Rev.1), noting they were drafted before the first plenary meeting of IPBES. He proposed, supported by the US, Colombia, Chile, Japan and Brazil, that a drafting group update the draft decisions.

The US raised several concerns, including on a possible MoU between the IPBES Secretariat and the Liaison Group on Biodiversity-related Conventions, stating it was too early

to take some decisions. Chile agreed the draft decisions were premature, given IPBES's recent creation. Committee I Chair Caceres invited the US, Colombia, Ireland, on behalf of the EU and its Member States and Croatia, Chile, Japan, India, Brazil and Malaysia to join a drafting group on the issue. The drafting group met several times. On Tuesday, 12 March, Mexico introduced the draft decisions on IPBES (CoP16 Com.I.4).

Committee I agreed to adopt CoP16 Com.I.4 and to repeal Decisions 15.12, 15.13 and 15.14.

Final Outcome: In its decision (CoP16 Com.I.4), the CoP requests the parties to, *inter alia*, consider promoting actions to reinforce linkages between IPBES and CITES and to strengthen the science-policy interface at the national and international levels, including through the governing body of IPBES.

The CoP directs:

- the SC to, *inter alia*, establish a Working Group on IPBES, including the AC and PC Chairs and the Secretariat, to assist its efforts to: ensure a two-way relationship between CITES and IPBES in which CITES is a user or beneficiary of as well as a contributor to IPBES; ensure effective communication between CITES and IPBES; and develop an IPBES work programme; and
- the Secretariat to, *inter alia*, explore with other biodiversity-related conventions possible means for facilitating cooperation.

CITES AND LIVELIHOODS: On Wednesday, 6 March, Peru introduced document CoP16 Doc.19 (Rev.1). She provided an overview of the activities of the Working Group on CITES and Livelihoods, the draft resolution and the draft decisions aimed at, *inter alia*, encouraging parties to carry out voluntary rapid assessments of the impact of implementation of CITES listing decisions on the livelihoods of poor rural communities and on mitigation of negative impacts.

Brazil asked for clarification on access to genetic resources, traditional knowledge and access and benefit-sharing, and also proposed deleting the reference to cultural and intellectual property rights. South Africa agreed to Brazil's amendment on traditional knowledge. Argentina, supported by Colombia, welcomed the attention to this issue and proposed minor changes to the draft decisions. The US urged completion of the working group and opposed the proposed draft resolution, stating it describes issues addressed by the CBD. The US also opposed most of the draft decisions. Ireland, on behalf of the EU and its Member States and Croatia, supported the draft resolution and decisions but noted that CITES species listings are not the only factors that impact livelihoods.

IUCN, supported by El Salvador, requested that a deleted reference to human-wildlife conflict be retained.

Committee II Chair Gabel called for a small drafting group on CITES and Livelihoods. Peru, South Africa, the US, Brazil, Argentina, Ireland, Zimbabwe, Canada, Australia, Mexico and Colombia volunteered to participate in the working group, with Peru chairing.

On Tuesday, 12 March, Peru introduced the document prepared by a drafting group, on the basis of document CoP16 Doc.19 (Rev.1) and Annex 1 with all proposed amendments accepted (CoP16 Com.II.11 (Rev.1)).

The Philippines, Argentina, South Africa, Zimbabwe, TRAFFIC and others supported the document. The US noted concern with some elements of the document and expressed interest in addressing those concerns through participation in the Intersessional Working Group.

The Committee agreed to the amended document.

Final Outcome: In its decision (CoP16 Com.II.11 (Rev.1)), the CoP requests:

- parties to: carry out voluntary rapid assessments of the impact of implementation of CITES listing decisions on the livelihoods of rural communities and to mitigate negative impacts; and develop case studies and facilitate exchange visits between relevant stakeholders from the different ongoing conservation and sustainable use programmes that address issues related to CITES and livelihoods;
- the SC to continue the operation of its Working Group on CITES and Livelihoods so that it can review comments on the toolkit and guidelines submitted by parties, stakeholders and other interested organizations and make recommendations to the SC; and
- the Secretariat, *inter alia*, subject to the availability of external funds, to facilitate the organization of workshops and side-events to showcase successful livelihood experiences and create a section on the CITES website to publish experiences and case studies related to CITES and livelihoods.

WILDLIFE TRADE POLICY REVIEWS: On Wednesday, 6 March, the Secretariat introduced document CoP16 Doc.20, highlighting the “Framework for reviewing wildlife trade policies” contained in Annex 2, and its two draft decisions. She said the Secretariat believes Decision 15.8, on national wildlife trade policy reviews, had been implemented, and recommended its deletion. Uganda described its experience as one of four pilot countries to review its national wildlife trade policies using the proposed framework.

Committee II agreed to the draft decisions in CoP16 Doc.20 Annex 1 and to delete Decision 15.8.

Final Outcome: In its decision (CoP16 Doc.20 Annex 1), the CoP requests the parties to, *inter alia*, undertake wildlife trade policy reviews on a voluntary basis and to provide the Secretariat with relevant details of their reviews and lessons learned to share with other parties.

CAPACITY BUILDING: On Wednesday, 6 March, the Secretariat introduced document CoP16 Doc.21, highlighting the draft decisions, which, *inter alia*, encourage parties, donors and partners to support party-driven activities, including through financial and in-kind support.

Many countries welcomed the report and draft decisions, recognizing the importance of capacity building. Bahrain proposed that one of the draft decisions refer specifically to support for new parties and their scientific and management authorities.

Committee II accepted the draft decisions with some amendments. On Wednesday, 13 March, the CoP considered the document. The Bahamas said that the UN Development Programme’s Human Development Index should not be used as the only criteria for determining who receives support.

Final Outcome: In its decision (CoP16 Com. II. 7), the CoP requests:

- parties to, *inter alia*, support and provide financial and in-kind resources for capacity-building activities, and use the CITES Virtual College to support capacity-building activities and participate in reviewing the contents of the CITES Virtual College; and
- the Secretariat to, subject to the availability of external funds, undertake a review of capacity-building activities found in resolutions and decisions to assess whether and how they could be rationalized and consolidated.

PROPOSAL CONCERNING A NEEDS ASSESSMENT FOR STRENGTHENING THE IMPLEMENTATION OF CITES IN DEVELOPING COUNTRIES:

On Wednesday, 6 March, Ghana introduced the document concerning a needs assessment to strengthen CITES implementation in developing countries (CoP16 Doc.22 (Rev.1)). Sierra Leone and Ghana said the Secretariat’s recommendation limited the scope of the proposed needs assessment. The US, supported by Ireland, on behalf of the EU and its Member States and Croatia, asked the document’s proponents and the Secretariat to refine their text together. The Chair requested this be done and discussed in a future session.

CAPACITY-BUILDING PROGRAMME FOR SCIENCE-BASED ESTABLISHMENT AND IMPLEMENTATION OF VOLUNTARY NATIONAL EXPORT QUOTAS FOR APPENDIX-II SPECIES – REPORT OF THE ANIMALS AND PLANTS COMMITTEES:

AC Chair Solana introduced document CoP16 Doc.23 and highlighted the activities of the Intersessional Working Group on Capacity Building, mandated by PC19 and AC25 to provide suggestions for improving the Secretariat’s capacity-building materials related to non-detriment findings (NDFs). He introduced a draft decision directing the Secretariat to, among other things, invite parties to submit experiences related to NDFs for inclusion on the CITES website. He introduced a proposed amendment to Resolution Conf.11.1 (Rev.CoP15) making the provision of scientific advice on training materials used in capacity building a regular part of the Committees’ work. He also introduced amendments to Decisions 12.91 and 15.24.

Committee II accepted the draft decision and the proposed amendments.

On Tuesday, 12 March, Ghana introduced document CoP16 Com.II.10 following discussion of CoP16 Doc.22. Ghana proposed expanding the document’s scope to include developed countries. The US proposed expanding the document’s scope to all parties. Committee II accepted the document with the proposed changes.

Final Outcome: In its decision (CoP16 Com.II.10), the CoP directs:

- the Secretariat to; circulate a questionnaire on the needs identified in the annex to CoP16 Doc.22; seek input from all parties in the African region; revise the questionnaire; and report its findings at SC65;
- the SC to develop a mechanism by which the technological, logistical and equipment needs of developing countries to implement the Convention can be assessed regularly and prepare a draft decision on such a mechanism for consideration at CoP17; and

- parties to consider these needs when implementing capacity building, fundraising and budget allocation programmes to strengthen the implementation of the Convention.

WORLD WILDLIFE DAY: On Sunday, 3 March, the Secretariat introduced the proposal by Thailand for World Wildlife Day (CoP16 Doc.24 (Rev.1)). The recommendation declares 3 March, the date of the adoption of CITES, of each year as World Wildlife Day and invites the UN General Assembly to consider declaring 3 March of each year as World Wildlife Day. Japan, Egypt, Guinea, Kenya, Democratic Republic of the Congo, China, India, Venezuela, Peru and the US supported it.

Final Outcome: The CoP adopted document CoP16 Doc.24 (Rev.1).

COOPERATION BETWEEN PARTIES AND PROMOTION OF MULTILATERAL MEASURES: On Tuesday, 5 March, South Africa introduced document CoP16 Doc.18 (Rev.1), highlighting the activities of the Working Group on Multilateral Measures. She said that the SC agreed it would be useful for the Secretariat to initiate a portal or web-based system for parties to provide information on their stricter domestic measures on a voluntary basis. She also noted the draft decisions, including the request that the Secretariat commission a consultant report to assess whether all parties to the CoP implement resolutions consistently and whether there is a need to clarify, revise or repeal them.

India pointed out that strict domestic measures may not always be implemented solely to fulfill CITES obligations. While supporting the establishment of a database, he objected to having a foreign consultant review and assess domestic legislation based on the current terms of reference (ToR). The US proposed changes to the ToR. The Committee agreed to the draft decision taking into consideration, among other things, the comments of the US.

Final Outcome: The decision (CoP16 Doc.18 (Rev.1) Annex 1) directs:

- parties with stricter domestic measures and reservations to, *inter alia*, review these domestic measures, and, as and when appropriate, to determine whether they are effective and necessary to achieve the objectives of the Convention; and
- the SC to, *inter alia*, continue its Working Group on Multilateral Measures until CoP17.

COOPERATION WITH ORGANIZATIONS AND MULTILATERAL ENVIRONMENTAL AGREEMENTS:

On Sunday, 3 March, the Secretariat proposed a minor change to the agenda, wherein item 13 on cooperation with organizations and multilateral environmental agreements (MEAs) be discussed together with item 14 on the draft resolution and decisions on the cooperation of CITES with other biodiversity-related conventions, to which parties agreed.

On Tuesday, 5 March, the Secretariat introduced the relevant document on MEAs (CoP16 Doc.13) and suggested that cooperation efforts undertaken to implement Goal 3 of the CITES Strategic Vision on cooperation fell into several clusters. He cited, in particular, cooperation with: FAO on the conservation and sustainable use of sharks; the International Tropical Timber Organization (ITTO) on trade in tropical timber; the Convention on Migratory Species (CMS) on saker falcon,

elephants, saiga antelope and sharks; and the CBD on integrating CITES priorities into National Biodiversity Strategies and Action Plans.

Switzerland then introduced document CoP16 Doc.14 (Rev.1) and its relevant draft resolution and decisions on the cooperation of CITES with other biodiversity-related Conventions.

CMS welcomed the report of the Secretariat. She noted that at CMS CoP10 in 2011, saker falcon and argali sheep, two species relevant to CITES, were listed on the CMS appendices. She highlighted the meeting held in Bishkek, Kyrgyzstan in December 2012 on developing an argali action plan, noting that the argali sheep is relevant to CITES because of trophy hunting of the species.

Ireland, on behalf of the EU and its Member States and Croatia, expressed support for the proposal by Switzerland and provided minor comments to ensure coherence in national-level implementation. The US expressed concern with the amount of time invested in collaborative efforts and proposed reviewing and rationalizing existing resolutions on cooperation. She opposed the draft decision in CoP16 Doc.13.

Following this discussion and the resulting amendments, the Committee agreed to discuss both CoP16 Doc.13 and CoP16 Doc.14 (Rev.1) as one document.

Final Outcome: In its decision (CoP16 Com.II.5), the CoP adopted the draft resolution and decision. The decision directs the SC to, *inter alia*, explore further options to strengthen cooperation, collaboration and synergies between CITES and other biodiversity-related conventions.

REVIEW OF RESOLUTIONS

PROPOSALS OF THE SECRETARIAT: On Tuesday, 5 March, the Secretariat introduced proposed amendments to resolutions in document CoP16 Doc.25 Annexes 1-11. On Resolution Conf.9.6 (Rev.) on trade in readily recognizable parts and derivatives in Annex 3, Committee II agreed to the exemption of ambergris from sperm whale urine and faeces with amended language proposed by the EU. On Resolution Conf.12.3 (Rev.CoP15) on permits and certificates contained in Annex 8, the Secretariat deleted its definition of “state of usual residence” for issuing hunting trophy permits after many parties entered their reservations and noted that either the proposed definition was in conflict with national laws or that the resolution was not the place to define it.

On Wednesday, 6 March, the Committee accepted draft amendments to Resolution Conf.9.5 (Rev.CoP15) on trade with states not party to the Convention in Annex 2 (CoP16 Com. II.1) and to Resolution Conf.13.6 concerning “pre-convention” specimens (CoP16 Com.II.3), while discussions on permits and certificates (CoP16 Com.II.2) were suspended.

Final Outcome: The CoP adopted the document, with revisions in CoP16 Com.II.1 and CoP16 Com.II.3, calling on, *inter alia*, parties to take stricter measures, where appropriate, regarding trade in Appendix-II or -III species.

CLIMATE CHANGE: On Monday, 4 March, the US, on behalf of the SC, introduced the document on review of resolutions related to climate change (CoP16 Doc.27 (Rev.1)) in Committee I.

Final Outcome: The CoP took note of the document and recognized this repealed the three CoP15 decisions on climate change.

COMPLIANCE AND ENFORCEMENT

NATIONAL LAWS FOR IMPLEMENTATION OF THE CONVENTION: On Monday, 11 March, in Committee II, the Secretariat introduced document CoP16 Doc.28. Numerous parties updated the Committee on the status of implementing CITES-relevant national legislation, and requested financial or technical assistance. The US proposed textual amendments to exclude parties who have been party to the Convention for more than twenty years from claiming that exceptional circumstances prevented them from adopting appropriate implementation measures. The Chair proposed forming a drafting group to work on these amendments.

On Wednesday, 13 March, the US introduced the revised document (CoP16 Doc.28), which the Committee accepted with minor amendments from the US and Ireland, on behalf of the EU and its Member States and Croatia.

Final Outcome: The CoP adopted the document (CoP16 Doc.28), including decisions in Annex 1 directing, *inter alia*:

- parties who have been party to the Convention for less than 20 years to advise the Secretariat should exceptional circumstances prevent them from adopting appropriate measures for effective implementation of the Convention;
- the SC not to recommend trade suspension where a party has submitted its final draft or legislative timetable by the SC66 deadline; and
- the Secretariat to report on progress made on Resolution Conf.8.4 (Rev.CoP15), on compliance and enforcement.

ENFORCEMENT MATTERS: On Monday, 11 March, in Committee II, the Secretariat introduced document CoP16 Doc.29 (Rev.1) and its draft decisions. He proposed amending Resolution Conf.11.3 (Rev.CoP15), as contained in CoP16 Doc.29 (Rev.1) Annexes 1 and 2, to reflect current practice on compliance and enforcement. The US proposed that the timeline for responding to a Secretariat's request be reduced to six months in the application of Article XIII on CITES compliance procedures. The IUCN Pangolin Specialist Group welcomed the attention to illegal trade in pangolins, with Lewis and Clark College proposing language to address the scale of the trade.

The Committee noted the report and accepted the proposed amendments to the resolution and draft decisions.

Final Outcome: The CoP adopted the document (CoP16 Doc.29 (Rev.1)), with the amendments to the draft resolution and decisions.

NATIONAL REPORTS: On Monday, 11 March, the Secretariat and the UK, as Chair of the SC Working Group on Special Reporting Requirements, introduced the document on national reports (CoP16 Doc.30 (Rev.1)), which contained, *inter alia*, details on harmonization of reporting and reduction of the reporting burden (Decision 14.38). The Committee accepted the document with an amendment and a few minor deletions.

