

ANNOUNCEMENT OF TENTATIVE U.S. NEGOTIATING
POSITIONS FOR AGENDA ITEMS AND SPECIES
PROPOSALS SUBMITTED BY FOREIGN GOVERNMENTS
AND THE CITES SECRETARIAT

We, the United States, as a Party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), will attend the sixteenth regular meeting of the Conference of the Parties to CITES (CoP16) in Bangkok, Thailand, during March 3–14, 2013. This notice announces the tentative U.S. negotiating positions on amendments to the CITES Appendices (species proposals), draft resolutions and decisions, and agenda items submitted by other countries and the CITES Secretariat for consideration at CoP16. Please note that we published in the **Federal Register** on February 28, 2013 the availability on our website of our tentative U.S. negotiating positions on amendments to the CITES Appendices (species proposals), draft resolutions and decisions, and agenda items submitted by other countries and the CITES Secretariat for consideration at CoP16.

DATES: In further developing U.S. negotiating positions on these issues, we will continue to consider information and comments submitted in response to our notice of November 9, 2012 (77 FR 67390). We will also continue to consider information received at the public meeting (announced with a revised date in the **Federal Register**; 77 FR 71012), which was held on December 13, 2012.

Background

The Convention on International Trade in Endangered Species of Wild Fauna and Flora, hereinafter referred to as CITES or the Convention, is an international treaty designed to control and regulate international trade in certain animal and plant species that are now or potentially may become threatened with extinction. These species are listed in Appendices to CITES, which are available on the CITES Secretariat's website at <http://www.cites.org/eng/app/appendices.php>. Currently (as of January 29, 2013), 177 countries, including the United States, are Parties to CITES. The Convention calls for biennial meetings of the Conference of the Parties to review its implementation, make provisions enabling the CITES Secretariat to carry out its functions, consider amendments to the lists of species in Appendices I and II, consider reports presented by the Secretariat, and make recommendations for the improved effectiveness of CITES. Any country that is a Party to CITES may propose amendments to Appendices I and II, and draft resolutions, decisions, and agenda items for consideration by all the Parties. Accredited nongovernmental organizations (NGOs) may participate in the meeting as approved observers and may speak during sessions when recognized by the meeting Chairman, but they may not vote or submit proposals.

With this posting on our website (which corresponds with our seventh CoP16-related **Federal Register** notice on February 28, 2013 (78 FR 13694), we announce the tentative U.S. negotiating positions on species proposals, draft resolutions and decisions, and agenda items submitted by other Parties and the Secretariat for consideration at CoP16. We published our first CoP16-related **Federal Register** notice on June 14, 2011 (76 FR 34746), and with it we requested

information and recommendations on species proposals for the United States to consider for submission to CoP16, and we also outlined our approach for the meeting. We published our second CoP16-related **Federal Register** notice on November 7, 2011 (76 FR 68778), and with it we requested information and recommendations on resolutions, decisions, and agenda items for the United States to consider submitting for consideration at CoP16. We published our third such **Federal Register** notice on April 11, 2012 (77 FR 21798), and with it we announced that the United States was considering submitting for consideration at CoP16. In our fourth **Federal Register** notice, published on June 21, 2012 (77 FR 37433), we informed the public of proposed resolutions, decisions, and agenda items we were considering for submission at CoP16. This notice took into account all public comments received in response to the **Federal Register** notice published on November 7, 2011. In our fifth **Federal Register** notice, published on November 9, 2012 (77 FR 67390), we announced the provisional agenda for CoP16, solicited comments on the items on the provisional agenda, and announced a public meeting for December 5, 2012. In our sixth **Federal Register** notice, published on November 28, 2012 (77 FR 71012), we announced a revised date for the public meeting: December 13, 2012.

Our regulations governing this public process are found in 50 CFR 23.87. Pursuant to 50 CFR 23.87(a)(3)(iii), we are posting on <http://www.regulations.gov> and on our website (<http://www.fws.gov/international/publications-and-media/federal-register-notice.html>) a summary of our proposed negotiating positions on the CoP16 agenda and proposed amendments to the Appendices, and the reasons for our proposed positions.

Tentative Negotiating Positions

In this posting, we summarize the tentative U.S. negotiating positions on proposals to amend the Appendices (species proposals), draft resolutions and decisions, and agenda items that have been submitted by other countries and the CITES Secretariat. Documents submitted by the United States for consideration by the Parties at CoP16 can be found on the Secretariat's website at: <http://www.cites.org/eng/cop/16/doc/index.php>. Those documents are: CoP16 Doc. 40 and (co-sponsored with Botswana and South Africa) Doc. 52. The United States, either alone or as a co-proponent, submitted the following proposals to amend Appendices I and II: CoP16 Props. 3, 28, 29, 30, 31, 32, 36, 37, 38, 42, 53, and 57. We will not provide any additional explanation of the U.S. negotiating position for documents and proposals that the United States submitted because the introduction in each of those documents contains a discussion of the background of the issue and the rationale for submitting the document.

In this posting, numerals next to each agenda item or resolution correspond to the numbers used in the agenda for CoP16 and posted on the Secretariat's website. We do not discuss those agenda items without documents in this notice because our positions on those issues are included in the positions on the associated agenda items that do have documents. For some documents, we are still working with other agencies in the United States and other CITES Parties to develop the U.S. negotiating positions; the agenda items on which we are undecided are discussed in this posting.

In the discussion that follows, we have generally included a brief description of each species proposal, draft resolution, draft decision, and agenda item submitted by other Parties or the

Secretariat, followed by a brief explanation of the tentative U.S. negotiating position for that item. New information that may become available prior to or at CoP16 could lead to modifications of these positions. The U.S. delegation will fully disclose changes in our negotiating positions and the explanations for those changes during public briefings at CoP16. The United States is concerned about the budgetary implications and workload burden that will be placed upon the Parties, the Committees, and the Secretariat, and intends to evaluate all documents for CoP16 in view of these concerns.

Agenda (Provisional)

Opening of the Meeting

The Secretariat will not prepare documents on these agenda items. According to tradition, as the host country for CoP16, Thailand will conduct an opening ceremony and make welcoming remarks. For the election of the Chair and Vice-Chair of the meeting, the host country — in this case, Thailand — will provide the Chair and Vice-Chair. For the election of Chairs of Committees I and II, the United States supports the process of the CITES Standing Committee for nominating candidates who have the required technical knowledge and skills to chair the committees, and also reflect the geographic and cultural diversity of the CITES Parties.

Administrative Matters

1. Election of the Chair and Vice-Chair of the meeting and of Chairs of Committees I and II (no document). *Tentative U.S. negotiating position:* Support.

2. Adoption of the agenda (Doc. 1). *Tentative U.S. negotiating position:* Support.

3. Adoption of the working programme (Doc. 2). *Tentative U.S. negotiating position:* Support. Prior to a CoP, the working programme is provisional and changes may be made to it prior to the start of CoP16 or at the beginning of the meeting. The United States generally supports the provisional working programme, although we expect that some changes may be proposed, which we will review at the appropriate time.

4. Rules of Procedure (no document).

4.1 Report of the Secretariat (Doc. 4.1). *Tentative U.S. negotiating position:* Support in part. The CITES Secretariat prepared this document, the draft Rules of Procedure for CoP16. The draft Rules are identical to those adopted for CoP15, except for several amendments proposed to Rules 20 and 21, regarding submission of draft Resolutions, draft Decisions, and other documents, Rules 23.5 and 23.6 regarding the procedures for deciding on proposals to amend Appendices I and II, and Rule 25.1 regarding voting at CoPs. The Secretariat also proposes an additional amendment to Rule 20 to reduce the deadline for submission of working documents for meetings of the CoP - other than proposals to amend Appendices I and II - from 150 days to 120 days prior to the CoP. The United States supports the proposed amendments to Rules 20 and 21, on submission of draft resolutions, draft decisions, and other documents, as well as the

proposed amendment to Rule 25.1, to require the non-secret ballot votes taken electronically be displayed on a screen. We also support the proposed amendments to Rules 23.5 and 23.6, intended to clarify the procedures for deciding on proposals to amend Appendices I and II, but propose an additional change to Rule 23.6 to clarify the order in which the Parties are to decide upon two or more proposals to amend Appendix I or II when they relate to the same taxon but are different in substance. However, we oppose the Secretariat's proposal to reduce the submission deadline for working documents. Finally, the United States proposes an additional amendment to Rule 15.1 to clarify the constitution of the CoP Bureau and the role of the Alternate Chair.

4.2 Proposal to improve transparency of voting during meetings of the Conference of the Parties (Denmark, on behalf of the member States of the European Union). *Tentative U.S. negotiating position*: Support. Denmark submitted this document on behalf of the European Union (EU). The EU proposes that Rule 25.2 be amended such that a request for a vote by secret ballot would require approval by a simple majority of the Parties present and voting rather than approval by only 10 Parties as is currently the rule. The United States has historically supported transparency and accountability in voting at CoPs and, therefore, supports the proposal.

4.3 Proposed amendment to Rule 25 on *Methods of voting* – Use of secret ballots (Chile and Mexico). *Tentative U.S. negotiating position*: Support if the EU's proposal in Doc. 4.2 is not adopted. Chile and Mexico submitted this document proposing that Rule 25.2 be amended such that a request for a vote by secret ballot would require approval by one-third of the Parties present and voting rather than approval by only 10 Parties as is currently the rule. The United

States supports the EU proposal in Doc. 4.2, to require approval by a simple majority of the Parties present and voting for a secret ballot vote to occur because it would restrict the use of secret ballots more than Chile and Mexico's proposal, and better promote transparency and accountability. However, if the EU's proposal is not adopted, we will support Chile and Mexico's proposal.

5. Credentials Committee (no document).

5.1 Establishment of the Credentials Committee (no document). *Tentative U.S. negotiating position:* Support. The Credentials Committee is necessary to ensure that Parties are properly represented at the CoP by accredited delegates, allowing them to fully participate in the meeting, including by casting votes.

5.2 Report of the Credentials Committee (Doc. 5.2). *Tentative U.S. negotiating position:* Undecided. The United States will follow the work of the Credentials Committee and intervene as appropriate.

6. Admission of observers (Doc. 6). *Tentative U.S. negotiating position:* Undecided. A document for this agenda item is not normally distributed prior to the start of a meeting of the CoP. National NGOs are admitted as observers if their headquarters are located in a CITES Party country and if the national government of that Party approves their attendance at the CoP. International NGOs are admitted by approval of the CITES Secretariat. After being approved as an observer, an NGO is admitted to the CoP unless one-third of the Parties object. The United

States supports admission to the meeting of all technically qualified NGOs, and opposes unreasonable limitations on their full participation as observers at CoP16. In addition, the United States supports flexibility and openness in the process for disseminating documents produced by NGOs to Party delegates, which are vital to decision-making and scientific and technical understanding.

7. Report of UNEP (Doc. 7). *Tentative U.S. negotiating position:* Undecided, pending submission of the full report from the United Nations Environment Programme (UNEP). This document provides a preliminary version of the Report of UNEP on its activities and actions related to CITES, in particular the administrative support provided to the Convention. A variety of significant matters related to the CITES-UNEP relationship were addressed in the period following CITES CoP15. Because the preliminary version of the UNEP report did not address some of those issues at the time this notice was prepared, the development of the U.S. negotiating position is pending.

8. Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties (no document).

8.1 Implementation of the costed programme of work for 2010-2011 (Doc. 8.1 and Annexes). *Tentative U.S. negotiating position:* Undecided. The comprehensive documents related to the financing and budgeting of the Convention and the Secretariat require extensive review, internal U.S. Government discussion, and analysis of the financial implications for Parties and the impact on the work of the Secretariat and the Committees. The United States will review this document

and all the budget and finance documents carefully, bearing in mind the need to balance tasks with available resources. The United States advocates fiscal responsibility and accountability on the part of the Secretariat and the Conference of the Parties, and plans to be an active participant in the budget discussions at CoP16. The voluntary annual contribution of the United States to CITES is determined by the Department of State.

8.2 Implementation of the costed programme of work for 2012 (Doc. 8.2). *Tentative U.S. negotiating position:* Undecided; same as 8.1. The United States believes it may be necessary for the CITES Secretariat to provide additional information on budgetary and financial matters in relation to the costed programme of work. Until such information is provided and analyzed, and discussed with the Parties and the Secretariat, we will not be able to determine our position.

8.3 Budgetary proposals for 2014 to 2016 (Doc. 8.3 and Annexes). *Tentative U.S. negotiating position:* Undecided; same as 8.1. The United States believes it may be necessary for the CITES Secretariat to provide additional information on budgetary and financial matters in relation to the costed programme of work. Until such information is provided and analyzed, and discussed with the Parties and the Secretariat, we will not be able to determine our position.

8.4 Access to Global Environment Facility funding (Doc. 8.4). *Tentative U.S negotiating position:* Undecided, pending additional consultations. The United States considers access to GEF funding to be a critical issue for the Convention with long-term implications. The United States was still engaged in ongoing discussions to determine our negotiating position for CoP16 at the time that this notice was prepared.

8.5 Access to other sources of funding (Doc. 8.5). *Tentative U.S negotiating position:*

Undecided. In general, the United States supports the idea that CITES funding should be as broad-based as possible in a time of the significant fiscal constraints facing many member States. The United States continues to support the efforts of the Secretariat to locate additional sources of funding in light of the long-term implications. The United States was still engaged in ongoing discussions to determine our negotiating position for CoP16 at the time that this notice was prepared.

9. Arrangements for meetings (Central African Republic and Rwanda) (Doc. 9). *Tentative U.S negotiating position:* Support in principle, but we note that there are challenges with the proposal that need to be addressed. The United States recognizes that some of the problems highlighted in the document are significant and warrant consideration, but we also note that there would be significant costs and practical implications associated with the implementation of the proposal as written. The United States feels that a careful examination of these problems and the potential solutions is warranted so that a long-standing and effective solution can be developed. The United States supports moving the discussion of these issues to the Standing Committee so that it, with the assistance of the Secretariat, can develop recommendations.

Strategic Matters

10. Committee Reports and Recommendations (no document).

10.1 Standing Committee (no document).

10.1.1 Report of the Chair (Doc. 10.1.1). *Tentative U.S. negotiating position:* This report is largely a summary of activities conducted by the Standing Committee, particularly the Chairman, since CoP15. There are no specific recommendations in this report, as many of these activities are covered by other CoP16 agenda items. If new recommendations are presented by the Chairman, the United States will evaluate them and develop a negotiating position.

10.1.2 Election of regional and alternate regional members (no document). *Tentative U.S. negotiating position:* The United States has served as the Member and Mexico as the Alternate Member of the Standing Committee for the North American Region since CoP15. Generally, the three countries agree on a rotation after every two CoPs whereby each of the countries represents the region on one of the committees, and similarly, each holds the position of alternate on a second committee. The United States expects to maintain the status quo for committee representation until CoP17, including the United States as the North American Member and Mexico as the Alternate Member of the Standing Committee.

