



## CITES COP-13 HIGHLIGHTS: FRIDAY, 8 OCTOBER 2004

Committee I continued discussions on resolution reviews and proposals to amend the Appendices, including ramin, irrawaddy dolphin and *Hoodia*. Committee II considered, *inter alia*, cooperation with other organizations, and trade control and marking issues.

### COMMITTEE I

**DECISIONS: Hawksbill turtle:** The Secretariat introduced, and delegates approved, revised draft decisions (Com.I.1) on the conservation of hawksbill turtles (Doc.34).

**Nomenclature:** On standard nomenclature for birds (Doc.59.1), MEXICO proposed, and delegates agreed, to text directing the NC to review standardized nomenclatures for all bird species listed in Appendices for COP-14.

**Plant resolution review:** Australia suggested, and delegates agreed, to include text in Res. Conf. 8.3 (Recognition of the benefits of trade in wildlife) noting that implementation of a CITES listing decision should take into account potential impacts on the poor.

### PROPOSALS TO AMEND APPENDICES I AND II:

**Hoodia:** South Africa reported that the drafting group had been unable to agree on an annotation for *Hoodia* that would exempt seeds, pollen and finished pharmaceutical products, and suggested revising it for COP-14. Delegates approved the original proposal (Prop.37), with a vote of 49 in favor, 10 against, and 42 abstentions.

**Orchidaceae:** Reporting on the working group, tasked with finding ways to merge Thai and Swiss proposals on Appendix II *Orchidaceae* annotations (Prop.40 and Prop.41), South Africa noted that the proposal could not be merged as one deals with non-flowering orchids and the other with mature plants. Chair Dublin requested the working group to consider linking the Thai proposal (Prop.40) with a proposal on the annotation in the orchid genus *Phalaenopsis* (Prop.42).

**Himalayan yew:** CHINA and the US introduced their joint proposal to amend the annotation for *Taxus wallichiana* to designate all parts and derivatives, except seeds, pollens and finished pharmaceutical products (Prop.47). The EU suggested, and QATAR opposed, excluding from the annotation artificially propagated horticultural species for commercial purposes. The original proposal was adopted.

**Asian yews:** CHINA and the US introduced their joint proposal to include *Taxus chinensis*, *T. cuspidata*, *T. fauna*, *T. sumatrana* and other intraspecific taxa in Appendix II (Prop.48), with an annotation excluding seeds, pollens and finished pharmaceutical products. Noting that *T. cuspidata* is not threatened within their borders, JAPAN and the REPUBLIC OF KOREA opposed the proposal. It was adopted with an EU amendment to exclude artificially propagated horticultural species.

**Agarwood:** INDONESIA introduced its proposal, supported by the EU and others, to add an annotation to Appendix II-listed *Aquilaria spp.* and *Gyrinops spp.* (Prop.49) to include all parts and derivatives. The US opposed, stressing that adding an annotation would extend the proposal's scope, and suggested an Appendix III listing. The Secretariat drew attention to a previous COP resolution that automatically includes parts and derivatives in proposals for listing. The UNITED ARAB EMIRATES, KUWAIT, YEMEN and JORDAN expressed reservations, noting enforcement problems. Chair Dublin established a working group.

**Ramin:** INDONESIA introduced its proposal to uplist *Gonystylus spp.* from Appendix III to Appendix II (Prop.50) with annotation #1 designating all parts and derivatives except: seeds, spores and pollen; seedling or tissue cultures obtained *in vitro*; and cut flowers of artificially propagated plants. MALAYSIA proposed using annotation #5 designating logs, sawn wood, and veneer sheets, to allow time for capacity building. INDONESIA emphasized that an Appendix II listing would ensure better enforcement and benefit orangutan conservation. The PHILIPPINES, NORWAY, FIJI, the EU, GHANA, the US and others supported the proposal, with the US offering assistance to build capacity and share technical expertise with range States. The EU and TRAFFIC commended Malaysia's forest management practices, and the trilateral task force, including Indonesia, Malaysia and Singapore, to combat illegal trade. TELAPAK INDONESIA highlighted the use of violence against those working to combat illegal ramin trade. BORN FREE FOUNDATION urged assistance for enforcement. MALAYSIA said it would accept Indonesia's original proposal, which was approved.