Final Outcome: The CoP adopted the document (CoP16 Doc.30 (Rev.1)) and the decisions in the annexes including one recommending that parties use the Annual Report Upload Facility developed by UNEP-World Conservation Monitoring Centre (WCMC) to reduce their reporting burden.

DISPOSAL OF ILLEGALLY-TRADED AND CONFISCATED SPECIMENS OF APPENDIX-I, -II AND -III SPECIES: On Monday, 11 March, Indonesia introduced document CoP16 Doc.31 (Rev.2) and the draft decision contained in its annex. Parties expressed divergent views, with Indonesia stating that the main purpose of its proposal was to improve communication between importing and exporting countries when a specimen is confiscated, while others pointed to the potential negative impacts on law enforcement and conservation. On Tuesday, 12 March, Indonesia presented the draft decision (CoP16 Com.II.21) prepared by a drafting group. The Committee accepted the document.

Final Outcome: The CoP adopted the document with decisions directing the SC to review Resolutions Conf.9.9, Conf.9.10 and Conf.10.7 (Rev.CoP15) to determine whether to consolidate or simplify any of their provisions, and report its conclusions and recommendations to CoP17.

TRADE CONTROL AND MARKING

INTRODUCTION FROM THE SEA: On Thursday, 7 March, the Secretariat introduced document CoP16 Doc.32 (Rev.1). Australia highlighted that the proposed revisions provide clarity on the role of flag and port states in the introduction from the sea process. Many states welcomed the proposed revisions and draft decisions, including the amendments on the draft decisions set forth in a revised proposal (CoP16 Inf.48), circulated by Ireland, on behalf of the EU and its Member States and Croatia. China noted that their views are not reflected in the document. China and India opposed adopting the results of the working group. Argentina and others also objected to the text.

To address the lack of consensus, Chair Gabel called for a vote to adopt the revised resolutions, including the text in brackets, and the draft decisions as amended by the EU proposal. The vote carried, with 56 in favor, 15 opposed and 14 abstaining.

Final Outcome: The CoP adopted the draft resolution and decisions on chartering, asking the Secretariat to prepare a report to SC65 and SC66 in which to, *inter alia*, pay special attention to the implementation of the provisions of the resolution on introduction from the sea pertaining to the legality of the acquisition and landing of the specimens concerned.

NON-DETRIMENT FINDINGS: On Wednesday, 6 March, Committee I Chair Caceres introduced draft decisions on NDFs from agarwood-producing taxa and other timber species, as contained in CoP16 Doc.33 (Rev.1). Kuwait proposed withdrawing the two draft decisions, noting the same language is included in the draft decision in the annex on NDF. The Committee agreed to not adopt the draft decisions, and established a working group.

On Friday, 8 March, South Africa introduced the revised document (CoP16 Com.I.3) on behalf of the working group and emphasized extensive consultation on the original document, including by the AC and PC. China requested deleting reference to considering illegal trade and replacing "national and international" with "range states" in text on considering population structure, status and trends. The US, supported by South Africa, the UK, on behalf of the EU and its Member States and Croatia, and the PC Chair, opposed these changes. The Committee agreed to adopt CoP16 Com.I.3 with a minor amendment proposed by Mexico.

Final Outcome: In its decision (CoP15 Com.I.3), the CoP recommends, *inter alia*, that scientific authorities consider the volume of legal and illegal trade relative to the vulnerability of the species when conducting NDFs.

ELECTRONIC PERMITTING: On Wednesday, 6 March, the Secretariat introduced the document on electronic permitting (CoP16 Doc.34) and encouraged parties to adopt the draft decision, which *inter alia*: encouraged collaboration with the UNEP-WCMC, the World Customs Organization (WCO) and others to standardize e-permitting. The Committee accepted both the draft decision and the deletion of Decisions 15.54 and 15.55.

Final Outcome: The decision (CoP16 Com.II.9) calls on the SC to extend the mandate of its Working Group on Information Technologies and Electronic Systems.

IMPROVING THE EFFICIENCY OF INTERNATIONAL COOPERATION ON PERMIT AND CERTIFICATE

VERIFICATION: On Thursday, 7 March, in Committee II, China introduced the document on improving the efficiency of international cooperation on permit and certificate verification (CoP16 Doc.35 (Rev.1)). Ireland, on behalf of the EU and its Member States and Croatia, Australia, the US, China and South Africa volunteered to participate in a working group to amend Resolution Conf.12.3 on permits and certificates, instead of considering the proposed new draft resolution.

On Tuesday, 12 March, China presented the working group's draft amendment (CoP16 Com.II.20) to Resolution Conf.12.3 (Rev.CoP15). The Committee accepted the proposal with a minor modification.

Final Outcome: The amendment to the resolution (CoP16 Com.II.20) calls on an exporting or re-exporting party, upon receiving a request from an importing party to verify the authenticity and validity of a CITES permit or certificate, to make every effort to respond to that request within 15 days of receiving the request.

PURPOSE CODES ON CITES PERMITS AND

CERTIFICATES: On Friday, 8 March, in Committee II, Canada introduced document CoP16 Doc.38 (Rev.1), which contains proposed revisions to Resolution Conf.12.3 (Rev.CoP15) on permits and certificates. The majority of parties supported retaining Decision 14.54, which requests the SC to re-establish an intersessional working group to review the use of purpose-of-transaction codes. Committee II accepted the retention of Decision 14.54 with its dates amended.

On Tuesday, 12 March, Ireland, on behalf of the EU and its Member States and Croatia, introduced the draft amendment (CoP16 Com.II.2) to CoP Resolution Conf.12.3 (Rev.CoP15) on permits and certificates based on CoP16 Doc.38 (Rev.1). He noted there was no consensus on the document but stated that no changes would be put forward at this stage. The Committee accepted it.

Final Outcome: The amendment to the resolution (CoP16 Com.II.2) concerns the standardization of CITES permits and certificates, recommending that when a management authority issues any export permit or re-export certificate for manufactured products that contains parts or derivatives of more than one CITES-listed species, it should, *inter alia*, ensure that each type of manufactured product being traded is covered by only

one permit or certificate and list on the permit or certificate all the CITES-listed species from which parts or derivatives are included in the manufactured products.

TRANSPORT OF LIVE SPECIMENS: On Friday, 8 March, in Committee II, Austria introduced document CoP16 Doc.39 (Rev.1), highlighting proposed amendments to Resolution Conf.10.21 (Rev.CoP14) on transport of live specimens. The Committee adopted the document with some textual changes proposed by Ireland, on behalf of the EU and its Member States and Croatia.

Final Outcome: The resolution (CoP16 Com.II.12) calls on parties to promote the use of International Air Transport Association (IATA) Live Animals Regulations, among others.

CROSS-BORDER MOVEMENT OF MUSICAL INSTRUMENTS: On Thursday, 7 March, in Committee II, the US introduced document CoP16 Doc.40 (Rev.1), addressing challenges faced by musicians and institutions traveling with musical instruments containing CITES-listed species. The Committee established a working group joined by Canada, Australia, Germany, Ireland, Switzerland, China, South Africa and Indonesia.

On Wednesday, 13 March, the US introduced the amendment to Resolution Conf.12.3 (Rev.CoP15) on the basis of document CoP16 Doc.40 (Rev.1). Australia objected to requiring border officials to sign the instruments' certificates, citing implementation challenges. Committee II accepted the document, noting Australia's comments.

Final Outcome: The CoP adopted the draft resolution on frequent cross-border non-commercial movements of musical instruments and draft amendment to Resolution Conf.12.3 (Rev.CoP15) on permits and certificates (CoP16 Com.II.25), establishing musical instrument "passports."

USE OF TAXONOMIC SERIAL NUMBERS: On Friday, 8 March, in Committee II, Canada introduced document CoP16 Doc.41 (Rev.1), highlighting CoP15 decisions for the CoP to adapt. The US objected to the draft decision directing the Secretariat to compile information on the usefulness of incorporating taxonomic serial numbers in their domestic data. The Committee agreed to the document with the US amendment.

Final Outcome: The CoP adopted the draft decisions (CoP16 Com.II.14), asking parties to consider the usefulness of incorporating taxonomic serial numbers in their domestic data management.

PHYSICAL INSPECTION OF TIMBER SHIPMENTS:

On Wednesday, 6 March, the US introduced document CoP16 Doc.42 (Rev.1) in Committee II and the proposed decision directed the Secretariat to obtain information from parties that have developed procedures for identification and measurement of CITES-listed tree species. Ireland, on behalf of the EU and its Member States and Croatia, supported the draft decision. The Committee accepted the draft decision with the deletion of Decision 14.61 (Rev.CoP15).

Final Outcome: The CoP adopted the draft decision (CoP16 Doc.42 (Rev.1)).

STANDARD NOMENCLATURE AND STANDARD NOMENCLATURE FOR HIPPOCAMPUS SPECIES:

On Monday, 4 March, in Committee I, Ute Grimm, AC Nomenclature Specialist (Germany), and Noel McGough, PC

Nomenclature Specialist (UK), introduced document CoP16 Doc.43.1 (Rev.1) and its annexes. Committee I agreed to the list of standard references.

Switzerland introduced a document on standard nomenclature for *Hippocampus* species (CoP16 Doc.43.2 (Rev.1)). Committee I agreed to the resolution and took note of Australia's request to consider eight additional *Hippocampus* species.

Final Outcome: The CoP adopted the resolution (CoP16 Com.I.8).

IDENTIFICATION MANUAL: On Friday, 8 March, in Committee II, the Reports of the Secretariat (CoP16 Doc.44.1) and the PC were introduced (CoP16 Doc.44.2 (Rev.1)). On Tuesday, 12 March, the Secretariat introduced the draft revisions to the resolution (CoP16 Com.II.15) and the PC introduced the draft decision (CoP16 Com.II.16). Committee II accepted both documents.

Final Outcome: The resolution (CoP16 Com.II.15) directs the Secretariat to prepare texts on the identification of animal and plant species for inclusion in the Identification Manual. The draft decision (CoP16 Com.II.16) directs the Secretariat to issue a notification to parties within six months of the close of CoP16 requesting information on available identification and guidance materials.

E-COMMERCE OF SPECIMENS OF CITES-LISTED SPECIES: On Friday, 8 March, in Committee II, the Secretariat introduced the document (CoP16 Doc.45) and reported on the development of a CITES website portal on the e-commerce of CITES-listed species. The US proposed a recommendation that asks the SC, in collaboration with the Secretariat, to liaise with the WCO on including CITES-listed species in the Harmonized Commodity Description and Coding System. Committee II accepted the deletion of Decision 15.58 and accepted the recommendation proposed by the US.

Final Outcome: The CoP adopted the draft decision, which the US said they would provide the text of the recommendation to the Secretariat in writing.

EXEMPTIONS AND SPECIAL TRADE PROVISIONS

PERSONAL AND HOUSEHOLD EFFECTS: This item was discussed on Friday, 8 March, and Tuesday, 12, March and in a drafting group including Ireland, on behalf of the EU and its Member States and Croatia, South Africa, Canada, the US and China, as Chair of the SC Working Group on Personal and Household Effects.

On Friday, China introduced document CoP16 Doc.46 (Rev.1) continuing proposed amendments to Resolution Conf.13.7 (Rev.CoP14), as well as a set of guidelines for interpretation of personal and household effects. Ireland, on behalf of the EU and its Member States and Croatia, supported by Kenya and Israel, proposed an additional amendment to Resolution Conf.13.7 (Rev.CoP14) to exclude all hunting trophies from exemptions for personal and household effects. South Africa, supported by Canada, Mexico, Namibia and Botswana, proposed excluding only rhino and elephant hunting trophies. Safari Club International said widening the scope of exclusion would go against the consensus of the Working Group on Personal and Household Effects.

On Tuesday, 12 March, Ireland, on behalf of the EU and its Member States and Croatia, presented the drafting group's proposed amendment to CoP16 Doc.46 (Rev.1), which added text to specify that the export of rhino horn and elephant ivory do not qualify for the personal and household effects exemption. Committee II accepted the draft amendment with a modification.

Final Outcome: The CoP adopted the draft resolution as amended.

PROPOSED REVISION OF RESOLUTION CONF. 13.7 (REV. COP14) ON CONTROL OF TRADE IN PERSONAL AND HOUSEHOLD EFFECTS: On Tuesday, 12 March, in Committee I, Kuwait requested an amendment to CoP16 Doc.47 (Rev.1) to exempt species of agarwood products and quantities of personal and household effects. Qatar, Malaysia, Indonesia and Oman supported the amendment. Committee I agreed to adopt the proposed revision of Resolution Conf.13.7 (Rev.CoP14).

Final Outcome: The CoP adopted the revised resolution.

IMPLEMENTATION OF THE CONVENTION RELATING TO CAPTIVE-BRED AND RANCHED SPECIMENS: On Friday, 8 March, in Committee II, the Secretariat introduced document CoP16 Doc.48 (Rev.1), highlighting that the issue was raised in the SC because a number of parties issue permits for specimens declared as captive-bred or ranched without confirming these declarations.

Indonesia proposed adding a paragraph in the first draft decision calling for the development of socio-economic feasibility studies. Committee II accepted the draft decisions with minor revisions.

Final Outcome: The CoP adopted the draft decisions.

SPECIES TRADE AND CONSERVATION

GREAT APES: On Friday, 8 March, in Committee II, the Secretariat introduced document CoP16 Doc.49 and the draft revision of Resolution Conf.13.4 on conservation of and trade in great apes (CoP16 Doc.49 Annex 1). TRAFFIC underscored the scale and severity of illegal international trade in great apes, driven by demand in Asia. China stated that they followed CITES regulations when importing great apes.

Committee II noted the document and accepted the proposed revisions to Resolution Conf.13.4 (CoP16 Doc.49 Annex 1). The Committee also noted the recommendations (CoP16 Doc.49 Annex 2). The Committee convened a drafting group joined by Uganda, Cameroon, Sierra Leone, Democratic Republic of the Congo, Rwanda, TRAFFIC and UNEP to continue work on the draft decisions

Final Outcome: The CoP adopted the draft decision (CoP16 Com.II.13), directing the SC, Great Apes Survival Partnership (GRASP), CMS, FAO, the AC and others to review the resolution with a view to establishing an illegal trade reporting mechanism.

ASIAN BIG CATS: On Friday, 8 March, in Committee II, the Secretariat introduced document CoP16 Doc.50 (Rev.1), highlighting a "relatively poor" response rate on reporting in compliance with Decisions 15.46 and 15.47 on Asian big cats. He also noted the activities of the Global Tiger Initiative, Project Predator and the guide for enforcement officers prepared by the Environmental Investigation Agency (EIA).

The discussion was suspended to allow parties time to review the document, in light of new comments from the Secretariat. The US, India, Ireland, on behalf of the EU and its Member States and Croatia, China and Malaysia offered to confer with the Secretariat to review those revisions.

On Wednesday, 13 March, the Secretariat introduced three draft decisions (CoP16 Com.II.30), prepared by a working group, which direct parties, the SC and the Secretariat to, *inter alia*, report on and review the conservation of and trade in Appendix-I Asian big cat species. India supported the draft decisions with a minor amendment. The US, supported by Ireland, on behalf of the EU and its Member States and Croatia, urged reporting to SC65. Indonesia, supported by China and Thailand, preferred deferring reporting to CoP17. Committee II voted to keep the text requiring reporting to SC65, with 64 in favor, 20 against and 28 abstentions. Committee II agreed to the draft decisions with a minor amendment.

Final Outcome: The CoP adopted the decisions (CoP16 Com.II.30), with a minor amendment, directing parties to report on the implementation of Resolution Conf.12.5 (Rev.CoP16), at SC65. They also direct the Secretariat to:

- arrange national seminars in Appendix-I Asian big cat range states;
- develop a leaflet to increase awareness of illegal trade in Asian big cats;
- in consultation with Appendix-I Asian big cat range and consumer states, conduct a review of implementation of Resolution Conf.12.5 (Rev.CoP15) on the conservation of and trade in tigers and other Appendix-I Asian big cat species and prepare a report providing its findings and recommendations to the SC65; and
- gather information on incidents of poaching of and illegal trade in all Asian big cats since the beginning of 2010.

ILLEGAL TRADE IN CHEETAHS: On Friday, 8 March, in Committee II, Ethiopia introduced document CoP16 Doc.51 (Rev.1), highlighting that Somalia, in particular, has been reported as a commonly used transit route for the illegal trafficking of cheetahs. Committee II accepted the document and draft decisions with the Secretariat's amendments.

