



ISSUE	PROPOSED ACTIONS	SSN RECOMMENDATIONS
<p><b>SC54 Doc.3</b></p>		
<p><b>4. Credentials</b></p> <p><b>No document</b></p>	<ul style="list-style-type: none"> <li>No document.</li> </ul>	<ul style="list-style-type: none"> <li><i>No comment.</i></li> </ul>
<p><b>5. Admission of observers</b></p> <p><b>SC54 Doc.5</b></p>	<ul style="list-style-type: none"> <li><u>SC54 Doc.5</u>: No document available.</li> </ul>	<ul style="list-style-type: none"> <li><i>No document available.</i></li> </ul>
<p><b>6. CITES Strategic Plan</b></p> <p>6.1 Report of the Strategic Plan Working Group</p> <p>6.2 Outline of a costed program of work for the Secretariat for 2009 - 2011</p> <p><b>SC54 Docs. 6.1, 6.2</b></p>	<ul style="list-style-type: none"> <li><u>SC54 Doc.6.1</u>: No document available.</li> </ul>	<ul style="list-style-type: none"> <li><i>No document available.</i></li> </ul>
<p><b>7. Arrangements for COP14</b></p> <p>7.1 Preparation for COP14</p> <p>7.2 Agenda</p> <p>7.3 Working Programme</p> <p>7.4 Rules of Procedure</p> <p>7.5. Selection of nominees for chairmanship of the committees</p> <p>7.6 Summary records</p>	<ul style="list-style-type: none"> <li>No document.</li> <li>Presents draft agenda for COP14.</li> <li>Presents draft working program for COP14.</li> <li><u>SC54 Doc.7.4</u>. In this document, the Secretariat proposes amendments to the rules of procedure regulating the meeting of the COP. Changes proposed by the Secretariat are the following: <ul style="list-style-type: none"> <li>1) <u>Rules 5, 6 and 12 – Status of Regional Meetings.</u> Proposed revision: the amendments proposed clarify that the rules of procedure applicable to meetings of the COP apply <i>mutatis mutandis</i> to meetings of Parties on a regional basis. An amendment is also proposed to confirm that participation in regional meetings is not open to observers or the public unless decided by Parties in the region.</li> <li>2) <u>Rules 14 and 15 - Chairman of the Meeting of the COP</u> Proposed revision: amendments are proposed to allow the host country to nominate an alternate COP Chairman to preside the COP if the Chairman is unavailable (under the current rules of procedure, the role of alternate chairman is granted to one of the two vice-chairmen of the meeting).</li> <li>3) <u>Rule 28 - Informative Documents</u> Proposed revision: Amendments to Rule 28 paragraphs (1) and (2) propose to include the Secretariat in the list of participants allowed to submit informative documents and exhibitions to the other participants to meetings of the COP. Amendments to Rule 28 paragraph (3) propose to exclude documents produced by observers from the documents recorded and numbered by the Secretariat with the document code “<i>Inf</i>” (documents marked with the code “<i>Inf</i>” are included in the official list of documents published by the Secretariat).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><i>No comment.</i></li> <li><i>No comment.</i></li> <li><i>No comment.</i></li> <li>1) <u>Rules 5, 6 and 12</u> <ul style="list-style-type: none"> <li><b>Support</b> amendment to Rules 5 and 6 – these changes clarify existing practices.</li> <li><b>Oppose</b> amendment to Rule 12 – this change eliminates participation by observers unless so decided by the Parties in the region. We urge SC54 to apply the COP rules to regional meetings because these rules allow observers to participate once certain conditions are met.</li> </ul> </li> <li>2) <u>Rules 14 and 15</u> <ul style="list-style-type: none"> <li><b>Oppose.</b> The role of replacement COP chairman is more appropriately the role of the elected vice-chairmen and the host country should not be authorized to nominate both a Chairman and an alternate Chairman. The vice-chairmen, unlike a late selectee from the host country, will have already worked with the Secretariat and the Committee on the agenda and would be better choices to chair the meeting.</li> </ul> </li> <li>3) <u>Rule 28</u> <ul style="list-style-type: none"> <li><b>Support</b> amendment to Rule 28 paragraphs (1) and (2).</li> </ul> </li> </ul>

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<p>SC54 Doc. 7.2, 7.3, 7.4, 7.5, 7.6</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc. 7.6</u>. In this document, the Secretariat proposes to replace existing summary reports with abbreviated daily records indicating the decisions taken, without indicating specific Parties' contributions to the discussion.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Oppose</b> amendment to Rule 28 paragraph (3). This amendment formalizes current CITES practice. However, SSN encourages Parties to allow relevant documents produced by observers to be included in the list of official meeting documents for meetings of the COP.</li> <li>● <b>Oppose</b> – this proposal restricts the amount of information available to COP Participants who were not in either the plenary sessions or the sessions of Committees I and II. Details on Parties' contributions to discussions facilitate onsite negotiations and contribute to transparency.</li> </ul>
<p>8. Legal personality of the Convention and the Secretariat</p> <p>SC 54. Doc.8</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.8</u>. This document discusses the need for clarification of the legal capacity and international personality of the Secretariat. In order to facilitate its work, the Secretariat recommends the explicit recognition of its independent international legal personality including the legal capacity to contract, to acquire and dispose of immovable and movable properties, and to perform any legal act in furtherance of its functions and objectives. The Secretariat requests the SC to submit this recommendation to the COP along with a discussion paper on the need for clarification of its legal capacity and international personality.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> – SSN encourages Parties to support this request from the Secretariat in order to facilitate its work and the fulfillment of its functions.</li> </ul>
<p>9. Relationship with UNEP</p> <p>9.1 Report of UNEP</p> <p>9.2 Memorandum of Agreement between the Executive Director or UNEP and the SC</p> <p>SC54 Doc. 9.1</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.9.1</u>. The UNEP report details the activities through which UNEP supports the work of the CITES Secretariat and updates the SC on the implementation of the agreement and the administration of the Secretariat. Substantive cooperation between UNEP and the CITES Secretariat included work on the following themes: development of issue-based modules for the coherent implementation of biodiversity related conventions, reinforcement of compliance and implementation of MEAs, harmonization of national reporting, knowledge management for MEAs and outreach, development of economic instruments and of wildlife trade policy reviews, contribution to the implementation of the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora and to the Great Apes Survival Project, etc.</li> <li>● Agenda item 9.2: No document.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Conditional support</b> – SSN congratulates UNEP and the CITES Secretariat for their fruitful cooperation. SSN is particularly impressed by the work in progress on the reinforcement of the implementation of MEAs which will be key to strengthening compliance of CITES Parties. SSN members contribute to the work of UNEP and the CITES Secretariat in various capacities (see for example our members' contribution to the work of GRASP). SSN is looking forward to reinforcing its collaboration with UNEP and the CITES Secretariat in the next working year. SSN has reservations, however, about on-going work on wildlife trade policy reviews (see comments on Doc. 40 below).</li> </ul>
<p>10. Cooperation with the FAO</p> <p>Annex</p> <p>SC54 Docs 10, 10A</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Docs. 10 and 10A</u>. The Secretariat will provide a signed MoU with FAO at SC54.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>No Comment.</b></li> </ul>
<p>11. Cooperation with the WTO</p> <p>SC54 Doc.11</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.11</u>. This document describes the history of the Secretariat's involvement in meetings of the WTO's Committee on Trade and Environment (CTE) and Special Sessions of the CTE (CTESS).</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> - SSN encourages the Secretariat to continue seeking permanent observer status at meetings of WTO bodies and to attend these meetings, where permitted. This participation is critical for explaining the work of CITES and the importance of trade measures to protect species from over-exploitation due to trade, and for ensuring the mutual supportiveness of CITES and WTO agreements.</li> </ul>
<p>12. Financial Matters</p>		<ul style="list-style-type: none"> <li>● <b>No Comment.</b></li> </ul>

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<p>SC54 Docs. 12.1, 12.1A1, 12.1A2, 12.1A3, 12.1A4, 12.1A5, 12.2, 12.2A1, 12.2A2, 12.3, 12.3A1, 12.3A2</p> <p><b>13. Review of the Scientific Committees</b></p> <p>13.1 Report of the Secretariat</p> <p>13.2 Self-evaluation by the scientific committees</p> <p>SC54 Docs. 13.1, 13.2</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.13.1.</u> In this document, the Secretariat requests the Standing Committee to develop recommendations to COP14 on five aspects of the review of the Scientific Committees: 1) achievements of the Scientific Committees in relation to delegated duties (the Secretariat refers to the need to prioritize the tasks assigned to scientific committees based on the availability of resources and suggests the possible revision of the method used for the allocation of tasks to Scientific Committees) ; 2) factors affecting the performance of duties and examination of procedures allowing more efficiency (lack of local or regional support to scientific committees, need to address issues of nomenclature within the scientific committees, lack of funding for intersessional meetings); 3) opportunities for efficiencies in the functioning of the Committees (possibility to replace the three scientific subsidiary bodies with a single scientific body, possible regional rotation in the chairmanship of the scientific committees, possible inclusion of nomenclature issues in the work of a permanent nomenclature working group of the AC or the PC, need for the COP to increase budget for the translation of the documents or to request that discussions take place in English.); 4) possible amendment to the relevant part of Resolution Conf. 11.1 (Rev. COP13); 5) options for the organization of a periodic review process of scientific committees (lack of available funds for the conduct of periodic reviews of the committees). This document also offers a comparative table detailing the structure and operation of subsidiary bodies in other biodiversity oriented MEAs.</li> <li>● <u>SC54 Doc.13.2.</u> This documents contains the results and recommendations of the self-evaluation undertaken by the Animals, Nomenclature and Plants Committees in a joint session held during their recent meetings (PC16 and AC22, Lima, Peru, 3-8 and 7-13 July 2006 respectively). In order to increase performance, the Committees recommend for instance: 1) an increase in monetary and non-monetary resources available to achieve the tasks mandated; 2) greater consideration by the COP and the SC at the time tasks are assigned as to whether the tasks are within the mandates of the committees and the Convention's Strategic Action Plan and whether the task is adequately resourced; 3) availability of funds allowing the chairmen to represent the scientific committees in other meetings ; 4) requirement enticing proper local and regional assistance from Parties to regional representatives; etc.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Conditional Support</b> – SSN commends the Secretariat and the members of the CITES scientific committees for their work on the review of scientific committees. SSN invites members of the SC to take into account the following considerations when developing recommendations for COP14 on the review of scientific committees: <ol style="list-style-type: none"> <li>1) When considering possible revisions in the allocation of tasks to the committees, Parties should ensure that the tasks delegated are sufficiently detailed to provide clear guidance and limits to the work of the Committees.</li> <li>2) Parties should support the creation of a requirement encouraging local and regional support for the work of regional representatives within the committees.</li> <li>3) Parties oppose consolidation of the Plants and Animals Committees because this would be unwieldy, given the large number of participants, many of whom have no expertise in both plants and animals, and the number of animal-specific or plant-specific items on the meeting agendas. Support continuation of current practice of holding AC and PC meetings back-to-back with a joint session between.</li> <li>4) Parties should recommend that the COP increase the budget available for translation of the documents discussed before the committees but should not decide to conduct discussions exclusively in English. Translation of documents on complex issues is of the utmost importance to maintain the quality of debates before the scientific committees. A decision to hold English as the only language in use before the committees would be detrimental to the quality of the work achieved by the committees and to their efficiency.</li> <li>5) In order to reduce costs, Parties should support monitoring the efficiency of the work of the committees through standardized regional reports to the Committees and the chairmen's reports to the COP rather than through the organization of costly review processes.</li> </ol> </li> </ul>
<p><b>14. Improving regional communication and representation.</b></p> <p>No document.</p>	<ul style="list-style-type: none"> <li>● No document.</li> </ul>	<ul style="list-style-type: none"> <li>● <i>No comment.</i></li> </ul>
<p><b>15. Master's course on management, access and conservation of species</b></p> <p>SC54 Doc.15</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.15.</u> This document submitted by Spain reports on the implementation of CITES Decisions 13.104 and 13.105 on the Master's course on Management, Access and Conservation of Species in Trade. It gives an account of the financial and non-monetary contributions received and reports on the training given to participants. It also announces that the next training session will be from 8 January</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> – SSN commends the government of Spain for its renewed efforts in the organization of CITES training. SSN also congratulates private donors and Parties who have donated time and financial resources to this training. SSN encourage CITES Parties and private donors to support the government of Spain through continued</li> </ul>

