

**SUMMARY OF THE 17TH MEETING OF THE CITES PLANTS COMMITTEE, THE JOINT SESSION WITH THE ANIMALS COMMITTEE AND THE 23RD MEETING OF THE CITES ANIMALS COMMITTEE:  
15-23 APRIL 2008**

The 17th meeting of the Plants Committee (PC17) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the 23rd meeting of CITES Animals Committee (AC23) convened from 15-19 and 19-23 April 2007, respectively, in Geneva, Switzerland.

PC17 discussed 24 agenda items on a wide range of topics, including: the review of significant trade (RST) in Appendix II species; the periodic review of plant species included in the CITES appendices; timber issues; strategic planning; non-detriment findings (NDFs); transport of live plants; and the definitions of hybrids and cultivars under the Convention.

The joint session addressed issues of common interest to both committees, including: the revision of the terms of reference of the PC and AC; cooperation with advisory bodies of other biodiversity-related multilateral environmental agreements; RST in specimens of Appendix II species; an international expert workshop on NDFs; and transport of live animals and plants.

AC23 addressed 21 agenda items, including: the RST in Appendix II species; production systems for specimens of CITES-listed species; conservation and management of sharks; the periodic review of animal species included in the Convention's appendices; and a proposal to transfer the Mexican population of *Crocodylus moreletii* from Appendix I to Appendix II.

The CITES scientific committees made progress towards setting priorities, distributing tasks and assigning responsibilities for carrying out work on key issues such as bigleaf mahogany, annotations for timber species, NDFs in general, sharks, sturgeons and paddlefish, and transport of live specimens that will be further discussed at PC18 and AC24 in 2009, where recommendations will be further developed for consideration at the 15th Conference of the Parties in 2010.

**A BRIEF HISTORY OF CITES**

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (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, United States, on 3 March 1973, and entered into force on 1 July 1975. There are currently 172 parties, with the Convention scheduled to enter into force for its 173rd party, Oman, on 17 June 2008.

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 requiring 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

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needs to submit a proposal for approval by the Conference of the Parties (CoP), supported by scientific and technical 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 28,000 flora species protected under the three CITES appendices. Parties regulate the 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 the second national body, the 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 Conference of the Parties 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 related to 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.

**PC16:** The 16th meeting of the CITES Plants Committee convened from 3-8 July 2006, in Lima, Peru. The PC discussed a wide range of topics, including: the review of significant trade in Appendix II species; the periodic review of plant species included in the CITES appendices; annotations to plant, medicinal plant and orchid listings; bigleaf mahogany; and proposals to amend the annotations for tree species.

**PC16/AC22 JOINT SESSION:** A joint session of the AC and PC was held from 7-8 July 2006, in Lima, Peru. It addressed issues of common interest to both committees, including: proposed amendments to the rules of procedure; the review of the scientific committees; the review of significant trade in Madagascar; transport of live specimens; and the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity adopted by the Convention on Biological Diversity (CBD).

**AC22:** The 22nd meeting of the CITES Animals Committee convened from 7-13 July 2006, in Lima, Peru. The AC discussed 28 agenda items and adopted six recommendations to be presented at CoP14 on issues including: the RST in Appendix II species; production systems for specimens of CITES-listed

species; transport of live specimens; sea cucumbers; conservation and management of sharks; and the periodic review of animal species included in the Convention's appendices.

**CITES CoP14:** The fourteenth Conference of the Parties (CoP14) convened from 3-15 June 2007, in The Hague, the Netherlands. The meeting considered 70 agenda items and 37 proposals to amend the CITES appendices. CoP14 adopted resolutions and decisions directed to parties, the Secretariat and Convention's committees, on a wide 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. Regarding species listings, CoP14 decided to list: slenderhorned 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.

### REPORT OF THE 17TH MEETING OF THE PLANTS COMMITTEE

On Tuesday, 15 April 2008, David Morgan, on behalf of CITES Secretary-General Willem Wijnstekers, opened the 17th meeting of the Plants Committee and underscored the importance of timber issues and the need for the PC to contribute with scientific added value to the management of these resources, particularly by discussing non-detriment findings (NDFs) rather than engaging on non-scientific issues. The PC elected by acclamation Margarita Clemente (Spain) and Greg Leach (Australia) as Chair and Vice-Chair of PC17, respectively.

Clemente emphasized the CoP14 resolution regarding the CITES Strategic Vision for 2008-2013, highlighting the importance of: contributing to the United Nations Millennium Development Goal of reducing biodiversity loss by 2010; promoting transparency in the development of conservation policies; promoting cooperation among international organizations concerned with biodiversity and trade; and developing a science-based approach to enhance the sustainability of international trade. Clemente underscored the role of the PC to provide clear scientific support to the CoP, other CITES committees and the Secretariat. She summarized the recommendations that need to be made by the PC, including on timber resources, review of annotations, and the preparation of guidelines for NDFs.

Noting that proposed amendments to the rules of procedure (PC17 Doc. 2.2) will be addressed at the Joint Session of the PC and AC later in the week, Chair Clemente suggested, and delegates agreed, to work on the basis of the current rules of procedure (PC17 Doc.2.1). Delegates then adopted the draft agenda (PC17 Doc.3.1) and working programme (PC17 Doc.3.2) with amendments, including: under "Any other business," the Netherlands' request to report on a timber workshop in Malaysia, Germany's request to report on a timber certification project, and Spain's request to report on the Master's course; and under "Annotations," implementation of annotations regarding seeds of Mexican cacti and cacti that lack chlorophyll. Participants also adopted the list of observers (PC17 Doc.4 (Rev.1)).

## REVIEW OF SIGNIFICANT TRADE IN SPECIMENS OF APPENDIX II SPECIES

### OVERVIEW OF THE SPECIES-BASED REVIEW

**OF SIGNIFICANT TRADE:** On Tuesday, in plenary, the Secretariat presented the report on the overview of the species-based RST (PC17 Doc. 8.3), highlighting that the annex contains an overview of the trade and listing of species after CoP11, 12 and 13. The PC took note of the report.

**SPECIES SELECTED FOLLOWING COP13:** On Tuesday, in plenary, the Secretariat also introduced the report on species selected following CoP13 (PC17 Doc. 8.4). She noted that the Committee can now remove from the RST the species selected by CoP13 and PC15, but highlighted that some species had also been added for consideration.

On Wednesday, in plenary, the PC established a working group on RST, chaired by Nomenclature Specialist Noel McGough (UK), to review the species selected following CoP13 (PC17 Doc.8.4) and the selection of species for trade reviews following CoP14 (PC17 Doc.8.5). The working group met on Wednesday and Thursday, and established a small group to draft recommendations on RST issues on Wednesday, which were agreed to by the RST Working Group on Thursday morning. On Thursday, Chair McGough presented the group's recommendations (PC17 WG4), which were adopted by the PC with minor amendments in plenary on Friday (PC17 WG4 (Rev.1)).

On Wednesday, RST Working Group Chair McGough presented the document on species selected for review following CoP13 (PC17 Doc.8.4), noting that the annexed IUCN reports on *Christensonia vietnamica*, *Myrmecophila tibicinis*, *Pachypodium bispinosum*, *Pachypodium succulentum*, *Pterocarpus santalinus*, *Rauvolfia serpentina*, and *Taxus wallichiana* provide a preliminary categorization of these species. The working group subsequently reviewed the reports and their proposed categorizations as follows:

*Christensonia vietnamica*: IUCN proposed categorizing the species from Vietnam as "least concern" because there is little documented trade in the species. She noted that this could be because there are not any remaining plants on which to base an NDF, and added that the species may in fact warrant an Appendix I listing. The US, with Species Survival Network (SSN), suggested categorizing the species as "urgent concern," to which the working group agreed.

*Myrmecophila tibicinis*: IUCN proposed categorizing the species from Belize as "possible concern," noting that an NDF has not been completed, and that there is confusion about which other taxa are being exported under this species name. The working group supported this suggestion, with the US and SSN urging that PC recommend that Belize should also submit information to clarify the export issue.

*Pachypodium bispinosum*: IUCN proposed categorizing the South African species as "possible concern," noting that an NDF has not been completed and the lack of relevant data. Chair McGough suggested, and the working group agreed, to accept the IUCN suggestion, with the expectation that the species would likely be removed from the RST process at the next stage, pending South Africa's progress on the NDF.

*Pachypodium succulentum*: IUCN proposed categorizing the South African species as "least concern," noting that an NDF has not been completed, but highlighting that the species is widespread, and that it is highly unlikely that collection for trade is a threat. South Africa concurred with the IUCN report and noted that it is working towards carrying out an NDF for the species. The US said that since there is no NDF in place it should be categorized as "possible concern," noting that it may be excluded in the next round of the RST process pending South Africa's progress on an NDF. Chair McGough suggested, and the working group agreed that, in order to ensure consistency, that the species be categorized as "possible concern."

*Pterocarpus santalinus*: IUCN proposed categorizing the Indian species as "urgent concern," noting that an NDF has not been completed and that the species is endangered. Malaysia noted their confiscation and disposal of three illegal shipments of the species originating in India. The Secretariat said that a major problem with this species is that trade is not being reported, but that this issue does not fall within the purview of NDFs. Noting that an NDF does not exist, Chair McGough proposed, and participants agreed, to categorize the species as "urgent concern."

*Rauvolfia serpentina*: IUCN proposed categorizing the species from Thailand as "least concern," and those from India and Myanmar as "possible concern." Thailand noted that it is moving towards carrying out an NDF for the species. In order to be consistent with the previous categorizations, participants agreed to Chair McGough's suggestion to list the species from India as "urgent concern," and those from Myanmar and Thailand as "possible concern."

*Taxus wallichiana*: IUCN proposed, and participants agreed, to categorize the species from India as "possible concern," noting that the export of wild specimens is prohibited, but that this does not appear to apply to cultivated specimens or finished products. She also highlighted possible confusion concerning exports of paclitaxal that may be derived from Nepalese *T. wallichiana*, rather than from *T. Baccata* as reported. The US requested clarification on this issue.

**Recommendation:** On species selected following CoP13, the PC recommends (PC17 WG4 (Rev.1)), *inter alia*:

- *Christensonia vietnamica* from Vietnam be categorized as urgent concern, and that within three months the Management Authority of Vietnam should confirm that it will not be issuing export permits for the species;
- *Myrmecophila tibicinis* from Belize be categorized as possible concern, and that within three months the Management Authority of Belize should confirm that it will not be issuing export permits, and that within one year Belize should carry out an inventory of standing stock, establish a revised conservative quota, and report on these points to the Secretariat;
- *Pachypodium bispinosum* and *P. succulentum* from South Africa be categorized as possible concern, and that within one year South Africa should carry out an inventory of standing stock, establish a revised conservative export quota, and report back to the Secretariat;
- *Pterocarpus santalinus* and *Rauvolfia serpentina* from India be categorized as urgent concern; and that within three

months the Management Authority of India should clarify the legislative status of exports of these species and the level of artificial propagation, and that if exports of wild origin are to continue, within two years India should carry out a preliminary inventory of standing stock, establish a revised conservative export quota, and report to the Secretariat;

- *Rauvolfia serpentina* from Myanmar and Thailand be categorized as possible concern, and that within three months the Management Authority of Myanmar should confirm that it does not issue export permits, and within two years the Management Authority of Thailand should carry out a preliminary inventory of standing stock, establish a revised conservative export quota, and report to the Secretariat; and
- *Taxus wallichiana* from India be categorized as urgent concern, and that within three months India should confirm that it does not allow export of wild harvested species, and if exports are confirmed the Scientific and Management Authorities of India should confirm with the Secretariat that the existing policies provide an adequate basis for the formulation of NDFs.