Final Outcome: The CoP adopted the draft decisions (CoP16 Doc.51 (Rev.1)), directing, *inter alia*, the Secretariat to commission an independent study on the impact of illegal trade in cheetah on the species' conservation in the wild.

LEOPARD QUOTAS: On Monday, 11 March, in Committee II, South Africa introduced the document (CoP16 Doc.52 (Rev.1)) and the proposed revisions and draft decisions to Resolution Conf.10.14 (Rev.CoP14) on quotas for leopard hunting trophies and skins for personal use.

Conservation Force suggested that the proposed changes to tag and quota information on export permits for leopard skins should also apply to elephant and crocodile trophies, and, supported by Tanzania, proposed establishing an intersessional working group. India, Namibia and Tanzania supported the proposed revisions and draft decisions. Committee II accepted the document with comments from the Secretariat. It also requested Ireland, on behalf of the EU and its Member States

and Croatia, Conservation Force and other interested parties to draft a decision directing the SC to monitor progress and implementation.

Final Outcome: The CoP accepted the draft decision (CoP16 Com.II.33), directing parties to report to SC66 on the implementation of the system set forth in the resolution on quotas for leopard hunting trophies.

RHINOCEROSES: On Friday, 8 March, in Committee II, the UK presented the report of the Working Group on Rhinoceroses (CoP16 Doc.54.1 (Rev.1)). The Secretariat introduced its report (CoP16 Doc.54.2 (Rev.1)) explaining, *inter alia*: the work of CITES Ivory and Rhinoceros Enforcement Task Force; the use of DNA forensics in cases of illegal trade; and guidelines for international exchange of CITES specimens to be used as evidence in court.

IUCN and TRAFFIC introduced their reports (CoP16 Inf.51 and CoP16 Inf.Doc.38), highlighting the need for stronger penalties. Viet Nam, Mozambique, Zimbabwe and Kenya affirmed they were amending their current legislation to apply stricter penalties. A working group was established.

On Tuesday, 12 March, the UK introduced the draft decisions (CoP16 Com.II.24) prepared by the working group and highlighted a large degree of consensus. Several amendments were proposed. Uganda and Tanzania proposed referring to rhino "specimens" instead of "horns" when discussing illegal seizures. Swaziland proposed adding reference to rhino "possession" in addition to illegal trade. Viet Nam asked for a review of the term "hunting trophy." Committee II agreed to the document with amendments.

Final Outcome: The draft decisions (CoP16 Com.II.24) call on parties to immediately bring every seizure of illegal rhinoceros specimens made within their territories to the attention of authorities in countries of origin, transit and destination. They also call on Viet Nam to:

- make progress with the development and implementation of the South Africa-Vietnam 2012-2017 Joint Action Plan to improve investigations and prosecutions of Vietnamese nationals suspected of illegally trading or possessing rhino horn;
- develop legislation on the domestic management of imported hunting trophies; and
- establish a secure registration database to track legal rhino horn trophies.

CoP16 Com.II.24 also contains draft decisions directed to:

- Mozambique and South Africa to, *inter alia*, enhance bilateral cooperation to combat illegal killing of rhinoceroses and illegal trade in rhinoceros horn;
- the Secretariat to, *inter alia*, convene a CITES Rhinoceros Enforcement Task Force to develop strategies to improve international cooperation; develop a manual on best practices, protocols and operational procedures to promote the use of wildlife forensic technology; and undertake a technical mission to Lao PDR to assess current enforcement activities;
- the Working Group on Rhinoceroses to, *inter alia*: report on its activities to SC66; and
- the SC to, *inter alia*, extend the mandate of the Working Group and consider its reports and recommendations at SC65 and SC66.

ELEPHANTS: Decision-making mechanism for a process of trade in ivory and proposal to amend Decision 14.77 on a decision-making mechanism for a future trade in elephant ivory: The Secretariat introduced the document on a decision-making mechanism (DMM) for a process of trade in ivory (CoP16 Doc.36 (Rev.1)). Burkina Faso introduced CoP16 Doc.37 (Rev.1) on amending Decision 14.77 on a DMM for a future trade in elephant ivory. The Wildlife Conservation Society (WCS) and EIA expressed concern that the DMM distracts from law enforcement and demand reduction. South Africa and Botswana expressed disappointment in delaying its implementation.

The Chair asked the proponents of the two resolutions to find compromise text.

On Tuesday, 12 March, the Secretariat introduced CoP16 Com.II.18, which contained harmonized documents. The Secretariat noted the concern expressed by Kenya that deleting reference to “authorizing” a process of ivory trade would change the meaning of the text.

Final Outcome: The CoP adopted the revised decision (CoP16 Com.II.18), which, *inter alia*:

- postpones a decision on the DMM to CoP17;
- requests the SC to develop a DMM in consultation with all African and Asian elephant range states; and
- defines the DMM as a mechanism that: clarifies the basis for the CoP to make a decision on whether to authorize commercial international trade in ivory; specifies criteria needed for such trade; explains the organization and management of any future trade; and determines the roles of CITES bodies in monitoring and evaluating compliance.

Draft revision of Resolution Conf. 10.10 (Rev. CoP15) on trade in elephant specimens: On Thursday, 7 March, in Committee II, the Secretariat introduced document CoP16 Doc.26 (Rev.1). Mozambique called for delinking the trade in raw ivory from the African Elephant Action Plan (AEAP) and proposed the establishment of a drafting group to amend the wording.

On Tuesday, 12 March, the US presented the recommendations of the drafting group (CoP16 Com.II.26) revising the resolution on trade in elephant specimens. The Committee accepted the revisions.

Final Outcome: The revised resolution on trade in elephant specimens (CoP16 Com.II.26) contains sections on: definitions; marking; trade in elephant specimens; trade in raw ivory for commercial purposes; quotas for trade in raw ivory as part of elephant hunting trophies; traceability of elephant specimens in trade; Monitoring the Illegal Killing of Elephants (MIKE) and trade in elephant specimens; improving elephant conservation and management in range states; and resources required to implement the resolution.

Among other things, the CoP: agrees on a definition for raw ivory; urges, among others, parties in whose jurisdiction there is an ivory carving industry, a legal domestic trade in ivory, and unregulated market for or illegal trade in ivory or where ivory stockpiles exist, to, among other things, regulate the domestic trade in raw and worked ivory; and agrees to continue and expand MIKE and Elephant Trade Information System (ETIS) systems with objectives including to build capacity in elephant

range states and, as applicable, countries involved in trade in elephant specimens, to implement and make use of MIKE and ETIS in managing elephants and enhancing enforcement.

Monitoring the Illegal Killing of Elephants, monitoring of illegal trade in ivory and other elephant specimens and Elephant Trade Information System report of TRAFFIC: On Thursday, 7 March, the CITES Secretariat introduced document CoP16 Doc.53.1 and the addendum on MIKE. The IUCN African Elephant Specialist Group provided a report highlighting decline in data quality, habitat loss and human-wildlife conflict. The Secretariat noted increased trends in illegal killing of elephants and emphasized correlations between higher levels of poaching, poor enforcement, corruption and demand. Kenya welcomed the reference to the correlation between illegal killing and demand, while China said the primary responsibility for preventing poaching lies with the African range states. International Ranger Federation highlighted the loss of human lives in implementing CITES decisions on elephants.

The Secretariat also introduced the document on monitoring of illegal trade in ivory and other elephant specimens (CoP16 Doc.53.2.1), noting the amount of seized ivory has escalated since CoP15 and is at its highest level in the 16-year period examined by ETIS. TRAFFIC presented the ETIS report (CoP16 Doc.53.2.2 (Rev.1)), which pointed to, *inter alia*, Thailand, the Philippines, South Africa, Tanzania and China as “priorities of greatest concern” with regard to illegal ivory trade. The Committee noted the MIKE report and ETIS report of TRAFFIC, and proposed a working group to revise the draft decisions on monitoring illegal trade in ivory.

On Tuesday, 12 March, Ireland, on behalf of the EU and its Member States and Croatia, introduced the draft decision on monitoring of illegal trade in ivory, prepared in the drafting group (CoP16 Com.II.22). The Committee accepted the decisions.

Final Outcome: The CoP adopted the draft decision (CoP16 Com.II.22), which calls for, *inter alia*, lowering of the weight of ivory seizure requiring forensic analysis to 500kg and remittance of samples of seized ivory within 90 days.

Proposed new resolution concerning the AEAP and African Elephant Fund: On Thursday, 7 March, in Committee II, Nigeria proposed a new resolution concerning the AEAP and African Elephant Fund (AEF) (CoP16 Doc.53.3 (Rev. 2)). The Secretariat stated it would have difficulty fulfilling the requests due to lack of capacity.

On Tuesday, 12 March, Nigeria introduced document CoP16 Com.II.17, prepared in consultation with the Secretariat, on the basis of document CoP16 Doc.53.3 (Rev.2) Annex 1. The Committee accepted the amended resolution.

Final Outcome: The CoP adopted the draft resolution (CoP16 Com.II.17), which directs, *inter alia*, the CITES Secretariat and UNEP to promote fundraising for the implementation of the AEAP as part of their overall fundraising initiatives.

TIBETAN ANTELOPE: On Monday, 11 March, in Committee II, the Secretariat presented document CoP16 Doc.55, noting the SC had: reviewed measures taken by parties to eliminate illegal trade in Tibetan antelope products, as directed by Resolution Conf.11.8 (Rev.CoP13); concluded poaching was reduced from previous levels; and recommended deleting the

reporting requirement from the resolution. He stated that since this document was prepared several large seizures of products made from Tibetan antelope wool (shahtoosh) had been reported, indicating “significant” illegal trade, and so the Secretariat and SC had withdrawn their recommendation. China proposed two new draft decisions, which the Committee accepted.

Final Outcome: The CoP adopted two decisions (CoP16 Com. II. 29) calling on:

- parties to bring seizures of illegal Tibetan antelope wool and its products to the attention of the Secretariat, as well as to report progress on follow-up investigations; and
- the Secretariat to report information about seizures and investigations to SC65.

SAIGA ANTELOPE: On Tuesday, 5 March, in Committee II, the Secretariat introduced document CoP16 Doc.56, highlighting collaboration on saiga antelope with CMS. He underscored that none of the range states had submitted reports or implemented CoP15 decisions and outlined the threats faced by the species, including the ongoing construction of a border fence between Uzbekistan and Kazakhstan. The Russian Federation suggested listing saiga antelope under CITES Appendix I, noting that a draft proposal is in preparation. China questioned whether such a listing is warranted. The US expressed concern about the lack of reporting. The Committee agreed to the proposed decisions.

Final Outcome: The CoP adopted decisions (CoP16 Doc.56 Annex) calling on, *inter alia*:

- range states to implement the measures contained in the Medium-Term International Work Programme for the Saiga Antelope (2011-2015), developed in support of the CMS MoU concerning the saiga antelope; and
- consumer and trading countries of saiga parts and derivatives to contribute financially towards saiga antelope conservation and reduce consumption in its products and derivatives.

SNAKE TRADE AND CONSERVATION

MANAGEMENT: On Tuesday, 5 March, in Committee I, Switzerland introduced document CoP16 Doc.57 (Rev.1) and the draft decisions on: a study of production systems for Asian snakes listed in Appendix II; guidance for conducting NDFs; methods for differentiating wild from captive species; a traceability system; capacity building and training; and collaboration on enforcement. Indonesia suggested amendments. The AC Chair noted a draft decision in CoP16 Doc.10.2.1 (Rev.1) on the final IUCN red list assessments for Asian snakes, which the AC recommended the CoP adopt. The Committee agreed. Indonesia agreed to consult on the text.

On Friday, 8 March, Committee I addressed amended text on Asian snakes (CoP16 Com.I.2). Switzerland, on behalf of Indonesia, noted amendments related to, *inter alia*, guidance on NDFs and management systems for wild populations. Committee I agreed to the revised draft decisions with additional amendments on NDFs and quotas from China and Japan, and repealed Decisions 15.75-15.78.

Final Outcome: The CoP adopted draft decisions (CoP16 Com.I.2) calling on:

- the Secretariat to, *inter alia*, develop guidance to assist parties in monitoring and controlling captive-breeding operations and in the NDFs; and

- parties to eliminate illegal and unreported trade in specimens, whether live or parts and derivatives, of CITES-listed snake species through, *inter alia*, ensuring that CITES permits and certificates are properly issued.

TORTOISES AND FRESHWATER TURTLES: On Monday, 11 March, in Committee II, the US introduced the report of the SC (CoP16 Doc.58.1 (Rev.1)). The AC Chair introduced the report of the AC (CoP16 Doc.58.2 (Rev.1) and noted several recommendations, including to communicate the result of a study on NDFs to the SC. Committee II Chair Gabel proposed reconciling the two reports.

On Tuesday, 12 March, the US introduced document CoP16 Com.II.23, prepared by the Working Group on tortoises and freshwater turtles.

On Wednesday, 13 March, in plenary, Indonesia asked that reference to the Asian region in the SC’s report be deleted, and requested to re-open debate, seconded by Malaysia. The US opposed and the CoP voted to re-open debate. With 24 for, 86 against and 21 abstaining, the Indonesian proposal did not carry, and debate remained closed. The CoP adopted the recommendations of the Committee.

Final Outcome: The CoP adopted decisions (CoP15 Com.I.16) calling on, *inter alia*:

- the Secretariat to seek funding to establish and convene a CITES Tortoises and Freshwater Turtles Task Force, to exchange intelligence and develop strategies to combat illegal trade; and
- parties to increase enforcement activities to deter, detect and address illegal and undocumented trade in CITES-listed live tortoises and freshwater turtles.

HAWKSBILL TURTLE: On Monday, 11 March, in Committee II, the Secretariat introduced document CoP16 Doc.59 (Rev.1), noting a draft decision concerning the implementation of recommendations arising from a 2009 regional workshop on the hawksbill turtle in the wider Caribbean and western Atlantic region. Committee II agreed to the document.

Final Outcome: The CoP adopted the draft decision (CoP16 Doc.59 (Rev.1)) directing the Secretariat to: collaborate with the Secretariat of the Inter-American Convention for the Protection and Conservation of Sea Turtles; encourage implementation of outstanding recommendations arising from the 2009 regional workshop on the hawksbill turtle in the wider Caribbean and western Atlantic region, taking into account the findings of the status update, as necessary, which shall be completed by 2014; and report on implementation of the decision at CoP17.

STURGEONS AND PADDLEFISH: On Monday, 11 March, in Committee II, the AC Chair introduced the report of the AC (CoP16 Doc.60.1 (Rev.1)), and explained the background of Resolution Conf.12.7 (Rev.CoP14) on conservation of and trade in sturgeons and paddlefish. Various parties expressed concern about the Secretariat’s expansion of the definition of “mixed species” in the labeling of high-quality caviar. With wide support for the Secretariat to provide an overview of molecular, DNA-based and other forensic methods that could assist in identifying the species in trade, the Committee agreed to delete the new definition of mixed species and accept the document.

The Secretariat introduced its report (CoP16 Doc.60.2 (Rev.1)), stressing that the shift to aquaculture and captive breeding of sturgeons has reduced the need for establishing complex harvest and export quotas for specimens of wild origin. The US stated there was no evidence that shared stocks have recovered and asked the Secretariat to reinstate the deleted procedures. Ireland, on behalf of the EU and its Member States and Croatia, supported reference to SC61 Doc.48.2 with regard to range states' monitoring and evaluation of stocks, while Ukraine and Iran, on behalf of Azerbaijan, opposed this reference, preferring instead the informal working group on sturgeons and paddlefish's version in CoP16 Inf.Doc.53. The Committee suspended debate until parties had reviewed CoP16 Inf.Doc.53 and the Secretariat's report.

On Tuesday, 12 March, the Russian Federation introduced CoP16 Inf.Doc.53 and highlighted the differences between its proposed revisions to Resolution Conf.12.7 (Rev.CoP14) and those proposed by the Secretariat. Ukraine, Japan and Iran supported the revisions proposed in CoP16 Inf.53, including deletion of reference to SC61 Doc.48.2. The US and Ireland, on behalf of the EU and its Member States and Croatia, opposed the proposed amendments, favoring the Secretariat's version.