10.2 Animals Committee (no document).

10.2.1 Report of the Chair (Doc. 10.2.1). *Tentative U.S. negotiating position:* Most of this document is a report by the Chairman of his activities or a recounting of the proceedings of meetings of the Animals Committee since CoP15 and, therefore, does not require a position. The outcomes of some of the Animals Committee deliberations are reflected in other agenda items

for CoP16, where they are elaborated more substantially. However, there are some specific recommendations contained in the report that require positions:

- Budget of the Animals Committee: Support in principle. Under Budget Issues, the Parties were asked to consider providing supplemental funding to support the AC Chairman, especially if the Chair is from a developing country and where governmental or institutional support is insufficient to fulfill the duties of the position. However, the Conference of the Parties has established a procedure for budgeting and allocating funds from the CITES Trust Fund in support of the technical Committees, which is reflected in the costed programme of work (see CoP16 agenda item #8). In addition, due to a tight budget for the Convention, the funding of additional activities would need to be discussed in the Standing Committee's Finance and Budget Subcommittee so that it can provide guidance to the Conference of the Parties. While the United States supports in principal funding the activities of the Chairs of the technical Committees if the Chairs come from developing countries, we note that defining a "developing country" under CITES is an unresolved matter, last discussed at the 62nd meeting of the Standing Committee (July 2012). The United States believes that the request of the Chair of the Animals (and Plants) Committee should be discussed intersessionally between CoPs 16 and 17 so that established budgeting processes can be employed and an agreed definition of "developing country" can be resolved. We believe this issue should be forwarded to the Standing Committee for referral to its Finance and Budget Subcommittee for further consideration and recommendations. [See Plants Committee, below].

10.2.2 Election of regional and alternate regional members (no document). *Tentative U.S. negotiating position:* Support. At the close of CoP16, the term of Dr. Rosemarie Gnam, as the alternate North American Regional representative, will end. Dr. Gnam is from the United States, where she is the Chief of the Division of Scientific Authority at the U.S. Fish and Wildlife Service. Dr. Gnam has served as Alternate Representative for North America to the Animals Committee since the close of CoP12 and is eligible for re-election. The United States supports her re-election and will seek support from Canada and Mexico for her re-election. The term of the North American regional member did not expire at the end of CoP16 and an election for that position is not needed.

10.3 Plants Committee (no document).

10.3.1 Report of the Chair (Doc. 10.3.1). *Tentative U.S. negotiating position:* Most of this document is either a report by the Chair of her activities or a recounting of the proceedings of meetings of the Plants Committee since CoP15 and, therefore, does not require a position. The outcomes of some of the Plants Committee deliberations are reflected in other agenda items for CoP16, where they are elaborated more substantially. However, there are some specific recommendations contained in the report that require positions. These (and the tentative U.S. positions) include:

- Regarding *Aniba roseaodora* (Decision 15.90): Oppose. The report indicates that Brazil reported that “all exported rosewood essential oil came from planted trees,” which is based on the PC20 Draft Summary Record (www.cites.org/eng/com/pc/20/sum/E20-SumRec.pdf), Item 15.2. However, Brazil’s document (PC20 Doc. 15.2) does not state

that all essential oils are derived from planted trees. The United States, in a review of the PC20 Draft Summary Record, requested that the statement be reconfirmed with Brazil.

To our knowledge, no reconfirmation has been received and this review of the Summary Record has not been finalized. Therefore, we disagree with the characterization that all rosewood essential oil exported from Brazil is from planted trees.

- Regarding Madagascar (Decision 15.97; Decision 15.98): Support, subject to Madagascar's submission of an implementation plan. We reiterate that Madagascar has not yet submitted a listing implementation plan to accompany their ebony and rosewood proposals, as was recommended by the Plants Committee (see agenda item #66, below).
- Regarding Periodic Review of the Appendices, where the Committee agreed to retain species in Appendix II: Support. We consider this an important outcome of the Periodic Review process, which seeks to determine whether a species remains appropriately listed.
- Regarding Budget of the Plants Committee: Support in principle. In addition to maintaining the funding levels for 2013-2015 at the same level as the past three years, the Parties were asked to consider providing supplemental funding to support the PC Chair, especially if the Chair were from a developing country and where governmental or institutional support is insufficient to fulfill the duties of the position. However, the Conference of the Parties has established a procedure for budgeting and allocating funds from the CITES Trust Fund in support of the technical Committees, which is reflected in the costed programme of work (see CoP16 agenda item #8). In addition, due to a tight budget for the Convention, the funding of additional activities would need to be discussed in the Standing Committee's Finance and Budget Subcommittee so that it can provide guidance to the Conference of the Parties. While the United States supports in principle

funding the activities of the Chairs of the technical Committees if the Chairs come from developing countries, we note that defining a “developing country” under CITES is an unresolved matter, last discussed at the 62nd meeting of the Standing Committee (July 2012). The United States believes that the request of the Chair of the Plants (and Animals) Committee should be discussed intersessionally between CoPs 16 and 17 so that established budgeting processes can be employed and an agreed definition of “developing country” can be resolved. We believe this issue should be forwarded to the Standing Committee for referral to its Finance and Budget Subcommittee for further consideration and recommendations. (See Animals Committee, above).

10.3.2 Election of regional and alternate regional members (no document). *Tentative U.S.*

negotiating position: No position is required. No positions are up for election or re-election in the Plants Committee at this time. The North American Region will continue to be represented by Mexico, with Canada as the Alternate Representative.

11. Potential conflicts of interest in the Animals and Plants Committees (Denmark, on behalf of the member States of the European Union) (Doc. 11). *Tentative U.S. negotiating position:* Support in principle. Denmark, on behalf of the European Union (EU), submitted this document to address the question of potential conflict of interest within the CITES Animals and Plants Committees. In this document, the EU recommended including specific provisions designed to avoid situations of conflict of interest for members and alternate members of the Animals and Plants Committees in Resolution Conf. 11.1 (Rev. CoP15) on *Establishment of committees*. The United States supports transparency and ethical conduct by its representatives and, therefore,

supports the intent of the provisions suggested by the European Union. We have questions, however, about some elements of the provisions, including the process for identifying and addressing conflicts of interest, and we plan to discuss these issues with the EU prior to CoP16.

12. CITES Strategic Vision (Doc. 12). *Tentative U.S. negotiating position:* Support in part. The Secretariat makes several recommendations to amend, update, and extend the time period of the current CITES Strategic Vision, based on the work of the Standing Committee. The United States supports extending the validity of the revised Strategic Vision to 2020. We note, however, that this means the same plan, which was originally intended to cover a period of 5 years, will now cover a period of 12 years. We are concerned that there has been limited effort devoted to evaluating whether these goals and objectives have been measurable in practice, or whether they need additional revision to improve on measurability. We generally support the incorporation of the Aichi Biodiversity Indicators. We do not, however, support inclusion of the outcomes of the UN Conference on Sustainable Development. While we certainly support efforts at sustainable development and poverty alleviation, and development of green economies, incorporation of these outcomes into a CITES vision document seem to expand the scope of CITES and will potentially lead to activities that detract from the core functions of the Secretariat and the Convention, therefore, imposing an additional financial burden on an already overburdened Convention.

13. Cooperation with organizations and multilateral environmental agreements (Doc. 13). *Tentative U.S. negotiating position:* Support in part. The Secretariat proposes that the Parties adopt a draft decision calling on it to undertake a review of activities related to cooperation,

found in current Resolutions and Decisions, to assess whether and how they could be rationalized and consolidated. The Secretariat recommends that this review be undertaken in cooperation with the Secretariat of the Convention on Biological Diversity (CBD). Additionally, the Secretariat notes that the work of the Biodiversity Indicators Partnership (BIP) has been largely subsumed under the work on developing indicators for the Strategic Plan for Biodiversity 2011-2020 and Aichi Biodiversity Targets. Therefore, the Secretariat recommends that Decision 15.11, which directs it to input into the development of BIP, be deleted and that the Secretariat continue to promote CITES in this regard under the CITES Strategic Vision. Finally, the Secretariat notes its hope that the work called for under Decision 15.18 on the Food and Agriculture Organization of the United Nations (FAO) will be completed by the 63rd meeting of the Standing Committee (SC63), in which case the Secretariat recommends deletion of this Decision. The Decision calls on the Standing Committee to analyze the Memorandum of Understanding (MoU) between CITES and the Food and Agriculture Organization of the United Nations (FAO) and develop a cooperative scheme between CITES and FAO on forestry issues. The intent of the Secretariat's proposed draft decision is somewhat unclear, including the instruction to work with the Secretariat of the Convention on Biological Diversity, and it is also unclear what precisely would be the product of such a review. We have long been concerned about the proliferation of MoUs between CITES and other bodies, and so would support a more considered evaluation of need for such agreements. But we are not sure if the Secretariat's proposal is the right way forward. We will seek additional information on this before developing our final position. We support the Secretariat's recommendation to delete Decision 15.11, but we do not support the recommendation to delete Decision 15.18, since we do not envision that the work called for under that Decision will be completed by SC63.

14. Draft resolution and decision on the cooperation of CITES with other biodiversity-related conventions (Switzerland) (Doc. 14). *Tentative U.S. negotiating position:* Oppose. The document presents a draft Resolution and a draft Decision. The draft Resolution calls on Parties to consider further opportunities to strengthen the cooperation, coordination, and synergies among the biodiversity-related conventions, and to take steps to improve that cooperation at the national level. The draft Decision directs the Secretariat to prepare a document for consideration at the 65th meeting of the Standing Committee that explores further options to strengthen cooperation, collaboration, and synergies between CITES and the other biodiversity-related conventions and directs the Standing Committee to continue work on this theme. The United States does not support the adoption of the draft Resolution and Decision in this document. The impetus for this document is unclear since there is no introductory text or background. We believe that the cooperation and synergies with other biodiversity-related conventions, called for in this draft Resolution and Decision, are already thoroughly taken into consideration in existing CITES Resolutions.

15. International Consortium on Combatting Wildlife Crime (Doc. 15). *Tentative U.S. negotiating position:* Support. In November 2010, the International Consortium on Combating Wildlife Crime (ICWC), a consortium comprising INTERPOL, the United Nations Office on Drugs and Crime, the World Bank, the World Customs Organization, and the CITES Secretariat, was formally launched. The Secretariat believes that the Consortium is the most appropriate and effective vehicle for bringing more coordinated support and technical assistance to Parties in their efforts to combat wildlife crime, and the Conference of the Parties is invited to note the

document. The United States has long supported efforts to increase the law enforcement capacity of the CITES Secretariat and, from the beginning, we have supported the efforts to create ICCWC.

16. Resolution on *Cooperation with the Global Strategy for Plant Conservation of the CBD* (Decision 15.19) (Doc. 16). *Tentative U.S. negotiating position:* Support. In the course of undertaking the activities called for in Decision 15.19 on *Global Strategy for Plant Conservation of the Convention on Biological Diversity*, the Plants Committee developed a draft Resolution inviting Parties, the Plants Committee, and the CITES Secretariat to promote and enhance collaboration between CITES and the Global Strategy for Plant Conservation. The United States supports adoption of the draft Resolution, noting that it calls for engagement with the CBD only as it relates to CITES.

17. Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (Doc. 17). *Tentative U.S. negotiating position:* Support. The document recommends deletion of several Decisions that have been implemented. It also recommends adoption of four draft Decisions that, among other things, call on Parties to consider promoting actions to reinforce linkages between IPBES and CITES, and directs the Standing Committee to develop a working group on the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES). One of the draft Decisions calls on the Secretariat to explore with other biodiversity-related conventions the possible development of a cooperative Memorandum of Understanding (MoU) between the Liaison Group of Biodiversity-related Conventions (BLG) and the IPBES Secretariat. We support the work called for in the draft Decisions, but believe

that the development of an MoU should only be undertaken if deemed appropriate and necessary by the Conference of the Parties.

18. Cooperation between Parties and promotion of multilateral measures (Doc. 18).

Tentative U.S. negotiating position: Oppose. This document contains the recommendations of the Standing Committee's Working Group on Multilateral Measures, which include amendments to three existing Decisions of the Conference of the Parties. The document discusses the deliberations of the working group and the implementation of Decisions 14.28 (Rev. CoP15), 14.29 (Rev. CoP15), and 14.30 (Rev. CoP15). Although Dec. 14.30 (Rev. CoP15) directed the Secretariat, subject to external funding, to hire a consultant to prepare a report on this topic, this has not yet occurred, and at the time this notice was prepared, the status of the process was unclear.

Amendments to the Decisions are proposed in the document, including one to continue the Standing Committee's working group through CoP17. The United States opposes the proposal to amend the Decisions. Although we strive for multilateral solutions and cooperative approaches to resolving problems in the implementation and enforcement of the Convention, the United States does not support any effort to limit a Party's right under the Convention (Article XIV) to adopt stricter domestic measures. While we agree that a better overview of the current scope and status of existing stricter domestic measures is desirable, it is not an issue that should occupy as much time as it already has taken, and we note that, despite the fact that the CITES Parties have been considering this issue for many years, there has not been significant progress on the implementation of these Decisions. Although the United States opposes retaining these

Decisions, we have agreed to participate in the working group and provide input.

19. CITES and livelihoods (Doc. 19). *Tentative U.S. negotiating position*: Support in part. This document presents the report of the Standing Committee's Working Group on CITES and Livelihoods. The document reports on the activities of the working group and notes that the draft Resolution presented in the document's Annex, "CITES and the livelihoods of poor rural communities," references Resolution Conf. 8.3 (Rev. CoP13), which recognizes that implementation of CITES listing decisions should take into account potential impacts on the livelihoods of poor rural communities. CoP16 Doc. 19 elaborates on the potential that CITES listing decisions may have on poor communities by either providing sustainable livelihoods or limiting access to income, employment, or other resources. The Standing Committee's working group will be posting final versions of the "toolkit for the rapid assessment at the national level of the positive and negative impacts of implementing CITES listing decisions on the livelihoods of the poor rural communities" and the "Nazca [Peru] guidelines for Parties to address the negative impacts of implementing CITES listings" on the CITES website. A draft decision in CoP16 Doc. 19 calls for translation of these two documents into the three working languages of the Convention.

The United States supported the adoption of the three decisions at CoP15 and applauds the work of the working group in finalizing the toolkit and voluntary guidelines. With this work concluded, we believe that the working group has fulfilled its mandate and does not need to be reauthorized. Therefore, we support only the draft Decision to publish the final versions of the "toolkit" and the "Nazca guidelines" for implementing CITES listings. We oppose adoption of

the remaining draft Decisions in Annex 2 of the document as well as the draft Resolution in Annex 1 of the document. The United States also has concerns regarding the continued and increasing level of attention that the Secretariat devotes to this work. While we are sympathetic to livelihoods issues in the context of CITES implementation and enforcement, we believe that the larger issue of livelihoods falls outside the specific and limited mandate of CITES; we believe the appropriate fora for such in-depth consideration of livelihoods issues include the Convention on Biological Diversity and the United Nations Commission on Sustainable Development.

20. Wildlife trade policy reviews (Doc. 20). *Tentative U.S. negotiating position:* Support in part. In this document, the Secretariat reports on planned or potential future work, including the publication of the *Framework for reviewing wildlife trade policies*, along with a printed or electronic publication on wildlife trade policy reviews by March 2013. The Secretariat makes several other suggestions, including that Parties could include policies relevant to CITES in country factsheets to be added to the CITES website; Parties should consider how the policy side of the science-policy interface could best be strengthened and more closely linked with the science side; future wildlife trade policy reviews should consider and contribute to enhancing the livelihoods of the rural poor; and there is scope for using future wildlife trade policy reviews to build on earlier work to develop draft terms of reference for a cost-benefit analysis of alternative regulatory regimes to govern wildlife trade. To continue this work beyond CoP16, the Secretariat recommends that the Conference of the Parties adopt two draft Decisions. The United States supports voluntary efforts to conduct national wildlife trade policy reviews and commends those Parties that have already undertaken such efforts. However, as the United

States has expressed in the past, we remain concerned that national wildlife trade policy reviews are time consuming, few Parties have come forward with interest in having a review, and such undertakings are costly and not part of the Secretariat's core budget.