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<p><b>16. Review of Resolutions and Decisions</b></p> <p><b>SC54 Doc.16 (Rev1)</b></p>	<p>to 23 March 2007 and it requests the contribution of Parties and potential donors.</p> <p>SC54 Doc.16 (Rev1). The Secretariat proposes to consolidate or revise a number of CITES resolutions.</p> <p>1) <u>Resolution Conf. 1.5 (Rev. COP12) – Interpretation and implementation of certain provisions of the Convention</u></p> <ul style="list-style-type: none"> <li>Proposed revision: Consolidation of the operative part into Resolution Conf. 9.25 (Rev.) on Inclusion of species in Appendix III</li> </ul> <p>2) <u>Resolution Conf. 8.4 – National laws for implementation of the Convention</u></p> <ul style="list-style-type: none"> <li>Proposed revision: Deletion of the reference to reporting at the ninth meeting of the Conference of the Parties, in paragraph c).</li> </ul> <p>3) <u>Resolution Conf. 9.5 (Rev. COP13) – Trade with States not Party to the Convention</u></p> <ul style="list-style-type: none"> <li>Proposed revision: In the paragraph under INSTRUCTS, add 'enforcement authorities' to the list of authorities for which information is to be included in the Directory with regard to non-Parties.</li> </ul> <p>4) <u>Resolution Conf. 9.24 (Rev. COP13) – Criteria for amendment of Appendices I and II</u></p> <ul style="list-style-type: none"> <li>Proposed revision: In Annex 6, section A, second indent, second sub-indent, change “Annex 2a”, to “Annex 2b”, to correct an error.</li> </ul> <p>5) <u>Resolution Conf. 10.4 – Cooperation and synergy with the Convention on Biological Diversity</u></p> <ul style="list-style-type: none"> <li>Proposed revision: Deletion of the paragraph under INVITES, as this refers to things to be done at meetings that have since taken place. (The text would have been better included in a Decision.)</li> </ul> <p>6) <u>Resolution Conf. 10.8 (Rev. COP12) – Conservation of and trade in bears</u></p> <ul style="list-style-type: none"> <li>Proposed revision: Amendment of the introductory text under URGES to update or eliminate the reference to action to be taken by the 13th meeting of the Conference of the Parties, since this has passed.</li> </ul> <p>7) <u>Resolution Conf. 10.10 (Rev. COP12) – Trade in elephant specimens</u></p> <ul style="list-style-type: none"> <li>Proposed revision: In Annex 1, add a reference to the Technical Advisory Group for ETIS (as in Annex 2, section 2, in relation to MIKE) because this group is also supposed to provide oversight for ETIS, in accordance with the operative part of</li> </ul>	<p>donation of time and financial resources.</p> <p>1) <u>Resolution Conf. 1.5 (Rev. COP12)</u></p> <ul style="list-style-type: none"> <li><b>Support.</b></li> </ul> <p>2) <u>Resolution Conf. 8.4</u></p> <ul style="list-style-type: none"> <li><b>Conditional Support</b> - SSN assumes that the Secretariat intends to continue reporting to each meeting of the COP and only wishes to delete the reference to reporting at COP9. If this is so, then this revision should be supported. If the Secretariat means to eliminate the reporting requirement to the COP in its entirety, then this revision should be rejected. The national implementation project is an ongoing task of the Secretariat and the Parties should be informed at each meeting of the COP.</li> </ul> <p>3) <u>Resolution Conf. 9.5 (Rev. COP13)</u></p> <ul style="list-style-type: none"> <li><b>Support-</b> It would be useful for the Parties to have contact information for enforcement authorities of non-Parties.</li> </ul> <p>4) <u>Resolution Conf. 9.24 (Rev. COP13)</u></p> <ul style="list-style-type: none"> <li><b>Support.</b></li> </ul> <p>5) <u>Resolution Conf. 10.4</u></p> <ul style="list-style-type: none"> <li><b>Support.</b></li> </ul> <p>6) <u>Resolution Conf. 10.8 (Rev. COP12)</u></p> <ul style="list-style-type: none"> <li><b>Support</b> - Because illegal trade in bear parts continues to undermine conservation efforts, the introductory text under URGES should be revised by deleting the phrase “13th meeting of the Conference of the Parties.” In other words, Parties would have a continuing obligation to take action to demonstrably reduce the illegal trade in bear parts and derivatives.</li> </ul> <p>7) <u>Resolution Conf. 10.10 (Rev. COP12)</u></p> <ul style="list-style-type: none"> <li><b>Support</b> - The proposed revision makes Annex 1 consistent with the operative section of the resolution. The proposal to make “minor editorial corrections” is too vague to make recommendations at this time.</li> </ul>

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	<p>the Resolution, section "<i>Regarding monitoring of illegal hunting of an trade in elephant specimens</i>", paragraph d). Make minor editorial corrections.</p> <p>8) <u>Resolution Conf. 10.16 (Rev.) – Specimens of animal species bred in captivity; and Conf. 10.17 (Rev.) – Animal hybrids</u></p> <ul style="list-style-type: none"> <li>• <b>Proposed</b> revision: Consolidation of these two Resolutions, but paragraph a) of Resolution Conf. 10.17 (Rev.) to be consolidated into Resolution Conf. 9.24 (Rev. COP13) on Criteria for amendment of Appendices I and II.</li> </ul> <p>9) <u>Resolution Conf. 11.1 (Rev. COP13) – Establishment of committees</u></p> <ul style="list-style-type: none"> <li>• Proposed revision: In the section "<i>Regarding regional representation in the Standing Committee</i>", subsection B, introductory text, replace "<i>regional members</i>" by "<i>regional members and their alternates</i>" and delete the following sentence. (NB: Some Parties of the Asian region complained at COP13 that different parts of the region were inadequately represented, and suggested that the guidelines for selecting regional representatives should be tightened and more strictly applied. There may be changes proposed as a result.)</li> <li>• In addition, since Annex 3 refers to co-Chairmen of the Nomenclature Committee but the Resolution establishes only two members and not a Chairman or co-Chairmen, therefore either the main operative part of the Resolutions should be amended to refer to the members as co- Chairmen or Annex 3 should be amended to refer to the members rather than the co-Chairmen.</li> </ul> <p>10) <u>Resolution Conf. 11.3 (Rev. COP13) – Compliance and enforcement</u></p> <ul style="list-style-type: none"> <li>• Proposed revision: In the section "<i>Regarding names used for parts and derivatives on permits and certificates</i>": transfer paragraph a) to Resolution Conf. 12.3 (Rev. COP13) with an amendment to refer to the <i>Guidelines for the preparation and submission of CITES annual reports</i> instead of to "<i>a standardized nomenclature</i>"; and delete paragraph b) in recognition of the existence of these <i>Guidelines</i>. Under the section starting "<i>URGES ICPO-Interpol</i>", delete paragraph a) as the appointment referred to has already been made.</li> <li>• In addition the Secretariat proposes to review whether this long Resolution can be amended to consolidate some of the language and concepts and to focus on enforcement, separating this issue from the issue of compliance, which is being dealt with by a working group of the Standing Committee.</li> </ul>	<p>8) <u>Resolution Conf. 10.16 (Rev.) and Resolution Conf. 10.17 (Rev.)</u></p> <ul style="list-style-type: none"> <li>• <b>Conditional support</b> - SSN supports the proposal to include paragraph a) of Resolution Conf. 10.17 (Rev.) in Resolution Conf. 9.24 (Rev. COP13). However, the language in paragraph a) must also be retained in Resolution Conf. 10.17, because it provides a restriction on the definition of hybrid—that it form a distinct and stable population in the wild.</li> <li>• <b>Oppose</b> - SSN opposes the proposal to consolidate Resolutions Conf. 10.16 and 10.17, because Resolution Conf. 10.16 relates only to specimens in captivity, whereas Resolution Conf. 10.17 relates to both wild and captive-bred specimens. Indeed, because Resolution Conf. 10.17 declares that hybrids may be included in the appendices "<i>if they form distinct and stable populations in the wild,</i>" applies to a broader range of species and specimens than specimens bred in captivity.</li> </ul> <p>9) <u>Resolution Conf. 11.1 (Rev. COP13)</u></p> <ul style="list-style-type: none"> <li>• <b>Support</b> - There does not appear to be any reason why alternates should have terms different from members.</li> <li>• <b>Support</b> - This is a housekeeping revision to ensure consistency between the resolution and Annex.</li> </ul> <p>10) <u>Resolution Conf. 11.3 (Rev. COP13)</u></p> <ul style="list-style-type: none"> <li>• <b>Support specific amendments</b> - Paragraph a) of Resolution Conf. 11.3 relates to the use of standardized nomenclature when issuing permits and certificates. This paragraph more appropriately belongs in Resolution Conf. 12.3.</li> <li>• <b>Oppose a review of Resolution Conf. 11.3 (Rev. COP13) with a view to separating enforcement from compliance.</b> The two issues are inter-linked. The compliance guidelines under negotiation are intended to inform parties on existing mechanisms to address compliance under CITES, not to replace them. Resolution Conf. 11.3 (Rev. COP13) elaborates a mechanism to implement Article XIII that has been in place and used successfully since COP7. Any</li> </ul>