The Committee voted to retain reference to SC61 Doc.48.2 in CoP16 Inf.Doc.53, with 51 in favor, 8 against and 27 abstaining. The Committee voted to accept the revisions proposed by the Secretariat on page five of Inf.Doc.53, with 51 in favor, 14 against and 30 abstaining. The Russian Federation stated she could not accept the outcome and lodged a complaint in accordance with Rule 29 of the Rules of Procedure. The Committee voted on CoP16 Inf.53 with the two controversial aspects of the text as agreed by the previous votes. The Committee accepted CoP16 Inf.53 with the agreed amendments, with 59 in favor, 5 against and 29 abstaining.

Final Outcome: The CoP adopted the revised resolution in CoP16 Inf.53 as voted by Committee II, retaining reference to SC61 Doc.48.2. as well as the revised text proposed by the Secretariat, which calls upon range states of *Acipenseriformes* species to, *inter alia*, collaborate in the development and implementation of strategies for the conservation and management of shared *Acipenseriformes* stocks and for ensuring sustainable fishing.

SHARKS AND STINGRAYS: On Tuesday, 5 March, in Committee I, New Zealand introduced document CoP16 Doc.61 (Rev.1) containing two draft decisions and proposed amendments to Resolution Conf.12.6 (Rev.CoP15) on conservation and management of sharks. He also noted the Secretariat's suggestion to either delete Decision 15.85 on freshwater stringrays or transfer it to Resolution Conf.12.6 (Rev.CoP15). Parties suggested various textual amendments, and agreed to continue discussions the following day. On Wednesday, 6 March, Committee I Chair Caceres introduced document CoP16 Com.I.1 and the Committee adopted the decisions and amendments.

Final Outcome: The CoP adopted decisions (CoP16 Com.I.10) calling on:

- the Secretariat to request parties to submit information on domestic laws and regulations concerning sharks; make this information available on the CITES website; and collaborate with FAO to develop a single resource on current Regional

Fisheries Management Organization (RFMO) measures for sharks; and

- parties to engage with the work of CMS.

HUMPHEAD WRASSE: On Tuesday, 12 March, in Committee II, China introduced document CoP16 Doc.62 (Rev.1). He highlighted its recommendations, including that the IUCN Species Survival Commission Groupers and Wrasses Specialist Group (GWSG) supports parties in achieving sustainable fisheries, and noted the Secretariat's proposed amendments. The Committee accepted the document with the understanding that the recommendations would be considered draft decisions. On Wednesday, 13 March, the CoP adopted the recommendations of the Committee.

Final Outcome: The CoP adopted decisions (CoP16 Doc.62 Rev.1) calling on, *inter alia*:

- parties to investigate reported violations of the Convention in relation to trade in specimens of humphead wrasse and take appropriate enforcement actions under the remits of their national legislation; and
- the IUCN GWSG continue its support to parties in achieving sustainable fisheries of humphead wrasse and ensuring compliance with the requirement for NDFs.

TOOTHFISH: On Tuesday, 12 March, in Committee II, parties noted the report of the Commission for the Conservation of Antarctic Marine Living Resources (CoP16 Doc.63 (Rev.1)). On Wednesday, 13 March, the CoP noted the report.

SEA CUCUMBER: On Tuesday, 5 March, in Committee I, New Zealand introduced document CoP16 Doc.64 (Rev.1), noting, *inter alia*, the AC believes its mandate fulfilled and recommends repealing Decision 14.100 (Rev.CoP15). Various parties recommended postponing the decision to repeal Decision 14.100 until CoP17. New Zealand, supported by the US, China, Japan and Norway, stated that the AC Working Group on Sea Cucumber Fisheries felt their mandate was fulfilled. The Committee agreed to repeal Decision 14.100.

Final Outcome: The CoP repealed Decision 14.100.

QUEEN CONCH: On Tuesday, 5 March, in Committee I, Colombia presented document CoP16 Doc.65 (Rev.1) on regional cooperation on the management of and trade in the queen conch (*Strombus gigas*), and requested the establishment of a working group to address related draft decisions.

Belize, the Bahamas, Jamaica, the US, France and the UK, on behalf of the EU and its Member States and Croatia, Cuba, Mexico, Dominican Republic and Antigua and Barbuda volunteered to participate in the working group, with Colombia chairing.

On Tuesday, 12 March, Colombia introduced the draft decisions on the management of and trade in *S. gigas* (CoP16 Com.I.5). France requested several amendments to decisions, adding reference to the Working Group on Queen Conch (Decision 16AA).

Committee I agreed to the decisions, as amended by Colombia and France.

Final Outcome: The CoP adopted the decisions (CoP16 Com.I.5), directing:

- range states to adopt, and where applicable, move towards implementation of the recommendations of the Queen Conch Expert Workshop; and participate in the development of

national, subregional, and regional plans for the management and conservation of the queen conch; and

- the Secretariat to invite FAO and others to provide assistance to range states to enhance the capacity of their scientific authorities to conduct NDFs.

MADAGASCAR: On Tuesday, 5 March, in Committee I, PC Chair Clemente-Muñoz introduced the draft decisions in document CoP16 Doc.66 (Rev.1). PC Nomenclature Specialist McGough highlighted work by Madagascar, including: development of identification techniques; preparation of identification material; field surveys for NDFs; and submission of proposals to CoP16 (CoP16 Prop.51, 58, 63-66 and 71). He said this work completes tasks outlined in Decision 15.97 and recommended it be repealed.

Madagascar described its activities on, *inter alia*: development of timber identification methodologies, noting its preference for simple, low-cost techniques; preparation of an identification guide on 19 timber species, including 17 *Dalbergia* and 7 *Diospyros* species on the basis of macroscopic characteristics (PC20 Inf.3); capacity building for customs agents; a pilot project on community-based sustainable management; and ongoing studies to gather data on the trade of five succulent species.

Parties agreed to note the document and reports and to repeal Decision 15.97.

Final Outcome: The CoP agreed to note the document CoP16 Doc.66 (Rev.1) and to repeal Decision 15.97.

AGARWOOD-PRODUCING TAXA: On Tuesday, 5 March, in Committee I, Chair Caceres introduced the PC Report (CoP16 Doc.67.1 (Rev.20) and the draft resolution on implementation of the Convention for agarwood-producing taxa (CoP16 Doc.67.2 (Rev.1)). PC Chair Clemente-Muñoz emphasized the extension of the application of Resolution Conf.10.13 on implementation of the Convention for timber species to include traded tree species. Kuwait noted that the draft resolution amended definitions of “artificially propagated plants” in Decision 15.94 on agarwood-producing taxa, which do not currently apply to field conditions, or to mixed-species plantations prevalent in the tropics. Australia, supported by Indonesia, Canada, China and Bahrain, preferred the scope and definitions in the draft resolution. The US and Ireland, on behalf of the EU and its Member States and Croatia, requested forming a drafting group.

On Wednesday, 6 March, the Committee continued discussion on the draft resolution. The US expressed concern about the resolution’s definition of “artificially propagated,” which they felt could potentially allow repeated collection and export of wild specimens. The US then proposed a draft decision, requesting the PC to monitor the resolution’s implementation to assess its contribution to the long-term survival of agarwood-producing species and to report at CoP17. China, Kuwait, Canada, Indonesia, Australia, Viet Nam, Malaysia and Thailand supported this decision and the draft resolution was accepted.

Chair Caceres noted divergent views from parties on whether amendments to Resolution Conf.10.13, as indicated in the draft resolution, were required in light of agreement on the draft resolution on agarwood-producing taxa. Ireland, on behalf of the EU and its Member States and Croatia, Canada, the US and Kuwait supported the draft decisions but opposed the revision

to Resolution Conf.10.13, particularly the addition of the term “mixed” to discussions of plantations. Ireland, on behalf of the EU and its Member States and Croatia, Brazil and Chile supported directing the PC to further examine the definition of plantations and to report to CoP17.

Committee I rejected the changes to Resolution Conf.10.13 and accepted the decisions contained in the document, including requesting the PC to continue considering these production systems.

Final Outcome: The CoP adopted the decisions in Resolution Conf.10.13 (CoP16 Doc.67.2 (Rev.1), directing:

- the PC to, *inter alia*, consider the current production of tree species and to assess the applicability of the current definitions of artificial propagation in Resolution Conf. 10.13 and Resolution Conf.11.11 and report to CoP17; and
- the Secretariat to, *inter alia*, organize a workshop to share experiences, discuss management of wild and plantation-source agarwood and agree on strategies that balance conservation and use of wild populations while relieving pressure on these populations by using planted material.

BIGLEAF MAHOGANY: On Wednesday, 6 March, PC Chair Clemente-Muñoz introduced document CoP16 Doc.68 (Rev.1) and described the activities of the Working Group on the Bigleaf Mahogany and Other Neotropical Timber Species. Guatemala proposed two draft decisions: to the PC, on the work and reporting of the Working Group; and to the Secretariat, on seeking external funding. The PC Chair, the US, Peru, Costa Rica, Chile, Ireland, on behalf of the EU and its Member States and Croatia, and Mexico supported the proposal. The Committee agreed to the two decisions and repealed Decisions 15.91 and 15.92.

Final Outcome: The CoP adopted the decisions directed to the PC and the Secretariat as contained in CoP16 Com.I.Rec.5. Among them, the CoP directs: the PC to, *inter alia*, report on the progress of the Working Group on Neotropical Tree Species at CoP17; and the Secretariat to seek external funding for the working group, if needed.

CEDRELA ODORATA, DALBERGIA RETUSA, D. GRANADILLO AND D. STEVENSONII: On Wednesday, 6 March, in Committee I, PC Chair Clemente-Muñoz introduced document CoP16 Doc.69 (Rev.1), outlining the PC’s work and its Working Group on the Bigleaf Mahogany and Other Neotropical Timber Species in relation to tasks assigned under Decision 14.146 (Rev.CoP15) on *Cedrela odorata*, *Dalbergia retusa*, *D. granadillo* and *D. stevensonii*.

Noting that repealing Decision 14.146 (Rev.CoP15) would also repeal its annex, the US asked to note that the existing Annex 4 work plan be considered when establishing terms of reference for the working group. Referencing its populations of *Cedrela odorata*, Côte d’Ivoire requested the working group to develop provisions for artificial propagation of species in plantations outside range states.

Committee I noted the decision and agreed to repeal Decision 14.146 (Rev.CoP15).

Final Outcome: The CoP agreed to note the decision and repealed Decision 14.146 (Rev.CoP15).

REPORT OF THE CENTRAL AFRICA BUSHMEAT

WORKING GROUP: On Tuesday, 12 March, Democratic Republic of the Congo introduced document CoP16 Doc.70 (Rev.1). He highlighted the recommendation that the Central Africa Bushmeat Working Group should meet regularly to exchange information, with support from the Secretariat. Ireland, on behalf of the EU and its Member States and Croatia, expressed disappointment with the lack of progress on the implementation of Decisions 14.73 and 14.74 (Rev.CoP15) directed to the working group, noting the group has not met since 2011.

The Committee noted the document and the Secretariat's comments and agreed to retain the decisions.

Final Outcome: The CoP agreed to note document CoP16 Doc.70 (Rev.1) and retain Decisions 14.73 and 14.74 (Rev. CoP15) directed to the Central Africa Bushmeat Working Group. Decision 14.73, *inter alia*, encourages the working group to collaborate with the CBD and FAO in its work. Decision 14.74, *inter alia*, encourages the working group to collaborate with the CBD Liaison Group on non-timber forest resources, and to report on progress to the SC.

CRITERIA FOR THE INCLUSION OF SPECIES

IN APPENDICES I AND II: On Wednesday, 6 March, in Committee I, Canada, on behalf of the AC Working Group on Criteria and the SC, introduced document CoP16 Doc.71 (Rev.1), noting the outcomes of work related to Decisions 15.28, 15.29 and 15.30, on the application to commercially exploited aquatic species of Annex 2a criterion B and the introductory text to Annex 2a of Resolution Conf.9.24 (Rev.CoP15). She said the AC had found, and the SC concurred, that it was not possible to provide guidance favoring a single approach. Committee I noted a comment by IUCN, also on behalf of TRAFFIC, recommending further discussion and possible guidance on the issue, and the Committee noted the document and repealed the decisions.

Final Outcome: The CoP noted the document and repealed the decisions.

CRITERIA RELATED TO RANCHED POPULATIONS:

On Wednesday, 6 March, in Committee I, Uruguay introduced the outcomes of the AC's work on Decision 15.51 related to the criteria for the transfer of ranched populations from Appendix I to Appendix II, including the outcomes of a working group on the issue established at AC25 (CoP16 Doc.72 (Rev.2)). China noted concern about the application of criteria to ranching operations, and Australia clarified the working group's goal was to consider reinstating ranching criteria as a criteria for appendix transfers. Committee I agreed to modifications of Resolution Conf.9.24 Annex 4 (Rev.CoP15), but did not agree to the recommendation in paragraph 6 to address Resolution Conf.11.16 (Rev.CoP15) and Resolution Conf.9.20 (Rev.) together, in a separate resolution.

Final Outcome: The CoP adopted the document (CoP16 Com.I.6) and repealed Decision 15.51.

PROPOSED REVISION OF RESOLUTION CONF. 10.9 ON CONSIDERATION OF PROPOSALS FOR THE TRANSFER OF AFRICAN ELEPHANT POPULATIONS FROM APPENDIX I TO APPENDIX II:

On Thursday, 7 March, in Committee II, Côte d'Ivoire presented document

CoP16 Doc.73 (Rev.1). She presented a draft decision directing the SC to establish a working group to further review and revise Resolution Conf.10.9 in advance of CoP17. The US, supported by Ireland, on behalf of the EU and its Member States and Croatia, noted that the draft decision presented by Côte d'Ivoire was similar to the draft decision proposed by the Secretariat in CoP16 Doc.73 (Rev.1), and suggested harmonizing them. The Chair suspended discussion to allow the Secretariat and Côte d'Ivoire to consult.

On Tuesday, 12 March, in Committee II, Côte d'Ivoire introduced the revised draft decision (CoP16 Com.II.19) prepared with the Secretariat following discussion of document CoP16 Doc.73 (Rev.1), which the Committee accepted. On Wednesday, 13 March, the CoP adopted the recommendations of the Committee.

Final Outcome: The CoP adopted a decision (CoP16 Com. II.19) requesting the SC to establish a working group to review Resolution Conf.10.9 in collaboration and consultation with all African elephant range states.

PERIODIC REVIEW OF THE APPENDICES: On Wednesday, 6 March, in Committee I, AC Chair Solana introduced document CoP16 Doc.74.1 (Rev.1) containing proposed revisions to Resolution Conf.14.8 on periodic review of the appendices. Mexico and China supported the document. Parties suggested various amendments and IUCN proposed adding categories for vulnerable, extinct and extinct in the wild. AC Chair Solana suggested looking for all the CITES species that IUCN has categorized as extinct or extinct in the wild in the next species selection exercise. Following discussion, parties agreed to accept the amended text and to repeal Decision 15.51, recognizing its mandate had been fulfilled. Parties also agreed to consider the AC Chair's suggestion under the agenda item on proposals to amend Appendices I and II (CoP16 Doc.77).

Final Outcome: The CoP adopted the document (CoP16 Com.I.12).

Felidae: On Wednesday, 6 March, in Committee I, the US introduced the review of the appendices on Felidae (CoP16 Doc.74.2 (Rev.1)), noting it provided an update on progress on Decision 13.93 (Rev.CoP15) concerning the periodic review of Felidae as directed to the AC. The Committee agreed to the revised decision to extend Decision 13.93 to accommodate ongoing reviews, with amendment by the Secretariat to delete already-completed tasks, and by the AC Chair to replace the word "progress" with "results" in the request to the AC for a report at CoP17.

Final Outcome: The CoP adopted the decision (CoP16 Com. I.11) directing the AC to complete its Review of the Appendices for Felidae and report back to CoP17.

DEVELOPMENT AND APPLICATION OF ANNOTATIONS and ANNOTATIONS – REPORT OF THE PLANTS COMMITTEE:

On Monday, 11 March, in Committee II, PC Chair Clemente-Muñoz introduced document CoP16 Doc.76 (Rev.1), highlighting CoP recommendations on: orchids; the review of annotations for Cactaceae and Orchidaceae; and the annotations to the appendices for plants. The US introduced document CoP16 Doc.75 (Rev.1), highlighting challenges associated with developing and implementing annotations. Several countries supported some of the proposed revisions and

draft decisions. Canada, supported by Australia, noted the SC Working Group on Annotations should complete its activities before developing new procedures. Ireland, on behalf of the EU and its Member States and Croatia, supported simplifying procedures. The Committee established a working group on these two agenda items.