**Irrawaddy dolphin:** THAILAND introduced its proposal to transfer *Orcaella brevirostris* from Appendix II to Appendix I (Prop.3). Noting that destruction of the species' habitat poses a greater threat than its international trade, JAPAN, NORWAY and GABON, opposed by MYANMAR, the EU, AUSTRALIA and CANADA, rejected the proposal. Following a secret vote, the proposal was accepted by 73 in favor, 30 against and 8 abstentions.

**Roti snake-necked turtle:** Delegates approved a joint Indonesia and US proposal to include *Chelodina mccordi* in Appendix II (Prop.23).

**Birdwing butterflies:** Delegates agreed to delete an annotation in Appendix II related to *ornithoptera spp.*, *trogonoptera spp.*, and *triodes spp.* (Prop.34).

**Appendix interpretation section:** Delegates discussed an EU proposal (Prop.1) to exempt urine and feces, fossils and, as long as they do not contain any part of the original from which they are derived, the following: *in vitro* cultivated DNA; cell or cell lines cultivated *in vitro*; and medicines and other pharmaceutical products. On an amendment proposed by the UK,



CHINA said that adding RNA extends the proposal's scope. MEXICO opposed the EU proposal, stressing that it would open the door to biopiracy. Highlighting ongoing discussions under the CBD on access to genetic resources, BRAZIL said discussions on this issue were premature. The US said "*in vitro* cultivated" is not standard terminology, and fossils need to be defined. UGANDA, PERU, COLOMBIA, TANZANIA and CHINA also opposed the proposal, which was withdrawn.

At the request of the SC, SWITZERLAND, Depository Government, introduced an alternative proposal to include a paragraph exempting, *inter alia*, *in vitro* cultivated DNA (Prop.2). Noting similar problems as discussed regarding the EU proposal, MEXICO, CHINA, the US and others opposed, and the proposal was withdrawn.

## COMMITTEE II

### COOPERATION WITH OTHER ORGANIZATIONS:

**CITES-CBD: Greater synergy:** Regarding a revised draft decision on CITES-CBD synergy (Com.II.2), delegates discussed a review process for the Vilm Workshop's report, with NEW ZEALAND and MEXICO noting the need for Parties' feedback before consideration at SC-53. The US, supported by NEW ZEALAND and AUSTRALIA, but opposed by the EU, MEXICO, NAMIBIA and CHINA, requested deleting references to sustainable use, the ecosystem approach, and access and benefit sharing in a paragraph on identifying priority actions. Following a vote on the US proposal, delegates agreed to retain these references and delete a proposed definition of the ecosystem approach. Adoption was deferred, pending consultations on wording related to access to genetic resources by Mexico and the EU.

**Sustainable use:** NAMIBIA presented a revised proposal on Sustainable Use Principles and Guidelines (Com.II.3 (resolution) and Com.II.4 (decision)). CUBA supported, and the US opposed, the resolution. NEW ZEALAND suggested urging Parties to take note of the Principles rather than make use of them. Following a vote, delegates adopted the resolution as proposed by Namibia.

Regarding the decision, AUSTRALIA requested SC involvement in the revision of the Guidelines. NEW ZEALAND proposed that the Secretariat prepare a report on ways to incorporate the Guidelines into the CITES work plan. The US suggested clarifying that work by the Secretariat would follow completion of the evaluation by the PC and AC. Chair Brasher asked Namibia to revise its proposal.

**PC Chair's report:** Delegates approved the PC's recommendation to collaborate with the CBD Global Strategy for Plant Conservation (Com.II.6).