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	<p>11) <u>Resolution Conf. 11.10 (Rev. COP12) – Trade in stony corals</u></p> <ul style="list-style-type: none"> <li>Proposed revision: Change “<i>Coenothecalia</i>” to “<i>Helioporacea</i>” to follow the change in nomenclature agreed at COP12.</li> </ul> <p>12) <u>Resolution Conf. 11.11 (Rev. COP13) – Regulation of trade in plants</u></p> <ul style="list-style-type: none"> <li>Proposed revision: In the section “<i>Regarding the definition of ‘artificially propagated’</i>”, under the first DETERMINES, paragraph b), change “<i>exempt</i>” to “<i>exempt from the provision of the Convention</i>” to be specific.</li> </ul> <p>13) <u>Resolution Conf. 11.17 (Rev. COP13) – National reports</u></p> <ul style="list-style-type: none"> <li>Proposed revision: In the first paragraph under URGES, amendment of the number of the Notification to refer to the most recent Notification on this subject.</li> </ul> <p>14) <u>Resolution Conf. 12.3 (Rev. COP13) – Permits and certificates</u></p> <ul style="list-style-type: none"> <li>Proposed revision: Revision of the reference to purpose codes to indicate that they need be used only for Appendix-I species.</li> </ul> <p>15) <u>Resolution Conf. 12.6 – Conservation and management of sharks</u></p> <ul style="list-style-type: none"> <li>Proposed revision: In the eighth preambular paragraph, update (or delete) the number of shark species included in the Appendices; update (or delete) the first and second paragraphs under DIRECTS, which refer to reporting at COP13; and make editorial corrections.</li> </ul> <p>16) <u>Resolution Conf. 12.7 (Rev. COP13) – Conservation of and trade in sturgeons and paddlefish</u></p> <ul style="list-style-type: none"> <li>Proposed revision: Deletion of paragraph i) of Annex 1. At COP13 this paragraph was expanded and included in the main body of the Resolution (as paragraph b) under RECOMMENDS, and should have been deleted from the Annex.</li> </ul>	<p>move that may affect this is unwise and unnecessary.</p> <p>11) <u>Resolution Conf. 11.10 (Rev. COP12)</u></p> <ul style="list-style-type: none"> <li><b>Support.</b></li> </ul> <p>12) <u>Resolution Conf. 11.11 (Rev. COP13)</u></p> <ul style="list-style-type: none"> <li><b>Support</b> - This clarifies the text of the Resolution.</li> </ul> <p>13) <u>Resolution Conf. 11.17 (Rev. COP13)</u></p> <ul style="list-style-type: none"> <li><b>Support.</b></li> </ul> <p>14) <u>Resolution Conf. 12.3 (Rev. COP13)</u></p> <ul style="list-style-type: none"> <li><b>Oppose</b> - Purpose codes for specimens of Appendix II and III species are necessary to ascertain whether the trade qualifies for exemptions under Article VII of the treaty. They are also important for the understanding of trade patterns (for example in the Review of Significant Trade).</li> </ul> <p>15) <u>Resolution Conf. 12.6</u></p> <ul style="list-style-type: none"> <li><b>Conditionally support</b> - SSN supports amending the eighth preambular paragraph to say: NOTING that <del>two</del> shark species are currently listed in <del>Appendix III</del> the Appendices of CITES. SSN also supports amendments to the first and second paragraphs under DIRECTS to include a reporting requirement at each meeting of the COP.</li> </ul> <p>16) <u>Resolution Conf. 12.7 (Rev. COP13)</u></p> <ul style="list-style-type: none"> <li><b>Support.</b></li> </ul>
<p><b>17. Species-specific Resolutions concerning Appendix I species</b></p>	<ul style="list-style-type: none"> <li><u>SC 54 doc.17</u>. Decision 13.21 calls on the Secretariat to examine all species-specific Resolutions concerning Appendix I specimens with a view to preparing a consolidated Resolution for COP14 concerning the enforcement of trade controls for Appendix I species. In this document, the Secretariat has proposed to prepare one consolidated Resolution on trophy hunting (including leopards, markhor, black rhinos) and another relating to conservation and trade. Draft text is not provided.</li> </ul>	<p><u>Regarding hunting trophies for Appendix I species</u></p> <ul style="list-style-type: none"> <li><b>Support consolidation</b> - The proposed consolidated resolution on export quotas for Appendix I specimens will help bring consistency to treatment of quotas for specimens of Appendix I species. Indeed, much of the language of the operative paragraphs of existing Resolutions is already similar or identical. It is possible, however, that some of the preambular language specific to a particular species could be lost.</li> <li>SSN also supports the consolidation of Resolutions Conf. 2.11</li> </ul>

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<p>SC54 Doc. 17</p>		<p>(Rev.) and Conf. 9.21 (Rev. COP13). However, it should be noted that there appears to be an inconsistency between the two resolutions. Paragraph b) of Resolution Conf. 2.11 (Rev.) suggests that the Scientific Authority for the country of export must make a non-detriment finding for the export of hunting trophies. In contrast, Resolution Conf. 9.21 (Rev. COP13) states that a quota established by the Conference of the Parties "satisfies" the requirements that the export of the specimen will not be detrimental to the survival of the species. Such an export quota also satisfies the requirement that the purposes of the import will not be detrimental to the survival of the species, provided that the quota is not exceeded and "no new scientific or management data have emerged to indicate that the species population in the range State concerned can no longer sustain the agreed quota." In other words, the COP-established export quota effectively substitutes for the non-detriment finding that is otherwise required for the import and export of an Appendix I specimen. SSN does not support this provision; it takes the view that, as reflected in Resolution Conf. 2.11 (Rev.) and in accordance with Article III, a scientifically based non-detriment finding should always be required. Para. b) of Resolution Conf. 2.11 (Rev.) indicates that scientific and management data are required for a non-detriment finding.</p> <p><u>Regarding conservation of and trade in specimens of Appendix-I species</u></p> <ul style="list-style-type: none"> <li>● <b>Oppose the consolidation of species-specific Resolutions regarding conservation and trade of Appendix I species.</b> Valuable requirements (e.g. stockpile monitoring, national trade bans, registration systems, etc...) specific to individual species would be sacrificed if these species-specific Resolutions would be consolidated. The current Resolutions have proven highly successful in bringing the Secretariat and the Parties the much-needed resources and support for species-specific conservation initiatives for species of special need, such as tigers and great apes. SSN would support an additional Resolution addressing enforcement of trade controls for all Appendix I species.</li> </ul>
<p>18. Annotation of various <i>Taxus</i> species</p> <p>SC54 Doc.18</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.18.</u> This document contains a draft Proposal, for submission to COP14, to delete the annotation to the listing of <i>Taxus</i> spp. (yews) reading <i>Whole artificially propagated plants in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the provisions of the Convention.</i>, on the grounds that it is contrary to the text of the Convention. As the annotation is substantive, a Proposal is required to amend or delete it (Resolution Conf. 11.21 (Rev. COP 13).</li> <li>● This issue was previously raised by the Secretariat in Notification No. 2004/073 and in SC53 Doc. 37, and was discussed at the Fifty-third Meeting of the Standing Committee.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> – SSN agrees with the Secretariat that the text of Article IV, paragraph 1, taken together with the definition of "specimen" in Article I, allows for the exclusion of plant parts and derivatives from the Appendices, but not for the exclusion of whole specimens as stated in the annotation. The annotation is therefore contrary to the text of the Convention.</li> <li>● However, SSN notes that there are still difficulties surrounding the interpretation of similar annotations (eg. for <i>Hoodia</i> spp.) and that this was a controversial issue at SC53. We therefore recommend that the Standing Committee seek further clarification of substantive annotations for plant taxa where appropriate.</li> </ul>
<p>19. Introduction from the Sea</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.19.</u> Decision 13.18 directed the Standing committee to convene a</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> – SSN recommends that Parties support the proposed</li> </ul>

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<p>SC54 Doc.19</p>	<p>workshop on introduction from the sea. The workshop met in November of 2005. This document includes the report and recommendations of the workshop participants. It also includes a draft resolution that defines “<i>marine environment not under the jurisdiction of any State</i>” that was agreed upon by the workshop participants. In addition, this document provides the workshop’s views on the meaning of “<i>transportation into a State.</i>” The workshop participants had diverging and mutually inconsistent ideas on what that phrase means. The central issue is whether the flag State can issue the certificate of introduction from the sea. Some countries, such as Canada, Iceland, and the European Union, expressed strong views in support of this definition. Others, including SSN and Australia, believed that of “<i>transportation into a State</i>” occurs only when the catch is landed and clears customs in the port State. The Secretariat has proposed a Decision to establish a working group (which contemplates NGO participation) to continue working on this definition.</p>	<p>definition of “<i>marine environment not under the jurisdiction of any State</i>” and the adoption of a decision to establish a working group with full participation of the NGO community.</p>
<p>20. Trade in Appendix I species</p> <p>SC54 Doc.20</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.20</u>. Decision 13.20 directs the Standing Committee to conduct a review of trade in Appendix I animal and plant species and, based on the results, present recommendations to COP14. The Annex to this document contains the report.</li> <li>● The document recommends that the Secretariat examine cases where it appears there might have been a contravention of the Convention and discuss this with the States concerned, that the Standing Committee consider ways to address exports of Appendix I specimens for commercial purposes not originating from registered breeding facilities, consider how to deal with the problem that Management Authorities may be unaware of imports that have taken place when specimens are shipped by mail (seeds and orchids), and directs the Animals and Plants Committees to take into consideration, comments from the report when preparing their document for COP14 regarding production systems.</li> </ul>	<ul style="list-style-type: none"> <li>● There are significant problems with this report prepared by UNEP-WCMC, particularly because data are lacking and poorly presented. Though directed to produce summary tables of all records of trade in Appendix-I species for the years 1999-2003, indicating the taxon, type of specimen, quantity traded (including units of measurement) and source and purpose codes, UNEP-WCMC has not provided such tables. Instead, the report contains summary tables indicating what percentage of specimens are traded by purpose code and by source code and, tables of specimens traded as ‘C’, ‘A’ or ‘D’ for which the purpose was commercial. In these last tables, for some species, quantities are described as “<i>frequently in trade.</i>” Without data it also is difficult to evaluate statements in the report such as most Appendix I species traded as commercial (T) “<i>are of specimens shipped for reasons other than commercial trade (SC54 Doc.20, p. 6)</i>”, or comments that such transactions (though identified by purpose code as commercial) are “<i>probably zoo</i>” (Table 6).</li> <li>● SSN recommends that UNEP-WCMC be directed to revise the report to include the tables described in the Terms of Reference so that the trade data can be properly evaluated.</li> <li>● SSN is concerned with the large numbers of Appendix I specimens that enter trade as ‘C’ or ‘D’ that are not from registered breeding operations but are traded for commercial purposes. We encourage the Standing Committee to remind that Parties that only specimens sourced from registered breeding operations can be traded for commercial purposes. SSN supports the recommendation that the Secretariat discusses cases where it appears there might have been a contravention of the Convention with the States concerned since there may be grounds for further action under Article XIII.</li> <li>● SSN recommends that the Standing Committee direct the Animals and Plants Committees, when preparing their document for COP14 on production systems, to consider methods (e.g., tables) to clarify the appropriate application of source and purpose codes and their possible combinations.</li> </ul>
<p>21. Management of annual</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.21</u>. The export quota working group was established after COP12. It</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> the approval of guidelines for the establishment of export</li> </ul>

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<p><b>export quotas</b></p> <p><b>SC54 Doc. 21</b></p>	<p>developed draft guidelines on nationally established export quotas and proposes amendment of Resolution Conf. 11.17 on national reports and Resolution Conf. 12.3 on permits and certificates. This document recommends adoption of the guidelines and submission of a draft resolution to COP14.</p>	<p>quotas subject to the following proposed amendments to the draft guidelines:</p> <ol style="list-style-type: none"> <li>1) Encourage Parties to provide the scientific information upon which the non-detriment finding was made for the export quota in order to provide for independent assessment and transparency (Paragraph 2c).</li> <li>2) Require Parties to update non-detriment findings regularly (not only when it is established for the first time or revised see paragraph 2c). Parties should be required to revise quotas accordingly, rather than the Secretariat publishing the same quota in the following years until receiving a revised quota ((paragraph 3e).</li> <li>3) Parties should inform the Secretariat about their export quotas 30 days before the start of the new calendar year, not “<i>at any time</i>” (paragraph 3a and b).</li> </ol> <p><u>With regard to the proposed amendment of Resolution Conf. 12.3:</u></p> <ul style="list-style-type: none"> <li>● <b>Oppose</b> the replacement of Section VIII with the proposed paragraphs a) and b), which would weaken the current requirement to “<i>state on each export permit the total number of specimens already exported in the current year (including those covered by the permit in question) and the quota for the species concerned</i>” and would delete the requirement to “<i>send to the Secretariat copies of permits issued for species subject to quotas if so requested by the Conference of the Parties, the Standing Committee or the Secretariat</i>”</li> <li>● <b>Require</b> Parties to record the exact number (or quantity) of specimens exported on the permit instead of using approximate figures (paragraph d). If this would necessitate an amendment to Resolution Conf. 12.3 (Rev. COP13), we urge the SC to consider proposing such an amendment.</li> <li>● <b>Support</b> the amendment of Resolution Conf. 11.17 on national reports.</li> </ul>
<p><b>22. Electronic permitting</b></p> <p><b>SC54 Doc.22</b></p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.22</u>. Two decisions were adopted at COP13. One directs the Secretariat to collect information and the other directs the SC to evaluate this information.</li> <li>● SC53 established a Working Group on Electronic Permitting which is awaiting information from the Secretariat.</li> <li>● The Secretariat has obtained funding in support of its information gathering exercise and will report orally on efforts to date.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b>.</li> </ul>
<p><b>23. Identification Manual</b></p> <p><b>SC54 Doc.23</b></p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.23</u>. In this document, the Secretariat provides a report on the progress made with the production of the Identification Manual.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> – SSN commends the Secretariat for its work on the identification manual. SSN also expresses its gratitude to the governments of Switzerland and the Netherlands for their contribution to the development of the identification manual. SSN encourages other Parties and potential donors to support the work of the Secretariat through the donation of financial resources and expertise.</li> </ul>