On Tuesday, 12 March, the US introduced the document CoP16 Com.II.27 reflecting recommendations prepared by the working group on the basis of CoP16 Doc.75 (Rev.1) and CoP16 Doc.76 (Rev.1). The Committee accepted the recommendations. The US and the PC Chair then reviewed the definitions proposed in CoP16 Doc.75 (Rev.1) and CoP16 Doc.76 (Rev.1). The Committee accepted the definitions. The PC Chair invited the Committee to note the recommendations, relating to annotations for orchids listed on Appendix II. The Committee noted the paragraph and accepted the proposed recommendations, including the draft decision as amended in the annex.

Final Outcome: The CoP adopted a draft decision (CoP16 Com.II.27) acknowledging that, at CoP16, parties agreed to include definitions of terms in annotations in the *Interpretation* section of the appendices as an interim measure until a final decision is reached by the SC on where they should be included permanently.

PROPOSALS TO AMEND APPENDICES I AND II:

On Wednesday, 6 March, in Committee I, the Secretariat introduced the draft decisions contained in CoP16 Doc.77, relating to extinct or possibly extinct species. He highlighted three problems identified by the Secretariat in handling proposals for species that were extinct or possibly extinct, including that the resolution states that possibly extinct species should not be deleted from Appendix I if they may be affected by trade in the event of rediscovery, and that a transfer onto Appendix II to monitor the effects of downlisting has little interest or value for extinct species. In comments, parties noted, *inter alia*, the need for clarification related to higher taxa and the possibility for the rediscovery of supposedly-extinct species. The Committee accepted the decisions, which were adopted in plenary on Wednesday, 13 March.

Final Outcome: The CoP adopted the draft decisions recommending, *inter alia*, the AC and PC to more closely examine the issue of extinct and possibly extinct species.

Rupicapra pyrenaica ornate: On Thursday, 7 March, in Committee I, Ireland, on behalf of the EU and its Member States and Croatia, introduced the proposal to transfer *R. pyrenaica ornate* (Abruzzo chamois) from Appendix I to Appendix II, as endorsed by the AC (CoP16 Prop.1). He noted that the range state, Italy, had undertaken a Periodic Review for the species. Committee I accepted the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.1).

Vicugna vicugna: On Thursday, 7 March, in Committee I, Ecuador introduced the proposal (CoP16 Prop.2) to transfer *V. vicugna* (vicuña) from Appendix I to Appendix II, with an annotation specifying, among other things, enabling requirements. Committee I agreed to the proposal, with an amendment proposed by Mexico to align the annotation with the annotations of other vicuña listings.

Final Outcome: The CoP adopted the amended proposal (CoP16 Prop.2).

Ursus maritimus: On Thursday, 7 March, in Committee I, the US introduced the proposal (CoP16 Prop.3) to transfer *U. maritimus* (polar bear) from Appendix II to Appendix I, noting, *inter alia*, that while climate change is the main threat to the species, an Appendix I listing could contribute to protecting the species.

In extensive discussions, parties expressed divergent views, differing on whether the polar bear met the scientific and trade criteria for uplisting. Among supporters, the Russian Federation highlighted its concerns that legal international trade facilitates illegal trade and poaching of Russian sub-populations. Among opponents, Greenland, on behalf of Denmark, opposed the proposal on the grounds that the species does not meet the biological criteria. Interventions addressed, *inter alia*: polar bear population estimates from the IUCN Polar Bear Specialist Group, quotas, prices for polar bear hides, and the potential impact of the decision on the livelihoods of Inuit populations.

Ireland, on behalf of the EU and its Member States and Croatia, citing efforts to find a constructive way forward, introduced an amendment to the US proposal (CoP16 Inf.44). He outlined the proposal to maintain the Appendix II listing and add an annotation with a “package of measures” and several draft decisions, including for range states to set export quotas at subpopulation levels and the AC to include the polar bear in the review of significant trade (RST) as an urgent case to review before CoP17.

Parties disagreed on whether the EU compromise narrowed the scope of the US proposal, with Israel challenging the Chair’s ruling on the validity of the proposal. In a vote, the motion to disallow the alternate proposal was not carried by the requisite simple majority, with 26 in favor, 73 against and 15 abstentions.

Several spoke in support of the EU proposal, including Norway, as a range state. Brazil welcomed the EU proposal but requested the deletion of the decision directed to the parties, noting that it more appropriately falls under the mandate of the UN Framework Convention on Climate Change.

Committee I first voted on the amended EU proposal, with 63 in favor, 43 against and 17 abstaining. The Committee then voted on the US proposal, with 38 in favor, 42 against and 46 abstaining. Neither vote obtained the two-thirds majority needed to pass.

Final Outcome: The CoP rejected the proposal (CoP16 Prop.3).

Pteropus brunneus: On Thursday, 7 March, in Committee I, Australia introduced its proposal (CoP14 Prop.4) to delete *P. brunneus* (dusky flying fox) from Appendix II, stating the motivation was to simplify the appendices by removing an extinct species. New Zealand and Qatar voiced support, and the Committee agreed to the proposal.

Final Outcome: The CoP adopted the proposal (CoP14 Prop.4).

Thylacinus cynocephalus, Onychogalea lunata, Caloprymnus campestris, Chaeropus ecaudatus and Macrotis leucura: On Thursday, 7 March, in Committee I, Australia presented the proposals (CoP16 Prop.5-9) to remove from Appendix I: *T. cynocephalus* (Tasmanian tiger) (Prop.5), *O.*

lunata (crescent naittail wallaby) (Prop.6), *C. campestris* (buff-nosed rat-kangaroo) (Prop.7), *C. ecaudatus* (pig-footed bandicoot) (Prop.8) and *M. leucura* (lesser rabbit-eared bandicoot) (Prop.9). Australia explained the five species are extinct, and so would not require the precautionary measure of transfer to Appendix II. New Zealand, Qatar, Paraguay and China supported the proposals, and the Committee agreed.

Final Outcome: The CoP adopted the proposals (CoP16 Prop.5-9).

Ceratotherium simum simum: On Thursday, 7 March, in Committee I, Kenya outlined the objectives of its proposal for amending an annotation on the South Africa and Swaziland populations of *C. simum simum* (Southern white rhino) listed in Appendix II to specify a temporary zero quota on hunting trophies (CoP16 Prop.10). He explained the aim was to reduce the quantity of legal rhino horn entering illegal markets and to reduce, as a result, poaching in Kenya and other rhino range states. Noting opposition from some parties to the proposed annotation, he outlined a number of consultations held on the proposal and its goals, and announced the withdrawal of the proposal. He asked parties to instead consider and support the decisions contained in CoP16 Doc.54.1 and Doc.54.2, to be discussed in Committee II. The proposal was withdrawn.

Final Outcome: The CoP noted that the proposal was withdrawn (CoP16 Prop.10).

Loxodonta africana: On Thursday, 7 March, in Committee I, Burkina Faso, also on behalf of Kenya, withdrew their proposal on *L. africana* (African elephant) (CoP16 Prop.11 and 12). Highlighting incidents of slaughter and illegal trade, he urged measures to combat poaching. He further urged parties to recognize the legal sale of ivory as increasing poaching pressure. He recommended support for and action on the AEAP, the AEF, MIKE and ETIS. Kenya called on parties to: address illegal killing of and trade in elephants; address consumer demand; and respect the moratorium on ivory.

Final Outcome: The CoP noted that the proposals were withdrawn (CoP16 Props.11 and 12).

Trichechus senegalensis: On Thursday, 7 March, in Committee I, Senegal, with Benin and Sierra Leone, presented the proposal to transfer *T. senegalensis* (West African manatee) from Appendix II to Appendix I (CoP16 Prop.13). Senegal noted actions being taken by range states and their general support for the listing proposal. Acknowledging the limited data available on the species and its status, Benin underscored the threat to the species from illegal international trade and the need to adopt a precautionary approach to its conservation. Numerous delegates expressed support for the proposal, including Colombia, the US and Egypt. The CMS Secretariat highlighted efforts under CMS, including a MoU on the conservation of the manatee and small cetaceans of Western Africa and Macaronesia. Committee I accepted the proposal by consensus.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.13).

Caracara lutosa: On Thursday, 7 March, in Committee I, Mexico introduced its proposal to delete *C. lutosa* (Guadalupe caracara) (CoP16 Prop.14) from Appendix II, noting that the species is extinct. Paraguay, Peru, Venezuela, Brazil, Australia,

Chile and New Zealand supported the proposal, with New Zealand adding that an annotation was not needed. Committee I agreed to the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.14).

Gallus sonneratii: On Thursday, 7 March, in Committee I, New Zealand, on behalf of the AC, presented the proposal on the removal of *G. sonneratii* (grey junglefowl) from Appendix II (CoP16 Prop.15). India, supported by Pakistan and Qatar, opposed the proposal, highlighting concerns about declining populations and the potential for a de-listing to threaten the species by promoting trade in feathers. The US noted India's opposition and supported their position. The US, supported by AC Chair Solana, urged states to participate in Periodic Reviews. Committee I did not accept the proposal.

Final Outcome: The CoP did not adopt the proposal (CoP16 Prop.15).

Ithaginis cruentus: On Thursday, 7 March, in Committee I, New Zealand, on behalf of the AC, introduced the proposal to remove *I. cruentus* (blood pheasant) from Appendix II (CoP16 Prop.16), noting the outcome of the Periodic Review indicated it no longer met listing criteria. Range states China, India, Nepal and Bhutan, supported by Pakistan, opposed the proposal, indicating deletion might trigger international trade that would threaten the species. The US supported range state views, but noted "frustration" that range states had not responded during the Periodic Review. The Committee did not accept the proposal.

Final Outcome: The CoP did not adopt the proposal (CoP16 Prop.16).

Lophura imperialis: On Thursday, 7 March, in Committee I, France introduced the proposal (CoP16 Prop.17) to delete *L. imperialis* (Imperial pheasant) from Appendix I. He reported that *L. imperialis* is a hybrid between *L. edwardsi* (Edward's pheasant), which is also listed, and *L. nycthemera*. Viet Nam, the range state, supported the proposal. Parties agreed to support the proposal with an editorial modification from the Secretariat.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.17).

Tetraogallus caspius: On Thursday, 7 March, New Zealand, on behalf of the AC, introduced the proposal (CoP16 Prop.18) to transfer *T. caspius* (Caspian snowcock) from Appendix I to Appendix II. He said the population does not meet the criteria for an Appendix I listing. Noting that Armenia, Azerbaijan, Georgia, Iran, Iraq, Turkey and Turkmenistan represent the seven range states, he said that only Georgia responded to requests for information, informing the AC that its population is vulnerable. Noting that its population is dependent on other range states, Georgia supported downlisting if the other six range states agreed. Armenia informed parties its population is vulnerable and opposed the proposal. Georgia then opposed the proposal. Committee I rejected the proposal.

Final Outcome: The CoP did not adopt the proposal (CoP16 Prop.18).

Tetraogallus tibetanus: On Thursday, 7 March, in Committee I, New Zealand, on behalf of the AC, introduced the proposal (CoP16 Prop.19) to transfer *T. tibetanus* (Tibetan snowcock) from Appendix I to Appendix II noting the Periodic Review found the species no longer meets the biological criteria for

Appendix I. Range states China, India, Nepal and Bhutan, supported by Qatar, opposed the proposal, citing lack of data and concerns that a downlisting would spur trade. AC Chair Solana recognized the right of range states to participate in appendix listings and transfers, but cited concern with justifications raised in the discussion based on anecdotal observations and data gaps. Committee I did not accept the proposal.

Final Outcome: The CoP did not adopt the proposal (CoP16 Prop.19).

Tympanuchus cupido attwateri: On Thursday, 7 March, in Committee I, Switzerland, on behalf of the US, presented the proposal (CoP16 Prop.20) to transfer *T. cupido attwateri* (Attwater's greater prairie chicken) from Appendix I to Appendix II. The US supported the proposal, saying the species is intensively managed and protected in the US, and no threat is posed by the appendix transfer. Committee I agreed to the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.20).

Campophilus imperialis: On Thursday, 7 March, in Committee I, Mexico introduced the proposal (CoP16 Prop.21) to delete *C. imperialis* (Imperial woodpecker) from Appendix I, noting it is extinct. Australia, Paraguay and Venezuela supported the proposal. The Committee agreed to the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.21).

Sceloglaux albifacies: On Thursday, 7 March, in Committee I, New Zealand introduced the proposal (CoP16 Prop.22) to remove *S. albifacies* (laughing owl) from Appendix II, noting that it is extinct. Australia and Venezuela supported the proposal. The Committee agreed to the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.22).

Crocodylus acutus: On Friday, 8 March, in Committee I, Colombia introduced the proposal (CoP16 Prop.23) to transfer a population of *C. acutus* (American crocodile) from Appendix I to II adding an annotation preventing exchange between the population and Appendix-I listed populations as well as a provisional zero export quota (CoP16 Prop.23 Addendum (Rev.1)). Thailand, Peru, Egypt, Honduras, Cuba, Venezuela, Costa Rica, Brazil, Liberia, Panama, Uruguay, Mexico, Indonesia, Ecuador, Paraguay, Senegal, Qatar and Argentina supported the proposal.

Ireland, on behalf of the EU and its Member States and Croatia, the US, Israel and Switzerland noted Colombia's efforts and encouraged their ongoing work, but stated the population did not meet biological criteria for downlisting and did not support the proposal. The US raised concern that such a transfer would set a precedent for future proposals. Ireland, on behalf of the EU and its Member States and Croatia, suggested alternative approaches, including submitting a proposal under the ranching resolution or drafting decisions related to ranching for consideration at CoP17. In a vote, the proposal did not achieve a two-thirds majority, with 57 in favor, 50 opposed and 16 abstentions.

Final Outcome: The CoP did not adopt the proposal (CoP16 Prop.23).

Crocodylus porosus: On Friday, 8 March, in Committee I, Thailand introduced the proposal (CoP16 Prop.24) to transfer *C. porosus* (saltwater crocodile) from Appendix I to Appendix II with a zero quota for wild specimens. He said the proposal applies only to the Thai population. The Gambia, the Philippines, Viet Nam, Madagascar, Pakistan, Myanmar, Colombia, China, Brazil and Cambodia supported the proposal.

Ireland, on behalf of the EU and its Member States and Croatia, opposed, saying reestablishment of wild populations should be the basis for downlisting. India also opposed, expressing concern that downlisting would stimulate trade in wild specimens from range states. Australia, supported by the US, said *C. porosus* continued to meet biological criteria for Appendix I and opposed the proposal.

Noting a lack of consensus, Committee I Chair Caceres proposed a vote. Thailand requested voting by secret ballot, which more than ten parties supported. The proposal was rejected, with 61 in favor, 54 against and 6 abstaining. The US requested its vote against the proposal be recorded in the meeting record, noting it will publicly announce its position on all secret ballots.

Final Outcome: The CoP did not adopt the proposal (CoP16 Prop.23).

Crocodylus siamensis: On Friday, 8 March, in Committee I, Thailand introduced the proposal (CoP16 Prop.25) to transfer their population of *C. siamensis* (Siamese crocodile) from Appendix I to Appendix II, with a zero quota for wild specimens. Thailand explained the zero quota placed on wild specimens would ensure only captive-bred populations, which contribute to local livelihoods, would be traded. The Gambia, Ecuador, Pakistan, Uganda, Madagascar, Colombia, Brazil, Lao PDR, the Philippines, Cambodia, Indonesia and China, among others, commended Thailand's captive breeding programme and supported the proposal. The US, Ireland, on behalf of the EU and its Member States and Croatia, and Switzerland did not support the proposal, stating that Thailand's wild population is small, fragmented and does not meet the biological criteria for downlisting, emphasizing that the IUCN Crocodile Specialist Group also opposed the proposal as the species remains "Critically Endangered." The proposal was put to a vote. It failed to meet the two-thirds majority needed to pass, with 69 voting in favor, 49 against and 11 abstaining.

On Wednesday, 13 March, Thailand, supported by Ecuador and Cambodia, requested reopening the proposal in plenary. Ireland, on behalf of the EU and its Member States and Croatia, supported by Switzerland, questioned the need to re-open discussion. The motion to re-open the discussion carried, with 48 in favor, 74 against and 16 abstentions. After a discussion, the CoP voted on the proposal, which was rejected, with 57 in favor, 70 against and 11 abstentions.