21. Capacity building (Doc. 21). *Tentative U.S. negotiating position:* Support some parts and oppose others. This is a report of the Secretariat on its capacity-building activities since CoP15. The United States supports the recommendation by the Secretariat to repeal Decisions 14.12, 14.13, 15.21, and 15.22, since they have been implemented, and we support the draft Decision directed to Parties to support and provide financial and in-kind resources to support capacity-building activities and the CITES Virtual College. Although we support the draft Decision directed to the Secretariat, we are concerned about the usefulness of the review of capacity-building activities proposed in paragraph a) as well and the burden of work it would impose on the Secretariat. We note that past efforts to consolidate resolutions on other issues have proven difficult and been met with mixed success. While the United States supports the remaining draft decisions directed to the Secretariat in paragraphs b) through h) we recommend that the review of capacity-building activities listed in paragraph a) be deleted.

Because this report focuses on capacity-building efforts of the Secretariat, it covers only a fraction of the CITES capacity-building efforts around the world. For example, the United States provides significant support for CITES capacity building, implementation, and enforcement. The vast majority of this support is not routed through the CITES Trust Fund, so it is not reported in this document. During 2008-2012, the U.S. Fish and Wildlife Service, through a variety of species-specific grant programs, provided in excess of \$58,563,000 (with an additional

\$89,241,000 in matching funds), toward the conservation of species affected by international trade, including the implementation and enforcement of CITES.

22. Proposal concerning a needs assessment for strengthening the implementation of CITES in developing countries (Ghana, Senegal, and Sierra Leone) (Doc. 22). *Tentative U.S.*

negotiating position: The United States believes that the issues raised in this proposal, as well as the alternative approach suggested by the Secretariat, require further discussion. The United States supports a discussion of these issues in a working group setting at CoP16 and, if necessary, continued dialogue in an intersessional working group of the Standing Committee between CoPs 16 and 17. The United States believes that external donations have, in some circumstances, swayed the prioritization of work activities in the Secretariat, and the United States is interested in ensuring that all such activities are prioritized and undertaken as per the program of work adopted by the Conference of the Parties. The proposal in CoP16 Doc. 22, from three West African Parties, raises questions and concerns about the appropriateness and adequacy of some of the Secretariat's capacity-building activities funded by external donations. The proponents propose that a questionnaire be distributed to the Parties to assess their capacity-building needs so that future efforts are more focused and productive. The Secretariat essentially presents a counter proposal in which they would conduct their own needs assessments prior to the initiation of individual capacity-building projects, provided external funding was secured to do so.

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

Committees (Doc. 23). *Tentative U.S. negotiating position:* Support. The United States supports the four individual sub-proposals contained in the Annex to Doc. 23. These measures essentially are administrative actions that will enhance the effectiveness of the CITES capacity-building program. The United States believes that the use of voluntary national Appendix-II export quotas is an effective tool for implementing and enforcing the Convention. We also note that the proper use of quotas can be an excellent tool to help Parties avoid entry into, and negative results from, the Significant Trade Review process.

24. World Wildlife Day (Thailand) (Doc. 24). *Tentative U.S. negotiating position:* Support. The Government of Thailand recommends the establishment of an annual World Wildlife Day (on March 3) to provide a means for promoting international and national action on wildlife-related issues.

Interpretation and Implementation of the Convention

Review of Resolutions and Decisions

25. Proposals of the Secretariat (Doc. 25). *Tentative U.S. negotiating position:* Support. Prior to CoP12, the Secretariat began a review of the existing CITES resolutions to identify those that were difficult to implement, redundant with other Resolutions, or with outdated text. At CoPs 12 through 15, the Secretariat proposed changes to and consolidations of sections of several Resolutions, some of which the Parties adopted. With Doc. 25 and its 11 annexes, the Secretariat is continuing this review process by identifying a number of Resolutions for which it

has proposed changes, consolidations, or transfers of text to other Resolutions. The United States supports the process of the Secretariat reviewing Resolutions for which, through the course of its CITES work, it has observed substantive problems, or for which Parties or organizations have informed it that problems exist. With regard to the specific proposed revisions to Resolutions presented in Annexes 1-11 of this document, the U.S. positions are provided below.

Annex 1: Conf. 4.6 (Rev. CoP15) – Submission of draft Resolutions and other documents for meetings of the Conference of the Parties. *Tentative U.S. negotiating position:* Support in part. With this document, the Secretariat proposes several revisions to Resolution Conf. 4.6 (Rev. CoP15), *Submission of draft resolutions and other documents for meetings of the Conference of the Parties*, regarding the phrase ‘draft resolutions, draft decisions, and other documents;’ which the United States supports. We also support the proposed addition of a new paragraph adding the adoption of an official CITES text in Arabic to the list of topics on the agenda for the next extraordinary meeting of the CoP. However, we oppose the Secretariat’s proposed revision to reduce the deadline for submission of working documents for CoPs, other than proposals to amend Appendices I and II, from 150 days to 120 days prior to the Conference of the Parties.

Annex 2: Conf. 9.5 (Rev. CoP15) – Trade with States not party to the Convention. *Tentative U.S. negotiating position:* Support. With this document, the Secretariat proposes several revisions to Resolution Conf. 9.5 (Rev. CoP15), *Trade with States not party to the Convention*, related to acceptance of permits issued by non-Parties in the case of re-export, and to exports and re-exports of live specimens from non-Parties. The United States supports these proposed

revisions.

Annex 3: Conf. 9.6 (Rev.) – Trade in readily recognizable parts and derivatives. *Tentative U.S. negotiating position:* Support in part. With this document, the Secretariat proposes to add a new paragraph to Resolution Conf. 9.6 (Rev.), *Trade in readily recognizable parts and derivatives*, stating that urine, feces, and white ambergris of CITES-listed species are not considered parts and derivatives and are, therefore, not covered under CITES. The United States supports the Secretariat’s proposal regarding urine and feces, but does not support exempting white ambergris from CITES controls because naturally discharged ambergris and ambergris taken directly from a whale cannot always be distinguished from one another. We are also concerned that, when the issue is discussed at CoP16, a scenario similar to what happened at CoP12 might play out, where several Parties strongly opposed a proposal to exempt urine and feces of listed species from CITES controls. The CoP12 proposal was subsequently withdrawn to prevent the possibility that the Conference of the Parties might instead decide that urine and feces are not exempt. Although we support adoption of the Secretariat’s proposal to specifically exempt urine and feces, we would prefer that CITES remain silent on urine and feces over a result that they specifically be subject to CITES controls.

Annex 4: Conf. 9.24 (Rev. CoP15) – Criteria for amendment of Appendices I and II. *Tentative U.S. negotiating position:* Support. In this document the Secretariat proposes to revise Resolution Conf. 9.24 (Rev. CoP15), *Criteria for amendment of Appendices I and II*, to change the location of the last sentence of the second paragraph of Annex 6 of the Resolution. We agree with the Secretariat that, when the first paragraph of Annex 6 was revised at CoP13, it was split

into two paragraphs. With those edits the sentence that followed the third sentence (which prior to CoP13 was the last sentence of the paragraph) was inadvertently left at the end of what (at CoP13) became the second paragraph. This occurred even though this sentence correctly refers to, and should follow, the third sentence of the first paragraph. Therefore, the United States supports the Secretariat's proposed revision, which will properly edit Annex 6.

Annex 5: Conf. 11.1 (Rev. CoP15) – Establishment of Committees. *Tentative U.S. negotiating position:* Support. In this document the Secretariat proposes a number of revisions to the English, French, and Spanish versions of Resolution Conf. 11.1 (Rev. CoP15), *Establishment of committees*, to: reflect in the French and Spanish versions past revisions to the Resolution that were inadvertently omitted from these versions; provide that the Standing Committee establish a permanent Finance and Budget Subcommittee; authorize the Animals and Plants Committees to appoint working groups and subcommittees and the Standing Committee to appoint subcommittees; and make this Resolution consistent with Resolution Conf. 15.1 as to the approach that is to be taken by the Secretariat in providing financial support for Standing Committee members and Animals and Plants Committee representatives, make the body of the Resolution consistent with its annexes in this regard, and also take into account that members of the Animals and Plants Committees do not represent any country. The United States supports these proposed revisions.

Annex 6: Conf. 11.17 (Rev. CoP14) – National reports. *Tentative U.S. negotiating position:* Support. With this document, the Secretariat proposes a revision to Resolution Conf. 11.17 (Rev. CoP14), *National reports*, to insert a clear deadline for the submission of CITES annual

reports of October 31 following the year for which they are due. The United States supports this proposed revision.

Annex 7: Conf. 11.18 – Trade in Appendix-II and -III species. *Tentative U.S. negotiating position*: Support with changes. Resolution Conf. 11.18, *Trade in Appendix-II and -III species*, contains three recommended actions for a Party to take if it deems that an Appendix-II or -III species is being traded in a manner detrimental to the survival of that species. With this document, the Secretariat proposes that the sentiments of the first recommendation and the first part of the second recommendation be combined and transferred to a new section in Resolution Conf. 11.3 (Rev. CoP15), *Compliance and enforcement*, that the sentiments of the third recommendation and the last part of the second recommendation be transferred to Resolution Conf. 9.5 (Rev. CoP15), *Trade with States not party to the Convention*, and that Resolution Conf. 11.18 itself be repealed. The United States supports the Secretariat’s proposals, but recommends an additional change to the new section of Resolution Conf. 11.3 (Rev. CoP15) to make it consistent with Article XIV of the Convention, regarding the use of stricter domestic measures.

Annex 8: Conf. 12.3 (Rev. CoP15) – Permits and certificates. *Tentative U.S. negotiating position*: Support in part. With this document, the Secretariat proposes revisions to Resolution Conf. 12.3 (Rev. CoP15), *Permits and certificates*, to provide guidance on completing permits and certificates in cases where a specimen comprises parts or derivatives from more than one species, and to provide a definition of the term “State of usual residence.” The United States supports in large part the language the Secretariat proposes on guidance with regard to

completing CITES documents for specimens comprised of two or more species, but recommends several minor changes for clarification. We do not believe that a definition of “State of usual residence,” as it applies under CITES, is needed. Therefore, we oppose the proposal to include a definition of this term in Resolution Conf. 12.3 (Rev. CoP15).

Annex 9: Conf. 12.10 (Rec. CoP15) – Registration of operations that breed Appendix-I animal species for commercial purposes. *Tentative U.S. negotiating position:* Oppose. With this document, the Secretariat proposes to revise Resolution Conf. 12.10 (Rev. CoP15), *Registration of operations that breed Appendix-I animal species for commercial purposes*, by replacing Annex 1 of the Resolution with Annex 3. Annex 1 contains a list of information that is to be provided by an applying operation to the CITES Management Authority. The Management Authority in turn is to provide the information from the applicant to the Secretariat for consideration in deciding whether to include the operation in the register of approved operations. Annex 3 has a sample application form that contains the same information listed in Annex 1. The Secretariat also proposes a revision in what would be the new Annex 1 to encourage Parties to use the sample application form. The United States opposes the Secretariat’s proposal to replace Annex 1 with Annex 3. We believe the format of Annex 1, simply listing the requested information, allows the Parties more flexibility in what application forms they decide to use to obtain this information. For example, the United States uses an application form different from the sample application form in Annex 3, but requesting all of the information in Annex 1.

Annex 10: Conf. 13.6 – Implementation of Article VII, paragraph 2, concerning ‘pre-Convention’ specimens. *Tentative U.S. negotiating position:* Support with changes. With this

document, the Secretariat proposes revisions to Resolution Conf. 13.6, *Implementation of Article VII, paragraph 2, concerning 'pre-Convention' specimens*, to clarify that a part or derivative (including a manufactured product) of a pre-Convention animal or plant specimen retains the specimen's pre-Convention status. The United States supports the Secretariat's proposal, but recommends a minor change to the Secretariat's recommended new text to clarify its meaning.

Annex 11: Conf. 13.8 – Participation of observers at meetings of the Conference of the Parties. *Tentative U.S. negotiating position:* Support. With this document, the Secretariat proposes revisions to Resolution Conf. 13.8, *Participation of observers at meetings of the Conference of the Parties*, to differentiate correctly between an entity with observer status and the individual(s) representing that entity. The Secretariat also proposes that paragraph a) under the second “INSTRUCTS” of the Resolution, referring to the Secretariat ensuring that informative documents prepared by observers for distribution at CoPs are distributed to the CoP participants, be deleted because this issue is now addressed in detail in Rule 28 of the CoP Rules of Procedure. The United States supports the Secretariat's proposals.

26. Draft revision of Resolution Conf. 10.10 (Rev. CoP15) on *Trade in elephant specimens* (Doc. 26). *Tentative U.S. negotiating position:* Support. As part of its review of Resolutions in preparation for CoP15 (CoP15 Doc. 18), the Secretariat considered the need to revise Resolution Conf. 10.10 (Rev. CoP14), *Trade in elephant specimens*, and recommended that the Parties adopt a Decision to evaluate the need to revise the Resolution. At CoP15, the Parties adopted Decision 15.74 directing the Standing Committee, in consultation with elephant range States and the Secretariat, to evaluate the need to revise Resolution Conf. 10.10 (Rev. CoP15) and to present a

summary of the consultations and its proposals at CoP16. This work was divided between two groups, with the MIKE-ETIS (Monitoring of the Illegal Killing of Elephants-Elephant Trade Information System) Subgroup evaluating sections of the Resolution having to do with MIKE and ETIS, and a newly established working group evaluating all other sections of the Resolution. A joint working group was established at the 62nd meeting of the Standing Committee to merge the output from the two groups. The draft provided in CoP16 Doc. 26 was prepared by the Secretariat based on comments and input received from the joint working group.

The United States has been actively involved in the discussions regarding revisions to Resolution Conf. 10.10. We support the draft contained in Annex 1 to CoP16 Doc. 26. We believe that it represents a reasonable compromise, considering the range of views expressed during the consultations, and a step forward for control of trade in elephant specimens. We support the draft Decision directed to Asian elephant range States. We agree with the Secretariat's assertion that Decisions 13.26 (Rev. CoP15), 14.76, 14.78 (Rev. CoP15), 14.79 (Rev. CoP15) and 15.74 have been completed or are no longer required.

27. Climate change (Doc. 27). *Tentative U.S. negotiating position:* Support. The United States participated in the Joint Plants and Animals Committee Working Group that considered actual and potential impacts of climate change on the implementation of CITES. Six scientific decision-making processes were identified. The United States agrees with the findings put forward by the Standing Committee.

Compliance and Enforcement

28. National laws for implementation of the Convention (Doc. 28). *Tentative U.S. negotiating position*: Support in part. Document CoP16 Doc. 28 contains the Secretariat's report and recommendations under the National Legislation Project, as called for in Resolution Conf. 8.4 (Rev. CoP15). As was the case at CoP15, approximately half of the CITES Parties lack legislation that is adequate to implement the Convention. The goal, under the CITES Strategic Vision, of all Parties having legislation in Category 1 (legislation believed to be adequate to implement the Convention) by CoP16 will clearly not be met. The United States believes that the effectiveness of the Convention is undermined when Parties do not have adequate national laws in place for implementing CITES, and we are concerned by the lack of progress on this important issue. We consider the National Legislation Project to be critically important for achieving effective implementation of the treaty, and we support, with some revisions, adoption of the draft Decisions in Annex 1 to CoP16 Doc. 28, for continued work under the Project.