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<p><b>24. Great Apes</b></p> <p>SC54 Doc.24</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.24</u>. This document prepared by the Secretariat highlights the recent GRASP Intergovernmental Meeting, which took place in September 2005.</li> <li>● The Secretariat reports details of joint CITES-GRASP Technical Mission to Indonesia.</li> <li>● Great ape repatriation issues are also mentioned.</li> <li>● The Great Ape Enforcement Task Force meeting is announced.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> – The CITES Secretariat should be congratulated on its initial work, in cooperation with GRASP, to undertake technical missions to great ape range States in Asia. However, SSN feels it vitally important to continue these missions throughout Asia, wherever illegal trade in orangutans is known to be problematic, and undertake additional missions into Central Africa.</li> <li>● Future meetings of the CITES Standing Committee should be prepared to offer country-specific recommendations to demonstrably reduce exports of great apes based on the findings of additional technical missions.</li> <li>● The Standing Committee should encourage the Great Ape Enforcement Task Force meeting to include all relevant experts in wildlife law enforcement and great ape conservation.</li> </ul>
<p><b>25. Tiger</b></p> <p>25.1 Report of the Secretariat.</p> <p>25.2 Illegal trade in Tigers</p> <p>SC54 Docs 25.1, 25.2</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.25.1</u>. This document prepared by the Secretariat presents the reports submitted by the range States of Asian big cat species to report on their efforts to combat illegal trade. An analysis of the illicit trade data is made and leads to the conclusion that efforts made by the international community, governments, NGOs and CITES have failed. The Secretariat recommends that a high-level meeting be held to address the situation including senior representatives from the professional enforcement community. The purpose of this meeting would be to have governments sign a declaration, committing their countries “to achieving the necessary political will and law enforcement priority to safeguard the future of these species and others and to significantly reducing poaching and illicit trade.”</li> <li>● <u>SC54 Doc.25.2</u>. This document submitted by the US recommends the adoption of parameters by the SC which will be used to measure range States’ progress in combating international trade in tiger parts. Reports from range States would be requested before the next meeting of the SC in order to evaluate progress made by range States in the fight against international trade in tiger parts. The SC would then decide on various measures to take to assist range States who failed to make sufficient progress.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> - Political will to eliminate all forms of tiger trade from all sources is needed from the highest level of government of tiger range and consuming countries to ensure more effective and specialized enforcement efforts are prioritized and implemented, in order to halt the decline of tiger population in the wild. The increasing threats to wild tigers are exacerbated by the domestic trade of products made from tiger parts in some range and consumer countries. SSN urges the SC to approve the recommendations from the Secretariat and the US to convene a tiger-specific high level diplomatic meeting as a matter of priority, seek time bound actions to improve enforcement and dispatch missions to relevant Parties prior to COP 14. The establishment of a comprehensive TOR covering all forms of commercial trade of tiger parts from all sources is an important step to guide the meetings and missions. SSN requests the Standing Committee to encourage other Parties and international organizations to provide financial assistance to support the high level diplomatic meeting and any further missions that might be required.</li> </ul>
<p><b>26. Elephants</b></p> <p>26.1 Control of trade in African elephant ivory</p> <p>26.2 MIKE baseline information</p> <p>26.3 Funding of and administrative arrangements of MIKE</p>	<p><u>SC54 Doc.26.1. Control of trade in African elephant ivory</u></p> <ol style="list-style-type: none"> <li>1) <u>Action Plan</u>. The Action Plan for the control of trade in African elephant ivory adopted at COP13 requires all African elephant range States to take urgent action with regard to unregulated domestic ivory markets and the control of illegal trade, and requires Parties to submit progress reports to the Secretariat for consideration by the SC. Progress reports should have been submitted before SC53 (by 31 March 2005). However, only 19 countries have submitted reports; 18 countries have yet to do so. Several of the submitted reports include ivory seizure data not communicated to ETIS or the Secretariat.</li> <li>2) <u>Illegal trade: Zimbabwe</u>. The Secretariat reports on an incident in Zimbabwe in July 2005 concerning one tonne of ivory which likely would have been transported to China (para 12) stating, “Worryingly, some of this ivory was alleged to have come from the legal government stocks and had allegedly been acquired by licensed traders during one of the routine and lawful domestic auctions of ivory.” One of the traders involved is suspected to have been involved in similar</li> </ol>	<p><u>SC54 Doc.26.1</u></p> <ol style="list-style-type: none"> <li>1) <u>Action Plan</u>.</li> </ol> <ul style="list-style-type: none"> <li>● The SC should establish deadlines for implementation of components of the Action Plan, particularly those outlined in paragraph 1, and, in accordance with paragraph 8, recommend a suspension of trade in CITES-listed species with those range States that fail to comply.</li> <li>● Contrary to the Secretariat’s opinion, failure to submit progress reports on the Action Plan should be considered a failure to implement the Plan and, as such, grounds for a suspension of trade. As was the situation in 2000 with regard to Parties failing to provide annual reports, a warning could be given before the suspension came into effect.</li> <li>● In the interest of transparency and to enable evaluation of compliance with the Action Plan, Parties should urge the Secretariat to publish information in the progress reports to the extent possible</li> </ul>

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	<p>transactions before. (News articles indicate the amount of illegal ivory exported from Zimbabwe to China may be significantly higher). The Secretariat has contacted Zimbabwe but the matter remains unresolved. The report also notes possible re-emergence of illegal trade in Egypt and Thailand.</p> <p>3) <u>Verification of ivory importing countries.</u>  Japan and China have requested to be designated as “trading partners”. Despite concerns that China continues to be a major destination for illegal trade, the Secretariat has reiterated its opinion “that China meets the requirements of Resolution Conf. 10.10 (Rev. COP12).” With regard to Japan’s ivory trade controls, the Secretariat undertook a visit to Japan in March 2005 but found that another mission was necessary. Although this was announced at SC53, the Secretariat did not visit until late July / early August 2006. No written report on Japan’s ivory trade controls was therefore provided to the SC by the 45 day deadline required by Rule 20 of the rules of procedure. The report, which recommends that Japan should be designated a trading partner, was posted <i>in English only</i> just 13 days before the start of SC54.</p>	<p>without compromising enforcement needs.</p> <p>1) <u>Zimbabwe.</u></p> <ul style="list-style-type: none"> <li>The Secretariat should be directed, as a matter of urgency, to undertake a mission to inspect Zimbabwe’s ivory stockpile and to assess its controls and law enforcement concerning ivory trade. Moreover, the SC should assess the situation in Zimbabwe and consider a suspension of CITES trade and/or a transfer of Zimbabwe’s elephant population to Appendix I. Resolution Conf. 11.21 (Rev. COP13) directs the SC to investigate reports of illegal trade and to take appropriate action to remedy the situation, which may include calling on Parties to suspend commercial trade in the affected species, or inviting the Depository Government to submit a proposal to amend the annotation or to retransfer the species to Appendix I. In its precautionary measures, Resolution Conf. 9.24 (Rev. COP13) provides that if “problems in compliance with the management measures” (i.e. those outlined by Zimbabwe in its 1997 amendment proposal) cannot be resolved by the Secretariat, the SC may after consultation with Zimbabwe “recommend to all Parties that they suspend trade with that Party in specimens of CITES-listed species, and/or request the Depository Government to prepare a proposal to transfer the population back to Appendix I”.</li> </ul> <p>2) <u>Verification of ivory importing countries.</u></p> <p><b>SSN concludes that no decision on future ivory sales should be taken at SC 54.</b></p> <ul style="list-style-type: none"> <li>SSN believes that it would be irresponsible for the Standing Committee to approve one-off sales at this time. Large quantities of ivory have recently been seized in Asia, including in the Philippines, Hong Kong and Taiwan, in addition to the alleged illegal trade identified regarding Zimbabwe. These cases indicate that organized illegal trade in ivory, targeting African countries for export to Asia, is currently a major problem.</li> <li>On the basis of continuing illegal imports into China and loopholes in regulations introduced since 2004 (<i>Analysis of the Chinese Ivory Registration and Certification System</i>, IFAW June 2005; <i>Ivory Market in China</i>, IFAW in preparation, Sept 2006), SSN disagrees with the Secretariat’s conclusion that China’s domestic trade control system complies with Resolution Conf. 10.10 (Rev. COP12).</li> <li>Since the Secretariat did not distribute a written report on Japan’s ivory trade controls until 13 days before SC54 and then only in English, thus providing no opportunity for proper evaluation, the question of whether the trade controls comply with CITES requirements should not be discussed at SC54.</li> </ul> <p><b>SSN continues to have concerns over Japan’s ivory trade controls: The following are some initial problems identified:</b></p> <ul style="list-style-type: none"> <li>The registration process is incomplete. The verification mission located unregistered ivory items on sale, while some traders remain unaware of the registration requirement (paragraph 12 and 40):</li> </ul>