#### SELECTION OF SPECIES FOR TRADE REVIEWS

**FOLLOWING COP14:** On Tuesday, in plenary, the Secretariat presented PC17 Doc.8.5 on selection of species for trade reviews following CoP14, and noted that the United Nations Environment Programme-World Conservation Monitoring Centre (UNEP-WCMC) produced a summary of relevant trade statistics. The RST working group was asked to look at the trade reviews in further detail.

On Wednesday and Thursday, the RST Working Group reviewed trade data from a variety of species and range states. They agreed to exclude most species from review based on the document summarizing trade information prepared by WCMC (PC17 Doc.8.5).

The working group agreed to proceed with the RST process for species that, among others: are the object of international trade; are not currently undergoing review; and have not recently been subject to a review. They recommended that *Pericopsis elata* be reviewed again due to a large increase in trade in the Democratic Republic of Congo since the species was last reviewed. Chair McGough reported on the working group's progress on Thursday afternoon, noting that the Secretariat would contact relevant range states about the issue within 30 days. The PC approved the recommendations (PC17 WG4), with minor amendments in plenary on Friday afternoon.

**Recommendation:** The PC recommends (PC17 WG4) reviewing the following species according to the RST process: many *Euphorbia* spp., *Pericopsis elata*, many *Aloe* spp., *Calanthe alleizettei*, *Cymbidium erythrostylum*, *Dendrobium spectabile*, *Renanthera annamensis*, *Cistanche deserticola*, and all *Palmae* taxa listed in the document.

#### PROGRESS REPORT OF REGIONAL

**REPRESENTATIVES ON SEVEN ASIAN SPECIES:** On Thursday in plenary, the Secretariat introduced the progress report of regional representatives on seven Asian species (PC17 Doc.8.6). TRAFFIC highlighted its report on the issue (PC17 Inf.10), and emphasized the need for a regional multi-stakeholder group to address the issue. Noting a lack of progress on the

topic, the Secretariat and Chair Clemente said the issue may be one of non-compliance, and the Secretariat suggested, and the PC agreed, to refer it to the Standing Committee.

#### PERIODIC REVIEW OF PLANT SPECIES INCLUDED IN THE CITES APPENDICES

On Tuesday, in plenary, Jonas Lüthy (Switzerland), Chair of the intersessional working group on periodic review of plant species included in the CITES Appendices, presented PC17 Doc.11, and said that the review has currently completed 22% of the taxa work and 29% of the species work. He noted much work has to be done and summarized the species that need to be reviewed. He pointed out that that the process has come to a stop since many parties that volunteered to carry out the periodic review did not carry out the work. He proposed that the PC discuss and draft a plan to motivate the conclusion of the periodic review. Chair Clemente noted that updating the periodic review of plant species that are in the CITES appendices is one of the core aspects of the Convention. The North America representative asked parties to volunteer to assist with the periodic review of species. Mexico, South Africa, the Netherlands and Madagascar stated their interest in reviewing the species that they originally volunteered to review. The Oceania representative underscored the importance of prioritizing activities and finding sponsorship for the review.

The Secretariat said there was not a possibility of getting resources from the Trust Fund, which is already in the red, but that the Secretariat is ready to manage any external fund that may come from new sponsors. Chair Clemente established a working group, chaired by Jonas Lüthy (Switzerland), to tackle the matter with the mandate to: propose a definition on whether or not to include the species reviewed by Argentina and the US in one of the CITES appendices; how to proceed with the taxa that have not yet been reviewed or that the PC has no information on the status of their reviews; identify possibilities for cooperation with range states; propose an alternative approach to reviewing the remaining taxa; and identify the cost of carrying out the periodic reviews.

The Working Group on Periodic Review and *Euphorbia* spp. met on Wednesday afternoon. On Friday in plenary, Chair Lüthy presented the group's recommendations (PC17 WG5 (Rev.1)). On proceeding with the periodic review of selected taxa (PC17 Doc.11) that have not yet been carried out or that are incomplete, Chair Lüthy noted the lack of experts for a number of species. He said that the group suggested that the PC ask the Secretariat to notify parties and other relevant stakeholders asking them to identify experts for such species, and for any financial contributions for the reviews. The Secretariat suggested: alternative wording regarding the call for review and voluntary contributions; and that the working group, rather than the PC, draft guidelines to be presented at PC18, rather than CoP15. The PC adopted the recommendations with these changes.

**Recommendation:** Regarding the periodic review, the PC recommends (PC17 WG5 (Rev.1)), *inter alia*:

- retaining *Agave parviflora* in Appendix I;

- the Secretariat raise awareness of taxa that are still not under review and notify parties to find the resources themselves to carry out the reviews; and
- the same intersessional working group coordinate and monitor the periodic review and submit a report to PC18.

### STRATEGIC PLANNING

**RESOLUTIONS AND DECISIONS DIRECTED TO THE PLANTS COMMITTEE:** On Tuesday, in plenary, the Secretariat presented the resolutions and decisions directed to the PC on NDFs for timber species and medicinal plants (PC17 Doc.12.1), and the PC took note of the report.

**ESTABLISHMENT OF THE PLANTS COMMITTEE'S PRIORITIES:** On Tuesday, in plenary, PC Chair Clemente noted that she drafted a new document that establishes the PC's priorities and responsibilities in order to set up a work programme for the PC (PC17 Doc.12.2). After informal consultations, Chair Clemente presented the new document with a planning grid and asked PC members and alternates to informally exchange ideas regarding prioritization of these issues.

On Thursday in plenary, PC Vice-Chair Greg Leach noted that the Committee assessed the CoP14 resolutions and decisions that are of relevance to the PC and ordered the tasks by high, medium and low priority. He emphasized that a responsible person was allocated for each task, and highlighted that participation in the periodic review, and the significant trade process were classified as high priorities.

### ANNOTATIONS

**CACTACEAE AND ORCHIDACEAE:** On Tuesday in plenary, the Secretariat presented the document on the review of annotations for Cactaceae and Orchidaceae (PC17 Doc.13.1). Switzerland presented a proposal to review annotations of Cactaceae and Orchidaceae (CoP14 Prop.26), highlighted that the proposed review encompasses more taxa than are specified in the title, and noted that the document deals with the proposed amendment and merging of annotations for *Agave victoriae-reginae*, *Aloe* spp., *Cyathea* spp. and others (#1) and Cactaceae spp. (#4). He emphasized that the aim of the initiative is to avoid ambiguous wording within the annotations, and to remove those plants whose trade has no impact on conservation of the species. The five elements discussed in the Swiss proposal were: cut leaves of artificially propagated plants; Cactaceae fruit; biomass of *Selenicereus* species for medicinal purposes; finished products of plants used for medicinal purposes; and the exchange of species used for scientific purposes.

Chair Clemente noted the importance of the proposal, and said that the PC should consider these issues carefully to ensure that the recommendations are explained fully for the scientific community. The US, for the North America representative, with Nomenclature Specialist Noel McGough expressed concern about allowing further exemptions for trade of species in cases where the Convention prescribes something more restrictive. The Oceania representative, with Kuwait, expressed concern that the annotations would not deal properly with finished agarwood products. The American Herbal Products Association requested that the proposal look at more annotations than #1 and

#4, and France, with Madagascar, highlighted the need to look specifically at *Prunus africana*.

A working group, chaired by Hesiquio Benítez (Mexico), was established to evaluate the possibility of merging and amending annotations #1 and #4, and their consequences for other taxa and annotations; clarify annotations to seeds of Mexican cactaceae; and clarify the translation of "cactus without chlorophyll." The working group met on Thursday morning and on Thursday afternoon in plenary Chair Benítez presented the group's recommendations (PC17 WG1). Austria and France asked for minor amendments, and the Secretariat requested that the group point out the composition of the intersessional working group on finished products.

On Friday in plenary, Chair Benítez presented the revised recommendations (PC17 WG1 (Rev.1)), and noted that the group reviewed elements (a) to (g) of the proposed annotation in PC17 Doc.13.1 (Annex I). He explained that the group agreed to merge Annotations #1 and #4 for elements (a) to (e), with some modifications. He said that the group did not merge annotation elements (f) and (g). Chair Benítez underscored that the new proposed annotation, which was agreed upon by the group, is as follows:

- seeds, spores, and pollen (including pollinia) except those seeds from Cactaceae spp. exported from Mexico;
- seeding or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants;
- fruits and parts and derivatives thereof of naturalized or artificially propagated plants of the genera *Vanilla* (Orchidaceae), *Opuntia*, subgenus *Opuntia* (Cactaceae), *Hylocereus* and *Selenicereus* (Cactaceae); and
- stems, flowers, and parts and derivatives thereof of naturalized or artificially propagated plants of the genera *Opuntia*, subgenus *Opuntia*, and *Selenicereus* (Cactaceae).

Chair Benítez noted that, regarding finished products, the group suggested establishing an intersessional working group to investigate the issue and related annotations. The PC agreed and asked the US to chair the intersessional group.

Switzerland suggested, and the PC agreed, establishing a new intersessional working group to deal with exchange between herbaria in order to explore possibilities in CITES to facilitate these types of exchanges, and touch upon the connections between these issues and the Convention on Biological Diversity (CBD). This new group is to be co-chaired by the Netherlands and Mexico.

**Recommendation:** The PC recommends (PC17 WG1 (Rev.1)), *inter alia*:

- establishing an intersessional working group on finished products to be chaired by the US;
- establishing an intersessional working group on exchange between herbaria to be co-chaired by the Netherlands and Mexico; and
- regarding cacti lacking chlorophyll, to delete "lacking chlorophyll" from footnote 6 of the appendices related to artificially propagated specimens of hybrids and/or cultivars.

**ORCHIDS: ANNOTATION FOR SPECIES INCLUDED**

**IN APPENDIX II:** On Tuesday, in plenary, the Secretariat presented the document on orchid annotations (PC17 Doc.13.2) highlighting how to promote cooperation between export and import countries on making recommendations and preparing identification materials on further exemptions for artificially propagated hybrids of Orchidaceae spp. included in Appendix II, and how the PC should monitor and assess possible conservation problems arising from the implementation of such exemptions.

The North America representative, supported by Mexico, said that it is unclear why the PC should consider further exemptions if the current ones are not being used by traders. He suggested focusing instead on the problems of trade of wild species.

The Asia representative underscored that nine countries (Australia, Brazil, Canada, Germany, Denmark, Switzerland, Ireland, New Zealand and Vietnam) sent information on orchid exemptions and most of them said that the exemptions have a positive impact on trade.

The Oceania representative said that this issue should be a low priority for the Committee.

A working group co-chaired by Jan de Koning (the Netherlands) and the Asia representative Wichar Thitiprasert (Thailand) was established to: prepare the methodology to promote collaboration between exporting and importing countries; elaborate recommendations and material for new possible exemptions of artificially propagated hybrids in Appendix II; assess and monitor the exemptions' impacts on conservation; and define how and who will carry out the results to be sent to PC18. She also said the working group should prepare a survey to be sent to the parties asking about the existence (or not) of conservation problems regarding annotations, and indicate who will analyze these results.

The working group met Wednesday to discuss the issue, and on Thursday in plenary, Co-Chair Thitiprasert presented the results of the group's work (PC17 WG2). Mexico suggested asking both exporting and importing countries to send identification material, including pictorial guides, to the Secretariat. TRAFFIC expressed concern that orchid annotations were not covering all implications to conservation, and requested an independent study be conducted.

On Friday, in plenary, the PC adopted the revised recommendations with minor amendments.