Final Outcome: The CoP did not adopt the proposal (CoP16 Prop.25).

Naultinus spp: On Friday, 8 March, in Committee I, New Zealand introduced the proposal (CoP16 Prop.26) to transfer all nine species of geckos in the genus *Naultinus* from Appendix III to Appendix II, noting *N. gemmaeus* meets the biological criteria for uplisting and the other species meet the "look-alike"

provisions. Many supported the proposal, including Japan, Ecuador, Samoa, Liberia and Pro-Wildlife. Committee I agreed to the proposal, which was adopted on Wednesday, 13 March.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.26).

Protobothrops mangshanensis: On Friday, 8 March, in Committee I, China introduced the proposal (CoP16 Prop.27) to include all populations of *P. mangshanensis* (Mangshan pit viper) on Appendix II, highlighting small population sizes, restricted distribution and threats from the international pet trade. The US, Pakistan and Madagascar agreed with the proposed listing. Committee I accepted the proposal, which the CoP adopted on Wednesday, 13 March.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.27).

Chelodina mccordi: On Friday, 8 March, in Committee I, the US introduced the proposal (CoP16 Prop.28) to transfer *C. mccordi* (Roti Island snake-necked turtle) from Appendix II to Appendix I, highlighting that the species is listed as one of IUCN's top 25 endangered tortoises and freshwater turtles.

Indonesia, as a range state, opposed the proposal, stating that international trade is mainly in captive-bred specimens. Supported by China, Qatar and Guyana, he proposed adding an annotation to the current Appendix II listing for a zero export quota from the wild. The US did not wish to block consensus, but asked for a decision to be added requesting the AC to undertake a Periodic Review of the species.

Committee I agreed to the amended proposal with the added annotation and to a decision for its consideration in a Periodic Review.

Final Outcome: The CoP adopted the amended proposal and decision (CoP16 Prop.28).

Clemmys guttata: On Friday, 8 March, in Committee I, the US introduced the proposal (CoP16 Prop.29) to list *C. guttata* (spotted turtle) on Appendix II, noting, among other things, its capture from the wild for trade, primarily bound for Asia. Among others, Ireland, on behalf of the EU and its Member States and Croatia, voiced support. Committee I agreed to the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.29).

Emydoidea blandingii: On Friday, 8 March, in Committee I, the US introduced the proposal to list *E. blandingii* (Blanding's turtle) on Appendix II (CoP16 Prop.30), noting, among other things, its upgrade to endangered on the IUCN red list. Among others, Canada and Senegal spoke in support. Committee I agreed to the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.30).

Malaclemys terrapin: On Friday, 8 March, in Committee I, the US introduced the proposal to include *M. terrapin* (diamondback terrapin) in Appendix II (CoP16 Prop.31) emphasizing an Appendix II listing could enhance domestic law enforcement. Several parties supported the listing, including the UK, as a range state. Committee I accepted the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.31).

Freshwater box turtles: On Friday, 8 March, in Committee I, before discussion on freshwater box turtles (CoP16 Prop.32), Committee I Chair Caceres, cited Rule 23.6 and said the proposal, as least restrictive to trade, would be considered prior to proposals on *Cuora galbinifrons*, *Geoemyda japonica* and *Mauremys annamensis* (CoP16 Prop.33-35). The listing proposals for *C. galbinifrons* (Prop.33) and *M. annamensis* (Prop.35) were to transfer the two species from Appendix II to Appendix I, and for *G. japonica* (Prop.34) for an Appendix II listing with a zero annual export quota, with primarily commercial purposes for wild-caught specimens. The proposal for freshwater box turtles (Prop.32) included an Appendix II listing with a zero quota on wild species for commercial purposes for *C. galbinifrons*, and an Appendix II listing for *G. japonica* and *M. annamensis*, provisions that were less restrictive to trade.

China introduced the proposal (CoP16 Prop.32), submitted with the US, to include 15 species of freshwater box turtles from the Family Geoemydidae in Appendix II (*Cyclemys atripons*, *C. dentate*, *C. shanensis*, *C. oldhamii*, *C. pulchriestrata*, *Geoemyda japonica*, *G. spengleri*, *Hardella thurjii*, *Mauremys japonica*, *M. nigricans*, *Melanochelys trijuga*, *Morenia petersi*, *Sacalia bealei*, *S. quadriocellata* and *Vijayachelys silvatica*) and to annotate the Appendix II listings of another 15 species with a zero quota on wild specimens for commercial purposes (*Batagur borneoensis*, *B. trivittata*, *Cuora aurocapitata*, *C. flavomarginata*, *C. galbinifrons*, *C. mccordi*, *C. mouhotii*, *C. pani*, *C. trifasciata*, *C. yunnanensis*, *C. zhoui*, *Heosemys annandalii*, *H. depressa*, *Mauremys annamensis* and *Orlitia borneensis*).

Following China's introduction, Chair Caceres clarified the adoption of the proposal would preclude consideration of Prop.33-35, again citing Rule 23.6, which stipulates that, when the adoption of one proposal necessarily implies the rejection of another proposal, the latter proposal shall not be submitted for decision. Japan agreed that the proposal on *Geoemyda japonica* (Prop.34) would not be considered, and stated instead her intent to register a national zero export quota. Viet Nam submitted a motion to allow discussion of *Cuora galbinifrons* and *Mauremys annamensis* (Prop.33 and 35), agreeing this motion could be considered after the decision on Prop.32.

Following further discussion, Committee I agreed to Prop.32.

After the decision on Prop.32, Viet Nam, under Rule 18.1, appealed the Chair's ruling. In a simple majority vote, the Chair's ruling to disallow Prop.33 and Prop.35 was sustained, with 27 voting yes, 59 no and 17 abstaining.

Recognizing the outcome of the vote, Viet Nam said the species in these two proposals, *C. galbinifrons* and *M. annamensis*, qualify for inclusion in Appendix I and asked that these species be included in the Periodic Review as a matter of priority. Committee I noted Viet Nam's request.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.32).

Platysternidae: On Friday, 8 March, in Committee I, Viet Nam introduced the proposal (CoP16 Prop.36), with the US as co-proponent, to transfer the Family Platysternidae (big-headed turtles) from Appendix II to Appendix I. Among others, Senegal supported the proposal. Committee I agreed to accept the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.36).

Geochelone platynota: On Friday, 8 March, in Committee I, the US introduced the proposal (CoP16 Prop.37) to transfer *Geochelone platynota* (Burmese star tortoise) from Appendix II to I, noting, *inter alia*, the species is included on the IUCN's list of the world's 25 most endangered tortoises and freshwater turtles. Ireland, on behalf of the EU and its Member States and Croatia, voiced support. Committee I agreed to the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.37).

Softshell turtles: On Friday, 8 March, in Committee I, the US introduced the proposal (CoP16 Prop.38), co-sponsored by China, to include in Appendix II eight species of softshell turtles from the family Trionychidae (*Aspideretes leithii*, *Dogania subplana*, *Nilssonina formosa*, *Palea steindachneri*, *Pelodiscus axenaria*, *P. maackii*, *P. parviformis* and *Rafetus swinhoe*), and to transfer from Appendix II to Appendix I two *Chitra* species (*Chitra chitra* and *C. vandijkii*). Among others, Paraguay, Thailand and Humane Society International supported the proposal. India also expressed support, noting his preference for an Appendix I listing. Committee I accepted the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.38).

Epipedobates machalilla: On Friday, 8 March, in Committee I, Ecuador introduced the proposal (CoP16 Prop.39) to include *E. machalilla* (Machalilla poison dart frog) on Appendix II. In discussions on taxonomy, Ecuador said the species, which had been recently transferred from the genus *Colostethus*, was the only *Epipedobates* species not included in the standard reference for amphibians adopted at CoP15 (Resolution Conf.12.11 (Rev. CoP15)). Nomenclature Specialist Ute Grimm said the AC Nomenclature Specialist Working Group felt unable to give a recommendation on whether *E. machalilla* was covered in the original 1987 *Epipedobates* listing and recommended that Ecuador, as the range state, undertake an investigation and submit a proposal. Following several interventions of support, Committee I agreed to the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.39).

Rheobatrachus silus and R. vitellinus: On Friday, 8 March, in Committee I, Australia presented two proposals (CoP16 Prop.40 and 41) to delete *R. silus* (southern gastric-brooding frog) and *R. vitellinus* (northern gastric-brooding frog), respectively, from Appendix II. Following explanation from Australia that the species are extinct, the Committee agreed to support the proposals.

Final Outcome: The CoP adopted the proposals (CoP16 Prop.40 and Prop.41).

Carcharhinus longimanus: On Monday, 11 March, in Committee I, Colombia introduced the proposal (CoP16 Prop.42), with co-proponents Brazil and the US, to include *C. longimanus* (oceanic whitetip shark) on Appendix II, with an annotation to delay the entry into effect by 18 months to resolve technical and administrative issues.

Extensive discussions followed. Among the supporters were Ireland, on behalf of the EU and its Member States and Croatia, Liberia, the Bahamas, Norway and Republic of the Congo.

Reasons cited for support included that: the proposal is justified by scientific criteria; action by CITES would complement measures by RFMOs; and NDFs can be made to allow continued trade in sharks while ensuring their sustainable management.

Others opposed the listing, including Japan, China, Singapore, and Saint Vincent and the Grenadines. Opponents pointed to, *inter alia*: management measures for sharks developed by RFMOs; implementation challenges, including with identification of mixed shipments of fins; and negative impacts on livelihoods of coastal communities.

The Committee put the proposal to vote by secret ballot, as requested by Japan and supported by at least 10 parties. The proposal passed, with 92 for, 42 against and 8 abstentions. Several parties publicly announced their votes.

On Thursday, 14 March, in plenary, Japan, seconded by the Gambia and India, proposed re-opening discussion. Japan asked that, if the decision on whether to re-open the debate was taken to vote, it be by secret ballot.

Colombia, supported by Senegal, opposed re-opening discussion, with Colombia explaining the proposal had been "duly and extensively" addressed in Committee I and the decision taken reflected the will of the majority. Mexico and Colombia said there must be clear arguments to justify the re-opening of debate, and noted these had not been given.

The Secretariat clarified the CoP would take a decision on Japan's motion of whether to open plenary debate on the matter, and listed more than ten parties who supported the motion for a secret ballot.

Switzerland raised a procedural point, saying he understood a two-thirds majority would be required to re-open debate. Japan said the Rules of Procedure indicate motions to re-open debate may not include discussion of the substance of the discussion itself, and added the decision should be taken by a one-third majority, pointing to Rule 19 paragraph 1. The Chair ruled the decision would require a one-third majority and proceed by secret ballot.

As the motion to re-open debate was rejected by vote, with 44 voting yes, 93 no and 4 abstaining, the CoP adopted the proposal. Following this, a number of parties announced their votes, with several citing transparency as their motivation for disclosing their positions.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.42).

Sphyrna lewini, S. mokarran and S. zygaena: On Monday, 11 March, in Committee I, Brazil introduced the proposal (CoP16 Prop.43) to include *S. lewini* (scalloped hammerhead shark) on Appendix II with an annotation to delay the entry into effect by 18 months, with *S. mokarran* (great hammerhead shark) and *S. zygaena* (smooth hammerhead shark) included as look-alike species.

Mexico, Ireland, on behalf of the EU and its Member States and Croatia, Honduras, Colombia, Costa Rica and Ecuador supported the proposal as co-proponents, with many stressing unregulated international trade in fins as a key threat. A number of parties spoke in support.

Several parties voiced opposition, including the Southern African Development Community (SADC), China, India and Japan, noting, among other things, concerns: that the listing

of these three species would lead to the inclusion of other hammerhead shark species on Appendix II as lookalike species; on the socio-economic implications of the listing; and with implementation challenges.

The Committee voted on the proposal by secret ballot, as requested by China. The proposal passed, with 91 in favor, 38 against and 8 abstaining. More than ten parties announced their vote for the official record.

On Thursday, 14 March, in plenary, Grenada, seconded by China, proposed a motion to re-open discussion on the proposal. Grenada said prior to the Committee decision, many parties had been provided with contradictory information, and that re-opening the discussion would allow parties to make decisions according to their national interests based on more accurate and informed information. China added his country had additional points on implementation concerns. Grenada asked if the motion to re-open were taken to vote, it had to be by secret ballot.

Mexico, supported by Honduras, opposed re-opening discussion. Mexico stated China's explanation contravened Rule 19 paragraph 3 by referring to substantive matters, and, counter to Grenada's comment and with support from Honduras, added that no new information had become available on the proposal and there was no procedural backing to re-open debate.

The Chair announced ten parties supported the motion for a secret ballot. In the vote by secret ballot, the motion to re-open debate was rejected, with 40 voting yes, 96 no and 6 abstaining, and the proposal was adopted. Following the decision, a number of parties announced their votes, with several citing transparency as their motivation for disclosing their positions.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.43).

Lamna nasus: On Monday, 11 March, in Committee I, Ireland, on behalf of the EU and its Member States and Croatia, introduced the proposal (Cop16 Prop.44) to list *L. nasus* (porbeagle shark) on Appendix II, supported by co-proponents Egypt, Comoros and Brazil. Several others supported the proposal, including Republic of the Congo, Canada, New Zealand, Peru, Argentina and WWF, also on behalf of the International Fund for Animal Welfare, Wild Aid and Pew Environment Group. Among the points raised by supporters were: that the porbeagle is primarily fished by developed countries and the listing will not result in additional burdens for developing countries; despite assurances at previous CoPs that RFMOs will manage *L. nasus*, RFMOs have not yet done so; an Appendix II listing can support and complement RFMO efforts; and the majority of the FAO Expert Panel agrees the species meets the biological criteria for Appendix II.

Many opposed the proposal, including Iceland, Chile, Thailand, Republic of Korea and Mozambique, on behalf of SADC. Opponents highlighted, *inter alia*: the need for a full stock assessment of the Southern hemisphere prior to a decision on listing; implementation challenges; and that major fisheries targeting porbeagle are well-managed.

The Committee voted by secret ballot, as requested by Guinea. The proposal passed, with 93 in favor, 39 against and 8 abstaining. Following the decision, a number of parties announced their votes.

Final Outcome: On Thursday, 14 March, in plenary, the CoP adopted the proposal. Following the decision, China requested the Secretariat to put on record that it had "great concerns" on the enforceability and implementation of the adopted proposal. He stressed it would be extremely difficult, if not impossible, to implement, and requested the proponents to prepare and make available necessary identification material.

Pristis microdon: On Monday, 11 March, in Committee I, Australia introduced the proposal (CoP16 Prop.45) to transfer *P. microdon* (freshwater sawfish) from Appendix II to Appendix I, explaining the Pristidae family is listed on Appendix I, with the exception of *P. microdon*, and said the species warrants greater CITES protection.

Many speakers supported the proposal, including Indonesia, India, the US, Kenya, Samoa and Species Survival Network (SSN), on behalf of Shark Advocates International, Project AWARE, WCS, the German Elasmobranch Society and Shark Trust. Japan expressed doubts on the benefits of uplisting, but did not wish to block consensus. Committee I accepted the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.45).

Manta: On Monday, 11 March, in Committee I, Ecuador introduced the proposal (CoP16 Prop.46) to include the genus *Manta* (manta rays) in Appendix II with an annotation to delay its entry into effect, underscoring its low rates of reproduction and high vulnerability to growing trade in gill plates.

Brazil and Colombia, as co-proponents, supported the proposal, along with many others including Mozambique, on behalf of SADC, Ireland, on behalf of the EU and its Member States and Croatia, Uruguay, Liberia and Thailand. Among reasons for support, speakers noted local fishing communities do not depend on manta rays for food or income and the species' vulnerability justified the precaution of listing.

Others, such as Cambodia, China and Japan, opposed the proposal, pointing, *inter alia*, to concerns that scientific data were insufficient and the fact proponents had not raised the need for conservation measures under the relevant RFMOs.

The Committee voted by secret ballot, as requested by Cambodia. The proposal passed, with 96 in favor, 23 against and 7 abstaining. Many parties announced their votes.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.46).