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	<p><u>SC54 Doc.26.2. MIKE baseline information.</u></p> <ul style="list-style-type: none"> <li>At its 12th meeting (Santiago, 2002), the COP amended the annotations under which the elephant populations of Botswana, Namibia and South Africa are included in Appendix II by allowing a single trade in registered raw ivory subject to several conditions, including “<i>not before ... the MIKE programme has reported to the Secretariat on the baseline information</i>”, and “<i>only after the Standing Committee has agreed that the ... conditions have been met</i>”. According to the MIKE Central Coordination Unit (CCU) “<i>The present document includes a report on the baseline information as required by the agreed definition.</i>” The document does not make any recommendations.</li> </ul>	<p>Resolution Conf. 10.10 requires registration or licensing of ALL importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products;</p> <ul style="list-style-type: none"> <li>It is unclear what measures are taken, if any, in case of non-compliance, e.g. with registration or reporting requirements, other than visits by the authorities.</li> <li>Since it is not mandatory to mark individual items, it would not be difficult to launder illegally obtained ivory into the system.</li> <li>The Secretariat’s report plays down illegal trade and does not say how many of the 57 cases since 2000 did <i>not</i> relate to individuals bringing in ivory as tourist souvenirs.</li> <li>It is questionable whether the low maximum penalties under Japanese law – 1 million yen (US\$8,500) or 1 year in prison – will be effective in deterring criminal activities (paragraph 9). It is unclear which penalties do apply, if any, in case of non-compliance with registration and reporting requirements.</li> </ul> <p><u>SC54 Doc.26.2. MIKE baseline information.</u></p> <ul style="list-style-type: none"> <li>Doc. 26.2 raises several questions concerning the quality, integrity and usefulness of the baseline data presented.</li> <li>Clearly, MIKE baseline data are not yet complete (Annex 2, Status of sites). Instead of the 18 Asian sites agreed at SC49 (and clarified at SC53), data are ready for only 7 sites (39%), with another 5 ‘anticipated’ to have data ready by 30 September (12 sites in all). Of the 45 sites agreed for Africa, data are ready for only 27 (60%), with another 12 ‘anticipated’ to be ready by 30 September (39 sites in all). “<i>Possible alternate</i>” sites (6 for Africa and one for Asia) have been presented with no explanation as to why some of the agreed sites have not produced the required data. The original proposal for establishing MIKE (Doc. SC41.6.3 Annex), which provides the basis for the sites agreed, states “<i>it should be noted that taking one of these alternative sites may disturb the overall balance of the sample</i>”.</li> <li>SSN remains concerned that the selection of MIKE sites is strongly biased towards protected areas. Much of the range of the species outside protected areas is excluded; therefore MIKE results cannot be considered representative for elephants throughout their range.</li> <li>Doc. 26.2 raises a number of questions with regard to the collection and interpretation of the data. The data presented originate from different time periods between January 2000 and May 2006 (Table A3.1.1). Meanwhile, population estimates have been collected by 8 different methods (aerial sample count, aerial total count, line transect dung count, individual recognition, ground total count, genetic dung count, ground sample count and informed estimate). Thus the data are not comparable.</li> </ul>

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	<p data-bbox="464 1318 1146 1344"><u>SC54 Doc.26.3. Funding of and administrative arrangements of MIKE.</u></p> <ul data-bbox="464 1357 722 1383" style="list-style-type: none"> <li data-bbox="464 1357 722 1383">● No document available.</li> </ul>	<ul data-bbox="1325 123 2018 1279" style="list-style-type: none"> <li data-bbox="1325 123 2018 506">● For 17 sites in Africa data coverage is only up to 2004 at the latest; data from 3 of these sites are only up to 2003 and from the two sites in Zimbabwe data stop at 2001 and 2002 respectively (Table A3.1.1). None of the data for any of the sites in the 3 countries wanting to sell their stockpiles are more recent than 2004. The baseline could have changed since then, particularly considering as the large seizures that have been made in the last two years, which indicate a likelihood of increased poaching. It should be noted that for 11 of the 27 African sites given a “green” light by the MIKE CCU, the population surveys presented were conducted over 3 years ago. This would have disqualified them from the baseline data before the “clarification” - proposed by the CCU – was agreed at SC53, to the effect that population surveys dating back to 2000 could be used.</li> <li data-bbox="1325 521 2018 846">● In the data analysis, up to six different scores of 29 “<i>influencing factors</i>” are attributed to each site. It is not comprehensible from the document how variables have been applied and data processed; the data presented are almost impossible to interpret. SSN is further concerned that this process lacks objectivity. Moreover, CITES decisions (Variable 30) have been omitted as an influencing factor as no data were said to be “<i>currently available</i>”. The CCU states that it would be “<i>cumbersome</i>” to include a descriptive report on influencing factors for each site, but given the potential effects on elephants of the decision to be made on the basis of these data – whether to allow stockpile sales - cutting corners in this way is not justifiable.</li> <li data-bbox="1325 860 2018 1101">● The assumptions in the analysis are disputable and should not be accepted without question, specifically that: 1) it is always possible to distinguish whether a carcass results from illegal killing or other mortality; and 2) the probability of detection of a carcass remains constant within a site. <b>SSN notes that, even with these questionable assumptions, the report acknowledges that the levels of illegal killing (Table A3.6.1) are “<i>subject to considerable uncertainty</i>”, borne out by the wide confidence limits for most of the sites.</b></li> <li data-bbox="1325 1115 2018 1279">● SSN is concerned that the MIKE report hypothesizes that an increase or decrease in illegal killing can be ascribed to certain causal factors. The Standing Committee should take a precautionary approach in this respect, noting the general acknowledgement that a causal link between CITES decisions and illegal activity cannot be proven.</li> </ul> <p data-bbox="1325 1310 2007 1336"><u>SC54 Doc.26.3. Funding of and administrative arrangements of MIKE.</u></p> <ul data-bbox="1325 1351 2018 1485" style="list-style-type: none"> <li data-bbox="1325 1351 2018 1485">● SSN is concerned about the long term economic sustainability / viability of MIKE, given its considerable budgetary requirements and gaps in funding in the past. (Several million US\$ has been spent on MIKE so far, only to result in incomplete baseline data of questionable use.) At SC53 continuation of MIKE was enabled only</li> </ul>

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<p>SC54 Docs 26.1, 26.2, 26.3</p>		<p>through an advance from the CITES Trust Fund up to a maximum of US\$199,000 while the Secretariat secured external funding. This “bridging fund” was controversial, particularly given the increasing financial constrictions faced by CITES. It should be noted that all efforts are supposed to have been made to repay the Trust Fund by SC54. The European Commission has pledged to support MIKE with a further 10 million EUR until 2010. However, long term funding has not been secured, which could lead to the burden of implementation falling on the involved range States.</p> <ul style="list-style-type: none"> <li>• SSN is further concerned that the MIKE and ETIS Subgroup (which is tasked with overseeing, on behalf of the Standing Committee, further development, refinement and implementation of MIKE) has not been fully involved in recent financial and administrative decisions.</li> </ul>
<p>27. Rhinoceroses</p> <p>SC 54 Doc.27</p>	<ul style="list-style-type: none"> <li>• Resolution Conf. 9.14 (Rev. COP13) directs the SC to continue to pursue actions aimed at reducing illegal trade in rhinoceros, ensuring that: a) all such actions are accompanied by evaluations of their effectiveness; b) appropriate, cost-effective, standardized indicators of success are developed and/or refined to measure changes in levels of illegal hunting and of the status of rhinoceros populations in the range States; and c) the policies that guide interventions are responsive and adaptive to the outcome of evaluations.</li> <li>• SC53 agreed to request the IUCN/SSC African and Asian Rhinoceros Specialist Groups to review the question of standardized success indicators for rhino conservation interventions brought up in document SC42 Doc. 10.5 and to request TRAFFIC to analyze the data on rhinoceros horn stockpile volumes, seizures, poaching and other information.</li> <li>• IUCN/SSC African and Asian Rhinoceros Specialist Groups recommend that, instead of an expensive site-based system for monitoring of illegal killing of rhinoceros recommended in SC42 Doc. 10.5., they collate and report on rhino issues and trends, seeking synergies with the MIKE program.</li> <li>• IUCN/SSC African and Asian Rhinoceros Specialist Groups report on progress made to involve rhino range States in collecting and collating information on rhino status, trade, illegal killing, and conservation management strategies and actions; to obtain funding for these activities; and to prepare a report for COP14.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Support.</i></li> </ul>
<p>28. Tibetan antelope</p>	<ul style="list-style-type: none"> <li>• <u>SC54 Doc.28.</u> At COP13, the Parties adopted Resolution Conf. 11.8 (Rev. COP13) on Conservation of and control of trade in the Tibetan antelope which directs the Standing Committee to undertake a regular review of enforcement measures taken by the Parties in eliminating illicit trade in Tibetan antelope. Doc. 28 provides a summary of enforcement actions taken in regard to illegal trade in Tibetan antelope in India, Thailand and Saudi Arabia.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Noted</i> - The document describes numerous occasions on which shahtoosh shawls have been found to be openly offered for sale in Thailand. There seems to be confusion regarding the application of Thai law to ‘manufactured’ products. SSN encourages the Standing Committee to seek information from Thailand as to whether national laws cover manufactured products such as shawls made of shahtoosh.</li> <li>• SSN supports the Secretariat’s call to the law enforcement community to crack down on illegal trade in this species. SSN urges the SC to direct those Parties identified to have increasing shahtoosh markets, poaching and illegal trade to initiate enforcement actions immediately and submit reports about their efforts to COP14. SSN also encourages CITES Parties to provide support, technical and</li> </ul>

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SC54 Doc.28		financial, to those countries, such as Thailand, to increase their capability to proceed with shahtoosh cases from the point of detecting shahtoosh in various illegal situations through to a successful prosecution of an offender.
29. Saiga antelope  SC54 Doc.29	<ul style="list-style-type: none"> <li>The saiga antelope was included in Appendix II in 1995 and included in the Review of Significant Trade in 1998. As a result of the Review of Significant Trade, there are trade suspensions for imports from Kazakhstan and the Russian Federation. Decisions 13.27-13.35 address the saiga antelope which is listed as Critically Endangered by IUCN.</li> <li>Decision 13.27 requires that important consumer and trading countries of saiga parts and derivatives report to the Secretariat on stockpiles in their country and steps they are taking to control illegal trade.</li> <li>Decision 13.29 directs range States to sign the ‘Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope (<i>Saiga tatarica tatarica</i>)’, organized jointly by CITES and CMS.</li> <li>SC54 Doc. 29 provides an update on activities related to saiga antelope undertaken in compliance with Decisions 13.27-13.35 and recommends SC54 to consider any actions it deems necessary to ensure full implementation of these Decisions.</li> </ul>	<ul style="list-style-type: none"> <li><b>Support</b> - SSN supports the recommendation to ask the consumer States of Japan, Malaysia, the Republic of Korea and Singapore to report to the Standing Committee concerning their implementation of Decision 13.27</li> <li>The Standing Committee should encourage range States to sign and implement the ‘Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope (<i>Saiga tatarica tatarica</i>)’. To date, only Turkmenistan and Uzbekistan have signed the MOU.</li> <li>SSN encourages Parties to explore the possibility of listing the species in Appendix I as a mechanism to enforce the necessary trade restrictions.</li> </ul>
30. Sturgeons and paddlefish  30.1 Report of the Secretariat  30.2 Conclusions of the enforcement workshop to combat illegal trade in caviar  30.3 Caviar export quotas for the Caspian Sea basin for 2006  30.4 Strategy for sturgeon conservation  SC54 Docs. 30.1, 30.2, 30.3, 30.4	<ul style="list-style-type: none"> <li>SC 54 Doc. 30.1 is a report by the Secretariat on: the UNEP-WCMC database on trade in caviar, established following the adoption of Decisions 13.44, 13.45 and 13.46; implementation of Resolution Conf. 12.7 (Rev. COP13), noting that no export quotas could be established for certain stocks in 2006; and the status of the Review of Significant Trade in sturgeon species, including a recommendation that the SC withdraw its recommendation for suspension of imports for certain Caspian Sea stocks.</li> <li>SC 54 Doc. 30.2, submitted by the Czech Republic and Germany, presents the conclusions and recommendations of the International Sturgeon Enforcement Workshop to Combat Illegal Trade in Caviar held in Brussels in June 2006.</li> <li>SC 54 Doc. 30.3, submitted jointly by the Iran and Kazakhstan, with the agreement of Azerbaijan, requests the Standing Committee to lift the current caviar trade ban on 2006 quotas, and to support the recommendations of the informal sturgeon discussion group that convened during AC22, including amendments to Resolution Conf. 12.7 (Rev. COP13).</li> <li>SC Doc. 30.4, submitted by the Russian Federation, lists a number of actions for sturgeon conservation, recommends that the Standing Committee convene a meeting to coordinate these actions, suggests a registry for sturgeon brood stocks, and suggests that the Secretariat establish a database of sturgeon genetic samples based on national registries</li> </ul>	<ul style="list-style-type: none"> <li><b>Support</b> Doc. 30.1 on the understanding that the revised Resolution Conf. 12.7 (Rev. COP13) gives the Secretariat the authority to recommend suspension of trade in shared sturgeon stocks if quotas cannot be agreed upon, and therefore supplants the SC recommendation, and that the Secretariat will report to the Committee on the effectiveness of existing and planned regional conservation strategies.</li> <li><b>Support</b> Doc. 30.2: SSN supports the recommendations of the workshop, and in particular the proposed changes to Resolution Conf. 12.7 (Rev. COP 13) in recommendations 17-18,</li> <li><b>Oppose</b> Doc. 30.3: SSN believes that the Secretariat's decision not to issue sturgeon quotas for 2006 (based in part on range States’ failure to consider illegal offtake) should be supported. Doc. 30.3 fails to provide the information that would be necessary to reverse this decision. The recommendations of the informal discussion group were neither endorsed nor adopted by the Animals Committee. These recommendations include proposed changes to Resolution Conf. 12.7 (Rev. COP 13) that would remove the ability of the Secretariat to reject proposed caviar quotas if it has not received timely information on the status of sturgeon stocks. If necessary, this matter should be referred back to the Animals Committee for inclusion as a proper agenda item</li> <li><b>Support</b> Doc. 30.4 providing that if a meeting is deemed necessary, it should be open to all interested and qualified Parties, and that any DNA registry or database should be created in an open and transparent manner and be subject to international scrutiny.</li> </ul>
31. Timber trade	<ul style="list-style-type: none"> <li>SC54 Doc.31.1. The Secretariat suggests that the SC recommend that Parties not authorize import of specimens of bigleaf mahogany from Peru until the regulation</li> </ul>	<ul style="list-style-type: none"> <li><b>Support</b> Doc.31.1 - Four years after bigleaf mahogany was listed on CITES Appendix II and twelve years after its listing on Appendix</li> </ul>