Draft Decision 16.A directs countries with legislation in Categories 2 or 3 (legislation not believed to be adequate to implement all the requirements of the Convention, or not believed to be adequate to implement the requirements of the Convention, respectively) that have been Party to the Convention for more than 5 years to submit to the Secretariat, by the 66th meeting of the Standing Committee (SC66), appropriate measures that have been adopted for effective implementation of the Convention. Draft Decision 16.B allows those Parties affected by Decision 16.A to advise the Secretariat of any "exceptional circumstances" that have prevented them from adopting appropriate measures. Based on the tables in Annex 2 of CoP16 Doc. 28,

there are 85 countries that have been Parties to the Convention for 5 or more years whose legislation remains in Category 2 or 3. Considering past experience on this issue, it is extremely unlikely that all 85 of these countries will have adequate measures in place by SC66, the new deadline suggested by the Secretariat in CoP16 Doc. 28. Sixteen of the countries (in Table 3 of CoP16 Doc. 28) with legislation in Category 3 have been Parties for over 20 years. Thirty-four of the countries (in Table 2 of CoP16 Doc. 28) with legislation in Category 2 have been Parties for over 20 years. If the deadline is to be further extended (to SC66), it should be a firm deadline, with no further opportunity for these countries that have been Parties for more than two decades to claim that “exceptional circumstances” have prevented the enactment of appropriate laws. To help break the “perpetual cycle” of inadequate legislation as described by the Secretariat, the United States will propose revisions to draft Decisions 16.B and 16.E to make the deadline of SC66 firm and fixed for those countries that have been Parties to CITES for 20 years or more. Otherwise, by repeatedly revising deadlines and failing to hold Parties responsible for meeting the most basic requirements to implement the Convention, we are contributing to the “perpetual cycle” described by the Secretariat.

The Secretariat proposes to discontinue the practice of identifying countries that require attention as a priority under the National Legislation Project. We do not support this proposal. Currently, the Secretariat is directed under Decision 15.41, and previous Decisions before that, to identify to the Standing Committee those countries that require attention as a priority under the National Legislation Project. We believe it will continue to be important to prioritize efforts and focus resources on those countries with the highest volume of trade in CITES-listed species and/or those that have been Parties for the longest time. We will propose that this provision be retained

and that the language in Decision 15.41(e) be inserted into draft Decision 16.F.

29. Enforcement matters (Doc. 29). *Tentative U.S. negotiating position:* Support in part. The Secretariat summarizes enforcement-related activities since CoP15 and makes several recommendations related to strengthening implementation and enforcement of the Convention. The United States looks forward to updates at the 63rd Meeting of the Standing Committee (SC63) regarding Parties that have failed to designate required CITES Authorities. Likewise, the United States shares the concerns expressed about Guinea's lack of progress on CITES implementation, and we look forward to an update from the Secretariat at SC63. Based on those updates, we will determine whether we support any recommendations to suspend trade. We support the proposed amendments to Resolution Conf. 11.3 (Rev. CoP15) with a few additional, relatively minor amendments that we will propose at the meeting. Though the United States supports the concept of establishing Wildlife Incident Support Teams, we will seek further details about how these teams will be established and funded before making a final determination about our position.

30. National reports (Doc. 30). *Tentative U.S. negotiating position:* Support in part. With this document, the Standing Committee Working Group on Special Reporting Requirements and the Secretariat propose amendments to Resolutions Conf. 4.6 (Rev. CoP15) and Conf. 11.17 (Rev. CoP14) that would bring forward the timeline for submission of CITES annual reports and align the submission CITES biennial reports to coincide with meetings of the Conference of the Parties. The Secretariat also proposes to retain Decisions 14.39 (Rev. CoP15), 14.40 (Rev. CoP15), and 14.41 (Rev. CoP15) over the intersessional period between CoPs 16 and 17, the

adoption of four new Decisions aimed at carrying on work related to CITES reporting, and a new biennial report format.

The United States supports the proposed amendments to Resolutions Conf. 4.6 (Rev. CoP15) and 11.17 (Rev. CoP15) with regard to changing the submission deadline for biennial reports from every 2 years to 1 year prior to each meeting of the Conference of the Parties. We also support the proposed amendments to Decisions 14.39 (Rev. CoP15), 14.40 (Rev. CoP15), and 14.41 (Rev. CoP15), and the four new draft Decisions.

The United States strongly opposes the proposal in Resolution Conf. 11.17 (Rev. CoP15) to move the submission deadline for annual reports from October 31 of the following year to June 30 of the following year (4 months earlier). It is not feasible for the United States, because of staffing levels and workload, to meet such a tight deadline, nor do we believe it is feasible for many other Parties. If adopted, the proposal would increase the reporting burden on Parties at a time when CITES is exploring ways to decrease the burden. The United States believes such a change would result in many more late submissions of annual reports and poor data quality in those reports.

31. Disposal of illegally traded and confiscated specimens of Appendix-II and –III species (Indonesia) (Doc. 31). *Tentative U.S. negotiating position:* Oppose. The United States does not support the proposed Decision directed to the Standing Committee regarding amendments to Resolution Conf. 9.10 (Rev. CoP15). Some of the issues raised in Document CoP16 Doc. 31 and the proposed Decision are addressed in existing CITES Resolutions. In addition, several of the

issues identified as possible amendments raise logistical, financial, and workload challenges that could outweigh conservation benefits for Parties that regularly confiscate large volumes of wildlife. The deadlines for action to be taken would not be possible under the judicial process in the United States (and potentially in other countries). The United States takes enforcement action on more than 2,500 wildlife shipments per year, most of which involve CITES species.

The proposed amendments to Resolution Conf. 9.10 (Rev. CoP15) in this document, if adopted, could have a negative conservation impact by discouraging Parties from confiscating illegally traded wildlife if they were required to take on the substantial logistical, financial, and workload burdens that would accompany these requirements. There are several legal obstacles to the recommendation that proceeds of sales of seized specimens be returned to the country of export. The United States has specific domestic legislation that allows for the sale of seized wildlife under certain circumstances, although we may repatriate wildlife and plants in cases where range countries and the United States mutually agree on procedures for doing so. In cases where the return of samples of confiscated wildlife is needed for investigative and/or judicial purposes, each Party has the ability to address this in compliance with their own laws.

The United States disagrees with the proponent's assertion that confiscated wildlife remains the property of the country of origin and notes that, in some instances, the country of origin of confiscated wildlife is difficult to determine with certainty.

The United States works to have some costs associated with the seizure of illegally imported specimens recovered under court rulings. The United States is often able to direct some fines and

penalties toward conservation of species within the country of origin without directly returning the funds to that country. From our experience, the proceeds from auctions do not fully cover legal costs associated with confiscation, custody, and storage under current requirements, and additional requirements would impose additional financial burdens on the Parties.

Trade control and marking

32. Introduction from the sea (Doc. 32). *Tentative U.S. negotiating position:* Support. This document was prepared by the Chair and Vice-Chair of the Standing Committee Working Group on Introduction from the Sea, on behalf of the Standing Committee and in consultation with the Secretariat. CoP16 Doc. 32 reflects the output of the working group and contains three Annexes: proposed revisions to Resolution Conf. 14.6 (Rev. CoP15), *Introduction from the sea* (in Annex 1); proposed revisions to Resolution Conf. 12.3 (Rev. CoP15), *Permits and certificates* (in Annex 2); and draft Decisions (in Annex 3) developed by the working group. The Conference of the Parties is asked to adopt the proposed revisions to the Resolutions contained in Annexes 1 and 2 and the draft Decisions in Annex 3.

The United States has been actively involved in discussions related to introduction from the sea since the drafting of the Convention, and reaching agreement on the implementation of CITES “introduction from the sea” provisions is a top priority for the United States at CoP16. The framework provided in Annex 1 of CoP16 Doc. 32 represents a major step forward that will provide certainty and consistency regarding which CITES documents are issued and which Party is responsible for issuing those documents. We support the addition of a source code for

specimens taken in the marine environment not under the jurisdiction of any State, as proposed in the revisions to Resolution Conf. 12.3 in Annex 2. We are not opposed to the adoption of the draft Decisions in Annex 3. As the status of commercially exploited marine species comes under increased scrutiny and more marine species are proposed for listing under CITES, the need to reach a common understanding of the practical application of CITES provisions for specimens taken on the high seas becomes increasingly important.

33. Non-detriment findings (Doc. 33). *Tentative U.S. negotiating position:* Support with revisions. The United States recognizes that many Parties need technical training and guidance in making non-detriment findings (NDFs). For example, we have been involved with activities to improve Parties' capacity to make NDFs, such as the 2008 Cancun Workshop and the development of the NDF webpage on the CITES website. Regarding the draft Resolution in Annex 1 to the present document, the United States participated in the Working Group that was established at the most recent joint meeting of the CITES Animals and Plants Committees, which was mandated to prepare a draft resolution on the establishment of non-legally binding guidelines for the making of NDFs. The United States contributed to the development of the Working Group's draft Resolution and provided comments to the Secretariat on the same in response to Notification to the Parties No. 2012/050. As we noted in those comments, the Secretariat made several changes to the Working Group's draft Resolution, some of which were substantial, which resulted in the loss of important elements that the Working Group intentionally included in its original draft. The United States supports the intent of CoP16 Doc. 33, but we propose incorporation of the changes that we previously suggested, as provided in Annex 2 of CoP16 Doc. 33, which will bring the draft Resolution back in line with the version

produced by the Working Group.

Regarding the two draft decisions in Annex 4 of Doc. 33 concerning the use of the NDF guidance for agarwood-producing species of *Aquilaria* and *Gyrinops*, the United States supports the Decision directed to the Parties and the Secretariat, as well as the Decision directed to agarwood range States. The United States also supports the extension of Decisions 15.26 and 15.27, directed to the Parties and the Secretariat, to CoP17. Both Decisions concern capacity-building workshops for making non-detriment findings for certain CITES-listed plant taxa, and the maintenance of such information on the CITES website.

34. Electronic permitting (Doc. 34). *Tentative U.S. negotiating position:* Support, in part. The United States supports the concept of Parties developing capacity for electronic permitting and encourages continued efforts in this direction. However, we have concerns about the capacity of Parties to develop electronic permitting systems and whether the various systems would be able to communicate with each other. The United States believes that the further development of a standardized approach to benefit the largest number of CITES Parties is needed.

35. Improving the efficiency of international cooperation on permit and certificate verification (China) (Doc. 35). *Tentative U.S. negotiating position:* Support in principle. China submitted this document, in which it proposes adoption of a new resolution intended to improve international cooperation that will facilitate a more effective process for verification of the authenticity and validity of CITES permits and certificates. The United States agrees that the use

of fraudulent and invalid CITES permits and certificates is an ongoing problem and that Management Authorities of countries of import, export, and re-export should communicate and cooperate with each other regarding questions about the validity of CITES documents. We also agree that attempts to verify the validity of CITES export and re-export documents are sometimes ineffective because of lack of responses or late responses from the Management Authorities of the issuing countries. However, we believe that, rather than proposing a new resolution devoted to this issue, appropriate revisions be made to Resolution Conf. 12.3 (Rev. CoP15), *Permits and certificates*, to address the issue. Therefore, the United States proposes several revisions to Section XIV, “*Regarding acceptance and clearance of documents and security measures*,” of that resolution.

36. Decision-making mechanism for a process of trade in ivory (Doc. 36). *Tentative U.S. negotiating position*: Support. The United States recognizes the need for a straightforward, transparent decision-making mechanism for trade in ivory under the Convention. We supported the terms of reference for the study adopted at SC57 and endorsed the process for completion of the study laid out by the Secretariat at SC61. We have been frustrated by the lack of progress to date on this issue and do not believe that this discussion has sufficiently progressed to develop a proposed decision-making mechanism for a process of trade in ivory. Therefore, we support the recommendations in this document, which lay out a process for continuing this work, including a revision of Decision 14.77, under which the Standing Committee can bring this effort to a conclusion at CoP17. The United States will continue to play an active role in this work to ensure that our interests and views are represented.

37. Proposal to amend Decision 14.77 on a *Decision-making mechanism for a future trade in elephant ivory* (Benin, Burkina Faso, Central African Republic, Côte d'Ivoire, Kenya, Liberia, Nigeria and Togo) (Doc. 37). *Tentative U.S. negotiating position:* Undecided. The United States will remain flexible in its position given the likelihood of additional information being provided in advance of and during CoP16. This document, prepared by several African countries, proposes an alternative revision of Decision 14.77 to the one presented in Document CoP16 Doc. 36. The proponents' proposed revision differs in two key ways. First, they seek to directly link the *African Elephant Action Plan* to the decision-making mechanism. Second, they seek to ensure that all work of the Standing Committee is conducted in French and English and fully integrates the participation of all elephant range States. The United States believes the proponents raise some valid concerns, and we are open to discussing these further in relation to the recommendations and draft Decisions contained in Document CoP16 Doc. 36.

38. Purpose codes on CITES permits and certificates (Doc. 38). *Tentative U.S. negotiating position:* Support. For over 6 years, the United States has been actively involved in discussions on the development of clear definitions and uses of the purpose-of-transaction codes established in Resolution Conf. 12.3 (Rev. CoP14). While the Standing Committee working group did not come to consensus on all elements of this issue, a strong compromise document has been developed. We support the proposed revisions as written and urge Parties to adopt the document without extending the working group's mandate, either at CoP16 or beyond.

39. Transport of live specimens (Doc. 39). *Tentative U.S. negotiating position:* Support. This document presents the report of the joint Animals and Plants Committee working group on

the transport of live specimens, in which the United States participates. The working group recommends amendments to Resolution Conf. 10.21 (Rev. CoP14), adoption of new and repeal of old guidelines on non-air transport of live animals and plants, and the deletion of Decisions 15.59 and 15.60 because their terms have been met. Since CoP15, we have worked closely with the International Air Transport Association (IATA) and other stakeholders to improve and further develop the CITES standards for humane and healthful transport of live animals. The United States supports the deletion of Decisions 15.59 and 15.60 because they have been implemented. We also support adoption of the proposed amendments to Resolution Conf. 10.21 (Rev. CoP14), the adoption of the *CITES Guidelines for Non-Air Transport of Live Wild Animals and Plants*, and repeal of the *CITES Guidelines for transport and preparation for shipment of live wild animals and plants (1981)*. The new guidelines will be available on the CITES website and may be incorporated into the IATA *Live Animals Regulations* and *Perishable Cargo Regulations*, pending a decision on this by IATA. Reauthorization of a working group on the transport of live specimens is a matter that may be discussed at CoP16 or a future CITES Committee meeting, and the United States is likely to support its continuation.