**Recommendation:** The PC recommends (PC17 WG2 (Rev.1)), *inter alia*:

- requesting exporting and importing countries to send the Secretariat identification material and technical information, including pictorial guides, on artificially propagated orchid specimens exempted from CITES appendices as well as on wild specimens;
- making this information available on the CITES website for use by any interested party;
- requesting exporting and importing countries to consult with the Nomenclature Specialist for validation and accuracy of the information for the CITES website; and
- requesting the Secretariat to send a notification to parties with the deadline for the submission to monitor and assess possible

conservation problems arising from the implementation of the annotation to Ochidaceae spp.

**TREE SPECIES: ANNOTATIONS FOR SPECIES**

**INCLUDED IN APPENDICES II AND III:** On Tuesday, in plenary, following the Secretariat's presentation of the document on annotations for tree species included in Appendices II and III (PC17 Doc.13.3), Chair Clemente stressed the need to simplify the issue by defining each exemption and, with the Oceania region, proposed establishing a working group on annotations for tree species. She proposed that the working group's mandate be to: prepare a list of timber products included in Appendices II and III with corresponding annotations; define terms such as non-timber forest products (NTFPs), logs and veneer; prepare a list of articles that appear in international trade; and analyze the current annotations and propose amendments to the committee. Switzerland suggested expanding the mandate to include a discussion of customs tariff numbers. Chair Clemente addressed Germany's request for clarification regarding the scope of the working group's mandate, which was to define primary and secondary transformations, and not to review all annotations, but solely those subject to trade in timber. The working group, chaired by the North America representative Robert Gabel (US), was established, and met on Thursday morning to discuss the issue. On Thursday afternoon, in plenary, Gabel presented the group's recommendations (PC17 WG3), which were approved by the PC with minor amendments.

**Recommendation:** The PC recommends (PC17 WG3), *inter alia*:

- requesting the Secretariat to correspond with relevant experts at UN Food and Agriculture Organization (FAO), International Tropical Timber Organization (ITTO) and World Trade Organization (WTO) to compile a list of definitions and corresponding harmonized tariff codes for both primary and secondary processed timber products;
- requesting the Secretariat to summarize the information provided by range states in response to the notification; and
- requesting the intersessional working group to present recommendations to PC18 on potential revisions to annotations for tree species listed in the appendices.

**REVIEW OF SUCCULENT EUPHORBIA SPP. IN APPENDIX II**

On Tuesday, in plenary, Switzerland presented a review of succulent *Euphorbia* spp. in Appendix II. Highlighting that Decision CoP 14.131 (*Euphorbia* spp.) allows the PC to restrict the listing of these taxa to the ones that are actually or potentially threatened. Chair Clemente suggested that the working group on periodic review also look at how to restrict the listing of succulent *Euphorbia* spp. She stated the working group's mandate is to review the appendices, consider trade data and prepare the proposal.

On Friday in plenary, Chair Lüthy presented the working group's recommendations (PC17 WG5 (Rev.1)), of restricting the listing of "succulent *Euphorbia* spp." in Appendix II to those taxa that are actually or potentially threatened that could benefit from monitoring and restricting international trade, and that could meet the criteria of Resolution Conf. 9.24 (Rev. CoP14)

be done intersessionally. Austria, supported by the Europe and North America representatives, suggested updating the Euphorbia listing in Appendix II. Nomenclature Specialist Noel McGough suggested revising the CITES checklist that contains Euphorbia. The PC adopted the recommendations with these amendments.

**Recommendation:** The PC recommends (PC17 WG5 (Rev.1)), *inter alia*:

- investigating whether one or several subgeneric units of the genus Euphorbia in the new, amplified sense correspond to the former listing, and, if possible, narrow down the listing of succulent Euphorbia spp. in Appendix II; and
- the working group carry out intersessional work for: analyzing the trade data provided in the annex of document PC17 Doc.14; identify species for possible exclusion from Appendix II based on this and all other available relevant information; and prepare a list of candidate species for possible delisting for consideration at PC18.

### TRANSPORT OF LIVE PLANTS

On Wednesday in plenary, the Secretariat presented the document on transport of live plants (PC17 Doc.16.15). Chair Clemente asked for an update on the issue, and Austria suggested adding the issue to the PC/AC Joint Session's agenda. The PC agreed and nominated Michael Kiehn (Austria) to be the PC representative in such discussions.

### TIMBER ISSUES

**PROGRESS REPORT ON THE IMPLEMENTATION OF THE ACTION PLAN FOR BIGLEAF MAHOGANY:** On Wednesday in plenary, the Secretariat presented a progress report on the implementation of the action plan for bigleaf mahogany (PC17 Doc.16.1.1). She noted that under the action plan all range states were to facilitate the creation of NDFs by submitting reports to the Secretariat prior to PC17, and lamented that only ten range states had submitted their reports on time. She asked the PC to examine the report, determine ways to implement CoP Decision 14.145 (Bigleaf mahogany), and decide whether to include the species in the RST.

Mexico highlighted the inclusion of capacity building, regulation and regional studies in the report. He lamented the differing quality among the reports, and that only three countries have enough information to produce adequate NDFs.

WWF, with TRAFFIC, emphasized the need to include bigleaf mahogany in the RST and noted that such an inclusion should not be seen as a punitive measure but as a capacity-building opportunity.

Peru noted that his country did not submit the report in time because of assessing activities that were being carried out regarding mahogany conservation measures. He underscored that a number of the measures had been revised and requested these be assessed by the PC.

The PC agreed to include bigleaf mahogany in the RST, but recommended limiting the review to those parties who were not correctly implementing Article IV (Regulation of Trade in Specimens of Species included in Appendix II) of the Convention. Peru, with Mexico, highlighted that neither country should be included in the RST since they were correctly

implementing Article IV. The PC established a working group on bigleaf mahogany and RST, chaired by Kenneth Farr (Canada).

The working group on bigleaf mahogany met from Wednesday to Thursday to: decide upon those range states to be included in the RST; define the terms of reference for the intersessional Working Group on Bigleaf Mahogany (BMWG) until CoP15; discuss the endorsement of PC17 Doc.16.1.2; analyze documents PC17 Doc.16.1.3 and PC17 Doc.16.3; and formulate recommendations.

On Friday in plenary, Chair Farr highlighted the proposed recommendations from the working group. Mexico noted that those states who had not submitted information should also be included in the RST, which included, among others, Guyana, El Salvador and the Dominican Republic. The US, with Mexico, proposed the report note that country selection was done on the basis of the BMWG Chair's analysis of the submitted country reports. The Secretariat asked if the analysis took into account the formulation of adequate NDFs, and if the RST process was being followed in accordance with Conf.12.8 (Rev. CoP13) (Review of Significant Trade in specimens of Appendix-II species). Mexico and WWF confirmed that the correct RST process was being followed.

**Recommendation:** The PC (PC17 WG10) recommends, *inter alia*, that:

- the following range states be listed for the RST: Belize, Bolivia, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, St. Vincent and the Grenadines, Guyana, Honduras, Nicaragua, Panama, Peru, Venezuela and St. Lucia;
- this working group will continue to work intersessionally; and
- the mandate of the BMWG includes, *inter alia*: the promotion and facilitation of capacity-building programmes in monitoring and management relating to CITES; the utilization of the existing Bigleaf Mahogany Action Plan; and the promotion and preparation for official adoption, mahogany management plans at national and subregional levels.

### INTERNATIONAL WORKSHOP OF EXPERTS ON NDFs ON BIGLEAF MAHOGANY: ENDORSEMENT AND ADOPTION OF GUIDELINES FOR MAKING NDFs FOR MAHOGANY:

On Wednesday in plenary, Mexico summarized the recommendations of the International Workshop of Experts on NDFs on Bigleaf Mahogany (PC17 Doc.16.1.2), which took place in Cancún in April 2007, noting that the essential elements for NDF formulation include an estimation of range areas, population parameters, and management principles. Chair Clemente asked the working group on bigleaf mahogany and RST to examine the report. On Friday, in plenary, Chair Kenneth Farr reported on the group's outcomes, which the PC adopted.

**Recommendation:** The PC (PC17 WG10) recommends that the PC recognize that the indicative set of guidelines in PC17 Doc.16.1.2 can contribute to a useful methodology in the improvement of NDFs on bigleaf mahogany and endorse the document.

**VOLUMETRIC CONVERSION OF STANDING TREES TO EXPORTABLE MAHOGANY SAWN WOOD:** On Wednesday in plenary, Chair Clemente introduced the document on volumetric conversion of standing trees to exportable mahogany sawn wood (PC17 Doc.16.1.3), noting that the

recommendations could be implemented immediately and requesting that the working group on bigleaf mahogany and RST consider this issue. On Friday in plenary, Chair Kenneth Farr reported on the group's outcomes (PC17 WG10), which the PC adopted.

**Recommendation:** The PC (PC17 WG10) recommends endorsing PC17 Doc.16.1.3 as a useful methodology for improving the management of export quotas, and notes the existence of a wide variation in potential results and methodologies for determining volumetric conversion factors.

**PROGRESS REPORT ON THE JOINT CITES-ITTO TIMBER PROJECT: FIRST REGIONAL MEETING:** On Wednesday, in plenary, the ITTO introduced the document on the joint CITES-ITTO timber project (PC17 Doc.16.2). He noted that the project is meant to complement the PC's work, and support parties with the implementation of the Convention. The Secretariat then summarized the project's recent regional workshop in Africa (2-4 April 2008, Kribi, Cameroon) aimed at establishing a regional network and reviewing implementation decisions for Afromosia (*Pericopsis elata*). He said that the main output of the workshop is an action plan that will be available soon on the ITTO website, and stressed that a number of the project's activities will link to the PC's work, such as the development of case studies for NDFs. The PC took note of the report.

**CEDRELA ODORATA, DALBERGIA RETUSA, D. GRANADILLO AND D. STEVENSONII:** On Wednesday in plenary, the Secretariat introduced the document on progress made towards implementing the Action Plan on *Cedrela odorata*, *Dalbergia retusa*, *D. granadillo*, and *D. stevensonii* (PC17 Doc.16.3). Chair Clemente requested that the working group on bigleaf mahogany and RST assess the reports received to date. On Friday, in plenary, bigleaf mahogany and RST working group Chair Kenneth Farr presented the recommendations on the matter.

**Recommendation:** The PC (PC17 WG10) recommends, *inter alia*, the Secretariat notify range states to provide additional information regarding the status of conservation and trade and its relation to sustainable management of the species discussed in PC17 Doc.16.3.

**PROBLEMS REGARDING POPULATION-SPECIFIC APPENDIX III TIMBER LISTINGS:** On Wednesday in plenary, the US presented on problems regarding population-specific Appendix III listings (PC17 Doc.16.4), and noted that there was confusion as to how to handle these listings. He underscored that these problems undermine conservation efforts in the listed species, exacerbate illegal trade, and hamper CITES' efforts to collect trade data. He requested that other delegates share their opinions on the topic. The Secretariat noted that such issues are usually dealt with by the SC. The US noted that he was raising the issue as a courtesy to the PC, and using this as an opportunity to share information in order to prepare a better document for SC57.

Chair Clemente suggested, and the PC agreed, to instruct the Secretariat to prepare a notification to the parties asking if they have similar problems as those faced by the US, and to send the responses directly to the US Management Authority.

#### PHYSICAL INSPECTION OF TIMBER SHIPMENTS:

On Wednesday, in plenary, the Secretariat presented PC17 Doc.16.5, explaining the Secretariat's CoP14 mandate to establish an electronic working group by creating a dedicated and restricted online discussion forum accessible via the CITES website on timber issues. Italy highlighted the importance of this initiative, which will compile existing procedures adopted by parties for the identification of CITES-listed and look-alike timber species, as well as for the physical inspection of shipments. Chair Clemente said that Italy would be the PC representative for this group, and encouraged all Management and Scientific Authorities to be involved in this task.