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<p>31.1 Bigleaf mahogany</p> <p>31.2 Ramin</p> <p><b>SC54 Docs 31.1 and 31.2</b></p>	<p>of trade in the species has improved.</p> <ul style="list-style-type: none"> <li>• The Secretariat suggests that the SC request that the PC reconsider its decision not to include bigleaf mahogany in the Review of Significant Trade.</li> <li>• <u>SC54 Doc. 31.2</u>. The Secretariat will make its recommendation to the SC at the meeting.</li> </ul>	<p>III, Peru, the largest exporter, continues to issue export permits without making valid non-detriment or legal acquisition findings. Peru’s Scientific Authority has repeatedly acknowledged that it lacks the information on local or national mahogany population levels necessary to make a legitimate non-detriment finding. It is estimated that 70-95% of all bigleaf mahogany in Peru is harvested illegally—much of it logged from protected areas and indigenous territories. SSN urges the SC to recommend to Parties to suspend authorizations of imports of bigleaf mahogany from Peru until such time when it can be shown that the provisions of Article IV of the Convention have been implemented and that continued trade in the species will not be detrimental to its survival and role of the species in the ecosystem.</p> <ul style="list-style-type: none"> <li>• <b>Support inclusion in the Review of Significant Trade</b> - Much of the work of the Review of Significant Trade has already been done: information on the biology and management of the species has been compiled; experts have been convened; the range States have been consulted; and the Parties and the Secretariat have provided training workshops and financial assistance to aid in the implementation of the listing. There have been three iterations of the CITES Mahogany Working Group since 2001. Each one has issued recommendations. However, outside of the official Review of Significant Trade process the Standing Committee can have no assurance that those recommendations will be implemented. It is time that the Parties use the process that was designed to address the implementation problems that are presented by the trade in bigleaf mahogany.</li> <li>• <b>Support Doc.31.2</b>. SSN urges the SC to support the recommendations made in the report referenced by the Secretariat: “Sustainable Management of Peat Swamp Forests of Sarawak with Special Reference to Ramin (<i>Gonystylus bancanus</i>)”, which was co-authored by the Government of Malaysia, and establish a zero quota for ramin from Sarawak. The report found that the suspension of harvesting of ramin for the next 90 years would allow the species to regenerate and provide opportunities for research into the perpetuation of the species. Alternatively, the SC could recommend that the PC consider including ramin on the Review of Significant Trade to assess whether non-detriment findings are being made.</li> </ul>
<p><b>32. Annual reports on ranching operations</b></p>	<ul style="list-style-type: none"> <li>• <u>SC 54 Doc.32</u>. In this document, the Secretariat reports on the implementation of Resolution Conf.11.16 and informs the SC that 14 countries to date have made successful proposals to transfer populations of Appendix I species to Appendix II for ranching purposes. The document declares that ranching of crocodilians has become a success and presents the revisions proposed by the Animals Committee which intend to reduce the amount of information to be reported by Parties on crocodile ranching. The document also details the problems encountered by the crocodilian ranching program in Madagascar where wild crocodile populations fail to be monitored properly, where there is inadequate inspection of the ranching operations and problems in controlling the export of skins of crocodiles of wild and ranched origins.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Conditionally support the recommendations for Madagascar</b> – SSN encourages Parties to request that the measures proposed to assist Madagascar with the conduct of its ranching operations for crocodilians be strengthened. The recommendations proposed do not include a definite request to reduce or suspend the current levels of take or exports for skins of crocodilian specimens. Based on the precautionary principle, pursuit of take and trade in crocodiles should be halted until proper information on the sustainability of this trade can be assessed.</li> <li>• <b>Oppose</b> elimination of self-evident data from annual reporting requirements, which are vital for the evaluation of the success of a</li> </ul>

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<p>SC54 Doc. 32</p>		<p>ranching operation, such as: estimate of the percentage of the wild population that is taken for the ranching operation; mortality rate in captivity; conservation programmes and scientific experiments carried out in relation to the ranching operation or the wild population concerned.</p> <ul style="list-style-type: none"> <li>● <b>Oppose</b> paragraph 14 in which the Secretariat suggests “<i>in view of the narrow scope and limited utility of Resolution Conf. 11.16 in its current form, it might be worth considering incorporating relevant parts of it into Resolution Conf. 9.24 (Rev. COP13) on criteria for amendment of Appendices I and II, and into a new resolution on production systems for specimens of CITES-listed species.</i>” SSN is of the opinion that the source code R (ranching specimens) should not be expanded but limited to populations transferred from Appendix I to II on the basis of a ranching proposal.</li> </ul>
<p>33. Personal and Household effects</p> <p>SC54 Doc.33</p>	<ul style="list-style-type: none"> <li>● <b>SC54 Doc.33.</b> This document reports on the work of the Working Group on Personal and Household Effects. It notes that information has been requested from Parties on whether export permits are required for the movement of personal effects of Appendix II specimens and whether stricter domestic measures have been adopted for personal and household effects. This information is being published on the CITES website. The Working Group will continue its work and submit a document to COP14. No draft resolution or decision accompanies this document.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support.</b></li> </ul>
<p>34. Relationship between <i>ex situ</i> production and <i>in situ</i> conservation</p>	<ul style="list-style-type: none"> <li>● <b>SC54. Doc.34.</b> In this document, the Standing Committee’s clearing house assesses the benefits and the negative aspects of <i>ex situ</i> production and briefly reviews the economic or quasi-economic factors which are linked to this type of production and which could have an impact on the achievement of CITES objectives. This analysis is meant to allow the SC to report back to the COP on “<i>the appropriate way to continue consideration of the relationship between ex situ production (of animals and plants) and in situ conservation in the context of CITES.</i>” (Decision 13.78). Recommendations in this document request the SC to mandate the Secretariat to submit a proposal for consideration at COP14 for an independent study on this issue and propose terms of reference for the conduct of this study.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Oppose</b> - SSN believes that no further action is needed on this issue. Parties engaging in <i>ex situ</i> production already have been encouraged to contribute to <i>in situ</i> conservation (e.g., Resolution Conf. 13.9). Such contributions should not be further addressed by CITES. As noted by the Secretariat, earlier attempts to draw conclusions on this issue were not successful and little more can be expected from an expensive, in-depth study. SSN believes that scarce CITES resources would be better spent on activities that involve trade in violation of the Convention (detrimental and/or illegal trade). SSN is also concerned about duplication of effort since, as the Clearing House noted, this topic fits into Convention on Biological Diversity ongoing considerations on access and benefit sharing. However, if the SC agrees to submit a proposal to COP14, SSN recommends the following: <ul style="list-style-type: none"> <li>1) <u>To include stronger language in the terms of reference on the evaluation of the negative impacts or risks of <i>ex situ</i> production.</u> The present terms of reference refer to the “<i>risk of creating a mechanism for laundering of wild taken specimens</i>” but do not refer to the risk of an increase in human-induced mortalities of wild specimens independently from potential laundering of these specimens. Decisions to increase takes of wild specimens motivated by the existence of a market do not necessarily lead to laundering but can instead lead to an accumulation of products and stockpiles in the hope that international trade would resume shortly. Similarly, wild specimens could die at the time of harvest before even entering the laundering mechanism per se. In</li> </ul> </li> </ul>

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<p>SC54 Doc.34</p>		<p>order to ensure that all human-induced mortalities of wild specimens are evaluated in the course of the assessment of the negative aspects of <i>ex situ</i> production, Parties should propose the addition of a new sub-paragraph under paragraph (b) of the Annex ensuring proper consideration of the “<i>risk of an increase in human-induced mortalities of wild specimens.</i>”</p> <ol style="list-style-type: none"> <li>2) <u>To include a definition of the terms “profit” and “benefit” which explicitly refers to the need to benefit the conservation of wild specimens in the section of the terms of reference devoted to the evaluation of economic aspects of <i>ex situ</i> production.</u> SC54. Doc.34 briefly discusses this distinction in the core of its analysis but fails to include this definition in the terms of reference for the evaluation of the economic aspects of <i>ex situ</i> production.</li> <li>3) <u>To include under “economic aspects” the increased enforcement costs to range States of the specimens reared in <i>ex-situ</i> situations.</u> That is, if demand cannot be met by <i>ex-situ</i> production, then markets may turn to illegally taken wild specimens and this will have increased enforcement costs for range States.</li> </ol>
<p><b>35. Guidelines for compliance with the Convention</b></p>	<ul style="list-style-type: none"> <li>● <u>SC54. Doc.35.</u> This document presents the draft of the compliance guidelines that was circulated after SC53, together with proposed changes received from Australia, the EU and the US.</li> <li>● The Chairman of the Working Group on Compliance proposes that, in order to complete a final draft at SC54, the Working Group meets at the beginning of the meeting and forms a small drafting group that would meet in parallel with SC54 and present its results to the full group before the end of the meeting.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Conditionally support</b> - SSN supports the Chairman’s approach as long as there is full consultation with and opportunity for input from all members of the Working Group throughout SC54. SSN notes that NGOs were not allowed to participate in the Working Group until part way through SC53, and were unable to contribute comments between meetings or participate in the internet forum hosted by Australia. SSN trusts, however, that NGOs will continue to be allowed to participate in the Working Group at SC54.</li> <li>● With some exceptions, SSN <b>generally supports</b> the Australian text which is simpler and largely reflects evolved practice, though elements from the EU and US text are also supported. SSN supports the US regarding use of the present tense throughout since the guidelines are describing existing practice. Specifically, SSN has the following comments: <ol style="list-style-type: none"> <li>1) I.1: Support US that the objective of the guidelines is to “<i>inform Parties.... of CITES practice</i>”. CITES already has a compliance system.</li> <li>2) I.2.e: Support US that response to communication in relation to Article XIII should be “<i>as soon as possible</i>”.</li> <li>3) II.3, 4 &amp; 5: Support Australia on approach to confidentiality / transparency and need to action non-compliance issues quickly. Proceedings and communications should be as transparent and fast as possible.</li> <li>4) III.1.c: Support Australia’s deletion. Simpler and more efficient for the COP to provide policy guidance and review, but not to carry out tasks delegated to the SC.</li> <li>5) III.2.c: Support Australia and US deletion of “<i>determinations</i>”</li> </ol> </li> </ul>