**CITES-CCAMLR:** Australia introduced its proposal to revise Res. Conf. 12.4 (CITES cooperation with the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) regarding trade in toothfish) (Doc.12.3). NEW ZEALAND, the US, PERU, CANADA, the EU and others supported the proposal, while JAPAN opposed, noting that CCAMLR already receives reports on toothfish fishing through the use of its catch-document from Parties and non-Parties. CHINA, ICELAND, the REPUBLIC OF KOREA and the RUSSIAN FEDERATION also opposed the proposal, stressing that CITES should concentrate on listed species. TRAFFIC, INTERNATIONAL ENVIRONMENTAL LAW PROJECT and ANTARCTIC AND SOUTHERN OCEAN COALITION (ASOC) highlighted that reporting by CITES Parties would increase the number of ports and fisheries reported on. Following a vote, Australia's proposal did not achieve the majority needed.

**CITES-FAO cooperation:** JAPAN presented a document on cooperation with FAO (Doc.12.4). SC Chair Stansell reported on progress towards a CITES-FAO MoU, proposing deferring discussions on this item until the SC has completed its deliberations.

JAPAN requested that the MoU clarifies that CITES only addresses marine species in exceptional cases. ISRAEL expressed concern regarding lack of reciprocity in the draft, noting that FAO's and CITES' strategic objectives may differ. Chair Brasher invited SC Chair Stansell to report on progress on negotiations.

### ECONOMIC INCENTIVES AND TRADE POLICY:

Delegates adopted a revised draft decision on economic incentives (Com.II.7) without amendment.

### EX SITU BREEDING AND IN SITU CONSERVATION:

Delegates adopted a revised draft decision on the relationship between *ex situ* breeding and *in situ* conservation (Com.II.1) without amendment.

**DECISIONS REVIEW:** Delegates adopted a draft resolution on trade in alien invasive species (Com.II.9), consolidating old decisions, with minor amendments and references to "alien species that are potentially invasive" rather than "alien invasive species."

**NOMENCLATURE:** Regarding a revised draft resolution on standard nomenclature (Com.II.6), the Secretariat said the term "taxonomic authorities" should replace "standard references." MEXICO suggested the NC consider whether the change is appropriate. Following delegates' requests for clarification, Chair Brasher asked Mexico to prepare a final draft.

**DISSOSTICHUS:** The Secretariat presented its proposal on the conservation of, and trade in, *dissostichus* (toothfish) species (Doc.36 (Rev.1)). Acknowledging that the decisions proposed for deletion had already been deleted under the item on revision of decisions, delegates took note of the report.

### TRADE CONTROL AND MARKING ISSUES:

**Introduction from the sea:** The US presented a proposal on introduction of specimens from the sea (Doc.41), to conform to the UN Convention on the Law of the Sea (UNCLOS) and to revise Res. Conf. 12.3 (Permits and certificates) in order to adapt it to fishing practices. JAPAN and GUINEA opposed the proposal, noting the need for further discussion. The EU and the RUSSIAN FEDERATION expressed support for using UNCLOS language, and requested time to further consider proposed revisions to Res. Conf. 12.3. CANADA emphasized urgency in addressing the issue. Chair Brasher asked the US to revise its proposal.

**CITES certificates:** The Secretariat introduced its proposal aimed at simplifying use of CITES certificates with ATA or TIR carnets (Doc.44), which was adopted with minor amendments.

**Electronic permits:** The EU introduced its proposal on electronic permitting systems for CITES specimens (Doc.45). AUSTRALIA and the US welcomed the proposal, with the US suggesting involvement of the World Customs Organization. JAMAICA, PERU, TANZANIA and BENIN drew attention to the technical and capacity-building needs of developing countries. Chair Brasher asked the EU to revise its proposal.

### IN THE CORRIDORS

While some delegates seemed surprised that ramin, considered one of the highly contentious issues on the agenda, was approved with little opposition, others were a bit less puzzled, noting that after several previous proposals, the proponents finally got it right.

Satisfied with the positive attention that marine species gathered during the day, with overwhelming support for an Appendix I listing of the irrawaddy dolphin and increased attention to the toothfish, several delegates expressed hope that the great white shark and humphead wrasse will receive similar support.

A proposal to exclude DNA from the Convention's provisions proved less popular: some delegates anticipate that this issue will continue to be rejected as long as the discussions on access to genetic resources and benefit sharing remain controversial under the CBD.