


**CITES COP-13 HIGHLIGHTS:  
 MONDAY, 11 OCTOBER 2004**

Delegates met in Committees throughout the day. Committee I considered elephant and ivory issues, while Committee II considered, *inter alia*, commercial trade in Appendix I species, annual export quotas, source codes, production systems and great apes.

**COMMITTEE I**

**AFRICAN ELEPHANT DIALOGUE MEETING:** Mali, on behalf of the AFRICAN RANGE STATES, introduced the report of the African elephant dialogue meeting (Doc.15), which was adopted.

**ETIS and MIKE:** TRAFFIC reported on monitoring of illegal trade in ivory and other elephant specimens (Doc.29.2), and the Elephant Trade Information System (ETIS). He said only China has significantly improved its efforts to address law enforcement in ivory seizure.

The Secretariat introduced a document on the monitoring of illegal hunting in elephant range States (Doc.29.3). He said the Monitoring of Illegal Killing of Elephants (MIKE) data drew attention to Africa and the need to help range States curb such activities. GHANA said the ETIS workshop should address capacity building. KENYA and MALI stressed the need to harmonize ETIS' and MIKE's findings before finalizing conclusions.

**DRAFT ACTION PLAN:** The Secretariat introduced the draft action plan for the control of trade in African elephant ivory (Doc.29.1), which NAMIBIA, JAPAN, BOTSWANA, CHINA, the EU, GUINEA, EGYPT and INDIA supported. CHINA and INDIA requested being involved in the African elephant dialogue meeting. Delegates approved the action plan.

**ILLEGAL IVORY TRADE:** KENYA presented its proposed resolution and decisions on illegal ivory trade and control of internal markets (Doc.29.4), requesting that Parties refrain for six years from submitting downlisting proposals and engaging in trade of raw and worked ivory. Regarding revisions to Res. Conf. 10.10 (Trade in elephant specimens), the EU proposed amendments to Kenya's original proposal asking that Parties refrain for "refrain of time" to allow a ruling by the SC on detrimental impact or otherwise of a one-off sale. The EU also proposed referring the issue of internal trade control to the SC. TANZANIA said a moratorium would cause illegal trade to thrive and require financial resources for enforcement. BOTSWANA, supported by UGANDA, SOUTH AFRICA and ZAMBIA, opposed the proposed moratorium and adopting punitive measures, and said the issues were already addressed in the action plan (Doc.29.1). While MALI, LIBERIA and SENEGAL supported Kenya's proposal, JAPAN opposed. CÔTE D'IVOIRE, CHAD and others accepted the EU amendments, while CONGO and TOGO supported setting a specific time-

frame, as originally proposed by Kenya. The EU explained its opposition to setting a specific timeframe, stating that the MIKE should assess one-off sales and determine detrimental effects. NAMIBIA said the EU's proposal might have legal implications, and opposed giving the SC authority to amend a resolution. Following a vote on the EU-proposed paragraphs and a new paragraph instructing the SC to make necessary changes resulting from the adoption of the amendments, the proposed amendments were defeated, by a vote of 53 in favor, 41 against and 32 abstentions. The three Kenyan draft decisions regarding implementing the resolution as contained in Doc.29.4 Annex 3 were put to a vote and defeated, with 17 in favor, 32 against and 76 abstentions.

**EXPORT OF REGISTERED IVORY STOCKS:** KENYA withdrew its proposal (Doc.29.5).

**IVORY STOCKS IN BURUNDI:** The Secretariat introduced its document on ivory stocks in Burundi (Doc.29.6), cautioning that selling stockpiles would impact on legal ivory trade and elephant conservation. BURUNDI drew attention to the lawsuit initiated by private ivory traders against his government. Delegates took note of the document.

**PROPOSALS TO AMEND APPENDICES I AND II:**

**African Elephant:** NAMIBIA introduced a proposal to amend annotation 604 for its Appendix II elephant population to include: an annual export quota of 2,000 kg of raw ivory accumulated from natural and management related mortalities; trade in worked ivory products; and trade in elephant leather and hair goods (Prop.7). QATAR, JAPAN, BOLIVIA, ZIMBABWE, BOTSWANA and IWMC supported the proposal, noting Namibia's success in their sustainable development management practices, while SENEGAL, MALI, ISRAEL, INDIA, KENYA, TOGO, GHANA and IFAW opposed. The EU also opposed, but said they supported the amendment on trade in hair parts.

Delegates decided to address each of the three annotations separately. The annotation to include trade in leather and hair goods for commercial purposes was adopted by consensus. On trade in individually marked and certified worked ivory amulets (*ekipas*) incorporated in finished jewelry items for commercial purposes (Inf.49), SOUTH AFRICA proposed to make such trade conditional upon the SC finding that the one-off sale approved at COP-12 has not had a detrimental impact on the level of illegal killing of elephants. The South African amendment was voted upon and rejected by 29 against, 27 in favor, and 55 abstentions. Delegates then voted on the original Namibian proposal, which was also rejected by a vote of 54 against, 35 in favor, and 23 abstentions. Delegates also rejected establishing an annual export quota by a vote of 59 against, 31 in favor, and 20 abstentions.



Delegates adopted South Africa's proposal regarding its population of *Loxodonta africana* to allow commercial trade in leather goods (Prop.8).

**Bobcat:** The US withdrew its proposal to delete *Lynx rufus* from Appendix II (Prop.5), and requested that the AC resolve the issue in its periodic review of the Appendices for look-alike species for the genus *Lynx*. The US request was approved.

**African lion:** Kenya withdrew its proposal to transfer *panthera leo* from Appendix II to Appendix I due to lack of support.