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<p>SC54 Doc.35</p>		<p><i>regarding compliance matters</i>". Simpler.</p> <p>6) III.4: Support US change to "<i>established procedures</i>". CITES already has procedures laid down.</p> <p>7) IV.1: Support US addition of "<i>decisions and resolutions</i>".</p> <p>8) V.A.4: Support US addition "<i>are always urged to</i>".</p> <p>9) V.A.5 (Australia V.D.2): Support US deletion of text on definition of time limits. Time limits are fixed in some existing procedures.</p> <p>10) V.B, C &amp; D: Generally support Australia's procedure (except V.C.2), particularly its proposal that the Secretariat "<i>reports to the Standing Committee</i>" as opposed to having different triggers for a "<i>non-compliance submission</i>". This is simpler, better reflects existing practice and is likely to be more acceptable for other Parties. However, additional language is needed to ensure Parties as well as the Animals and Plants Committees (see Resolution 9.24, Annex 4.B.1) can bring matters directly to the Standing Committee if needed.</p> <p>11) V.B.1<sup>ter</sup> (EU): Support EU addition on trade with non-Parties.</p> <p>12) V.B.5 (Australia's V.C.2): Agree with EU and US that the Standing Committee should decide whether an issue is trivial or ill-founded, not the Secretariat.</p> <p>13) V.B.7 (Australia's V.C.5): On-site verification and information gathering should be overseen by the Standing Committee and carried out by the Secretariat with, where possible, independent observers and in cooperation with regional representatives. Verification should be as objective as possible.</p> <p>14) V.D.1.c<sup>bis</sup> (EU): Support EU addition of a formal caution to measures to address compliance.</p> <p>15) V.D.2.g (EU 1.g, Australia 3.g): Support Australia's deletion of the provision preventing other measures to be applied during implementation of a compliance action plan. More flexible.</p> <p>16) V.D.2.h (EU 1.h, Australia 3.h): Support US deletion of text after "<i>Article XIII of the Convention</i>", elaborating circumstances for suspension. Reflects existing practice and enables recommendation of trade suspension in urgent situations.</p> <p>17) V.D.3 (EU 4, Australia 5): Support original text. Simpler.</p> <p>18) V.E.1: The Standing Committee should monitor progress and arrange for on-site verification.</p> <p>19) V.E.5 (Australia 3): Support Australia and EU that as a minimum significant progress should have been made before a suspension can be lifted.</p> <p>20) VI.1: Support US that revisions to the guidelines should "<i>reflect evolving practice</i>" rather than "<i>incorporate experience gained</i>".</p>
<p>36. National laws for implementation of the</p>	<ul style="list-style-type: none"> <li>SC54.Doc.36.As part of the on-going national legislation project, the Secretariat</li> </ul>	<ul style="list-style-type: none"> <li>Oppose Secretariat recommendations in paras. 30 and 31, except as</li> </ul>

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<p><b>Convention</b></p> <p><b>SC54 Doc.36</b></p>	<p>has made various recommendations for action to be taken against Parties that are at different stages of the process and are in non-compliance. These include recommendations to suspend CITES trade with Paraguay (para. 34), and with Parties with a deadline of 30 June 2004 unless they have provided written indication of progress since SC53 (para. 32) - Antigua and Barbuda, Dominica and Latvia are potentially affected.</p> <ul style="list-style-type: none"> <li>• The Secretariat has recommended deferring a decision to SC55 for the majority of Parties that are in non-compliance - those falling in the group with a deadline of 31 December 2003 (para. 31). A similar recommendation has been made for Mozambique and South Africa, both with a deadline of 31 March 2003 (para. 30).</li> </ul>	<p>relates to Mozambique.</p> <ul style="list-style-type: none"> <li>• South Africa has failed to enact implementing legislation for well over three years. It has significant levels of CITES trade and considerably more capacity than Mozambique to enable it to comply. Moreover, Mozambique has requested technical assistance from the Secretariat, while South Africa wants to sell its stockpile of ivory. SSN considers that South Africa has been given adequate time to comply, and a recommended suspension of trade is warranted.</li> <li>• <b>Parties with a deadline of 31 December 2003:</b> As of June 2005, there were 68 Parties in this group. The Secretariat has provided information on only 31 Parties, two of which have been moved to category 1, leaving 66 in the group. Of the 31 Parties on which information is provided, 4 remain under a suspension for non-compliance (since 30 April 2004), leaving 27. Of these, only “<i>contact</i>” has been mentioned for 10, not any form of progress. Thus the Secretariat has substantiated progress for only 17 Parties – 26% of the 66 left in this group. <u>This leaves 49 Parties for which no progress has been substantiated.</u> As of June 2005, 10 of these had not submitted draft or enacted legislation (SC53 Doc. 31 Annex). No trade suspension has been recommended for these 10 Parties. Moreover, the Secretariat has recommended a trade suspension with non-compliant Parties with a deadline of 30 June 2004 – 6 months later than the Parties in this group. SSN notes that Namibia – which wants to sell its ivory stockpile – is among the Parties for which no progress has been substantiated. <b><i>SSN recommends that a suspension of commercial trade in CITES-listed species should be recommended for those Parties in this group that have failed to provide written indications of legislative progress since SC53.</i></b></li> </ul>
<p><b>37. Stricter Domestic Measures</b></p>	<p>SC54 Doc.37 (Rev.1). The Secretariat seeks agreement of the Standing Committee to:</p> <ol style="list-style-type: none"> <li>1) submit a discussion draft on stricter domestic measures to COP14; and</li> <li>2) review existing Resolutions on stricter domestic measures and propose revisions, if necessary, to ensure coherent treatment of the issue.</li> </ol>	<p><u>Submission of a discussion draft on stricter domestic measures.</u></p> <ul style="list-style-type: none"> <li>• <b>Oppose</b> - SSN disagrees with the underlying premise of the Secretariat’s arguments. The argument that stricter domestic measures implemented under Article XIV(1) and based on unilateral criteria constitutes an area of potential tension between the WTO and CITES and mischaracterizes actual practice as well as the decisions of the WTO’s Appellate Body. Firstly, as the Secretariat points out, many Parties—developed and developing countries alike—already have in place stricter domestic measures regarding the trade in CITES-listed specimens. None of these measures have been the subject of a WTO dispute. Secondly, in the unlikely event of a WTO challenge, such a measure could be justified under Article XX of the General Agreement on Tariffs and Trade (GATT) for measures to conserve exhaustible natural resources. The Appellate Body in the <i>Shrimp/Turtle</i> dispute very carefully avoided saying that measures based on unilateral criteria create a tension with WTO rules. While showing a preference for multilateral approaches, the Appellate Body concluded that “<i>conditioning access to a Member’s domestic market on whether exporting Members comply with, or adopt, a policy or policies unilaterally prescribed by the importing</i> </li></ul>

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<p>SC54 Doc.37 (Rev.1)</p>		<p><i>Member may, to some degree, be a common aspect of measures falling within the scope of one or another of the exceptions (a) to (j) of Article XX [of the GATT].” Ultimately the Appellate Body found that the unilateral measures imposed by the United States to protect sea turtles were justifiable under the GATT. The Appellate Body did not articulate a set of strict rules for determining when unilateral measures might be acceptable. The self-censorship of CITES Parties would only serve to limit the conservation options available to them.</i></p> <p><u>Review of existing resolutions on stricter domestic measures for possible revision.</u></p> <ul style="list-style-type: none"> <li>● <b>Oppose</b> - Article XIV expresses the sovereign right of Parties to enact stricter domestic measures. The Secretariat’s proposal is an unwarranted interference with that right (see also comment 3) on Doc. 41). Moreover, unilateral measures have proved a useful tool in the past to promote compliance (see article by former CITES Secretary General, Peter Sand, referred to in Doc. 35). The Secretariat has mischaracterized the WTO debate. Furthermore, it is not within the Secretariat’s purview to provide guidance to the Parties on the fulfillment of their commitments under the WTO. The only obligation the Parties have under the Convention in enacting stricter domestic measures is to inform other Parties of their requirements in order to minimize confusion among traders and government officials. Parties will unnecessarily limit their right to implement stricter domestic measures by acceding to the Secretariat’s proposal. SSN believes that there is no need to make any revisions to Resolution Conf. 6.7 or provide any further interpretation of Article XIV on stricter domestic measures at this time.</li> </ul>
<p>38. Enforcement matters</p>	<ul style="list-style-type: none"> <li>● <u>SC54. Doc.38.</u> This document gives a report on CITES enforcement and reviews several issues including the work of the Falcon Enforcement Task Force, the ASEAN Wildlife Enforcement Network, Parties’ participation in enforcement related meetings, submission of details of relevant national law enforcement agencies, enforcement problems in specific Parties and national enforcement action plans, etc.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Participation in enforcement related meetings</b> - SSN supports the appeal to Parties to ensure adequate representation of law enforcement professionals at relevant meetings and task forces.</li> <li>● <b>Submission of enforcement agency details</b> - SSN is pleased to see that the number of Parties that have submitted details of their relevant national law enforcement agencies in compliance with Decision 13.84 has increased from 18 to 53. However, 116 Parties (69%) still have not submitted details. SSN therefore urges the SC to direct the Secretariat to issue a Notification to Parties reminding them of the requirement in Decision 13.84, and to urge regional representatives to intensify efforts on this issue.</li> <li>● <b>National enforcement action plans (NEAPs)</b> - SSN believes that <i>engaging</i> in NEAPs could enhance Parties’ commitment to wildlife law enforcement. The Secretariat’s reason for not instituting a process under CITES to require and monitor such plans – that it would be a burden – is inadequate. Instead, SSN believes that such a process should be encouraged and Parties urged to provide the resources required for its support.</li> </ul>