#### NON-DETRIMENT FINDINGS

##### TIMBER SPECIES AND MEDICINAL PLANTS:

**Overview on non-detriment findings for timber species and medicinal plants:** On Tuesday in plenary, Chair Clemente highlighted that the work conducted on NDFs was a key aspect of the PC's work. She noted that PC17 Doc.17.1.1 provides an overview on NDFs for timber species and medicinal plants, and emphasized the work conducted by Spain, Malaysia and Mexico on the topic. A working group on NDFs for timber species was established to work intersessionally only, and PC Chair Clemente informed that Mexico and Malaysia would be the group's Co-Chairs.

Two working groups were formed to establish guidelines for NDFs with respect to medicinal plants and agarwood-producing plants. Chair Clemente announced that Uwe Schippmann (Germany) would chair the group on NDFs for medicinal plants and Greg Leach (Australia) would chair the group on NDFs for agarwood.

The working group on NDFs for medicinal plants met on Wednesday afternoon to discuss the development of principles, criteria and indicators for wild specimens of medicinal plants. On Thursday in plenary, Chair Schippmann noted that the working group would be intersessional, and highlighted that South Africa would conduct a case study on *Hoodia* spp. The PC adopted the recommendations (PC17 WG6 and PC17 Doc.17.1.1).

The working group on NDFs for agarwood met on Thursday morning to discuss the development of principles, criteria and indicators for elaborating NDFs for wild specimens. On Thursday in plenary, Chair Leach said that common definitions were needed among the working groups defining NDFs for the various plant species. He also noted that: the monitoring and reporting of trade is necessary to ensure that the NDFs were successfully implemented; the concern arising from confusion in trade statistics between cultivated and wild agarwood; and the effect that merging annotations #1 and #4 would have on reporting these statistics.

**Recommendation:** On NDFs for medicinal plants, the PC recommends (PC17 WG6), that:

- the working group will work intersessionally and to provide elements relevant to the process of developing NDFs for medicinal plants;
- relevant elements from the document on monitoring international wildlife trade with coded species data



(PC16 Inf.9) would be extracted for formulating the NDF methodology; and

- the guidance provided by the NDF methodology has to focus on an appropriate level of precision.

On NDFs for agarwood, the PC recommends (PC17 WG7) that:

- Asian regional representatives highlight the importance of, and solicit comments from, range states on document PC17 Inf.4 (Developing a NDF methodology for agarwood-producing taxa) with particular reference to the implementation of the proposed NDF methodology;
- regional representatives collate range state responses and present these to the working group chair;
- the International Expert Workshop on Non-Detriment Findings (10-15 November 2008, Cancun, Mexico) assess the possible relevance and contribution of the document “International Standard for Sustainable Wild Collection of Medicinal and Aromatic Plants (ISSC-MAP)” for the development of an agarwood NDF methodology; and
- PC18 assess the Mexican Workshop’s output.

**Summary report on the non-detriment findings for ramin (*Gonystylus* spp.) for Malaysia in 2008:** On Tuesday in plenary, Malaysia presented a summary report on its 2008 NDFs for ramin (PC17 Doc.17.1.2). He noted how the calculations were determined and which timber areas the report took into account. The US expressed concern that quotas determined by scientific experts were not sufficient, and that local aspects of harvesting as well as the regeneration of forests must be addressed when determining quotas. TRAFFIC commended Malaysia on the report and encouraged them to share their findings and methodology with other parties undergoing similar exercises. The PC took note of the report.

**Final report on the study on abundance, distribution and conservation status of *Guaiacum sanctum* L. in Mexico:** On Tuesday in plenary, Mexico presented the final report on a study regarding the abundance, distribution and conservation status of *Guaiacum sanctum* L (PC17 Doc.17.1.3). He noted the species distribution, and emphasized that it is not threatened and can be sustainably harvested. The PC took note of the report.

**AGARWOOD-PRODUCING SPECIES:** On Tuesday, in plenary, the Oceania representative presented the report on NDFs for Agarwood-producing species (PC17 Doc.17.2), noting that the topic had already been covered to some extent in previous discussions. Referring to the report on essential elements for the formulation of NDFs on agarwood-producing taxa, he noted that the process formulated therein provides an indication of current thinking. TRAFFIC completed the presentation on the report, and observed that the methodology draws on existing approaches, but has been modified to account for the realities faced by stakeholders within the industry. The PC adopted the report, with minor amendments.

#### DEFINITION OF NON-TIMBER FOREST PRODUCTS

On Friday in plenary, the Secretariat introduced document PC17 Doc.18 that requires the PC to provide a definition of NTFPs regarding separate plantation products and products of wild origin. The Secretariat noted FAO’s definition of NTFPs.

The FAO representative expressed willingness to work with the PC to arrive on a common definition of NTFPs. The PC decided to establish an intersessional working group, chaired by Greg Leach (Australia) to consult with the CBD, FAO and other international organizations on drafting a definition of NTFPs to be discussed at PC18.

#### HYBRIDS AND CULTIVARS UNDER THE CONVENTION

**OVERVIEW OF HYBRIDS AND CULTIVARS UNDER THE CONVENTION:** On Tuesday in plenary, the Secretariat presented the report on the overview of hybrids and cultivars under the Convention (PC17 Doc.19.1). She underscored that the purpose of the document is to inform discussions on *Taxus cuspidata* (Japanese yew) and allow the PC to formulate recommendations for CoP15 regarding their treatment under the Convention.

**SUMMARY OF COP14 DECISIONS ON HYBRIDS AND CULTIVARS:** On Tuesday in plenary, the North America representative introduced the document (PC17 Doc 19.2), and highlighted that although the Convention was silent on the treatment of hybrids, the CoP has provided guidance on the matter in Res. Conf.11.11 (Rev. CoP14) (Regulation of trade in plants). A working group, chaired by the North America representative Robert Gabel (US), was established to further discuss the issue. The working group met on Wednesday, and on Thursday in plenary Chair Gabel presented the group’s recommendations, which were adopted by the PC with minor amendments.

**Recommendation:** The PC recommends (PC17 WG9) regarding hybrids that parties continue to follow the guidance of Res. Conf.11.11 (Rev. CoP14) (Regulation of trade in plants).

Regarding cultivars, the PC:

- adopts the definition of the International Code of Nomenclature for Cultivated Plants and Cultivars (7th edition): “an assemblage of plants that has been selected for a particular attribute or combination of attributes and that is clearly distinct, uniform, and stable in these characteristics and that when propagated by appropriate means retains those characteristics;” and
- asks the Secretariat to submit a proposal to CoP15 to amend Res. Conf.11.11 (Rev. CoP14) to reflect that cultivars should be subjected to the provisions of the Convention even though not specifically included in the appendices, but may be excluded from CITES control by a specific annotation in Appendix I, II or III, if meeting the definitions of the International Code of Nomenclature for Cultivated Plants.

#### REGIONAL REPORTS

On Friday in plenary regional reports were presented. Beatrice Khayota (South Africa) presented the Africa regional report (PC17 Doc.5.1), noting activities on *Prunus africana* and *Aloe* spp. She stressed that many unlisted species are being over-utilized.

Tukirin Partomihardjo (Indonesia) presented the Asia regional report (PC17 Doc.5.2). Noting that illegal trade is one of the most lucrative criminal activities in Southeast Asia, he highlighted the Southeast Asian countries’ new

wildlife enforcement network, and stressed that the lack of communication within the region is its most important problem.

Dora Ingrid Rivera (Costa Rica) presented the Central and South America and the Caribbean regional report (PC17 Doc.5.3). She noted a number of bi-national capacity building regional workshops in Central America, and workshops in Peru on capacity building, enforcement and trade in orchids.

Maurizio Sajeve (Italy) presented the Europe regional report (PC17 Doc.5.4), highlighting the region's work on RST, reviewing CITES appendices and revising national legislation concerning CITES-listed species. He noted there were fifteen ongoing informative and capacity-building projects. He underscored regional timber workshops, and lamented the difficulty in distinguishing between wild and propagated specimens, continued issues in customs control, and the ongoing need to improve communication efforts.

Robert Gabel presented the North America regional report (PC17 Doc.5.5), highlighting the region's work on review of appendices and preparation of reports especially on NDFs for a variety of species. He noted the development of an electronic permit system for both Canada and the US.

Greg Leach presented the Oceania regional report (PC17 Doc.5.6) and informed of the region's intention to make a single directory for the AC and PC. He noted the major issue regarding plants for small island developing states is capacity building, and the importance of carrying out a regional workshop on timber. He also highlighted the recent entry into force of the CITES Convention for the Solomon Islands.

#### **NOMECLATURAL MATTERS**

On Friday, in plenary, PC Nomenclature Specialist Noel McGough introduced the document (PC17 Doc.20). He suggested deferring adoption of a standard nomenclature for ramin and agarwood-producing genera until guidance from the range states is obtained, and stressed the importance of harmonization of nomenclature and taxonomy across multilateral environmental agreements. Chair Clemente suggested that range states, rather than the PC, provide names of relevant experts to the Nomenclature Specialist. The PC adopted the Nomenclature Specialist's recommendations with minor amendments proposed by Chair Clemente.

The PC agreed that regional range states recommend experts to review the draft text of the revised orchid checklist Volume 1, and submit the names of those experts to Nomenclature Specialist Noel McGough (PC17 Doc.20).

#### **IDENTIFICATION MATTERS**

##### **PROGRESS REPORT ON THE IDENTIFICATION**

**MANUAL:** On Friday in plenary, the Secretariat noted the difficulties of compiling the identification manual (PC17 Doc.21.1), including budgetary issues. He noted that the Secretariat has investigated the possibility of having an electronic system for the identification manual, as this was the most effective method given current resources. He highlighted that by using an electronic system parties would be able to edit or modify certain information within the manual as this would allow easy and effective information sharing. The PC took note of the report.

##### **THE DEVELOPMENT OF GENETIC TECHNIQUES FOR THE FORENSIC IDENTIFICATION OF GONYSTYLUS (RAMIN) TIMBER AND WOOD**

**PRODUCTS:** On Friday in plenary, TRACE Wildlife Forensics Network presented on the development of genetic techniques for the identification of ramin timber and wood products (PC17 Doc.21.2). He noted the need to have a reliable method to identify ramin products that are entering the UK. He underscored that key considerations in developing the methodology included cost, robustness of results, and ease of data transfer between laboratories. He highlighted that the project was a pilot study, and that future work would look at other species including *Dalbergia* and *Cedrela*.

#### **ANY OTHER BUSINESS**

On Friday in plenary, Malaysia presented the report on the workshop for "Strategies for Sustainable Use and Management of Timber Tree Species Subject to International Trade: Southeast Asia" (PC17 Inf.7) held in Kuala Lumpur, Malaysia, from 5-7 September 2007. He highlighted that the workshop was convened to identify 150 tree species in international trade of conservation concern and to formulate strategies for their survival.

The UNEP-WCMC suggested that the PC endorse the UNEP-WCMC recommendations, contact the scientific authorities in the range states to advise them of the Netherlands' offer of support in listing the species identified at the workshop. She also requested recognition of the potential of online content management to facilitate information sharing. The PC agreed to these suggestions.

Germany notified the PC of its intention to prepare a draft document on timber certification, saying that a certificate number on an export permit could facilitate clearance of shipments at importing countries.

Chair Clemente thanked parties who have sent their Scientific and Management Authority staff to attend the Master's course on Conservation and Biodiversity at the International University of Andalucía and the University of Córdoba.