**TORTOISES AND FRESHWATER TURTLES:** Delegates adopted the document on conservation of, and trade, in tortoises and freshwater turtles (Com.I.5).

## COMMITTEE II

### COMMERCIAL TRADE IN APPENDIX I SPECIES:

ISRAEL introduced its proposal on commercial trade in Appendix I species aimed at amending the definition of "primarily commercial purposes" (Doc.42). The Secretariat, CANADA, SWITZERLAND and SOUTH AFRICA opposed the proposal, noting that it would impact legitimate trade in Appendix I species for primarily non-commercial purposes. ZAMBIA and WAZA expressed concerns regarding potential impacts on range States.

The US, supported by the EU, proposed language for a review of trade in Appendix I species by the SC (Doc.Inf.61). ISRAEL withdrew its proposal, and expressed support for an SC review. MEXICO suggested the review include identifying existing exemptions. Delegates adopted the US proposal with these amendments.

**ANNUAL EXPORT QUOTAS:** The Secretariat introduced its proposal regarding the management of annual export quotas (Doc.43). CAMEROON, Export Quota Working Group Chair, noted progress towards developing guidelines on the topic, and requested reinstating Decisions 12.90 to 12.93 (Capacity building for Appendix II species export quotas), deleted during the revision of decisions, and delegates agreed.

**PERMITS ISSUANCE:** The EU introduced its proposals regarding retrospective issuance of permits (Doc.46). The US requested: deleting references to exceptional extenuating circumstances; adopting penalties and restrictions on subsequent sales within six months; and, opposed by SWITZERLAND and the EU, limiting the retrospective issuance of permits to personal items. Following informal consultations, delegates adopted the proposal by consensus, as amended by the US and with added reference to personal and household effects including live pets travelling with their owners.

**SOURCE CODE 'R':** Following agreement to establish a working group on production systems, the US withdrew its proposal regarding the definition of the source code 'R' for ranched specimens (Doc.47).

**PRODUCTION SYSTEMS:** The US introduced its proposal to establish a working group on production systems for specimens of CITES-listed species (Doc.49), which many delegates supported. Regarding the group's terms of reference (ToRs), the EU requested including economic incentives and, supported by AUSTRALIA, the definition of ranching. AUSTRALIA said the definition of ranching should be considered within the context of previous resolutions. Delegates adopted the US proposal, including ranching in the group's ToRs.

**TIMBER SPECIES DOCUMENTATION:** Following remarks on the proposal's lack of benefits, the US withdrew its proposal aimed at allowing the use of marks and numbers in lieu of bill of lading numbers for CITES export and re-export documents for timber species (Doc.48).

**EXEMPTIONS FOR PLANTS SPECIMENS: SWITZERLAND** presented its proposal aimed at standardizing language on export permits for plants imported under CITES exemption and later falling within CITES' scope (Doc.50). The EU suggested, and the US and the Secretariat opposed, issuing a re-export permit when the country of origin is unknown. MEXICO suggested including the type of exemption in the export permit and, if known, the country of origin. Delegates adopted the proposal with added reference to the type of exemption.

**DEFINITION OF PLYWOOD:** Delegates adopted a US proposal to revise Res. Conf. 10.13 (Timber species) and include a definition of plywood of *Swietenia macrophylla* (Doc.52) without amendment.

**CITES-CBD SYNERGY:** Regarding a revised draft on achieving greater CITES-CBD synergy (Com.II.17), NEW ZEALAND and AUSTRALIA said sustainable use refers to both consumptive and non-consumptive use. GHANA and BULGARIA requested referring to "access to genetic resources and benefit sharing," rather than "access and benefit sharing" (ABS). Delegates adopted the document with an added footnote stating that the terms are as used in the Vilm Workshop's report. The US recorded its objection to the decision.

**ENFORCEMENT MATTERS:** Delegates adopted a revised draft decision regarding enforcement matters (Com.II.10), with additional references to SIDS.

**GREAT APES:** The EU introduced a revised draft resolution on the conservation of, and trade in, great apes (Com.II.16), replacing a reference to limit use of great apes as gifts other than for captive breeding purposes with a reference to limiting "international use of great apes to nationally approved zoological institutions, education centres, rescue centres and captive breeding centres."

The Secretariat clarified that downlisting of a species would have no impact on the validity of the resolution. Delegates discussed, without agreeing, whether references to nationally approved institutions could be replaced by a reference to international standards of husbandry, acceptable destinations or *bona fide* zoological institutions. Delegates adopted the EU's original proposal with editorial amendments and the deletion of a paragraph on eliminating sales of great apes meat, as proposed by NIGERIA.

### IN SITU CONSERVATION AND EX SITU BREEDING:

MEXICO introduced a revised draft resolution on cooperation between Parties with *ex situ* breeding operations and those with *in situ* conservation programmes (Com II.13), noting an additional reference to CBD Decision VII/19 on an international ABS regime. Discussion was postponed following Australia's request.

### IN THE CORRIDORS

The long-awaited elephant discussion managed to stall the relatively rapid progress made in Committee I, forcing an evening session. Elephant proposals proved divisive, especially among some African range States who have mixed opinions on how to address sustainable management and whether or not ivory trade is an option. Delegates in support of the Nambian proposal felt that CITES is not sending a good signal to governments and local communities who have invested significant time and money to set up efficient sustainable management programmes and feel they are being penalized for others' mistakes in managing their own elephant populations. Delegates who rejected the proposal said they were more concerned about the bigger picture and believe that any ivory put on the market will generate more illegal activity. Many delegates agreed that the elephant ivory issue will be open-ended for years to come, despite attempts to "put it to rest."