41. Use of taxonomic serial numbers (Doc. 41). *Tentative U.S. negotiating position:* Support. This document was submitted by the Chair of the Standing Committee's Working Group on the Use of Taxonomic Serial Numbers. The document states that the Working Group concluded that, at present, significant barriers exist to incorporating taxonomic serial numbers as an element of CITES data sets, and as a result, it is not currently feasible to do so. The Chair recommends that the CoP consider revising Decisions 15.67 and 15.69, related to this issue, to encourage Parties to consider the usefulness of incorporating taxonomic serial numbers in their

domestic data systems and also alternative options they might use, and to direct the Secretariat to compile information voluntarily provided by Parties on this matter. The United States agrees with the conclusion of the Working Group that it is not currently feasible to incorporate taxonomic serial numbers as an element of CITES data sets, and we support the proposal to revise Decisions 15.67 and 15.69 as described in the document.

42. Physical inspection of timber shipments (Doc. 42). *Tentative U.S. negotiating position:* Support. This document was submitted by the United States on behalf of the Standing Committee Working Group on Physical Inspection of Timber Shipments, at the request of the Standing Committee. In the document, we report on the history of the Working Group's progress on the issue of identification and physical inspection of CITES timber shipments and, on behalf of the Standing Committee, recommend that the CoP adopt a draft Decision directing the Secretariat to obtain information and materials from Parties on tools and procedures they have developed for the identification and measurement of CITES-listed tree species and for the physical inspection of timber shipments, and to compile this information on the CITES website. The United States supports adoption of this draft Decision.

43. Standard nomenclature (no document)

43.1 Report of the Animals and Plants Committees (Doc. 43.1). *Tentative U.S. negotiating position:* Support, in part, pending a clarification of the budget and work plan of the specialist on botanical nomenclature. The United States supports three broad issues, as proposed in paragraphs 9–27 of this document: revision and publication of the CITES Appendices (Annexes

1–6), nomenclatural changes for CITES-listed animal species, and proposed work program and budget of the nomenclature specialists. The United States also supports the following individual elements identified in paragraph 28 of the report: deletion of Decision 15.68 (per paragraph 7), deletion of Decision 15.62 paragraph b) (per paragraph 14), and revision of Resolution Conf. 12.11 (Rev. CoP15) on *Standard Nomenclature* through the addition at the end of letter f) of the following text: “If nomenclature changes are identified affecting Appendix-III listings, the nomenclature specialist of the Animals Committee should advise the Secretariat whether these changes also result in changes of distribution affecting the countries issuing certificates of origin.” The United States also supports the other recommendations and proposals indicated in the report and its Annexes.

43.2 Standard Nomenclature for *Hippocampus* species (Doc. 43.2). *Tentative U.S. negotiating position*: Support. The United States supports the actions of the specialist on zoological nomenclature in her effort to harmonize the nomenclature being used for the different *Hippocampus* species. The United States therefore believes that the five species being considered should be added to the fish section under “Elasmobranchii and Actinopterygii” in the Annex to Resolution Conf. 12.11 (Rev. CoP15) on *Standard nomenclature*. The United States strongly believes it is important for all Parties to be working with a uniform nomenclature.

44. Identification Manual (no document)

44.1 Report of the Secretariat (Doc. 44.1). *Tentative U.S. negotiating position*: Support. The United States supports the amendment to the text of Resolution Conf. 11.19 on *Identification*

Manual that would allow the Secretariat to report on progress in the development of the Wiki Identification Manual *when appropriate*, rather than at each Technical Committee meeting.

While progress has been limited, the Secretariat is in contact with other entities about possible collaboration in the future development of the manual.

44.2 Report of the Plants Committee (Doc. 44.2). *Tentative U.S. negotiating position:*

Support. The United States was part of the drafting group for these proposed Decisions that aim to make an overall assessment of the current state of and additional needs for identification materials for CITES-listed species.

45. E-commerce of specimens of CITES-listed species (Doc. 45). *Tentative U.S. negotiating*

position: Support. The United States supports the efforts of the Secretariat and the Parties to develop tools to assist in ensuring that e-commerce is effectively regulated and does not negatively impact CITES-listed species. However, we have concerns that many of the recommendations posed for e-commerce are equally important for ensuring all aspects of wildlife trade are conducted legally and sustainably. Toward that end, we continue to believe that the Parties should keep the emphasis on e-commerce in perspective as it relates to the larger mission of ensuring successful implementation of CITES overall, and recognize that most, if not all, Parties are already limited in their resources to combat such trade.

Exemptions and special trade provisions

46. Personal and household effects (Doc. 46). *Tentative U.S. negotiating position:* Support.

There has been an active working group addressing this issue since before CoP14. After significant discussions, the Working Group concluded that no changes should be made to Resolution Conf. 13.7 (Rev. CoP14) at this time. However, the Working Group did recommend that an annex be added to the Resolution that would provide guidance on implementing the Resolution. The United States supports this recommendation, including the proposed annex as written.

47. Proposed revision of Resolution Conf. 13.7 (Rev. CoP14) on *Control of and trade in personal and household effects* (Indonesia and Kuwait) (Doc. 47). *Tentative U.S. negotiating position:* Support, pending further consultation with proponents and range States. The following specimens of agarwood (*Aquilaria* spp. and *Gyrinops* spp.) are proposed under the personal and household effects exemption of Resolution Conf. 13.7 (Rev. CoP14) on *Control of trade in personal and household effects*: up to 1 kg woodchips, 60 milliliters of oil, and 2 pieces of beads (or prayer beads, necklaces, bracelets) per person.

48. Implementation of the Convention relating to captive-bred and ranched specimens (Doc. 48). *Tentative U.S. negotiating position:* Support. The United States has been actively involved in discussions of these issues. The United States co-sponsored the original document on this issue, which was submitted by the European Union and its Member States to the 61st meeting of the Standing Committee. That document pointed out the large volume of trade in CITES-listed wildlife that is reported to be captive-bred or ranched, and provided several examples in which it appears animals permitted to be captive-bred or ranched were more likely to have been harvested from the wild. The United States chaired the inter-sessional working group on this subject and

prepared the document submitted to the 62nd meeting of the Standing Committee that is largely reflected in the document submitted for CoP16. The United States supports the conclusions and recommendations of the Standing Committee, including the draft Decisions proposed in Document CoP16 Doc. 48. We also support the Secretariat's minor edit to paragraph b) of the first draft Decision.

Species trade and conservation

49. Great apes (Doc. 49). *Tentative U.S. negotiating position:* Support in part. As directed by the Standing Committee, the Secretariat reports on its implementation of Dec. 15.44, along with the Standing Committee's implementation of Dec. 15.45. The Secretariat participated in Project GAPIN II (Great Apes and Integrity) hosted by the World Customs Organization, and other meetings. The Secretariat summarizes various activities and goals that resulted from this meeting, as well as technical missions to several African great ape range countries. The results of these technical missions will be compiled in a forthcoming report that was not yet available at the time that this notice was drafted. The Secretariat proposes new text to amend and update Resolution Conf. 13.4 in order to facilitate coordinated enforcement and recommends that Parties adopt the proposed amendments and recommendations, that are being prepared and will be presented in the future as Annex 2 to CoP16 Doc. 49. The United States welcomes the document and supports the proposed amendments to Resolution Conf. 13.4. Once Annex 2 is presented to the Parties, the United States will review it and develop a position, assuming that adequate time is available to do so.

The United States continues to support CITES efforts to address the conservation of great ape species, and we believe that great ape range States should continue to strive to improve their implementation and enforcement of domestic laws and regulations for the protection of great apes and their habitats and to work within existing CITES and other initiatives towards this end. The United States hopes to continue to provide extensive financial and technical support through the Great Ape Conservation Fund (GACF) and other grants and activities, although this will be a matter of domestic budgeting and availability of resources. In 2012, the U.S. Fish and Wildlife Service, through the GACF, awarded 47 grants totaling \$3,334,000 for great ape conservation projects in Asia and Africa, which was matched by an additional \$4,947,000 from NGO partners.

50. Asian Big Cats (Doc. 50). *Tentative U.S. negotiating position:* Undecided. The document primarily provides an update on activities since CoP15 on the conservation of and trade in Asian big cats. The document also recommends revisions to Resolution Conf. 12.5 (Rev. CoP15) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species*, the deletion of several Decisions, and the adoption of two new Decisions on Asian big cats. The United States applauds the work that has been accomplished with regard to addressing the conservation of and trade in Asian big cats, particularly with regard to ICCWC (International Consortium on Combatting Wildlife Crime) and the Global Tiger Initiative. However, we continue to be frustrated by the lack of reporting by the Parties on this issue. While we strongly believe that additional actions must be undertaken with regard to the conservation of and trade in Asian big cats during the intersessional period between CoPs 16 and 17, we are currently working with other Parties and stakeholders to determine how best to accomplish our conservation goals for these species.

51. Illegal trade in cheetahs (Ethiopia, Kenya and Uganda) (Doc. 51). *Tentative U.S. negotiating position*: Support. The purpose of this document is to draw the attention of the Conference of the Parties to the illegal trade in cheetahs (*Acinonyx jubatus*), which the proponents assert is a cause of increasing concern for the species' conservation in the wild. The authors of this document recommend adoption of three draft Decisions, calling for the Standing Committee to commission a study of the legal and illegal trade in wild cheetahs and for Parties to assist in that effort by providing information and reporting incidents of illegal trade in cheetahs. While we support this work, we believe that it must be contingent upon the availability of external funding.

53. Elephants (no document).

53.1 Monitoring of illegal hunting in elephant range States (Doc. 53.1). *Tentative U.S. negotiating position*: The report should be noted. The United States will remain flexible in its negotiating position given the likelihood of additional information being provided in advance of or during CoP16. Document CoP16 Doc. 53.1 is the Secretariat's report on progress in implementing the Monitoring the Illegal Killing of Elephants (MIKE) program since CoP15. Regular reporting at each CoP is required under the provisions of Resolution Conf. 10.10 (Rev. CoP15), *Trade in elephant specimens*. This is the sixth progress report to a meeting of the Conference of the Parties. The CoP16 report contains an analysis of trends in levels of illegal killing of elephants based on data collected and submitted to the MIKE program up to the end of 2011. The Secretariat has noted that it will revise the current document before CoP16 to include

data collected through the end of June 2012. The United States will evaluate any additional information provided in advance of or during CoP16. The sharp increase in elephant poaching in recent years is a matter of serious concern, and the United States believes should be taken into consideration in evaluating other elephant-related documents and species proposals.

53.2.1 Report of the Secretariat (Doc. 53.2.1). *Tentative U.S. negotiating position:* The United States will remain flexible in its position given the likelihood of additional information being provided in advance of or during CoP16. This document, CoP16 Doc. 53.2.1, is intended to complement the MIKE and ETIS data and analyses provided in documents CoP16 Doc. 53.1 and 53.2.2. It provides an overview of recent enforcement matters affecting elephants and recommends the adoption of two draft Decisions (in Annex 2). The United States remains frustrated by the lack of progress with regard to control of illegal ivory trade and illegal killing of elephants despite the considerable attention these issues have received in CITES. We share the concerns expressed by TRAFFIC, in its ETIS report (CoP16 Doc. 53.2.2), indicating that existing CITES recommendations, as currently implemented, are having no measurable impact on curtailing the illegal ivory trade. We will evaluate the information and recommendations from the Secretariat to be provided at SC63 with regard to countries identified in previous ETIS reports and will be prepared to support the use of compliance measures, if appropriate. We support adoption of the draft Decisions in Annex 2 of CoP16 Doc. 53.2.1 directing the Secretariat to convene a CITES Ivory Enforcement Task Force, convene a workshop on the use of controlled deliveries as an enforcement tool, and develop outreach materials, in cooperation with the World Bank and other ICCWC partners, on anti-money laundering and asset recovery techniques.

53.2.2 Report of TRAFFIC (Doc. 53.2.2). *Tentative U.S. negotiating position:* The United States will remain flexible in its position given the likelihood of additional information being provided in advance of or during CoP16. This document is a report, prepared by TRAFFIC, on the data in the Elephant Trade Information System (ETIS). ETIS is a system for collecting and compiling law enforcement data on seizures and confiscations in order to monitor the pattern and scale of illegal trade in elephant specimens. Under Resolution Conf. 10.10 (Rev. CoP15), *Trade in elephant specimens*, TRAFFIC is to receive seizure and confiscation data from the Parties, manage and coordinate the ETIS system, and produce a comprehensive report to each meeting of the Conference of the Parties. We share the alarm expressed by the authors that the dramatic increase in illegal ivory trade reported at CoP15 continues unabated and that, as a result, elephants are facing a serious conservation crisis. The United States remains frustrated by the lack of progress with regard to control of illegal ivory trade and illegal killing of elephants despite the considerable attention these issues have received in CITES.

53.3 Proposed new resolution concerning the *African Elephant Action Plan* and *African Elephant Fund* (Nigeria and Rwanda) (Doc. 53.3). *Tentative U.S. negotiating position:* Undecided. While we recognize that the African Elephant Fund Steering Committee is in need of secretarial and translation services, we are uncertain whether the draft Resolution and draft Decision proposed in this document represent the best approach. The proponents are asking for UNEP to provide secretarial support to the African Elephant Fund Steering Committee, paid for out of the 7% Programme Support Costs (PSC) charged to the African Elephant Fund. The draft Resolution, if adopted as proposed, would direct the Secretariat to fundraise for the African

Elephant Fund and to report on those efforts at each meeting of the Standing Committee. This reporting requirement seems excessive and likely to place an unnecessary burden on the Secretariat. We are also reluctant to insert a specific fundraising mandate into a Resolution. The United States will remain flexible in its position given the likelihood of additional information in advance of or during CoP16.

54. Rhinoceroses (no document)

54.1 Report of the Working Group (Doc. 54.1). *Tentative U.S. negotiating position: Support.*

This document was prepared by the Chair of a Standing Committee intersessional working group, which was established at the 61st meeting of the Committee (August 2011).

Unfortunately, the working group was unable to complete its work before the 62nd meeting of the Committee (July 2012), and subsequently, the Chair submitted this document, noting that it had not been fully vetted through all working group members. The document recommends that Parties take a number of actions aimed at addressing the substantial illegal trade in rhinoceros horns, including consideration of the draft demand reduction strategy that is included in the Annex to the document. However, none of these recommendations is fully formed and, therefore, will require additional discussions. We envision that there will be a working group on conservation of and trade in rhinoceroses at CoP16, and we will actively participate in such a working group. If a working group is not formed, we will work with range and consumer Parties, and other interested Parties and stakeholders, to craft strong recommendations that can be submitted for consideration by the Conference of the Parties.

54.2 Report of the Secretariat (Doc. 54.2). *Tentative U.S. negotiating position:* Support. This document, prepared by the Secretariat, outlines the numerous activities that have been undertaken since CoP15 (2010) by the Secretariat, Parties, and the Committees to address the current rhinoceros poaching crisis and the substantial illegal international trade in rhinoceros horns. The document includes a number of draft Decisions, directed at Parties, rhinoceros horn consumer States, and the Secretariat, and recommends deletion of several Decisions, which have been implemented. One of the proposed draft Decisions calls on the Secretariat to convene, subject to external funding, a CITES Rhinoceros Enforcement Task Force to develop strategies to improve international cooperation on rhinoceros conservation. We support the measures called for by the Secretariat in this document and look forward to consulting with other Parties and stakeholders at the meeting to determine if there are additional actions that should be considered.

55. Tibetan antelope (Doc. 55). *Tentative U.S. negotiating position:* Support. The United States supports the Secretariat's position that the reporting requirement be deleted from Resolution Conf. 11.8 (Rev. CoP13). There appears to be significant recovery of the species, and limited information has come forth related to poaching of and trade in Tibetan antelopes since CoP15.