#### **CLOSING PLENARY**

On Friday afternoon, 18 April, the PC adopted the Executive Summaries of the meeting (PC17 Sum.1, PC17 Sum.2 and PC17 Sum.3), with minor amendments.

Many parties notified the PC of their interest in hosting PC18, with the PC endorsing the first offer made by Argentina. The Secretariat noted that given the timing of CoP15, PC18 should take place in February 2009.

PC Chair Clemente thanked participants for attending the meeting and gavelled the meeting to a close at 6:36 pm.

#### **REPORT OF THE JOINT SESSION OF THE PLANTS AND ANIMALS COMMITTEES**

On Saturday, 19 April, AC Chair Thomas Althaus (Switzerland) and PC Chair Margarita Clemente (Spain) opened the joint session of the Plants and Animals Committees (PC/AC) to address issues of common interest, including: the revision of the terms of reference of the PC and AC; cooperation with advisory bodies of other biodiversity-related multilateral

environmental agreements; review of significant trade in specimens of Appendix II species; the international expert workshop on non-detriment findings (NDFs); and transport of live animals and plants. The PC/AC agreed to add two items to its working programme both under “any other business”: joint meetings of the Scientific Committees; and revision and publication of the appendices.

#### **RULES OF PROCEDURE**

**PROPOSED AMENDMENTS:** The Secretariat presented the proposed amendments to the rules of procedure (AC23 Doc.2.2), noting that the Committees could adopt their own rules of procedure in accordance with those of the Standing Committee (SC). He noted that the rules of procedure included the acknowledgment that Committee members are not confined to regional representatives, and that parties affected by discussions will be notified, with copies of relevant documents sent by request. The North America representative, with IUCN and the Humane Society of the United States, proposed that the number of delegates representing non-governmental organizations (NGOs) be left to the discretion of the Chair. China emphasized that members appointed to the Committees could have personal interests and questioned how members would judge impartiality and by whom.

Chair Althaus formed a small working group, chaired by Robert Gabel (US), to discuss these matters.

In plenary on Saturday afternoon, Gabel noted that the working group concentrated on the suggestions made earlier. He added that on proposed rule 26 for the cases in which a member or alternate member of the Animals or Plants Committee has a financial or personal interest in a subject to be discussed by the Committees, the North America representative, with the Oceania representative, suggested that committee members are invited to disclose possible conflicts of interest during discussions, and should consider abstaining from voting. China, with the Asia representative and the Russian Federation, supported the deletion of the proposed rule. PC17/AC23 adopted the report with minor amendments.

**Recommendation:** The PC17/AC23 recommends that:

- committee chairs may limit representation of parties for practical reasons;
- discussions on the adoption of rule 26 resume after the SC’s adoption of the rules of procedure;
- all documents submitted shall be placed on the website no later than 10 days after the submission and agreement of the document’s content; and
- approval of the state within which a person, body, agency or organization resides is not required for participation at a committee meeting.

#### **REVISION OF THE TERMS OF REFERENCE OF THE PC AND AC**

The Secretariat said that the PC and AC should consider the need to revise their respective terms of reference (ToRs) as requested by CoP14 (PC17 Doc.12.1 and AC23 Doc.6). The North America representative said that he analyzed the mandates and believed that no amendment is required. The PC/AC agreed that it was not necessary to revise their ToRs.

PC Chair Clemente informed the joint session that the PC had prepared a planning table that defined its work up to CoP15, and established priorities and responsibilities.

#### **COOPERATION WITH ADVISORY BODIES OF OTHER BIODIVERSITY-RELATED MULTILATERAL ENVIRONMENTAL AGREEMENTS**

The Secretariat introduced the documents on cooperation with advisory bodies of other biodiversity-related multilateral environmental agreements (MEAs) (PC17 Doc.7 and AC23 Doc.7), and highlighted some ongoing cooperative activities. He invited parties to note the report and identify volunteers to provide guidance on the development of indicators. The North America representative said that the region supports cooperation between the biodiversity conventions, but cautioned that the conventions have different mandates that should be considered in moving cooperation forward, and further noted that the US is not keen on supporting the International Mechanism of Scientific Expertise on Biodiversity (IMoSEB). PC Chair Clemente noted that she and AC Chair Althaus attended the last meeting of the Chairs of the scientific bodies, and highlighted that the Convention on Biological Diversity’s (CBD) programme on alien invasive species is particularly powerful. France noted a recent meeting of the IMoSEB International Steering Committee, and said that a concept paper developed at that meeting would be circulated shortly. PC Chair Clemente noted that PC Nomenclature Specialist Noel McGough (UK) would provide guidance from the PC on the development of indicators, and the UK expressed interest in doing so for the AC.

#### **REVIEW OF SIGNIFICANT TRADE IN SPECIMENS OF APPENDIX II SPECIES**

**EVALUATION OF RST:** AC Chair Althaus noted that working groups would be formed to address issues regarding the Review of Significant Trade (RST). The Secretariat introduced the document on the evaluation of RST (PC17 Doc.8.1 and AC23 Doc.8.1), and invited the PC/AC to make recommendations on how the advisory group should be established and what the Secretariat should do to support the parties in the review process. The North America representative, supported by the Oceania representative, cautioned that ToRs for the review are quite ambitious and may need to be revisited at CoP15. Responding to the UK’s request for clarification on when the RST database would be available online for the parties, the Secretariat said that it is currently working with UNEP-WCMC on creating a user interface for the database, and it should be available soon. The PC/AC established a working group to address the issue co-chaired by PC Nomenclature Specialist Noel McGough and the AC North America representative Rodrigo Medellín (Mexico). The working group discussed ToRs for the RST and formed an advisory group to work intersessionally on this matter (PC17 Doc.8.1 and AC23 Doc.8.1). In plenary, McGough noted that the working group had established the criteria for membership of the advisory group.

**Recommendation:** The Committees recommend that the advisory group work intersessionally and report back at PC18 and AC24.

### PROGRESS REPORT ON THE COUNTRY-BASED REVIEW OF SIGNIFICANT TRADE IN MADAGASCAR:

Madagascar introduced its progress report on the country-based RST in Madagascar (PC17 Doc.8.2 and AC23 Doc.8.2) and highlighted various accomplishments resulting from the process. After many participants congratulated Madagascar on its work, the Secretariat proposed that the PC/AC formally close out the country-based review process. Many parties and observers noted that an evaluation of the process needed to be carried out, and the North America representative proposed, and participants agreed, that the PC/AC close out the process at the country-level but proceed at the species level, and do an evaluation of the process.

**Recommendation:** The PC/AC recommends that:

- the Madagascar country-based review be closed out at the country level;
- parties evaluate the Madagascar process;
- species-level reviews will continue to be included in the RST; and
- Madagascar can acquire funding as outlined in Res. Conf.12.2 (Procedure for approval of externally funded projects).

### REVIEW OF THE USE OF SOURCE CODE 'R'

The Secretariat introduced the document on the review of source code 'R' (PC17 Doc.9 (Rev.2) and AC23 Doc.9 (Rev.2)). He invited the PC/AC to review the countries that are using source code 'R' and identify those doing so on a regular basis for species other than crocodylians transferred from Appendix I to Appendix II subject to ranching. The PC/AC established a working group co-chaired by Central and South America and the Caribbean representative José Alvarez Lemus (Cuba) and Chris Schürmann (the Netherlands). Reporting back to plenary on Saturday, Schürmann highlighted that working group discussions included the elements of the intersessional working group's mandate, timelines for future work, and the formulation of a drafting group to review the data received from parties. The PC/AC adopted the report.

**Recommendation:** The PC/AC recommends that the drafting group select relevant parties to provide additional information in response to a questionnaire that will be sent out by the Secretariat, and analyze the data and draft a report to be presented at PC18.

### TRANSPORT OF LIVE ANIMALS AND PLANTS

The Secretariat presented documents regarding the transport of live animals (AC23 Doc.16) and plants (PC17 Doc.15). A working group, chaired by Thomas Althaus, was established to discuss the issue. In plenary, Althaus announced that Andreas Kauffmann (Austria) was the new Chair of the intersessional working group on transport of live animals and plants. Kauffmann presented the group's recommendation, which the PC adopted.

**Recommendation:** The PC/AC recommends that participation of PC and AC members at other related meetings, such as the International Air Transport Association (IATA), was acceptable but members could not take decisions on behalf of CITES.

### INTERNATIONAL EXPERT WORKSHOP ON NON-DETRIMENT FINDINGS

Mexico presented the report on the preparations for the upcoming international expert workshop on NDFs (PC17 Doc.10 (Rev.1) and AC23 Doc.10). He noted the aim of the workshop was to provide guidance to CITES authorities relating to the processes, methodologies and information needed to formulate NDFs, both in general and for selected species, by building on existing work, so that NDFs can be better implemented. He highlighted that the next workshop is tentatively scheduled to take place in Huatulco, Mexico, from 17-22 November 2008. The PC/AC took note of the report.

### ANY OTHER BUSINESS

Japan proposed reviewing the nomenclature changes in the appendices after CoP14. AC Chair Althaus welcomed the proposal and praised its practical importance, especially for Management Authorities. AC Nomenclature Specialist Ute Grimm (Germany) said that she prepared a table providing information on the changes and their impacts on the Convention's implementation.

PC Chair Clemente informed that the next PC and AC meetings will not be held back-to-back due to problems regarding costs associated with translation of documents. Thus, she noted that there would not be a joint session of PC/AC. Mexico highlighted that back-to-back meetings enable parties to reduce their traveling costs, and the importance of the joint sessions. PC Chair Clemente noted that issues of common interest are becoming fewer and fewer and that she could still consult with AC Chair Althaus on these issues, and the AC Chair could attend PC meetings and the PC Chair could attend AC meetings, if necessary.

### CLOSING OF THE JOINT SESSION

Thanking all participants and the staff of the CITES Secretariat, AC Chair Althaus gavelled the joint meeting to a close at 6:23 pm on Saturday, 19 April.

### REPORT OF THE 23RD MEETING OF THE ANIMALS COMMITTEE

On Saturday, 19 April, CITES Secretary-General Willem Wijnstekers opened the Animals Committee (AC) meeting and highlighted CITES' new strategic vision that states that CITES should ensure sustainable trade and conservation, and incorporate sustainable and broader environmental objectives reflected in the Millennium Development Goals and the global 2010 biodiversity target. Thomas Althaus (Switzerland) was confirmed as the AC Chair. Althaus then highlighted the crisis that amphibian species are facing and noted that saving the European tree frog (*Hyla arborea*) from extinction is the biggest problem faced currently by conservationists.

The AC adopted the rules of procedure (AC23 Doc.2.1). Delegates discussed the draft agenda (AC23 Doc.3.1) and working programme (AC23 Doc.3.2) and adopted them with minor amendments. Participants also adopted the list of observers (AC23 Doc.4).

**REVIEW OF SIGNIFICANT TRADE IN SPECIMENS OF APPENDIX II SPECIES**

**OVERVIEW OF THE SPECIES-BASED REVIEW OF SIGNIFICANT TRADE:** On Monday in plenary, the Secretariat introduced the document on the overview of the species-based Review of Significant Trade (RST) (AC23 Doc.8.3), and the AC took note of the report.

**SPECIES SELECTED FOLLOWING COP13:** On Monday in plenary, the Secretariat introduced the document on species selected following CoP13 (AC23 Doc.8.4) and requested that the AC, *inter alia*: review the reports in the annex and responses submitted by range states and, if appropriate, revise the preliminary categorizations proposed by IUCN; formulate recommendations for species of “urgent concern” or “possible concern;” and eliminate from the review those of “least concern.” A working group on RST, chaired by Thomas Althaus, was established to deal with this issue. The RST working group met on Tuesday and Althaus summarized the group’s progress in plenary on Wednesday afternoon. The AC adopted the recommendations with minor amendments.