ISSUE	PROPOSED ACTIONS	SSN RECOMMENDATIONS
SC54 Doc.38		<ul style="list-style-type: none"> <li>● <b>Enforcement problems in specific Parties</b> - SSN generally supports the Secretariat's recommendations. In relation to Cambodia, SSN suggests the issue be reviewed at SC55, prior to COP14 with a view to making a recommendation on a trade suspension.</li> </ul>
<p>39. National reports</p> <p>SC54 Doc.39</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.39</u>. In this document, the Secretariat recommends that the SC determine whether the Comoros, Mongolia, Sao Tome and Principe and Uganda have failed, for three consecutive years without having provided adequate justification, to provide annual reports which would lead to a recommendation of trade suspension.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support.</b></li> </ul>
<p>40. Wildlife trade policies</p> <p>SC54 Doc.40 (Rev1)</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.40 (Rev1)</u>. In this document, the Secretariat proposes to encourage donations to expand its wildlife trade policy reviews.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Oppose the utilization of additional resources to expand the wildlife trade policy reviews proposed in SC54 Doc.40 (Rev1).</b> To the extent that the wildlife trade policy reviews described in SC54 Doc. 40 (Rev1) aim to promote the trade in CITES-listed species, they undermine the mission of the Convention and are a misuse of the Secretariat's resources. SSN believes that reviews should only be conducted to ensure that "<i>authorized trade in CITES-listed species is managed efficiently</i>" and that "<i>illegal trade is reduced.</i>" To that end, SSN agrees that a review of an importing country would be beneficial.</li> </ul>
<p>41. Economic incentives</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.41</u>. In this document, the Secretariat proposes the following actions: <ol style="list-style-type: none"> <li>1) The organization of a sustainable trade forum parallel to COP14 to facilitate exchange between wildlife trade enterprises and industry associations.</li> <li>2) The development of an accreditation process for CITES-listed specimens from sustainable use programs which would qualify for enhanced market access or exemptions from stricter domestic measures in consumer countries.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>● <b>Oppose</b> - The mission of CITES is the protection of the world's biodiversity from over-exploitation through international trade, not the promotion of wildlife trade for the purpose of economic development. Contributing to the Millennium Development Goals and improving the livelihoods of people in developing countries are worthy pursuits, but ones better addressed nationally as part of implementation and policy measures, where appropriate, or in other fora, such as the agricultural negotiations at the World Trade Organization where the potential economic benefits for developing countries are far greater. The Secretariat - the Legislation and Compliance Unit, in particular - should use its scarce human resources to support core work on enforcement, not to promote an agenda on economic incentives and wildlife trade policies on which several Parties have expressed reservations. <ol style="list-style-type: none"> <li>1) <u>Oppose the organization of a sustainable trade forum</u> – For the aforementioned reasons, SSN opposes the organization of a sustainable trade forum. Contrary to the Secretariat's narrow definition of the term "<i>economic incentives</i>" in SC54 Doc. 41 in which it only considers examples of consumptive uses of CITES-listed species, Decisions 13.76 and 13.77 do not limit the term. Economic incentives for the protection and conservation of CITES-listed species are provided by non-consumptive uses, like ecotourism, as much as or more so than consumptive uses. Consequently, if such a forum should take place, the economic incentives provided by non-consumptive uses of CITES-listed species should take precedence over consumptive uses, in accordance with the mission of the Convention.</li> <li>2) <u>Oppose any special recognition for practices of producer or consumer countries in relation to sustainable use of</u></li> </ol> </li> </ul>

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<p>SC54 Doc.41</p>		<p>Appendix-II or -III species.</p> <p>3) <u>Oppose any exemption from stricter domestic measures for CITES-listed specimens originating from sustainable use programs.</u> Like most multilateral environmental agreements, CITES represents the minimum a Party must do. Article XIV of the Convention specifically reserves the right for any Party to adopt stricter domestic measures, up to and including a prohibition of trade in listed species. Any attempt to require a Party to waive its domestic laws violates that right and interferes in a country's internal affairs. If a Party wishes to provide an exemption through its domestic laws for specimens from sustainable use programs, as the United States has done through the Wild Bird Conservation Act, it can do so on its own initiative.</p>
<p>42. Review of Significant Trade</p>	<ul style="list-style-type: none"> <li>• <u>SC54 Doc.42.</u> This document provides summaries of species currently in the Review of Significant Trade in specimens of Appendix II species (Resolution Conf. 12.8 (Rev. COP13)) and the Secretariat's determination as to whether the recommendations of the Animals or Plants Committees have been met; recommendations to the Standing Committee also are included.</li> </ul>	<ul style="list-style-type: none"> <li>• <b><i>Aloe spp.</i></b>: SSN <b>supports</b> the recommendation that the Standing Committee recommend that all Parties suspend trade in specimens of <i>Aloe spp.</i> from Kenya until it demonstrates compliance with Article IV.</li> <li>• <b><i>Aquilaria malaccensis</i></b>: SSN <b>supports</b> the recommendation that India be removed from the Review for this species as exports of wild specimens are prohibited. SSN <b>opposes</b> the recommendation to remove Indonesia from the Review for this species as the information provided is insufficient to confirm that Indonesia is collecting the necessary biological information to enact an adaptive management harvest scheme. SSN <b>supports</b> the recommendation that all Parties suspend trade in all specimens from Malaysia from 1 January 2007 if Malaysia has not established a cautious harvest and export quota for 2007 by that time.</li> <li>• <b><i>Cycadaceae, Stangeriaceae and Zamiaceae</i></b>: SSN <b>supports</b> the recommendation that the Standing Committee recommend that all Parties suspend trade in specimens of cycads from China, Madagascar, Mozambique or Vietnam until they demonstrate compliance with Article IV. SSN <b>supports</b> the recommendation that South Africa be removed from the Review for this species yet SSN recommends that the Standing Committee address the issue of illegal trade that is responsible for significant declines of these species in South Africa. SSN <b>supports</b> the recommendation that Thailand be removed from the Review for cycads as exports of wild-collected specimens has ceased.</li> <li>• <b><i>Pericopsis elata</i></b>: (Classified as Endangered by IUCN) SSN <b>opposes</b> the recommendation to remove Cameroon or any other range State from the Review for this species until the required regional management strategy for the species is established. SSN <b>opposes</b> the recommendation that the Secretariat withdraw its recommendation to suspend trade in <i>P. elata</i> from the Central African Republic (CAR) and Congo. Although the reported trade in the species from CAR is limited and irregular there are concerns about the general lack of information on the distribution and abundance of <i>P. elata</i> and</li> </ul>

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<p>SC54 Doc.42</p>		<p>of mechanisms to control the trade. CAR should provide the requested information on status and management of the species in the country. Though Congo was directed to establish a conservative export quota for 2007, the established quota is more than double the average annual reported exports from the country from 1993-2001. SSN <i>notes</i> the information regarding the Democratic Republic of the Congo's lack of response.</p> <ul style="list-style-type: none"> <li>● <b>Moschus spp.:</b> China states that 1) there are about 2,500 to 3,000 musk deer in captivity, producing annually 10 to 15 kg of musk in a non-lethal manner. 2) annually, a maximum of 500 kg of natural musk from stockpiles may be consumed and 3) the registration of stockpiles is ongoing. SSN <i>opposes</i> the recommendation that China be removed from the Review. There is no indication as to the quantity of musk in stockpiles or how, and or, if these stockpiles are being filled from wild specimens or imports. China should not be removed from the Review until information on stockpiles and stockpile regeneration is provided. The recommendations clearly state, "<i>results of the registration schemes for musk deer farms and musk stockpiles (including number of farms registered and their annual production; size of the legal or registered stockpiles); the operational details of these registration schemes; the current status of the registrations; and a description of the associated monitoring and control activities.</i>"</li> <li>● <b>Cuora amboinensis:</b> SSN <i>opposes</i> the recommendation that Indonesia be removed from the Review for this species. Indonesia should not be removed from the Review until the results of the status survey are available. The recommendations clearly require the implementation of a management plan based on the results of the field study <u>before</u> the recommendations can be fulfilled ("<i>Commit to undertake a status assessment and field study of the species to be completed within 24 months, and to develop and implement an adaptive management programme for the species on the basis of the results of this study</i>"). SSN <i>opposes</i> the recommendation that Malaysia be removed from the Review for this species. The current zero export quota for the species is only temporary. Though SSN recognizes the substantial progress made by Malaysia, the country should not be removed from the Review until the results of the status survey are available and a clear methodology for making non-detriment findings for turtles and tortoises has been established.</li> <li>● <b>Strombus gigas:</b> The May 2006 suspension of imports from Grenada (CITES Notification to the Parties No. 2006/034) is <i>noted</i>.</li> <li>● <b>Falco cherrug:</b> (Classified as Endangered by IUCN) SSN <i>supports</i> the recommendation that the Standing Committee recommend that all Parties suspend trade in specimens of <i>Falco cherrug</i> from Afghanistan, Armenia, Bahrain, Egypt, Iraq, Kenya, Mauritania, Oman, Sudan and Tajikistan until they demonstrate compliance with Article IV. SSN <i>supports</i> the removal of Bulgaria, Cyprus, Georgia, India, Jordan, Moldova, Nepal, Romania, Turkey, Ukraine and</li> </ul>

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		<p>Yemen from the Review as no exports of specimens of wild origin are permitted. SSN <i>opposes</i> the removal of Austria, China and Serbia from the Review until such time that they provide information on the number of birds held in their breeding facilities, and a description of inspection protocols, testing procedures, related regulations and penalties. SSN <i>opposes</i> the recommendation that Kuwait be removed from the Review until the source and legal status of 113 specimens exported in 2003 are clarified. SSN is <i>concerned</i> that the Secretariat has failed to report on the status of recommendations to countries identified as ‘urgent concern’ (Iran, Kazakhstan, Kyrgyzstan, Mongolia, Pakistan, the Russian Federation, Saudi Arabia Turkemistan and Uzbekistan) which were requested to immediately suspend the issuance of export permits for the species.</p> <ul style="list-style-type: none"> <li>● <b>General observation</b> - SSN is concerned about a misinterpretation of <i>Resolution Conf. 12.8 (Rev. COP13)</i> concerning the basis for categorizing species following the consultants’ reviews. At AC22, several populations of species were categorized as of “<i>least concern</i>”, and removed from the Review, when it was <u>not</u> clear that Article IV was being implemented. Instead the Committee effectively conducted its own non-detriment finding, often on the basis of inadequate information. SSN wishes to point out that <i>the categorization of range State populations should be based on whether or not Article IV is being implemented</i>. If there is uncertainty in this regard, they should be categorized as of “<i>possible concern</i>” and remain in the Review.</li> </ul>
<p><b>43. Regional Reports</b></p> <p>43.1 Africa</p> <p>43.2 Asia</p> <p>43.3 Central and South America and the Caribbean</p> <p>43.4 Europe</p> <p>43.5 North America</p> <p>43.6 Oceania</p> <p>SC54 Docs. 43.1, 43.2, 43.3, 43.4, 43.5, 43.6</p>	<ul style="list-style-type: none"> <li>● <u>SC54 Doc.43.1</u>: No document available.</li> <li>● <u>SC54 Doc.43.2</u>: Available.</li> <li>● <u>SC54 Doc.43.3</u>: No document available.</li> <li>● <u>SC54 Doc. 43.4</u>: Available</li> <li>● <u>SC54 Doc. 43.5</u>: Available</li> <li>● <u>SC54 Doc. 43.6</u>: Available</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Support</b> - SSN encourages SC54 to adopt a standardized format for regional reports. The ten-point format used in the Europe report (SC54 Doc. 43.4) is very useful.</li> <li>● SSN encourages regional representatives to include in the regional reports summaries of major seizures of specimens of CITES-listed species.</li> </ul>
<p><b>44. Any other business.</b></p>	<ul style="list-style-type: none"> <li>● No document.</li> </ul>	<ul style="list-style-type: none"> <li>● <i>No comment.</i></li> </ul>
<p><b>45. Time and Venue of the next meeting</b></p>	<ul style="list-style-type: none"> <li>● No document.</li> </ul>	<ul style="list-style-type: none"> <li>● <i>No comment.</i></li> </ul>
<p><b>46. Closing Remarks</b></p>	<ul style="list-style-type: none"> <li>● No document.</li> </ul>	<ul style="list-style-type: none"> <li>● <i>No comment.</i></li> </ul>

*The Species Survival Network (SSN), founded in 1992, is an international coalition of over eighty non-governmental organizations committed to the promotion, enhancement, and strict enforcement of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Through scientific and legal research, education and advocacy, the SSN is working to prevent over-exploitation of animals and plants due to international trade.*



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