Paratrygon aiereba: On Tuesday, 12 March, in Committee I, Colombia presented the proposal (CoP16 Prop.47) to include *P. aiereba* (Ceja river stingray) in Appendix II with an annotation to postpone entry into effect by 18 months, urging parties to employ the precautionary principle to list the species. Among others, Ecuador, Costa Rica, El Salvador, Madagascar and Defenders of Wildlife supported the proposal. Ireland, on behalf of the EU and its Member States and Croatia, opposed the proposal, citing insufficient information, and preferred an Appendix-III listing. The FAO said the species does not meet the biological criteria for an Appendix-II listing. In a vote, Committee I did not accept the proposal, with 51 votes in favor, 51 against and 19 abstentions.

On Thursday, 14 March, in plenary, Committee I Chair Caceres noted that Committee I had voted to reject the proposal. Colombia, noting her “full respect” for the Committee decision and saying she did not wish to contest the outcome, informed the CoP of the receipt of comments from range states and requested to present a draft decision to initiate a data collection process, with the aim of making progress towards a future Appendix II listing.

CoP Chair Rengsomboonsuk responded this request would mean the debate would have to be re-opened. Reiterating her respect for Committee I’s decision, Colombia, supported by Paraguay and Ecuador, motioned to re-open the debate.

Colombia read the proposal, which, *inter alia*, directs the Secretariat to establish a working group with the range states under the AC to gather information on the management status, international and national trade of *P. aiereba* and encourages states, following the assessment of conservation status and threats, to participate in the development of research and monitoring programmes. Colombia agreed to an amendment from the Secretariat that the AC, rather than the Secretariat, would establish the working group.

Recalling their view there was not sufficient information to support inclusion of *P. aiereba* in Appendix II, Ireland, on behalf of the EU and its Member States and Croatia, supported the proposed decision. Brazil, Senegal, Peru, Uruguay, Ecuador, the US, Mexico, Venezuela, Paraguay and Chile also supported the decision. Japan requested parties not to repeat the introduction of proposals at the final moment of plenary, expressing concern about setting a precedent for such practice, but said he would not block consensus.

Final Outcome: The CoP adopted the amended decision, which Colombia said it would provide to the Secretariat in writing.

Potamotrygon motoro and P. schroederi: On Tuesday, 12 March, in Committee I, Colombia introduced the proposal (CoP16 Prop.48) to list *P. motoro* (South American freshwater stingray) and *P. schroederi* (Rosette river stingray) on Appendix II, with an annotation to postpone the entry into effect. Ecuador, as co-proponent, recognized the lack of information on these species, but said listing on Appendix II would allow, *inter alia*, international control and NDFs. Brazil, Venezuela and Uruguay, as range states, along with Senegal, Argentina and the US, supported the proposal. Opposing the proposal were Paraguay and Guyana, as range states for *P. motoro*, and Ireland, on behalf of the EU and its Member States and Croatia, preferring instead to list these species on Appendix III. In a vote, Committee I did not accept the proposal, with 55 voting yes, 52 no and 25 abstaining.

Final Outcome: The CoP rejected the proposal (CoP16 Prop.48).

Papilio hospiton: On Tuesday, 12 March, in Committee I, Ireland, on behalf of the EU and its Member States and Croatia, introduced the proposal (CoP16 Prop.49) to transfer *Papilio hospiton* (Corsican swallowtail butterfly) from Appendix I to Appendix II, noting that the species is not traded either legally or illegally. The proposal, supported by Peru and Switzerland, was agreed by the Committee.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.49).

Yucca queretaroensis: On Tuesday, 12 March, in Committee I, Mexico introduced the proposal (CoP16 Prop.50) to list *Yucca queretaroensis* (Queretaro yucca) in Appendix II, highlighting, *inter alia*, growing demand on international markets. Ireland, on behalf of the EU and its Member States and Croatia, noted that, in spite of limited available information on trade levels and the effects of harvest, they supported the proposal, and the Committee agreed.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.50).

Madagascar plants: On Tuesday, 12 March, in Committee I, Madagascar introduced seven proposals (CoP16 Prop.51, 64-68 and 71) for Appendix II listings for plant species: *Operculiia decaryi* (Prop.51); *Senna meridionalis* (Prop.64); *Adenia firingalavensis* (Prop.65); *A. subsessifolia* (Prop.66); *Uncarina grandidieri* (Prop.67); *U. stellulifera* (Prop.68); and *Cyphostemma laza* (Prop.71).

In discussions, participants expressed differing views on the strength of evidence for listing. The US highlighted the improvement in data on these proposals since CoP15. South Africa said explanations provided informally by Madagascar had convinced him of threats to wild populations from international trade and the difficulties in tracking trade. Ireland, on behalf of the EU and its Member States and Croatia, noted, *inter alia*, the available trade information does not justify the listing, but said it would not block consensus. Committee I accepted the seven proposals.

Final Outcome: The CoP adopted the seven proposals (CoP16 Prop.51, 64-68 and 71).

Hoodia spp.: On Tuesday, 12 March, in Committee I, Namibia introduced the proposal (CoP16 Prop.52) to amend the annotation of *Hoodia spp.* (Hoodias), with Botswana and South Africa as co-proponents, noting the current annotation had caused confusion on the term “agreement.” Switzerland explained it had previously entered a reservation because the annotation focused on artificially-propagated species, but said he would not block consensus. Ireland, on behalf of the EU and its Member States and Croatia, welcomed the amendment and, supported by the US, proposed including a draft decision directed to the SC Working Group on Annotations to review this annotation. An additional request from Ireland, on behalf of the EU and its Member States and Croatia, to exclude finished products was opposed by Namibia on the grounds this would expand the scope of the proposal. Namibia’s position was supported by a ruling of the Committee I Chair.

Committee I agreed to the proposal with a minor amendment by the Secretariat and the decision directed to the SC.

Final Outcome: The CoP adopted the amended proposal and added decision (CoP16 Prop.52).

Panax ginseng and P. quinquefolius: On Tuesday, 12 March, in Committee I, the US introduced the proposal (CoP16 Prop.53) to amend the annotation to the Appendix-II listings of *Panax ginseng* and *P. quinquefolius* (American ginseng) to exclude manufactured parts and derivatives, noting changes to previous annotations had created confusion in enforcement.

Canada said she did not view a change to the annotation as necessary but would not block consensus. Ireland, on behalf of the EU and its Member States and Croatia, supported the proposal, and also proposed a new decision, supported by Canada, recommending the SC refer the amended annotations to its Working Group on Annotations for standardization and amendment, as appropriate. Committee I agreed to the proposal to amend the annotation and to the proposed decision.

Final Outcome: The CoP adopted the proposal with the added decision (CoP16 Prop.53).

Tillandsia spp.: On Tuesday, 12 March, in Committee I, Brazil introduced the proposals (CoP16 Prop.54-56) to delete three *Tillandsia* species from Appendix II: *T. kautskyi* (Prop.54); *T. sprengeliana* (Prop.55); and *T. sucrei* (Prop.56), explaining the species no longer qualifies for an Appendix-II listing. Among others, the PC Chair, Ireland, on behalf of the EU and its Member States and Croatia, and Chile supported the proposals, which were adopted by the Committee.

Final Outcome: The CoP adopted the proposals (CoP16 Prop.54-56).

Dudleya stolonifera and D. traskiae: On Tuesday, 12 March, in Committee I, the US introduced the proposal (CoP16 Prop.57) to delete *D. stolonifera* (Laguna beach live-forever) and *D. traskiae* (Santa Barbara Island live-forever) from Appendix II, explaining no wild or illegal trade has been recorded since their transfer from Appendix I to Appendix II. Committee I adopted the proposal.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.57).

Diospyros spp. and Dalbergia spp.: On Tuesday, 12 March, in Committee I, Madagascar presented their proposals (CoP16 Prop.58 and 63) to include, respectively, the populations of *Diospyros spp.* (Malagasy ebony) and *Dalbergia spp.* (Malagasy rosewood) in Appendix II, with an annotation limited to logs, sawn wood and veneer sheets, noting, *inter alia*, the Appendix III listing had not prevented exploitation. Many voiced support for the proposals, including the US, Cameroon, Colombia and the PC Chair.

China, supported by Ireland, on behalf of the EU and its Member States and Croatia, proposed amending the text of the proposed action plan (CoP16 Inf.52) to add “especially developed country parties” when requesting importing countries to work with Madagascar.

Parties agreed to the proposals and the action plan as amended by China and with a minor amendment by the Secretariat.

Final Outcome: The CoP adopted the proposals and action plan as amended (CoP16 Prop.58 and 63).

Aniba rosaeodora: On Tuesday, 12 March, in Committee I, Brazil introduced the proposal (CoP16 Prop.59) to amend the annotation to the Appendix-II listing of *A. rosaeodora* (Brazilian rosewood), to reflect the new definition of “extract,” as agreed to by Committee II (CoP16 Doc.75), specifying the annotation excludes finished products. He noted the new definition considers essential oils as extracts. Argentina, Madagascar and Senegal supported the annotation amendment. The proposal was accepted by Committee I.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.59).

Dalbergia cochinchinensis: On Tuesday, 12 March, in Committee I, Thailand introduced the proposal (CoP16 Prop.60), with co-proponent Viet Nam, to include *D. cochinchinensis* (Siamese rosewood) in Appendix II, with an annotation specifying logs, sawn wood and veneer sheets.

Several speakers supported the proposal, including Madagascar, Belize and EIA, the UK and Ireland, on behalf of the EU and its Member States and Croatia, suggested the species meets the criteria for listing on Appendix I. Committee I accepted the proposal with the annotation.

Final Outcome: The CoP adopted the amended proposal (CoP16 Prop.60).

Dalbergia retusa and D. granadillo: On Tuesday, 12 March, in Committee I, Belize introduced the proposal (CoP16 Prop.61) to include *D. retusa* (black rosewood) and *D. granadillo* in Appendix II, and proposed adding an annotation specifying logs, sawn wood, veneer and plywood, explaining *D. retusa* meets the listing criteria for Appendix II and *D. granadillo* qualifies as a look-alike.

Several spoke in support of the proposal, including Panama and SSN. The Committee agreed to the proposal with the proposed annotation.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.61).

Dalbergia stevensonii: On Tuesday, 12 March, in Committee I, Belize introduced the proposal (CoP16 Prop.62) to include *D. stevensonii* (Honduras rosewood) in Appendix II, adding Annotation 6, pointing to threats from legal and illegal logging for international trade. The proposal with its annotation was agreed by Committee I.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.62).

Osyris lanceolata: On Tuesday, 12 March, in Committee I, Kenya introduced the proposal (CoP16 Prop.69) to include *O. lanceolata* (East African sandalwood) on Appendix II, with an amendment to restrict inclusion in Appendix II to populations in Kenya, Tanzania, Uganda, Rwanda, Burundi and Ethiopia, and with the addition of Annotation 2. Among others, Tanzania, Uganda, Burundi and Ethiopia supported the proposal. Kenya also requested adoption of a decision that, *inter alia*, recommends the PC and the East African Range States review and gather further information on the status of trade; assess the impacts of such trade on the conservation status of East African species; carry out NDFs for listed populations; and report on the work at CoP17. The Committee agreed to the proposal as amended, with its annotation and decision directed to the PC, the East African Range States, which Kenya said it will provide to the Secretariat in writing.

Final Outcome: The CoP adopted the proposal (CoP16 Prop.69).

Aquilaria spp. and Gyrinops spp.: On Tuesday, 12 March, in Committee I, China introduced the proposal (CoP16 Prop.70), with co-proponents Kuwait and Indonesia, to delete the current annotation to the listing of *Aquilaria spp.* and *Gyrinops spp.* (agarwood-producing taxa) in Appendix II, and replace it with a new annotation. She also presented two new proposed draft decisions related to the development of an identification manual for agarwood products. Senegal, Egypt, Qatar and Malaysia

supported the proposal with the amendments. TRAFFIC raised concerns about the exemption of exhausted powder.

Committee I agreed to the proposal for the deletion of the annotation, replacement with the new annotation as amended and the proposed draft decisions by consensus.

Final Outcome: The CoP adopted the proposal and the decisions (CoP16 Prop.70).

CLOSING PLENARY

On Thursday, 14 March, during the closing session, South Africa offered to host CoP17 in 2016 and presented a video about her country. Delegates accepted South Africa's offer by acclamation.

CoP16 Chair Preecha Rengsomboonsuk thanked all delegates for their participation. Several parties, intergovernmental organizations and non-governmental organizations made closing remarks. John Scanlon, CITES Secretary-General, praised the delegates for tackling 161 working documents over nine days. He commended the spirit of respect in the room and the decision to place many new species under CITES' control. The meeting was gavelled to a close at 4:36 pm.

A BRIEF ANALYSIS OF COP16

"This will be a difficult two weeks," remarked one delegate, as CITES CoP16 commemorated its 40th anniversary and CoP16 got underway by tackling the contentious question of the use of secret ballots for voting. The divided positions on the issue—exemplified by divergent views on the number of parties needed to support even initiating the discussions—led to two "extraordinary" plenaries in the early days of the meeting to address the matter. Yet the question of transparency was only one of the challenging issues addressed by the CoP. Numerous drafting and working groups convened throughout the two weeks to resolve divergent views on a number of ongoing debates, most notably on budget, including whether and how to approach the Global Environment Facility (GEF) to serve as a financial mechanism for CITES, and conflicts of interest in the scientific committees. For some of these matters, along with several of the proposed species listings on the CITES Appendices, no consensus was achieved, and parties resorted to voting to reach final decisions.

Regardless of their positions on each specific debate, wide agreement was expressed inside and outside of the negotiating rooms on the need for action against illegal trade, increasingly referred to as a crime. This widespread understanding of the severity of wildlife trafficking was underscored by several events that took place in parallel with CoP negotiations. These included a roundtable of ministers and high-ranking officers convened at the beginning of the CoP, followed by meetings of wildlife enforcement networks and a symposium on wildlife crime that brought together justices and attorneys general. Each gathering underscored that illegal trade in wildlife is a growing threat that can only be addressed with concerted actions, such as through the recently established International Consortium on Combating Wildlife Crime (ICWC).

This brief analysis will explore the legacy and future of CITES through a closer look at transparency (and voting), illegal trade (with a focus on rhinos, elephants and Asian big cats) and

the ongoing challenge of balancing economic, environmental and social considerations, including through developing and strengthening cooperation across other organizations and multilateral environmental agreements (MEAs).

A SEE-THROUGH CONVENTION? TRANSPARENCY AND ACCOUNTABILITY

A series of votes on the Rules of Procedure on the use of secret ballots, including votes on whether and how to even address the issue, led to confusion and contestation, revealing deep divides among parties and regions on the way the CoP takes decisions. While few parties spoke openly about fears of bribery, discussions in the corridors provided more candid commentary. Some lamented that powerful donor nations exert undue influence on small, developing countries, particularly African and small island developing states, many of whom depend on bilateral funding for areas of work beyond CITES. One developing country delegate alluded to these pressures, noting that negotiations happened more in hallways and communiqués to home governments than in the official meeting rooms.

A key divide among parties was whether these secret ballots were "procedural" or "substantive" issues, and the majority of parties, as indicated by the vote outcome, viewed them as the latter. For many, this decision highlighted the significance of the matter, but did not resolve the question of whether secret ballots increased freedom for countries by reducing their susceptibility to political pressures from other states or lobbyists, or whether it masked such political pressures and removed delegates' accountability to home governments and citizens.

Following the first secret ballot, the US announced it had a domestic mandate to announce its position publicly on every vote taken in secret. In Committee I's work on proposals to amend the appendices, a growing number of parties took similar action, announcing their vote for the official record. Many pointed to transparency as the motivation for these announcements, and, in the corridors, some delegates suggested that if enough parties were to take this approach, it would effectively undermine the decision on secrecy—although, of course, this depends on parties being truthful when divulging their votes.

For some participants, however, the issue of transparency was not easily reconciled with their view that secret ballots didn't mask bribery (as some feared), but instead relieved small developing parties from the pressures of regional bloc and donor positions. In extraordinary plenary debates, several parties pointed to the role of secret ballots in democracies, which allows voters freedom from coercion. Others, though, stressed the difference between individual voters and sovereign states in international negotiations, viewing the need for public accountability as stronger than fears of political pressure from other states.

While these debates dominated the agenda in the early days of the CoP, once decided upon, parties seemed willing to move on and work constructively on other agenda items. Among these, in the days following the extraordinary plenary sessions, CoP16 revised and adopted several decisions on the budget, enforcement measures to address wildlife crime and the Strategic Vision, along with appendices amendments for a number of species including sharks, manta rays, turtles, rosewood and ebony.