**Recommendation:** The AC recommends (AC23 WG1 Doc.1), *inter alia*:

- categorizing various *Mantella* spp. from Madagascar and *Testudo graeca* from Lebanon as “least concern,” and eliminating them from the review; and
- categorizing *Mantella crocea*, *Mantella expectata*, *Mantella milotympanum*, and *Mantella viridis* from Madagascar as “possible concern,” and requesting additional information on the species from Madagascar for reconsideration at AC24.

**SELECTION OF SPECIES FOR TRADE REVIEWS**

**FOLLOWING COP14:** On Monday in plenary, the Secretariat introduced document AC23 Doc.8.5, highlighting the Secretariat’s continued concern about the effects of international trade in *Huso huso* (beluga sturgeon).

UNEP-World Conservation Monitoring Centre (UNEP-WCMC) noted that in addition to the trade data contained in the annex, it also produced a preliminary analysis of the data to assist the AC with its work.

AC Chair Althaus suggested, and participants agreed, that the working group on RST would address these issues on the basis of any available pre-selected lists of species. The RST working group met on Tuesday and Wednesday to discuss species selected for trade reviews following CoP14 (AC23 Doc.8.5), and to propose species of priority concern based on recorded trade levels. The working group made a preliminary selection of taxa to be included in the RST on the basis of information received from UNEP-WCMC.

**Recommendation:** The AC recommends (AC23 WG1 Doc.1), *inter alia*:

- eliminating many species, including *Lycalopex griseus* and *Gyps africanus*, from the review on the basis of new information received by AC23 from range states; and
- retaining various species, including *Hippopotamus amphibious* from all range states except Rwanda and Democratic Republic of Congo and Genus *Uroplatus* from Madagascar, in the review.

**Selection of the Solomon Islands population of *Tursiops aduncus* for inclusion in the Review of Significant Trade:**

On Monday in plenary, Israel introduced its proposal to include *Tursiops aduncus* (bottlenose dolphin) from the Solomon Islands in the RST (AC23 Doc.8.5.1). Stressing that the issue is a scientific rather than political one, he said that the Solomon Islands’ Non-Detriment Findings (NDFs) have not been publicized or peer reviewed, emphasized the small population size of this species, and requested that the AC include this species in the RST.

The Europe representative noted the enormous resources needed for an RST, alternative bilateral ways to resolve the issue. Noting a mix of opinion within the region on the issue, the Oceania representative, suggested: that the Mexican workshop on NDFs consider this species as a case study; and encouraged parties to consider not doing an RST.

Stressing ongoing conservation efforts within the country and the importance of dolphin harvesting for livelihoods, the Solomon Islands asserted that Israel’s proposal was an infringement on its sovereignty, and did not adequately take into account scientific information from the Solomon Islands’ Scientific Authority nor its NDF. He further stressed that the Solomon Islands is a Least Developed Country, and challenged those organizations that want more research done to provide the funds to conduct it. The Asia representative emphasized that prohibiting reasonable exports will encourage poaching and smuggling and encouraged Israel to withdraw its proposal.

In the interest of resolving the issue, and in light of upcoming workshops on formulating NDFs, Israel proposed that the decision to include the Solomon Islands in the RST be postponed until AC24. The Oceania representative agreed with Israel’s proposal and, with Mexico, noted that the intervening period should be used to gather more information and conduct studies on *Tursiops aduncus*. WWF noted that being included in the RST was not a punitive measure, but rather a helpful methodology for range states to gather information.

The AC encouraged the organizers of the NDF workshop to invite the Solomon Islands to participate and to make the population of *Tursiops aduncus* a case study; and asked the Oceania representative to report at AC24 on activities carried out regarding the population of *Tursiops aduncus* of the Solomon Islands.

**PERIODIC REVIEW OF ANIMAL SPECIES INCLUDED IN THE CITES APPENDICES**

**SCHEDULE AND RESPONSIBILITIES FOR SPECIES SELECTED FOR PERIODIC REVIEW BETWEEN COP13 AND COP15:**

On Monday in plenary, the Secretariat presented document AC23 Doc.11.1 and outlined the species that AC22 agreed to review. He noted that the AC is invited to consider: how to conduct reviews of species that were selected after CoP13; establish a schedule with timeframes and deadlines; and identify parties or individuals to conduct the reviews. The Europe representative encouraged countries to take part in the periodic review, and noted IUCN’s available and trustworthy information on mammals and amphibians. The UK suggested that participants look at the reasons to review species. Humane

Society International underscored that the periodic review's aim is to ensure that species are properly placed in the appendices. A working group, chaired by Carlos Ibero (Spain), was established to further discuss these issues. On Tuesday in plenary, Ibero informed that the working group looked at how the PC had dealt with the issue of outstanding species' reviews and decided to follow the same recommendations. The AC agreed.

**Recommendation:** The AC recommends, among others, that:

- the Secretariat raise awareness of species that are still not under review and notify parties to find the resources themselves to complete the periodic review; and
- if funds are available, the Secretariat consult with the AC about contracting experts to carry out the reviews.

**PERIODIC REVIEW OF FELIDAE: Periodic review of Felidae:** On Monday in plenary, the US introduced its progress report on the periodic review of *Felidae* (AC23 Doc.11.2.1), noting that it would submit the final report at AC24, and suggested that range states consider taking the lead on the remaining reviews. The AC established a working group, co-chaired by the North America representative, Rodrigo Medellín (Mexico) and alternate member, Rosemarie Gnam (US), to address this issue.

The working group met on Tuesday to review and discuss the strategy for reviewing *Felidae* contained in the annex to AC23 Doc.11.2.2, and to make any recommendations that arise, as appropriate. On Tuesday afternoon in plenary, Medellín reported on the group's progress (AC23 WG3 Doc.1). He said that the group recommends that several species could be removed from the review, that a low priority should be given to some species for which no range state volunteered to do the review, and that the group will try to reduce the list further at AC24. The AC adopted the report with minor amendments.

**Recommendation:** The AC recommends (AC23 WG3 Doc.1) that, *inter alia*:

- following response to a notification effect and depending on the answer to this notification, several species will be eliminated from the review;
- notification should be sent to parties to invite them to volunteer to do reviews on any of the species listed in the annex to AC23 Doc.11.1;
- the CITES Identification Manual for all *Felidae* spp. should be updated, especially of the genera *Leopardus* and *Prionailurus*; and
- a review should be done for the genus *Prionailurus*.

**Status of the populations of *Lynx rufus* in Mexico:** On Monday in plenary, Mexico introduced the document on the status of *Lynx rufus* in Mexico (AC23 Doc.11.2.2), describing the study it conducted over the past two years to evaluate the status of the species at the national level and, in response to the Europe representative's inquiry, confirmed that there are European experts involved in the investigation. The UK commended Mexico on its work and, supported by AC Chair Althaus, emphasized that the AC must not lose sight of the look-alike species. The AC agreed that the working group, co-chaired by Robert Medellín and Rosemarie Gnam, would also discuss this issue. On Tuesday afternoon in plenary, Medellín presented the group's recommendations, which were adopted by the AC.

**Recommendation:** The AC recommends (AC23 WG3 Doc.1) that:

- a meeting should be organized for management and law enforcement authorities of the US, Mexico, and Canada to meet with the range states of the Eurasian and Iberian Lynx to discuss possible problems of illegal trade in those species; and
- the CITES Identification Manual for all *Felidae* spp. should be updated, especially of the genera *Lynx*.

**PERIODIC REVIEW OF SPECIES SELECTED PRIOR TO COP13:** On Monday, in plenary, the Secretariat presented document AC23 Doc.11.3 (Rev.2) and said that the AC should consider the reports submitted by Spain on the review of *Rhea americana* and *Tupinambis merianae* (previously *T. teguixin*), and decide how to address the outstanding reviews of species that were selected before CoP13, taking into consideration the process for selection of species for periodic review discussed under "Schedule and responsibilities for species selected for periodic review between CoP13 and CoP15." The working group, chaired by Carlos Ibero (Spain), was also asked to discuss: how the AC should conduct review of species selected after CoP13; the present structure and purpose of Res. Conf.14.8 (Periodic review of appendices); and how outstanding reviews of species selected before CoP13 be treated.

On Tuesday in plenary, Ibero said that the working group looked at how the PC had dealt with the issue of outstanding species' reviews and decided to follow the same recommendations. He noted that the working group had not considered the present structure and purpose of Res. Conf.14.8. The Asia representative highlighted that the private sector may be called upon to donate funds for the periodic review. Humane Society International cautioned against this as some parties donating funds may have pre-existing expectations regarding the outcome of the review. The AC adopted the recommendations.

**Recommendation:** The AC recommends, among others, that:

- the Secretariat raise awareness of species that are still not under review and notify parties to find the resources themselves to complete the periodic review; and
- if funds are available, the Secretariat consult with the AC about contracting experts to carry out the reviews.

**SELECTION OF A REPRESENTATIVE FOR THE STANDING COMMITTEE WORKING GROUP REVIEWING THE IMPLEMENTATION AND EFFECTIVENESS OF THE UNIVERSAL TAGGING SYSTEM AND THE TRADE IN SMALL CROCODILIAN LEATHER GOODS**

On Monday in plenary, the Secretariat introduced the document (AC23 Doc. 12), which invites the AC to select a representative to participate in the SC's working group on reviewing the implementation and effectiveness of the universal tagging system and the trade in small crocodilian leather goods. AC Chair Althaus informed that the AC discussed the issue informally and selected Dietrich Jelden (Germany) to be the AC representative.

**STURGEONS AND PADDLEFISH**

**SECRETARIAT'S REPORT:** On Monday, in plenary, the Secretariat introduced the report (AC23 Doc.13.1(Rev.1)) on the activities regarding the conservation of, and trade in,

surgeons and paddlefish, as directed by Res. Conf.12.7 (Rev. CoP14) (Conservation of and trade in sturgeons and paddlefish). He highlighted that quotas for 2008 were published in the report, and that the caviar trade database had been operational since November 2007. He lamented that use of the database was hampered by parties not sending copies of permits to the Secretariat. The Asia representative asked what could be done to ensure states comply with their obligations of forwarding copies of issued permits. The Secretariat said there was no mandate to sanction parties that do not comply. The AC took note of the report.

**EVALUATION OF THE ASSESSMENT AND MONITORING METHODOLOGIES USED FOR STOCKS OF ACIPENSERIFORMES SPECIES SHARED BETWEEN DIFFERENT RANGE STATES:** On Monday in plenary, on the evaluation of the assessment and monitoring methodologies used for stocks of *Acipenseriformes* spp. (sturgeons and paddlefish) shared between different range states (AC23 Doc.13.2), the Secretariat noted that the evaluation is carried out on a three-year cycle, with the new cycle beginning in 2008. He stated that the UN Food and Agriculture Organization (FAO) was commissioned for the previous cycle to review the survey methodology, stock assessments and setting of total allowable catches for Caspian Sea sturgeon fisheries. He emphasized that the AC was tasked with determining how to carry out the evaluation in the new cycle, and to report on progress at SC57. A working group, chaired by Mohammad Pourkazemi (Iran), was formed to discuss this matter.

On Wednesday, Pourkazemi presented his report (AC23 WG5 Doc.1) to plenary and noted that the group: reviewed and discussed the assessment and monitoring methodologies; proposed activities to monitor progress on the relevant provisions of Res. Conf.12.7 (Rev. CoP14) (Conservation of and trade in sturgeons and paddlefish); and prepare a report for presentation at SC57. The AC adopted the recommendations with minor amendments.