56. Saiga antelope (Doc. 56). *Tentative U.S. negotiating position:* Support, in part. This document reports on activities of the CITES Secretariat in coordination with the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals to improve the conservation status of the saiga antelope, as well as to curb poaching and illegal trade.

Increasingly, this work will be implemented in the context of the Medium-Term International Work Programme for the Saiga Antelope (2011–2015). This support builds upon previous U.S. efforts (for example, a 2012 saiga meeting that was held in China with CITES officials, as well as wildlife and enforcement staff). The United States opposes the deletion of Decision 14.94 (Rev. CoP15) because those measures are not clearly identified in the work programme.

57. Snake trade and conservation management (Doc. 57): *Tentative U.S. negotiating position*: Support. This document provides the recommendations of the Standing Committee, including the input of the Animals Committee, which were developed by its snake trade working group, in which the United States participated. The working group was formed in response to a document jointly proposed by the United States and China at CITES CoP15. A series of draft Decisions are presented in CoP16 Doc. 57, which, if adopted, will strengthen the implementation and enforcement of the Convention for these species, particularly in Asia. The United States believes it is important that the Conference of the Parties continue to make progress in this area.

58. Tortoises and freshwater turtles (no document).

58.1 Report of the working group of the Standing Committee (Doc. 58.1). *Tentative U.S. negotiating position*: Support. The United States served as Chair of this working group and will introduce the document at CoP16. The United States has been closely involved in this issue for many years and believes that the draft Decisions presented in Doc. 58.1, if adopted, will significantly improve the implementation and enforcement of the Convention for tortoises and freshwater and terrestrial turtles. These species are among those most severely impacted by

unsustainable and illegal international trade, and it is imperative that the Parties continue to make progress on improving this situation, primarily through the adoption of the draft Decisions and the efforts of the Parties to subsequently implement the same. The United States notes that some of the data-reporting provisions in the draft Decisions—specifically those that refer to non-CITES species and domestic trade in CITES-listed species—are strictly voluntary, although the collection and provisions of such data would help the Parties better implement and enforce the Convention by increasing the knowledge base of CITES officials and the wider CITES community.

58.2 Report of the Animals Committee (Doc. 58.2). *Tentative U.S. negotiating position:* Support. The United States supports adoption of the draft decision included in Document CoP16 Doc. 58.2, which calls on improving measures related to conservation and trade management of tortoises and freshwater and terrestrial turtles, with Asia as the primary focal area. The United States has provided funding, political support, and technical expertise for several years to advance this process. These recommendations include undertaking a study of the factors relevant to non-detriment findings for turtles, as well as using the information from two international turtle workshops, where appropriate, to consider preparing amendment proposals or formulate and implement appropriate domestic and other measures to address the conservation of tortoises and freshwater turtles.

59. Hawksbill turtle (Doc. 59). *Tentative U.S. negotiating position:* Support. Document CoP16 Doc. 59 is a report on progress in implementing Decision 15.84. The Secretariat reports that the final report of the regional workshop about hawksbill turtle in the wider Caribbean and western Atlantic region was prepared by the Steering Committee, taking into account comments

received from participants. The final report was produced in English, Spanish, and French and is available online at <http://www.cites.org/eng/cop/15/doc/E15-50.pdf>. CoP15 Doc. 59 also contains updates regarding the cooperation and development of joint proposals called for in Decision 15.84. The United States agrees that Decision 15.84 has been implemented and can be deleted. We fully support continued multilateral cooperation on marine turtles in the wider Caribbean region, including through the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC). We support adoption of the draft Decision in the Annex to CoP16 Doc. 59 directing the CITES Secretariat to collaborate with the Secretariat of the IAC to encourage implementation of outstanding recommendations arising from the 2009 regional workshop in Mexico.

60. Sturgeons and paddlefish (no document).

60.1 Report of the Animals Committee (Doc. 60.1). *Tentative U.S. negotiating position:* Support in part, oppose in part. The United States remains concerned about the conservation status of Caspian Sea sturgeons, and we remain frustrated by the lack of progress since CoP14 toward improving the existing sturgeon stock assessment and Total Allowable Catch (TAC) determination methodologies, despite efforts by the CITES Secretariat and FAO to provide assistance in this regard. We were surprised and concerned that the request from the Animals Committee (AC) from its 26th meeting was not forwarded to the Standing Committee for consideration (no document was prepared), although it was mentioned by the AC Chairman during his oral report at the meeting. We would like assurances that this issue will be on the agenda for the next full meeting of the Standing Committee. We continue to believe that

timelines and deadlines for implementation of the recommendations in the Annex to SC61 Doc. 48.2 should be established and that the Standing Committee should ensure that there are consequences for failure to meet the deadlines.

We support the revisions to Resolution Conf. 12.7, agreed at AC26 and presented here for adoption. We support adoption of the three Decisions regarding examination of DNA-based and forensic techniques for identification of sturgeon specimens in trade, put forward by the Secretariat in its comments on CoP16 Doc. 60.1. We are opposed to the Secretariat's suggestion that the use of the "MIX" code be expanded to include products other than "pressed" caviar. The United States considers use of the "MIX" code to be contrary to the provisions of the Treaty, which requires that CITES documents contain the scientific name and quantity for each specimen in a shipment. The United States does not accept documents with the "MIX" code, and we cannot support expanding its use.

60.2 Report of the Secretariat (Doc. 60.2). *Tentative U.S. negotiating position*: Support in part, oppose in part. This document contains the Secretariat's proposals for revision of Resolution Conf. 12.7 (Rev. CoP14), *Conservation of and trade in sturgeons and paddlefish*. The United States supports some of the Secretariat's proposed revisions to the resolutions and opposes or has concerns about others. The United States remains concerned about the global conservation status of sturgeons and the lack of progress in implementing some of the provisions of Resolution Conf. 12.7 (Rev. CoP14). We will continue to evaluate this proposal and consider how to reflect and incorporate into the Resolution the changes described by the Secretariat in the global trade of sturgeon specimens.

We support the recommendations from the Animals Committee in SC61 Doc. 48.2 and support the Secretariat's proposal to insert a reference to those recommendations into Resolution Conf. 12.7 (Rev. CoP14). We are particularly concerned by the Secretariat's proposed changes to the section that begins 'RECOMMENDS further.' Much of the text in that section deals with the procedures for setting and reporting quotas for shared stocks of sturgeon species. The Secretariat proposes to delete this text. We believe it is important to maintain these procedures, which provide a strong incentive for range countries to cooperate in managing shared stocks. Although the nature of the trade in sturgeon specimens may have changed, as the Secretariat has noted, there is no evidence that the shared stocks to which these provision apply have recovered. The procedural elements in the 'RECOMMENDS further' section should be retained in some form. We are also opposed to the Secretariat's proposal to delete the paragraph directing it to provide a written report at each meeting of the Animals Committee. The Secretariat asked, at AC26, whether this provision could be removed from the Resolution and the Animals Committee determined that it should be retained. It is surprising and frustrating that the Secretariat has apparently ignored the decision of the Animals Committee by proposing this change. We continue to evaluate this proposal and consider how to reflect and incorporate into the Resolution the changes described by the Secretariat in the global trade of sturgeon specimens.

61. Sharks and stingrays (Doc. 61). *Tentative U.S. negotiating position:* Support. The United States has worked with the Sharks and Stingrays Working Group throughout its history and was instrumental in helping to develop the language used in CoP16 Doc. 61. The United States supports cooperative efforts under the Memorandum of Understanding on the

Conservation of Migratory Sharks, the review of new information on shark and ray trade, and the improvement of data reporting.

62. Humphead wrasse (Doc. 62). *Tentative U.S. negotiating position:* Support. The United States supports the Secretariat's revisions to the recommendations in paragraph 20 and adoption of the draft Decision in the Annex to CoP16 Doc. 62 as amended by the Secretariat. The United States is committed to improving the conservation status of the humphead wrasse. We will continue to support efforts to increase the capacity of nations to improve data sharing, monitoring, and enforcement for this species and to implement sustainable fishing practices and CITES requirements.

63. Toothfish: report of CCAMLR (Doc. 63). *Tentative U.S. negotiating position:* This report from the CCAMLR Secretariat should be noted. At CoP12, the Parties adopted Resolution Conf. 12.4, Cooperation between CITES and the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) regarding trade in toothfish, that encouraged CCAMLR to "maintain a permanent flow of information" to the CITES Parties through the Conference of the Parties. CoP16 Doc. 63 contains the CCAMLR report to the CITES Parties. The United States recognizes the threat that illegal, unregulated, and unreported (IUU) fishing poses to toothfish populations and fully supports adoption of CCAMLR conservation measures by all countries involved in the toothfish trade. We renew our full endorsement and strong support of the fundamental principles and language adopted in Resolution Conf. 12.4 in 2002.

64. Sea cucumbers (Doc. 64). *Tentative U.S. negotiating position:* Support. The United States has worked with the Sea Cucumber Working Group throughout its history and participated in the Working Group that developed the text in CoP16 Doc. 64. The United States supports the Animals Committee's view that the mandate of Decision 14.100 (Rev. CoP15) has been fulfilled. The United States also encourages range States to examine the information currently available to guide their management decisions on sea cucumbers.

65. Regional cooperation on the management of and trade in queen conch (*Strombus gigas*) (Colombia) (Doc. 65). *Tentative U.S. negotiating position:* Support. The United States, as the largest international importer of queen conch, has participated in the effort to promote regional cooperation in the management of this species. The United States understands the economic value of this species to the region and supports cooperative regional efforts to manage the species for the benefit of all Parties who have directed fisheries for queen conch. The United States believes that the work identified in this document should be noted by the Parties.

66. Madagascar (Doc. 66). *Tentative U.S. negotiating position:* Support, but we note that Madagascar has not submitted a listing implementation plan, as was recommended by the Plants Committee, that was to have accompanied their ebony and rosewood species proposals put forward for CoP16.

67. Agarwood-producing taxa (no document)

67.1 Report of the Plants Committee (Doc. 67.1). *Tentative U.S. negotiating position:*

Support in part, pending consultation with range States. The United States supports the proposed amendment to change the title from ‘timber’ species to ‘tree’ species in Resolution Conf. 10.13 (Rev. CoP15) on *Implementation of the Convention for timber species*, as well as the two draft decisions directed to the Plants Committee and to the CITES Secretariat relating to further work on agarwood. The United States opposes the amendment to paragraph g) of Resolution Conf. 10.13 (Rev. CoP15) on *Implementation of the Convention for timber species*, which proposes that specimens of trees grown in mixed plantations be considered as being artificially propagated in accordance with the definition contained in Resolution Conf. 11.11 (Rev. CoP15) on *Regulation of trade in plants*. Currently, only monospecific plantations can be considered artificially propagated for CITES purposes. The proposed draft decision directs the Plants Committee to consider the current production systems for tree species, including mixed and monospecific plantations, and assess the applicability of the current definitions of “artificially propagated” in Resolution Conf. 10.13 (Rev. CoP15) on *Implementation of the Convention for timber species* and Resolution Conf. 11.11 (Rev. CoP15) on *Regulation of trade in plants*, and report its findings to CoP17. We believe it would be premature to amend paragraph g) of Resolution Conf. 10.13 (Rev. CoP15) on *Implementation of the Convention for timber species* without completing the work outlined in the proposed decision.

67.2 Draft resolution on *Implementation of the Convention for agarwood-producing taxa* (China, Indonesia, Kuwait and Thailand) (Doc. 67.2). *Tentative U.S. negotiating position:*

Oppose. The proposed resolution includes a definition of ‘artificially propagated’ and criteria to determine whether agarwood specimens of *Aquilaria* and *Gyrinops* are ‘artificially propagated’

that are distinct from the definition of ‘artificially propagated’ included in Resolution Conf. 11.11 (Rev. CoP15) on *Regulation of trade in plants*. The United States believes it would be premature to adopt a resolution specific to agarwood-producing species before the work of the Plants Committee is completed, as proposed in the draft decision contained in CoP16 Doc. 67.1.

68. Bigleaf mahogany (Doc. 68). *Tentative U.S. negotiating position*: Support. This document, submitted by the Chair of the Plants Committee on behalf of the Committee, outlines a number of actions undertaken by the Committee’s Working Group on the Bigleaf Mahogany and Other Neotropical Timber Species since CoP15. The Plants Committee recommends that the Working Group continue its work during the CoP16 - CoP17 intersessional period. We support revising the terms of reference in light of achievements during the last intersessional period and renewal of the Working Group.

69. *Cedrela odorata, Dalbergia retusa, Dalbergia granadillo and Dalbergia stevensonii* (Doc. 69). *Tentative U.S. negotiating position*: Support. This document, submitted by the Chair of the Plants Committee on behalf of the Committee, outlines activities accomplished under the Action Plan for *Cedrela odorata, Dalbergia retusa, Dalbergia granadillo, and Dalbergia stevensonii*. The Plants Committee recommends that the Action Plan should be updated and retained for the CoP16 - CoP17 intersessional period. Furthermore, the Plants Committee recommends that *Aniba roseaodora* and *Bulnesia sarmientoi* be incorporated into the Action Plan. We support revising the Action Plan in light of achievements during the last intersessional period and continuing the work.

70. Report of the Central African Bushmeat Working Group (Doc. 70). *Tentative U.S. negotiating position*: Support. The United States supports the work of the Central African Bushmeat Working Group in addressing Decisions 14.73 and 14.74 (Rev. CoP15) and implementing Resolution Conf. 13.11. As with a number of other complicated issues that involve international wildlife trade, forest and wildlife management, and livelihoods of local communities, we caution that the focus for CITES on the bushmeat issue should work towards ensuring that Appendix-I species are not entering commercial international trade and that Appendix-II and -III species are being managed in such a way that international demand and trade are not contributing to their endangerment and that such trade is conducted in accordance with the provisions of CITES.

Amendment of the Appendices

71. Criteria for the inclusion of species in Appendices I and II (Doc. 71). *Tentative U.S. negotiating position*: Support. The United States actively participated in the Animals Committee intersessional and face-to-face working group meetings addressing *Criteria for the Inclusion of Species in Appendices I and II*. The United States supports adoption of the document that includes the findings of the Animals Committee. These findings provide guidance on the application of criterion B and the introductory text of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) to commercially exploited aquatic species proposed for inclusion in Appendix II. The guidance reflects a recognition that there are diverse approaches to the application of the criterion and introductory text, encourages Parties to elucidate the vulnerabilities and mitigating factors in species proposals, notes that there is no definition of commercially exploited aquatic

species in the existing body of CITES documentation, and recognizes the complexity of and differing views on how to approach factors associated with applying the criteria to species found in multiple stocks or subpopulations with varying statuses.

72. Criteria related to ranched populations (Doc. 72). *Tentative U.S. negotiating position:* Support. The United States has participated in the CoP15 and Animals Committee working groups addressing an evaluation of the merits of reinstating the ability to transfer, from Appendix I to Appendix II pursuant to Resolution Conf. 11.16 (Rev. CoP15) on *Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II* or Resolution Conf. 9.20 (Rev.) on *Guidelines for evaluating marine turtle ranching proposals submitted pursuant to Resolution Conf. 11.16 (Rev. CoP15)*, suitably qualified populations of species that continue to meet the criteria for listing in Appendix I contained in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. The United States supports adoption of the draft Decision included in Document CoP16 Doc. 72, including the revision of the wording of paragraph A. 2 in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*.