BEYOND THE RULE OF LAW? CITES' ROLE IN ADDRESSING ILLEGAL TRADE

CITES CoP16 convened in the context of often-cited findings that illegal trade in wildlife is now the fourth largest illegal global trade, behind only narcotics, counterfeiting and human trafficking. Sobering statistics on species declines resulting from this illegal trade reminded delegates of the urgency of their decisions.

The impacts of legal domestic trade on international legal and illegal markets, and of farming and ranching operations on wild populations, were hotly contested. Parties debated how to address international trade bans in the context of legal domestic trade, and, conversely, how to enforce and implement domestic trade bans when international markets proliferate. Some parties promoted the role of legal trade in advancing the conservation of highly-vulnerable species by providing local communities with economic incentives for sustainable management. Several debates on different species illustrated these tensions.

Discussions on tigers raised questions as to whether legal domestic trade in some tiger parts and products, as some parties claim exists in China from captive-bred populations, can continue without compromising international trade bans and hastening the decline of wild populations. In a similar vein, participants highlighted concerns about Canadian permits for polar bears (currently a legal international trade) ending up in the hands of poachers, thus allowing traders to circumvent the Russian Federation's ban on polar bear hunting through these illegal markets. Some expressed fears that restricting trade in porbeagle sharks would increase the mis- and non-reporting of bycatch by fishing vessels, thereby negatively affecting the available data for setting catch limits and quotas. Others pointed to successful experiences in South Africa with captive-breeding rhino operations as a way to support community livelihoods and reduce poaching.

The rise in illegal elephant killings across African range states in recent years, especially the last few months, meant discussions were framed by shared concerns about the need to stop illegal trade in ivory and other wildlife products. In the lead-up to the CoP, Tanzania withdrew its proposal to downlist its population of *Loxodonta africana* (African elephant), in what many saw as a response to the increase in illegal killings. Several lauded Tanzania's "constructive" efforts towards discussions. What few parties agreed on, however, were the mechanisms required to shut down illegal trade. As a result, CoP16 did not resolve the long-standing debate on elephants concerning one-off ivory sales, with participants continuing to disagree strongly on the impact and wisdom of such sales as a strategy to protect elephants. Proponents laud one-off sales as a way of funding conservation efforts and fulfilling demand through controlled means, while opponents see these as stimulating demand and increasing incentives for poaching and black markets. Programmes to assess the impact of these sales, such as the Monitoring the Illegal Killing of Elephants (MIKE) and Elephant Trade Information System (ETIS), found no clear connection between the sales and illegal markets, but several delegates pointed to the limited number of one-off sales as providing insufficient evidence for such a conclusion. Parties remained split on whether to even engage in debates on a CITES decision-making mechanism

(DMM) to standardize decisions on whether and when to allow one-off sales, with some opposing any move towards allowing such sales.

With the withdrawal of downlisting proposals on elephants and rhinos, and the postponement of agreement to CoP17 on the outcome of a DMM, the results of this CoP left many debates unresolved. In light of ongoing deep divergences, some delegates anticipated challenging intersessional work, with these tensions setting the tone for its next meeting in South Africa.

THE FUTURE OF CITES? LOOKING BACK TO LOOK FORWARD

On its 40th anniversary, CITES showed no signs of fatigue as a convention at the heart of the challenges of balancing conservation with international trade, and species protection with livelihoods. High-value species have comprised the core of CITES' work during its first forty years. Outcomes on ivory, mahogany and sturgeon reflect the capacity of parties to take decisions that have significant economic implications, although these outcomes usually follow substantial debate. The decisions at CoP16 signal the continued willingness of CITES parties to address difficult topics and species.

The last few CoPs have reflected a swath of changes in the views of parties on the role of CITES. Seasoned delegates recalled acrimonious debates over timber only a few CoPs ago, and pointed to the inclusion of many economically-valuable timber species at this CoP as reinforcing consensus that CITES has a role in regulating this trade. Some pointed to a similar "turning of the tide" on economically-valuable marine species, shown by the CoP16 listings of oceanic whitetip, hammerhead and porbeagle sharks, as well as manta rays. One participant hailed the final plenary of CoP16 "as the most significant day for the oceans in the 40-year history of CITES."

The increasing scope of the Convention has resulted in a critical debate over its relationship to other international organizations and agreements. For some, the marine listings were seen as more appropriately managed by regional fisheries management organizations (RFMOs), but others rebutted that RFMOs had done little for improving the conservation status of the shark species that delegates could not agree to list at CoP15. Others still expressed optimism that CITES could complement RFMOs. This type of cooperation has become a fundamental component of CITES work, with its actions on valuable tropical timber species occurring in close partnership with the International Tropical Timber Organization (ITTO). Growing interaction with the Food and Agriculture Organization of the UN (FAO) along with decisions taken at CoP16 on CITES Plants Committee (PC) cooperation with the Convention on Biological Diversity (CBD) and its Global Strategy on Plant Conservation (GSPC) illustrate additional institutional linkages. Decisions on synergies with other MEAs and especially biodiversity-related conventions also reflect ongoing efforts to harmonize and integrate actions across international bodies. Along with reducing the burden on the CITES Secretariat, and the associated financial benefits accrued by sharing activities across these organizations, the decisions reflect an acknowledgement of the role of CITES across trade, environment and social development realms, and its ability to contribute to the measures taken in these other forums.

The question of “successes” at the CoP drew thoughtful responses from delegates. Some underscored that the decisions drawing cheers and applause in meeting rooms—most notably four listings on commercially-valuable marine species, comprising three proposals on sharks and one on rays—were in fact failures, since a listing only occurs when management and conservation measures have failed. One commented that “we should be crying, not clapping” when such decisions are deemed necessary. Others stated that CITES commitments need to be implemented before earning applause. As Committee II debates revealed, many states have yet to enact CITES-related legislation, despite some having been party to the Convention for more than twenty years. One delegate remarked that this “seriously undermines” the implementation of the Convention, noting the outcomes of CITES decisions depend on domestic action by governments. Reflecting on the paucity of repercussions for this lack of action, numerous parties pushed for the adoption of tougher compliance measures, including suspension of trade for parties that fail to act on their commitments. One respected participant, taking a long view of the Convention, commented that in its early years, parties were reluctant to even discuss penalties for non-compliance. He pointed to current discussions as an indication that “the tusks of CITES have grown.”

The decisions taken at CoP16 reinforced many parties’ conviction that CITES decision-making processes are up to the challenge of balancing the environmental, social and economic pillars of sustainable development. Now the world will look to CoP17, scheduled to convene in 2016 in South Africa, to see how parties enforce the decisions taken at this meeting, and will judge the outcomes based on their impact on endangered species, whose very existence may hinge on the implementation of the Convention.

UPCOMING MEETINGS

THIRD MEDITERRANEAN FOREST WEEK: The third Mediterranean Forest Week is being organized by the Governments of Algeria, France, Germany, Tunisia and Turkey, along with FAO, the Secretariat of the Committee on Mediterranean Forestry Questions, l’ Association Internationale Forêts Méditerranéennes, le Centre Technique Forestier Tropical, the European Forest Institute, the Mediterranean Forests Model Network and Plan Bleu. The Week will be convened under the theme “Mediterranean forests for sustainable development of territories: what strategies of mitigation and adaptation to global change.” It will focus on strengthening links between the scientific community and other stakeholders working in or dependent on Mediterranean forests, examining both the contribution of the forests to economic development and ecosystem services and their links with climate change. **dates:** 17-21 March 2013 **location:** Tlemcen, Algeria **contact:** Christophe Besacier, Secretariat of Silva Mediterranea **email:** christophe.besacier@fao.org **phone:** +39-06570-55508 **www:** <http://www.iii-med.forestweek.org/>

UNFF-10: The tenth session of the UN Forum on Forests (UNFF) will focus on forests and economic development, including agenda items on: forest products and services; national forest programmes and other sectoral policies and strategies;

reducing risks and impacts of disasters; and benefits of forests and trees to urban communities. **dates:** 8-19 April 2013 **location:** Istanbul, Turkey **contact:** UNFF Secretariat **phone:** +1-212-963-3401 **fax:** +1-917-367-3186 **email:** unff@un.org **www:** <http://www.un.org/esa/forests/session.html>

SOUTH-EASTERN ATLANTIC REGIONAL WORKSHOP TO FACILITATE THE DESCRIPTION OF ECOLOGICALLY OR BIOLOGICALLY SIGNIFICANT MARINE AREAS (EBSAS): This meeting will consider the development of scientific capacity as well as future scientific collaboration. **dates:** 8-12 April 2013 **location:** Swakopmund, Namibia **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <http://www.cbd.int/doc/?meeting=EBSA-SEA-01>

THIRD MEETING OF SIGNATORIES TO UNEP/ CMS MOU ON MIDDLE-EUROPEAN POPULATION OF GREAT BUSTARD: The Great Bustard Scientific Symposium and the Third Meeting of the Signatories to the UN Environment Programme/Convention on the Conservation of Migratory Species of Wild Animals (UNEP/CMS) MoU on the Conservation and Management of the Middle-European Population of the Great Bustard (*Otis tarda*) will be held to advance conservation actions on this species. **date:** 8-12 April 2013 **location:** Szarvas, Hungary **contact:** Melanie Virtue, CMS Secretariat **phone:** +49-228-815-2401 **fax:** +49-228-815-2449 **email:** mvirtue@cms.int **www:** http://www.cms.int/species/otis_tarda/otis_tarda_meetings.htm

WORLD OCEAN COUNCIL “SUSTAINABLE OCEAN SUMMIT”: This summit will address priorities for cross-sectoral industry leadership and collaboration in ocean sustainability. **dates:** 22-24 April 2013 **location:** Washington, DC, USA **contact:** World Ocean Council **phone:** +1-808-277-9008 **email:** info@oceancouncil.org **www:** http://www.oceancouncil.org/site/summit_2013/

22ND SESSION OF THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE: This meeting will focus on thematic discussion on the challenge posed by emerging forms of crime that have a significant impact on the environment and ways to deal with it effectively. **dates:** 22-26 April 2013 **location:** Vienna, Austria **contact:** United Nations Office On Drugs and Crime (UNODC) **phone:** +43-1-26060 **fax:** +43-1-263-3389 **email:** info@unodc.org **www:** <http://www.unodc.org/unodc/en/commissions/CCPCJ/session/22.html>

14TH SESSION OF THE INFORMAL CONSULTATIVE PROCESS (ICP14): This meeting will continue discussions on UN open-ended Informal Consultative process on Oceans and the Law of the Sea focusing on the impacts of ocean acidification on the marine environment. **dates:** 17-20 June 2013 **location:** UN Headquarters, New York **contact:** UN DOALOS **phone:** +1-212- 963-5915 **fax:** +1-212-963-5847 **email:** doalos@un.org **www:** http://www.un.org/Depts/los/consultative_process/consultative_process.htm

GEF 44TH COUNCIL MEETING: The Global Environmental Facility (GEF) Council meets twice per year to approve new projects with global environmental benefits in the GEF’s focal areas, and provide guidance to the GEF Secretariat and Agencies. **dates:** 18-20 June 2013 **location:** Washington,

DC, USA **contact:** GEF Secretariat **phone:** +1-202-473-0508 **fax:** +1-202-522-3240 **email:** secretariat@thegef.org; **www:** <http://www.thegef.org/gef/events/gef-44th-council-meeting>

AD HOC OPEN-ENDED INFORMAL WORKING GROUP TO STUDY ISSUES RELATING TO THE CONSERVATION AND SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY BEYOND AREAS OF NATIONAL JURISDICTION: The Working Group will meet to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. It will be preceded by two intersessional workshops will be convened in New York, from 2-3 May and 6-7 May 2013. **dates:** 19-23 August 2013 **location:** UN Headquarters, New York **contact:** UN DOALOS **phone:** +1-212-963-3962 **fax:** +1-212-963-5847 **email:** doalos@un.org; **www:** <http://www.un.org/Depts/los/biodiversityworkinggroup/biodiversityworkinggroup.htm>

INTERNATIONAL SNOW LEOPARD CONSERVATION FORUM: This meeting is organized by the World Bank Global Tiger Initiative with the Kyrgyz Presidency to further the agenda on snow leopard conservation. **dates:** end of August 2013 **location:** Bishkek, Kyrgyzstan **contact:** Andrew Zakharenka, World Bank **email:** azakkharenka@worldbank.org

NINTH MEETING OF THE AEWA STANDING COMMITTEE: This meeting will be hosted by the Norwegian Directorate for Nature Management on the conservation of African-Eurasian migratory waterbirds. **dates:** 18-20 September **location:** Trondheim, Norway **contact:** AEWa Secretariat **phone:** +49-228-815-2413 **fax:** +49-228-815-2450 **email:** aewa@unep.de **www:** http://www.unep-aewa.org/meetings/en/stc_meetings/stc9docs/stc9.htm

EIGHTH MEETING OF THE AD HOC OPEN-ENDED WORKING GROUP ON ARTICLE 8(J) AND RELATED PROVISIONS OF THE CONVENTION ON BIOLOGICAL DIVERSITY: This meeting will focus on the multi-year programme of work. **dates:** 7-11 October 2013 **location:** Montreal, Canada **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <http://www.cbd.int/doc/?meeting=WG8J-08>

CBD SBSTTA 17: At its 17th meeting, the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) of the Convention on Biological Diversity will address marine and coastal biodiversity, biodiversity and climate change, and collaboration with IPBES. **dates:** 14-18 October 2013 **location:** Montreal, Quebec, Canada **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <http://www.cbd.int/doc/?meeting=SBSTTA-17>

ITTC-49: The 49th Session of the International Tropical Timber Council (ITTC) and the Associated Sessions of the four Committees will meet in Gabon. **dates:** 25-30 November 2013 **location:** Libreville, Gabon **contact:** ITTO **phone:** +81-45-223-1110 **fax:** +81-45-223-1111 **email:** itto@itto.or.jp **www:** <http://www.itto.int>

IPBES-2: The second meeting of the Intergovernmental Platform on Biodiversity and Ecosystem Services will take place in late 2013. **dates:** 9-13 December 2013 **location:** to be confirmed **contact:** UNEP Secretariat **email:** ipbes.unep@unep.org **www:** <http://www.ipbes.net>

PC21/AC27: The twenty-first meeting of the Plants Committee and the twenty-seventh meeting of the Animals Committee will have a joint session. **dates:** March 2014 **location:** Mexico **contact:** CITES Secretariat **phone:** +41-22-917-8139/40 **fax:** +41-22-797-3417 **email:** info@cites.org **www:** <http://www.cites.org>

CITES COP17: The Conference of the Parties on the Convention in Trade in Endangered Flora and Fauna will convene for its seventeenth session in South Africa. **dates:** 2016 **location:** Cape Town, South Africa **contact:** CITES Secretariat **phone:** +41-22-917-8139/40 **fax:** +41-22-797-3417 **email:** info@cites.org **www:** <http://www.cites.org>

GLOSSARY

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| AC | CITES Animals Committee |
| AEAP | African Elephant Action Plan |
| AEF | African Elephant Fund |
| CBD | Convention on Biological Diversity |
| CITES | Convention on International Trade in Endangered Species of Wild Fauna and Flora |
| CMS | Convention on the Conservation of Migratory Species of Wild Animals |
| CoP | Conference of the Parties |
| CPW | Costed Programme of Work |
| EIA | Environmental Investigation Agency |
| ETIS | Elephant Trade Information System |
| FAO | Food and Agriculture Organization of the UN |
| GEF | Global Environment Facility |
| IPBES | Intergovernmental Platform on Biodiversity and Ecosystem Services |
| ITTO | International Tropical Timber Organization |
| IUCN | International Union for Conservation of Nature |
| MEA | Multilateral environmental agreement |
| MIKE | Monitoring the Illegal Killing of Elephants |
| MoU | Memorandum of understanding |
| NDF | Non-detriment finding |
| PC | Plants Committee |
| RFMO | Regional fisheries management organization |
| SADC | Southern African Development Community |
| SC | Standing Committee |
| SSN | Species Survival Network |
| UNEP | United Nations Environment Programme |
| WCO | World Customs Organization |
| WCMC | UNEP World Conservation Monitoring Centre |
| WCS | Wildlife Conservation Society |