**Recommendation:** The AC recommends (AC23 WG5 Doc.1), *inter alia*, that:

- the Secretariat promote a workshop to review existing methodologies for sturgeon stock assessment and total allowable catch for the Caspian Sea, Amur River, Black Sea, Danube River and Azov Sea regions;
- the Secretariat communicate its recommendations to FAO in order to encourage the allocation of funding from the FAO Technical Cooperation Programme in order to conduct the above workshops;
- range states of the Black Sea, Danube River and Azov Sea region establish a joint uniform methodology; and
- the AC Chair presents the progress report to SC57.

#### NOMENCLATURE MATTERS

On Monday, in plenary, AC Nomenclature Specialist Ute Grimm (Germany) presented AC23 Doc.14 on nomenclature matters that have arisen since AC22. She highlighted that the “checklist of chelonians of the world” had been officially published, and suggested that this checklist be substituted for the current checklist at CoP15. She bemoaned that illegal copies of

the checklist had been published and were available for sale over the internet. A working group, chaired by Grimm, was formed to discuss these and other nomenclature matters. On Wednesday, Grimm noted that the group met on Tuesday and discussed, *inter alia*, the checklist of CITES species; *Papilionidae*; corals; species described after the adoption of the current taxonomic references; and specific taxon issues for *Hirudo medicinalis*.

**Recommendation:** The AC recommends (AC23 WG5 Doc.1), *inter alia*, that:

- the Secretariat notify parties that: the bird species *Glaucidium mooreorum* (Strigiformes spp.), *Micrastur mintoni* (Falconiformes spp.), and *Pionopsitta aurantiocephala* (Psittaciformes spp.) were omitted accidentally in the 2003 Howard and Moore Complete Checklist of the Birds of the World, and that the AC will propose to recognize them at CoP15; and domesticated forms of dogs and dingoes are not covered by the CITES listing of *Canis lupus*, and the AC will submit a proposal on this issue at CoP15;
- regarding *Hirudo medicinalis*, all parties, NGOs and IGOs either volunteer to research the issue or provide information on specialists in this field to the AC Nomenclature Specialist; and
- the Secretariat add a footnote in the pdf file of the CITES checklists stating “Copyright © 2006 by [Authors], All rights reserved, Reproduction for commercial purposes prohibited;” and include this footnote in future checklists.

#### CONSERVATION AND MANAGEMENT OF SHARKS REPORTS FROM PARTIES ON IMPLEMENTATION OF IPOA-SHARKS, OPPORTUNITIES TO IMPROVE MONITORING, VERIFICATION AND REPORTING OF CATCH, BYCATCH AND DISCARDS AND USE OF COMMODITY CODES:

On Monday in plenary, the Secretariat presented the document on the reports from parties on implementing the International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks) (AC23 Doc.15.1 and Doc.15.1 Addendum). Mexico and South Africa outlined their national legislation regarding fisheries.

A working group, chaired by Rod Hay (New Zealand), was established to examine the reports and propose follow-up action. On Wednesday in plenary, Hay informed that the group met twice and discussed the importance of more detailed international trade data on shark products, which would augment existing sources of information to assist with shark fisheries monitoring and assessments. Hay outlined the group’s output, which the AC adopted, with minor amendments.

**Recommendation:** The AC recommends (AC23 WG6 Doc.1) that:

- the Secretariat monitor the discussions within the World Customs Organization on the development of a customs data model, and the inclusion therein of a data field to report trade at a species level and notify parties of the existence of these discussions and significant developments;
- the SC identify and assess options for developing a more universal tracking system; and

- parties develop and utilize customs codes for shark fin products that distinguish between dried, wet, processed and unprocessed fins.

**IDENTIFICATION OF SHARK SPECIES OF CONCERN THAT REQUIRE CONSIDERATION FOR INCLUSION IN THE APPENDICES IF THEIR MANAGEMENT AND CONSERVATION STATUS DOES NOT IMPROVE:** On Monday in plenary, the Secretariat presented the document on the identification of shark species (AC23 Doc.15.2). He highlighted the need for the AC to discuss the progress made on the issue and decide on future activities, work plans and timelines for the implementation of Res. Conf.12.6 (Conservation and management of sharks) and Decision 14.107 (Sharks and stingrays). The Oceania representative suggested the working group should focus on the critical issues of the harmonized system for commodity codes.

The AC agreed that the working group chaired by Rod Hay would also deal with this issue. On Wednesday in plenary, Hay informed that the group met twice and discussed, *inter alia*: available relevant documents with a view to identifying key species and examining these for consideration and possible listing under CITES; and the progress made in the implementation of Res. Conf.12.6 and Decision 14.107, and possible future activities. Hay outlined the group's output, which the AC adopted with minor amendments.

**Recommendation:** The AC recommends (AC23 WG6 Doc.1) that:

- the US head the work of an intersessional group on the implementation of Decision 14.107 and prepare a paper on actions already undertaken and identification of priorities for future actions for species of concern to be discussed at AC24;
- parties that have not done so adopt appropriate national conservation and management measures to protect sawfishes (*Pristidae*) species, mitigate bycatch and identify and protect critical habitats; and
- regarding Decision 14.109 (Sharks and stingrays), the Secretariat include in its list of funding requirements a workshop on South American stingrays, and asks CITES Authorities and Fisheries Departments to consider the Secretariat's request for financial support for this workshop and a workshop on the conservation and management of sharks.

**LINKAGES BETWEEN INTERNATIONAL TRADE IN SHARK FINS AND MEAT AND ILLEGAL, UNREPORTED AND UNREGULATED FISHING:** On Monday in plenary, AC Chair Althaus suggested the matter (AC23 Doc.15.3) be addressed first by the SC. The Oceania representative noted that Australia commissioned an independent study on illegal, unregulated and unreported (IUU) fishing and sharks. He proposed, and the AC agreed, that the discussion on whether the item was an SC or a scientific one be carried out in the working group on sharks.

On Wednesday in plenary, Chair Hay informed that the group discussed the relevance of IUU fishing to international trade in shark products and agreed that aspects of this issue, particularly unregulated and unreported fishing that supplies international

trade, are appropriate matters for the AC to consider. Hay outlined the group's output, which the AC adopted with minor amendments.

**Recommendation:** The AC (AC23 WG6 Doc.1) encourages Australia to take into account available sources including the outcomes of the forthcoming FAO shark fisheries workshop and the NDF workshop when preparing its paper on IUU fishing, which will be presented at AC24 for further discussion.

### **TRANSPORT OF LIVE ANIMALS**

On Monday in plenary, AC Chair Althaus informed participants that on Saturday, a small working group was formed to organize the discussion on the transport of live animals and plants.

The Secretariat presented document AC23 Doc.16 that asks the AC to, *inter alia*: participate in the meetings of the Live Animals and Perishables Board of the International Air Transport Association (IATA) in order to amplify or update the Live Animals Regulations and the Perishable Cargo Regulations; and participate in the regular meetings of the World Organization for Animal Health (OIE) Terrestrial Animal Health Standards Commission and in the ongoing reviews of the OIE Guidelines for the Transport of Animals by Sea, the OIE Guidelines for the Transport of Animals by Land and, if appropriate, the OIE Guidelines for the Transport of Animals by Air.

A working group, chaired by Andreas Kaufmann (Austria), was established to further discuss the issue. On Wednesday, Kaufmann reported on the group's outcomes (AC23 WG7 Doc.1), which the AC adopted with minor amendments.

**Recommendation:** The AC recommends (AC23 WG7 Doc.1), *inter alia*:

- the working group on the transport of live animals (TWG) to work intersessionally to determine the need and feasibility of establishing CITES guidelines on the issue;
- the TWG Chair monitor the meetings of Live Animal and Perishables Board of IATA;
- the Secretariat provide funding to support the TWG Chair to monitor, on behalf of the AC, regular meetings of the OIE Terrestrial Animal Health Standards Commission, and that the working group assess the utility of such participation; and
- the Secretariat notify parties to send information to the TWG Chair on cases of high mortality of live specimens for consideration, who will seek to identify likely causes of mortality and, where possible, make recommendations to address the problem.

### **PROPOSAL TO TRANSFER THE MEXICAN POPULATION OF CROCODYLUS MORELETTII FROM APPENDIX I TO APPENDIX II**

On Monday in plenary, Mexico introduced the document related to its proposal to transfer the Mexican population of *Crocodylus moreletti* from Appendix I to Appendix II (AC23 Doc.18), and emphasized Mexico's intention was not to harvest from the wild but rather to use captive populations. AC Chair Althaus stressed that the AC is tasked with evaluating Mexico's report on a scientific basis, and not the recommendation on the proposed listing change. IUCN noted that it has been working with Mexico on this issue and that it is possible that



the population has increased such that it no longer warrants an Appendix I listing. The Asia representative and Israel inquired how Mexico would differentiate between the trade of wild and captive specimens, to which Mexico responded that all trade came from closed cycle farms. Mexico thanked for their suggestions that would be considered for possible amendment of the draft proposal.

### REGIONAL REPORTS

On Monday in plenary, four regional reports were presented. The Central and South America and the Caribbean representative, Marcel Calvar (Uruguay), presented his region's report (AC23 Doc.5.3) and noted communication problems within the region and the low rate of responses. He stressed that the region had taken part in a number of activities, including: national workshops for training and capacity building; legislative developments regarding CITES-listed species; management of cayman and fox populations; and investigations into coral smuggling.

The Europe representative, Carlos Ibero (Spain), presented his region's report (AC23 Doc.5.4), lamenting the very low rate of responses. He outlined a number of projects being carried out that were linked to CITES including: participation in NDF workshops; populations assessments; and scientific review meetings.

The North America representative, Rodrigo Medellin (Mexico), presented his region's report (AC23 Doc.5.5), emphasizing the changes in the representation within the CITES authorities across the entire region. He highlighted that a number of workshops and capacity building projects had taken place on, among others, *Felidae*, NDFs and marine turtles.

The Oceania representative, Rod Hay (New Zealand), presented his region's report (AC23 Doc.5.6). He welcomed the Solomon Islands to the Convention and noted a number of activities taking place in the region, including NDFs and capacity building.

On Wednesday in plenary, two additional regional reports were presented. The Africa representative, Richard Bagine (Kenya), presented his region's report (AC23 Doc.1), and lamented the lack of communication within the region. He highlighted work undertaken on scientific research, regional meetings and capacity building. The Asia representative, Siti Prijono (Indonesia), presented her region's report (AC23 Doc.2), and highlighted that a number of activities took place during the intersessional period, including international meetings, capacity building activities and production of NDFs.

### PROGRESS REPORT ON THE IDENTIFICATION MANUAL

On Wednesday in plenary, the Secretariat noted the difficulties in compiling the identification manual (AC17 Doc.17) and stated that the manual was moving to an electronic system, as this was the most effective method given current resources. The AC took note of the report.

### CLOSING PLENARY

On Wednesday in plenary, the AC adopted the Executive Summaries of the meeting (AC23 Sum.1 and AC23 Sum.2) with minor amendments. The North America representative noted that the advisory group for the evaluation of the review of significant trade had been confirmed and included, among others, Mohammed Pourkazemi (Iran), Cameroon, China, and UNEP-WCMC.

The Secretariat noted that no parties offered to host AC24, and informed that the meeting would be held in Geneva, Switzerland in April 2009.

AC Chair Althaus thanked participants for attending the meeting and the Secretariat staff for their hard work. He gavelled the meeting to a close at 6:37 pm.