73. Proposed revision of Resolution Conf. 10.9 on *Consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II* (Cote d'Ivoire, Liberia and Sierra Leone) (Doc. 73). Oppose. This document proposes amending Resolution Conf. 10.9 on *Consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II*, to address delays in producing the reports by the Panel of Experts that are developed in accordance with this Resolution. The United States feels that the process for

establishing the Panel of Experts, as outlined in Resolution Conf. 10.9 on *Consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II*, is adequate. The United States also feels that requiring the proponents of African elephant downlisting proposals to incur the financial costs of the Panel of Experts' mission and production of its report in the three working languages of the Convention would establish a precedent that could introduce bias into the process.

74. Periodic review of the Appendices (no document)

74.1 Revision of Resolution Conf. 14.8 on *Periodic Review of the Appendices* (Doc. 74.1).

Tentative U.S. negotiating position: Support. The United States participated in the working group at the 20th meeting of the Plants Committee (Dublin 2012) that drafted the revision of Resolution Conf. 14.8 on *Periodic Review of the Appendices*, which was adopted by the Committee and accepted by the Chair of the Animals Committee. Subsequently, the Standing Committee (Geneva 2012) endorsed the submission of the draft revision of Resolution Conf. 14.8 on *Periodic Review of the Appendices* to CoP16.

74.2 Review of the Appendices: Felidae (Doc. 74.2). *Tentative U.S. negotiating position:* Support. This document reports on the progress of the Animals Committee's implementation of Decision 13.93 (Rev. CoP15) concerning the periodic review of Felidae. The United States agrees that the Committee has made significant progress in implementing this Decision, and given that reviews of *Panthera leo*, *Puma concolor cougar*, and *P. concolor coryi* are ongoing,

we support the Chair's recommendation to extend Decision 13.93 (Rev. CoP15) until the 17th meeting of the Conference of the Parties.

75. Development and application of annotations (Doc. 75). *Tentative U.S. negotiating position*: Support. This document was submitted by the United States as Chair of the Annotations Working Group of the Standing Committee, on behalf of the Standing Committee. It outlines the efforts undertaken with regard to the development and application of annotations, recommends revisions to a number of existing Resolutions, and proposes three draft Decisions, including one calling for the continuation of the Working Group.

76. Annotations – Report of the Plants Committee (Doc. 76). *Tentative U.S. negotiating position*: Support. This document, prepared by the Chair of the Plants Committee on behalf the Committee, summarizes the work of the Committee on numerous annotations-related issues. This document complements document CoP16 Doc. 75, and we fully support its conclusions and recommendations.

77. Proposals to amend Appendices I and II (see Prop. documents). The proposals to amend Appendices I and II have been reviewed within the context of the biological criteria outlined in Resolution Conf. 9.24 (Rev. CoP14), *Criteria for amendment of Appendices I and II*. This and other relevant resolutions (<http://www.cites.org/eng/res/index.php>) or Articles of the Convention (<http://www.cites.org/eng/disc/text.php>) will be referred to, as appropriate, in the summaries below. We will not provide any additional explanation of the U.S. negotiating position for documents and proposals that the United States submitted because the introduction in each of

those documents contains a discussion of the background of the issue and the rationale for submitting the document. Those proposals include CoP16 Props. 3, 28, 29, 30, 31, 32, 36, 37, 38, 42, 53, and 57.

Prop. 1. Transfer of the Abruzzo chamois (*Rupicapra pyrenaica ornata*) from Appendix I to Appendix II. Proposed by Denmark, on behalf of the Member States of the European Union, at the request of the Animals Committee. *Tentative U.S. negotiating position:* Support. This subspecies does not appear to be affected by trade. Furthermore, the current listing is not in keeping with Annex 3 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* regarding split-listings. This proposal was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and will improve the integrity of the Appendices.

Prop. 2. Transfer of the vicuña (*Vicugna vicugna*) population in Ecuador from Appendix I to Appendix II. Proposed by Ecuador. *Tentative U.S. negotiating position:* Support. This species in Ecuador no longer meets the biological criteria of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for listing in Appendix I (Annex 1). At the international level, the vicuña is managed by the Convention for the Conservation and Management of Vicuña (adopted in 1979). This proposal by Ecuador was endorsed by the other four range States to this Convention.

Prop. 4. Deletion of the Percy Island flying fox (*Pteropus brunneus*) from Appendix II. Proposed by Australia, at the request of the Animals Committee. *Tentative U.S. negotiating*

position: Support. This species is extinct. Furthermore, this species is no longer considered to be a valid species and, therefore, does not meet the trade criteria for Appendix II in Annex 2 of Resolution Conf. 9.24 (CoP15) on *Criteria for amendment of Appendices I and II*. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 5. Deletion of the Tasmanian tiger or wolf (*Thylacinus cynocephalus*) from Appendix I. Proposed by Australia, at the request of the Animals Committee. *Tentative U.S. negotiating position:* Support. This species is extinct and does not meet the biological criteria for Appendix I (Annex 1) or trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore and based on the information provided by the proponent, the precautionary measures referred to in paragraphs A)1) and D) of Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* are not considered to be required for this proposal. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 6. Deletion of the crescent nailtail wallaby (*Onychogalea lunata*) from Appendix I. Proposed by Australia, at the request of the Animals Committee. *Tentative U.S. negotiating position:* Support. This species is extinct and does not meet the biological criteria (Annex 1) for Appendix I or trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore and based on the information provided by the

proponent, the precautionary measures referred to in paragraphs A)1) and D) of Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* are not considered to be required for this proposal. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 7. Deletion of the buff-nosed rat kangaroo (*Caloprymnus campestris*) from Appendix I. Proposed by Australia, at the request of the Animals Committee. *Tentative U.S. negotiating position:* Support. This species is extinct and does not meet the biological criteria (Annex 1) for Appendix I or trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore and based on the information provided by the proponent, the precautionary measures referred to in paragraphs A)1) and D) of Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* are not considered to be required for this proposal. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 8. Deletion of the pig-footed bandicoot (*Chaeropus ecaudatus*) from Appendix I. Proposed by Australia, at the request of the Animals Committee. *Tentative U.S. negotiating position:* Support. This species is extinct and does not meet the biological criteria (Annex 1) for Appendix I or trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore and based on the information provided by the proponent, the precautionary measures referred to in paragraphs A)1) and D) of Annex 4 of

Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* are not considered to be required for this proposal. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 9. Deletion of the lesser bilby or lesser rabbit-eared bandicoot (*Macrotis leucura*) from Appendix I. Proposed by Australia, at the request of the Animals Committee. *Tentative U.S. negotiating position:* Support. This species is extinct and does not meet the biological criteria (Annex 1) for Appendix I or trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore and based on the information provided by the proponent, the precautionary measures referred to in paragraphs A)1) and D) of Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* are not considered to be required for this proposal. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 10. To amend the annotation for the southern white rhino (*Ceratotherium simum simum*) such that hunting trophies from South Africa and Swaziland shall be subject to a zero export quota until at least CoP18. Proposed by Kenya. *Tentative U.S. negotiating position:* Oppose. While the United States remains gravely concerned about the poaching and illegal trade of rhinos, we oppose this proposal for several reasons. This topic will be discussed more comprehensively at CoP16 under agenda item 54. Thus, it appears that the proposed annotation addresses problems that have already been successfully addressed by South Africa's

management and enforcement efforts. In addition, it is not clear how a zero export quota from two range States (South Africa and Swaziland) would reduce international trade in rhinos while rhino trophy hunting could continue in other range States. In conclusion, we do not feel that this proposal will either reduce poaching and the illegal trade in rhinos or enhance the conservation status of the southern white rhino.

Prop. 11. Withdrawn. [Transfer of the African elephant (*Loxodonta africana*) from Appendix I to Appendix II, with an annotation. Proposed by the United Republic of Tanzania. *Tentative U.S. negotiating position:* None required.]

Prop. 12. Amend the annotation for the African elephant (*Loxodonta africana*). Proposed by Burkina Faso and Kenya. *Tentative U.S. negotiating position:* Undecided, pending consultation with the proponents and other range States. This proposal is for amendment of the African elephant annotation in order to restrict further proposals to allow trade in elephant ivory from any Appendix-II-listed elephant populations for a 9-year period from the last ivory sale. As currently written, the annotation applies only to the four Parties with African elephant populations currently listed in Appendix II. The United States is concerned that placing a ban on future proposals would violate Article XV of CITES, which allows any Party to propose amendments to the Appendices of the Convention for consideration by the Conference of the Parties at any time.

Prop. 13. Transfer of the West African manatee (*Trichechus senegalensis*) from Appendix II to Appendix I. Proposed by Benin, Senegal, and Sierra Leone. *Tentative U.S. negotiating position:*

Support. The West African manatee meets the biological criteria of paragraphs A i), A v), and C ii) of Annex 1 of Resolution Conf. 9.24 (CoP15) on *Criteria for amendment of Appendices I and II* for transfer to Appendix I, and the species is or may be affected by trade.

Prop. 14. Deletion of the Guadelupe caracara (*Caracara lutosa*) from Appendix II. Proposed by Mexico. *Tentative U.S. negotiating position:* Support. This species is extinct, is not affected by trade, and does not meet the listing criteria (Annex 2a) for Appendix II of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 15. Deletion of the grey or Sonnerat's junglefowl (*Gallus sonneratii*) from Appendix II. Proposed by Switzerland, as Depositary Government, at the request of the Animals Committee (prepared by New Zealand). *Tentative U.S. negotiating position:* Support, pending consultation with the range State. This species is not affected by trade, the Appendix-II listing criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* are not met, and precautionary measures A4 and A5 of Annex 4 do not apply. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices. However, since the Animals Committee meeting, there have been reports of illegal trade in feathers for fly-fishing lures. We will consult with India regarding current protection measures for this species.

Prop. 16. Deletion of the blood pheasant (*Ithaginis cruentus*) from Appendix II. Proposed by Switzerland, as Depositary Government, at the request of the Animals Committee (prepared by New Zealand). *Tentative U.S. negotiating position:* Oppose. While this species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the biological and trade data may support removal from the CITES Appendices, several of the range States have since expressed opposition to this proposal. We oppose the deletion of this species from Appendix II.

Prop. 17. Deletion of the imperial pheasant (*Lophura imperialis*) from Appendix I and amendment of the standard reference for birds. Proposed by Switzerland, as Depositary Government, at the request of the Animals Committee (prepared by IUCN-Species Survival Commission/World Pheasant Association Galliformes Specialist Group and France). *Tentative U.S. negotiating position:* Support. This species is a hybrid and is no longer recognized as a valid scientific entity. The upcoming standard reference for birds will reflect this determination. To clarify and ensure that *Lophura imperialis* will not be used in a CITES context until the revision of the standard reference for birds has been finalized, an annotation is proposed that the current standard reference for birds does not apply to this taxon. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 18. Transfer of the Caspian snowcock (*Tetraogallus caspius*) from Appendix I to Appendix II. Proposed by Switzerland, as Depositary Government, at the request of the Animals Committee (prepared by New Zealand). *Tentative U.S. negotiating position:* Support. This

species does not meet the biological criteria (Annex 1) for Appendix I or trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore, precautionary measure A1 of Annex 4 will be implemented, whereas precautionary measures A2a and A2b of Annex 4 are met. There are no look-alike issues, and Annex 2b of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* is not met. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to transfer it from Appendix I to Appendix II.

Prop. 19. Transfer of the Tibetan snowcock (*Tetraogallus tibetanus*) from Appendix I to Appendix II. Proposed by Switzerland, as Depositary Government, at the request of the Animals Committee (prepared by New Zealand). *Tentative U.S. negotiating position:* Support. This species does not meet the biological criteria (Annex 1) for Appendix I or trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore, precautionary measure A1 of Annex 4 will be implemented, whereas precautionary measures A2a and A2b of Annex 4 are met. There are no look-alike issues, and Annex 2b of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* is not met. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to transfer it from Appendix I to Appendix II.

Prop. 20. Transfer of the Attwater's prairie chicken (*Tympanuchus cupido attwateri*) from Appendix I to Appendix II. Proposed by Switzerland, as Depositary Government, at the request

of the Animals Committee (prepared by the World Pheasant Association and the United States). *Tentative U.S. negotiating position:* Support. This species meets the biological criteria (Annex 1) for Appendix I, but fails to meet the trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore, precautionary measure A1 of Annex 4 will be implemented. There are no look-alike issues, and Annex 2b of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* is not met. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to transfer it from Appendix I to Appendix II.

Prop. 21. Deletion of the imperial or Mexican ivory-billed woodpecker (*Campephilus imperialis*) from Appendix I. Proposed by Mexico. *Tentative U.S. negotiating position:* Support. This species is extinct and does not meet the biological criteria (Annex 1) for Appendix I or trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore and based on the information provided by the proponent, the precautionary measures referred to in paragraphs A)1) and D) of Annex 4 and Annex 5 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* are not considered to be required for this proposal. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to transfer it from Appendix I to Appendix II.

Prop. 22. Deletion of the laughing or white-faced owl (*Sceloglaux albifacies*) from Appendix II. Proposed by New Zealand, at the request of the Animals Committee. *Tentative U.S. negotiating*

position: Support. This species is extinct, is not affected by trade, does not meet the Appendix-II listing criteria (Annex 2a) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*, and there are no Appendix-II look-alike issues (Annex 2b). In addition, this proposal satisfies paragraphs A4 and A5 of the precautionary measures of Annex 4. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 23. Transfer of the American crocodile (*Crocodylus acutus*), population of the Bay of Cispatá, Municipality of San Antero, Department of Córdoba, Republic of Colombia, from Appendix I to Appendix II. Proposed by Colombia. *Tentative U.S. negotiating position:* Undecided. Considerations regarding the transfer of this population include: (i) The inability of enforcement personnel to distinguish between animals taken from this population and other Colombian populations; and (ii) while the population is recovering, the ongoing vulnerability of this population and the concern for transferring a subpopulation to Appendix II that will result in a split listing of the population within Colombia. This *Asocaiman Project*, on which this proposal is based, is seen by Colombia as a model for the recovery of other crocodilian populations.

Prop. 24. Transfer of the saltwater crocodile (*Crocodylus porosus*) population of Thailand from Appendix I to Appendix II with a zero quota for wild specimens. Proposed by Thailand.

Tentative U.S. negotiating position: Oppose. This species does not meet the biological criteria [Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and*

II] for inclusion in Appendix I. Furthermore, application of the precautionary safeguards in Annex 4 of Resolution Conf. 9.24 would lead to retention of this species in Appendix I. There is currently very little information on population numbers for the species, but the best available estimates suggest that there may be as few as 200 individuals remaining in the wild.

Prop. 25. Transfer of the Siamese crocodile (*Crocodylus siamensis*) population of Thailand from Appendix I to Appendix II with a zero quota for wild specimens. Proposed by Thailand.

Tentative U.S. negotiating position: Oppose. This species does not meet the biological criteria [Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II]* for inclusion in Appendix I. The species also fails to qualify for downlisting when many precautionary safeguards (Annex 4) are applied. According to the proposal, there is currently very little information on population numbers for the species, but the best available estimates suggest that there may be as few as 200 individuals remaining in the wild.