### A BRIEF ANALYSIS OF THE MEETINGS

While there were not many heated debates at the 17th Meeting of the Plants Committee (PC17) and the 23rd Meeting of the Animals Committee (AC23), the two committees did an excellent job of laying the groundwork for fulfilling their mandates set forth at the fourteenth Conference of the Parties (CoP). As many participants noted, no concrete results are expected until the next round of scientific meetings in early 2009. These meetings, therefore, focused on prioritizing issues, distributing tasks and assigning responsibilities.

As such, many of the recommendations include the continuation of tasks within intersessional working groups. While discussions may appear to be moving slowly, the highly technical nature of the scientific committees' tasks demand intersessional work in order to corral the relevant experts to contribute on each specific issue. Further, the committees' decision to forward many issues to intersessional working groups to ensure rigorous analysis, confirms their commitment to maintaining the scientific integrity of the Convention.

Indeed, the committees paid heed to the Secretary-General's opening remarks, delivered by David Morgan in the PC and the Secretary-General himself in the AC, and demonstrated their commitment to maintaining scientific integrity by sticking to scientific/technical issues and leaving political ones to the Standing Committee (SC). This was particularly noteworthy in the AC with respect to its deferral of certain aspects of the illegal, unregulated, and unreported fishing issue to the SC, and its refusal to succumb to political pressure surrounding inclusion of the Solomon Islands' bottlenose dolphins in the review of significant trade (RST) in the perceived absence of adequate supporting scientific data.

Finally, the hard-fought and controversial entrée of timber and commercially exploited marine species onto the CITES' agenda was evident at these meetings with mahogany and sharks featuring prominently in the committees' discussions on RST and selection of species of concern, and ramin and dolphins providing some of the backdrop for discussions on defining non-detriment findings (NDFs).

This analysis will focus on progress made in terms of laying the groundwork for fulfilling the CoP mandates related to three central technical issues undertaken by the two committees,

namely: RST and mahogany, sharks and species of concern, and defining NDFs.

### **RST AND MAHOGANY**

The negotiations surrounding mahogany reflected an evolving perspective on the role of RST as an opportunity rather than a threat for range states. After much resistance to the idea at PC16, mahogany was quickly approved for an RST by PC17. Some participants cited this as a big step forward for the Convention, saying that it represents an acknowledgment that inclusion in the RST process can help range states with the overarching goal of the Convention: ensuring that international trade does not threaten survival of species. Further, in light of the recurring theme at PC17 surrounding the limited resources in many countries for implementation of the Convention, many participants noted that inclusion in the process provides an opportunity to secure funding for implementation, as the CITES Secretariat prioritizes its limited financial resources for RST, and funds from the CITES-International Tropical Timber Organization (ITTO) joint project could also potentially be mobilized for range states to carry out RST on timber species.

Others, however, were less optimistic, noting that the PC's recommendation to include mahogany in the RST arrives a bit tardy, and that by the time the terms of the RST are articulated in 2011, most range states will likely have already implemented much of the Mahogany Action Plan adopted at CoP14. Others added that if the Action Plan were fully implemented, an RST would not be needed at all, and were left wondering why the range states bothered to include it at this late stage in the game.

Nevertheless, the recommendation to include mahogany in the RST demonstrates the range states' commitment to conservation of the species, as it will likely support their implementation of the Action Plan. One veteran CITES participant further argued that addressing mahogany within CITES sends an important signal to traders, noting that mahogany exports have decreased since PC16, and that anecdotal evidence suggests that cedar may be replacing mahogany in many of the range states' saw mills.

### **SHARKS REVISITED**

The working group on sharks had the Herculean task of refining the list of species of concern in order to identify species for possible inclusion in the CITES' appendices. Among the species it is tasked with reviewing are two, porbeagle and spiny dogfish, which CoP14 narrowly rejected from the appendices by a vote in 2007.

Despite the politicized nature of proposed shark listings in CITES, with disagreement among participants concerning the appropriate forum for addressing commercially exploited marine species, the AC again demonstrated its commitment to maintaining the scientific integrity of the Convention in its deliberations on the issue. The sharks working group agreed to a proposed methodology for examining each species that included such technical variables as trade volumes, existing fisheries management frameworks, and IUCN Red List assessments. A rigorous technical assessment will be an important contribution to CoP15, which will have the difficult task of balancing the recommendations coming out of the intersessional sharks

working group, with the socioeconomic issues concerning shark harvesting, such as livelihoods, which will likely be raised.

While it remains to be seen what the intersessional working group will recommend regarding possible listings of porbeagle and spiny dogfish, as with mahogany that took ten years to make it into Appendix II, CITES may see repeated listing proposals for these species before the CoP accepts them. Regardless, some participants were optimistic noting that because management is so poor for these species, an eventual listing may be inevitable.

### **DEFINING NDFS**

The importance of NDFs as the "sustainability test" for species trade also featured prominently in the committees' discussions. Many noted the importance of NDFs in understanding how populations respond to harvesting, and indicated a need for more general, clear and simple elements to elaborate NDFs. The complexity of this issue was highlighted by the format of Malaysia's NDF for ramin, which some participants praised for its technical detail, and others critiqued for setting a bar that is too high for many countries to meet.

The need for guidance in developing NDFs is an uneasy bedfellow with parties' lingering desire to maintain domestic control over how they conduct NDFs. Some participants were uneasy with the proposal to subject the Solomon Islands' bottlenose dolphins to an RST on the basis of insufficient scientific evidence to support the quota, because some were concerned about the precedent it may set for examining NDFs without due process. In the spirit of compromise parties suggested instead including these dolphins as a case study in the upcoming workshop on NDFs in Mexico. The PC/AC document on the topic further highlighted this tension in emphasizing that the aim of the upcoming workshop "is not...to agree on a general guide to formulating NDFs for any given species or group of species, but to propose a common guideline on what these findings are, as well as a synthesis of the most relevant aspects of NDF development to be considered (on a voluntary basis) by Scientific Authorities in coordination with Management Authorities." Nevertheless, in the corridors, one party was overheard saying that he is currently working on a simplified general guide on NDFs for possible submission to AC24.

### **THE ROAD AHEAD**

The CITES' scientific committees successfully navigated the potential political landmines, rising to the challenge of maintaining their scientific integrity amidst the political discussions surrounding issues such as mahogany and sharks. Both Committees made excellent progress in laying the groundwork to fulfill their CoP14 mandates, and the heavy concentration on intersessional work on the road ahead promises to produce deliverables in this regard to PC18 and AC24 in early 2009.

On RST and mahogany, the PC's discussions reflected an evolving perspective on the issue that, if maintained, will likely support implementation of the Convention in the long-term. It remains to be seen how the PC will coordinate the mahogany RST with the Mahogany Action Plan, but many hope that, despite the RST's late approval by the PC, the two processes will be mutually supportive in ensuring that international trade does

not further threaten mahogany and will provide opportunities for range states to gather information to better manage the species.

The recommendations of the AC intersessional working group on sharks will also be an issue to look for at AC24. Not only will the group be testing a working method for selecting species of concern, but it will also be evaluating two species that were rejected from the appendices at CoP14. As such, if the intersessional working group recommends that these are indeed species of concern, it may further highlight the CoP's difficult task in balancing scientific recommendations from the Committees and socioeconomic issues, such as livelihoods, that may be raised at CoP15.

Finally, defining NDF elements will be an issue to watch during the intersessional period. If the International Workshop on NDFs in Mexico is able to successfully walk the line between developing a common understanding of NDFs, while not being overly prescriptive about how they should be done, the results of this workshop will increase parties' capacity to gather information on relevant species for trade and foster the Convention's implementation.

### UPCOMING MEETINGS

**CBD COP9:** The ninth Conference of the Parties to the Convention on Biological Diversity will take place in Bonn, Germany, from 19-30 May 2008. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: [secretariat@cbd.int](mailto:secretariat@cbd.int); internet: <http://www.cbd.int/cop9/>

**BLG6:** The 6th meeting of the Biodiversity Liaison Group (BLG) will be held on 31 May 2008, in Bonn, Germany. The BLG is composed of the heads of the secretariats of the five biodiversity-related conventions, and meets regularly to explore opportunities for synergistic activities, increased coordination, and to exchange information. BLG6 will be discussing funding strategies among other issues. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: [secretariat@cbd.int](mailto:secretariat@cbd.int); internet: <http://www.cbd.int/>

**CITES SC57:** The 57th meeting of the CITES Standing Committee is scheduled to be held in Geneva, Switzerland, from 14-18 July 2008. For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: [info@cites.org](mailto:info@cites.org); internet: <http://www.cites.org>

**RAMSAR COP10:** The tenth Conference of the Parties to the Ramsar Convention on Wetlands of International Importance will take place from 28 October - 4 November 2008, in Changwon, Republic of Korea. For more information, contact: Ramsar Secretariat; tel: +41-22-999-0170; fax: +41-22-999-0169; e-mail: [ramsar@ramsar.org](mailto:ramsar@ramsar.org); internet: <http://www.ramsar.org>

**INTERNATIONAL EXPERT WORKSHOP ON NON-DETRIMENT FINDINGS:** This workshop, the second of a series, is tentatively scheduled to take place from 17-22 November 2008, in Huatulco, Mexico. For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: [info@cites.org](mailto:info@cites.org); internet: <http://www.cites.org>

**FAO WORKSHOP ON STATUS, LIMITATIONS AND OPPORTUNITIES FOR IMPROVING THE MONITORING OF SHARKS FISHERIES:** This workshop is planned to be held in November 2008 (place and dates to be determined) and is aimed at countries with extensive shark fishing activities, especially those that have not yet developed National Sharks Plans. For more information, contact: David Doullman, FAO; tel: +39-6-570-56752; fax: +39-6-570-56500; e-mail: [david.doullman@fao.org](mailto:david.doullman@fao.org); internet: <http://www.fao.org/>

**CMS COP9:** The ninth Conference of the Parties to the Convention on Migratory Species will take place from 1-5 December 2008, in Rome, Italy. For more information, contact: CMS Secretariat; tel: +49-228-815-2401; fax: +49-228-815-2449; e-mail: [secretariat@cms.int](mailto:secretariat@cms.int); internet: <http://www.cms.int/>

**CENTRAL AND WEST AFRICAN WORKSHOP ON TIMBER TREES IN INTERNATIONAL TRADE - STRATEGIES FOR SUSTAINABLE USE:** This workshop, the third in the series, will be held provisionally in Ghana, in late 2008. For more information, contact: Harriet Gillett, UNEP-WCMC; tel: +44 1223 277314; fax +44 1223 277136; e-mail: [Harriet.Gillett@unep-wcmc.org](mailto:Harriet.Gillett@unep-wcmc.org); internet: <http://www.unep-wcmc.org/forest/timber/>

**CITES PC18:** The 18th meeting of the CITES Plants Committee will take place in February 2009 in Argentina (exact dates to be determined). For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: [info@cites.org](mailto:info@cites.org); internet: <http://www.cites.org>

**CITES AC24:** The 24th meeting of the CITES Animals Committee will take place in April 2009 in Geneva, Switzerland (exact dates to be determined). For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: [info@cites.org](mailto:info@cites.org); internet: <http://www.cites.org>

**XIII WORLD FORESTRY CONGRESS:** This conference will be held from 18-25 October 2009, in Buenos Aires, Argentina, to address a wide range of issues related to forests, biodiversity and development. For more information, contact: e-mail: [info@wfc2009.org](mailto:info@wfc2009.org); internet: <http://www.fao.org/forestry/site/37075/en/page.jsp> or <http://www.wfc2009.org>

**CITES COP15:** CITES CoP15 will be held in 2010, in Doha, Qatar (exact dates to be determined). For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: [info@cites.org](mailto:info@cites.org); internet: <http://www.cites.org>