Prop. 26. Inclusion of all species of New Zealand green geckos in the genus *Naultinus* in Appendix II. Species to be transferred (from Appendix III) to Appendix II are: *Naultinus elegans*, *N. gemmeus*, *N. grayii*, *N. manukanus*, *N. punctatus*, *N. rudis*, *N. stellatus*, *N. tuberculatus*, and *Naultinus* ‘North Cape,’ an undescribed species. Proposed by New Zealand.

Tentative U.S. negotiating position: Support. New Zealand has identified poaching and illegal trade as serious conservation concerns for these species. New Zealand geckos have been listed on Appendix III of CITES since 2003. While Appendix III has been adequate in terms of controlling legal trade of these species (which is minimal), this level of protection has proven to be inadequate for addressing illegal international trade. Increasing international controls through

an Appendix-II listing will allow greater enforcement action, provide deterrents to illegal trade, and result in the long-term viability of these species in the wild. This species meets the biological criteria of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix II. These species qualify for inclusion in Appendix II because it is known, or can be inferred or projected, that regulation of trade in these species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting.

Prop. 27. Inclusion of the Mangshan pit-viper (*Protobothrops mangshanensis*) in Appendix II. Proposed by People's Republic of China. *Tentative U.S. negotiating position:* Support. This species meets the biological and trade criteria of criterion B of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix II and was identified in both the CITES and the International Union for the Conservation of Nature (IUCN) Snake Trade workshops as of concern – specifically, it is classified by IUCN as Endangered.

Prop. 33. Transfer of the Indochinese box turtle (*Cuora galbinifrons*) from Appendix II to Appendix I. Proposed by Viet Nam. *Tentative U.S. negotiating position:* Undecided, pending further consultation with Viet Nam and China. This proposal conflicts with the U.S. proposal (Prop. 32) for several species of the Family Geoemydidae, which also contains this species. We find the species needs greater protection, and both this proposal and our own would provide such protection.

Prop. 34. Inclusion of the Ryukyu black-breasted leaf turtle (*Geoemyda japonica*) in Appendix II with a zero annual export quota for primarily commercial purposes for wild-caught specimens. Proposed by Japan. *Tentative U.S. negotiating position:* Likely to support, pending further consultation with Japan and China. This species meets the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix II.

Prop. 35. Transfer of the Annam leaf turtle (*Mauremys annamensis*) from Appendix II to Appendix I. Proposed by Viet Nam. *Tentative U.S. negotiating position:* Undecided, pending further consultation with Viet Nam and China. This proposal conflicts with the U.S. proposal (Prop. 32) for several species of the Family Geoemydidae, which also contains this species. We find the species needs greater protection, and both this proposal and our own would provide such protection.

Prop. 39. Inclusion of the Machalilla poison dart frog (*Epipedobates machalilla*) in Appendix II. Proposed by Ecuador. *Tentative U.S. negotiating position:* Support. This species, under a different scientific name, was not originally listed in the CITES Appendices. Due to recent adjustments in frog nomenclature, the species technically was included in a CITES-listed taxon without having gone through the formal listing process. The United States supports this proposal, which will implement a recommendation by the Taxonomic Working Group of the Animals Committee to submit a formal species proposal for this frog.

Prop. 40. Deletion of the southern gastric-brooding frog (*Rheobatrachus silus*) from Appendix II. Proposed by Australia, at the request of the Animals Committee. *Tentative U.S. negotiating position:* Support. This species is extinct, is not affected by trade, does not meet the Appendix II listing criteria [Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*], and there are no Appendix-II look-alike issues (Annex 2b). In addition, this proposal satisfies paragraphs A4 and A5 of the precautionary measures of Annex 4. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 41. Deletion of the northern gastric-brooding frog (*Rheobatrachus vitellinus*) from Appendix II. Proposed by Australia, at the request of the Animals Committee. *Tentative U.S. negotiating position:* Support. This species is extinct, is not affected by trade, does not meet the Appendix II listing criteria [Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*], and there are no Appendix-II look-alike issues (Annex 2b). In addition, this proposal satisfies paragraphs A4 and A5 of the precautionary measures of Annex 4. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to remove it from the Appendices.

Prop. 43. Inclusion of the scalloped hammerhead shark (*Sphyrna lewini*), great hammerhead shark (*Sphyrna mokarran*), and smooth hammerhead shark (*Sphyrna zygaena*) in Appendix II. Proposed by Brazil, Costa Rica, and Honduras, and co-sponsored by Colombia, Ecuador,

Denmark (on behalf of the member States of the European Union), and Mexico. *Tentative U.S. negotiating position:* Support. These species meet the biological and trade criteria of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix II because of the general global decline driven by overharvest primarily for the shark-fin industry.

Prop. 44. Inclusion of the porbeagle shark (*Lamna nasus*) in Appendix II. Proposed by Denmark on behalf of the European Union. *Tentative U.S. negotiating position:* Support. This species meets the biological and trade criteria of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix II because of its general global decline driven by overharvest for meat and the fins for the shark-fin industry.

Prop. 45. Transfer of the freshwater sawfish (*Pristis microdon*) from Appendix II to Appendix I. Proposed by Australia. *Tentative U.S. negotiating position:* Support. *Pristis microdon*, along with six other species of the genus *Pristis*, was proposed for an Appendix-I listing at CoP14. While six species were included in Appendix I at CoP14, an amendment to the proposal allowed *P. microdon* to be included in Appendix II for international, non-commercial conservation use in public aquariums. The species meets the biological criteria A.(i), (v); B.(i), (ii), (iii) and (iv); and C.(i), (ii) in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix I. The transfer of *P. microdon* to Appendix I will provide protection to all seven Pristidae species originally proposed for listing in Appendix I by the United States and Kenya at CoP14.

Prop. 46. Inclusion of the Genus *Manta* in Appendix II. Proposed by Ecuador, Brazil, and Colombia. *Tentative U.S. negotiating position:* Support. The two *Manta* species, *M. birostris* and *M. alfredi*, appear to meet the biological criteria of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix II because international trade for gill plates is driving declines in all populations with targeted fisheries. Several populations of the two recognized *Manta* species are believed to qualify for inclusion in Appendix I based on marked population declines driven by a recent increase in harvest. In 2011, the IUCN Red List categorized both described *Manta* species as Vulnerable with declining populations.

Prop. 47. Inclusion of the ceja river stingray (*Paratrygon aiereba*) in Appendix II. Proposed by Colombia. *Tentative U.S. negotiating position:* Undecided, pending further consultation with Colombia. While some data indicate a population decline of this species, the data are very limited. In addition, international trade patterns and levels are not well documented. The FAO Expert Advisory Panel noted that many supporting statements in the proposal were unsubstantiated and that no data were provided to indicate population status or trends. Due to the lack of data, the FAO Panel was unable to determine whether the species meets the biological criteria for inclusion in Appendix II. We have concerns as to whether the species meets the biological and trade criteria of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix II.

Prop. 48. Inclusion of the ocellate river stingray (*Potamotrygon motoro*) and the Rosette River stingray (*Potamotrygon schroederi*) in Appendix II. Proposed by Colombia and Ecuador.

Tentative U.S. negotiating position: Undecided, pending further consultation with Colombia and Ecuador. While some data indicate population declines of these species, the data are very limited. In addition, international trade patterns and levels are not well documented. The FAO Expert Advisory Panel was not able to determine if these species qualify globally under the decline criteria due to the lack of reliable data on trade and harvest. The Panel considers that the implementation of prior recommendations in Decision 15.85 (Rev. CoP15) would improve the collection of trade data, which at present are inadequate. We have concerns as to whether the species meets the biological and trade criteria of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix II.

Prop. 49. Transfer of the Corsican swallowtail butterfly (*Papilio hospiton*) from Appendix I to Appendix II. Proposed by Denmark on behalf of the member States of the European Union (prepared by France and Italy in collaboration with UNEP-WCMC). *Tentative U.S. negotiating position:* Support. This species does not meet the biological criteria (Annex 1) for Appendix I or trade criteria (Annex 5) of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*. Furthermore, precautionary measure A1 of Annex 4 will be implemented, whereas precautionary measures A2a and A2b of Annex 4 are met. This species was reviewed by the Animals Committee under the *Periodic Review of the Appendices* and the United States supports the Animals Committee's recommendation to transfer it from Appendix I to Appendix II.

Prop. 50. Inclusion of the Queretaro yucca (*Yucca queretaroensis*) in Appendix II. Proposed by Mexico. *Tentative U.S. negotiating position:* Support. This species meets the biological and

trade criteria of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* for inclusion in Appendix II.

Prop. 51. Inclusion of *Operculicarya decaryi* in Appendix II. Proposed by Madagascar.

Tentative U.S. negotiating position: Support, pending ongoing information gathering.

Information indicates that this species meets the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because it is harvested from the wild for international ornamental trade and its status in the wild appears to be declining. It is also similar in appearance to another CITES-listed species, *Operculicarya pachypus*, and so may qualify for an Appendix-II listing under Annex 2b of Resolution Conf. 9.24 (Rev. CoP15).

Prop. 52. Amendment of annotation #9 related to *Hoodia* spp. to exclude parts and derivatives that bear the label: “Produced from *Hoodia* spp. material obtained through controlled harvesting and production in terms of an agreement with the relevant *CITES Management Authority of [Botswana under agreement No. BW/xxxxxx] [Namibia under agreement No. NA/xxxxxx] [South Africa under agreement No. ZA/xxxxxx].*” Proposed by Botswana, Namibia, and South Africa.

Tentative U.S. negotiating position: Support, with modifications. We intend to work with the proponents and other interested Parties to further clarify the annotation text and improve its effectiveness.

Prop. 54. Deletion of Kautsky's tillandsia (*Tillandsia kautskyi*) from Appendix II. *Tentative U.S. negotiating position:* Support. Wild-collected specimens of this species are not

internationally traded, and there are no similarity of appearance concerns with other CITES-listed plants. Therefore, this species does not satisfy the requirements for continued inclusion in CITES Appendix II.

Prop. 55. Deletion of Sprengel's tillandsia (*Tillandsia sprengeliana*) from Appendix II.

Proposed by Brazil. *Tentative U.S. negotiating position:* Support. Wild-collected specimens of this species are not internationally traded, and there are no similarity of appearance concerns with other CITES-listed plants. Therefore, this species does not satisfy the requirements for inclusion in the CITES Appendices.

Prop. 56. Deletion of the sugar tillandsia (*Tillandsia sucrei*) from Appendix II. Proposed by Brazil. *Tentative U.S. negotiating position:* Support. Wild-collected specimens of this species are not internationally traded, and there are no similarity of appearance concerns with other CITES-listed plants. Therefore, this species does not satisfy the requirements for inclusion in the CITES Appendices.

Prop. 58. Inclusion in Appendix II of *Diospyros* populations of Madagascar, limited to logs, sawn wood, and veneer sheets. Proposed by Madagascar. *Tentative U.S. negotiating position:* Support, pending additional information from the range State and species experts. The *Diospyros* populations of Madagascar that are targeted for export meet the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because they are harvested from the wild for international trade and populations appear to be declining. The remaining populations of Madagascar would qualify for

an Appendix-II listing under Annex 2b of Resolution Conf. 9.24 (Rev. CoP15) based on their similarity of appearance.

Prop. 59. Amend the annotation to the listing of the Brazilian rosewood (*Aniba roseaodora*) as follows: Amend Annotation #12 to "Logs, sawn wood, veneer sheets, plywood and extracts." Proposed by Brazil. *Tentative U.S. negotiating position:* Likely to support, pending further consultation with Brazil. At the 62nd meeting of the Standing Committee (SC62; Geneva, 2012), the Committee agreed on the definition of the term 'extract' as recommended by the SC working group on annotations. The proposed definition of 'extract,' which includes essential oil, is included in CoP16 Doc. 75 for consideration by the Conference of the Parties. Since Brazil has accepted the proposed definition of extract, it is now proposing to amend Annotation #12 to the listing of the Brazilian rosewood.

Prop. 60. Inclusion of the Thailand rosewood (*Dalbergia cochinchinensis*), limited to sawn wood and veneer sheets, in Appendix II. Proposed by Thailand and Viet Nam. *Tentative U.S. negotiating position:* Support. Thailand rosewood is native to Cambodia, Lao People's Democratic Republic, Thailand, and Viet Nam. Although all range States prohibit the harvest of the species, populations are impacted by illegal logging for international trade. This species meets the biological and trade criteria for inclusion in Appendix II of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*.

Prop. 61. Inclusion of the black rosewood (*Dalbergia retusa*) and the granadillo rosewood (*Dalbergia granadillo*) in Appendix II. Proposed by Belize. *Tentative U.S. negotiating position:*

Likely to support, pending further consultation with range States. Black rosewood meets the biological and trade criteria for inclusion in Appendix II in accordance with Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because it is harvested from the wild for international trade and populations appear to be declining. The wood of granadillo rosewood is indistinguishable from the wood of black rosewood and is proposed for similarity of appearance reasons in accordance with Annex 2b of Resolution Conf. 9.24 (Rev. CoP15).

Prop. 62. Inclusion of the Honduras rosewood (*Dalbergia stevensonii*) in Appendix II. Proposed by Belize. *Tentative U.S. negotiating position:* Likely to support, pending further consultation with range States. Honduras rosewood meets the biological and trade criteria for inclusion in Appendix II in accordance with Annex 2a of Resolution 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because it is harvested from the wild for international trade and populations appear to be declining.

Prop. 63. Inclusion of the *Dalbergia* populations of Madagascar, limited to logs, sawn wood, and veneer sheets, in Appendix II. Proposed by Madagascar. *Tentative U.S. negotiating position:* Support, pending additional information from the range State and species experts. The *Dalbergia* populations of Madagascar that are targeted for export meet the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because they are harvested from the wild for international trade and populations appear to be declining. The remaining populations of Madagascar would qualify for

an Appendix-II listing under Annex 2b of Resolution Conf. 9.24 (Rev. CoP15) based on their similarity of appearance.

Prop. 64. Inclusion of *Senna meridionalis* in Appendix II. Proposed by Madagascar. *Tentative U.S. negotiating position:* Support, pending ongoing information gathering. Information indicates that this species meets the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because it is harvested from the wild for international ornamental trade and its status in the wild appears to be declining.

Prop. 65. Inclusion of *Adenia firingalavensis* in Appendix II. Proposed by Madagascar. *Tentative U.S. negotiating position:* Support, pending ongoing information gathering. Information indicates that this species meets the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because it is harvested from the wild for international ornamental trade and its status in the wild appears to be declining. It also occupies the same habitat as a similar CITES-listed species, *Adenia olaboensis*, and so may qualify for an Appendix-II listing under Annex 2b of Resolution Conf. 9.24 (Rev. CoP15).

Prop. 66. Inclusion of *Adenia subsessilifolia* in Appendix II. Proposed by Madagascar. *Tentative U.S. negotiating position:* Support, pending ongoing information gathering. Information indicates that this species meets the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because it is harvested from the wild for international ornamental trade and its status in the wild appears to

be declining. It also occupies the same habitat as a similar CITES-listed species, *Adenia olaboensis*, and so may qualify for an Appendix-II listing under Annex 2b of Resolution Conf. 9.24 (Rev. CoP15).

Prop. 67. Inclusion of *Uncarina grandidieri* in Appendix II. Proposed by Madagascar.

Tentative U.S. negotiating position: Support, pending ongoing information gathering.

Information indicates that this species meets the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because it is harvested from the wild for international ornamental trade and its status in the wild appears to be declining.

Prop. 68. Inclusion of *Uncarina stellulifera* in Appendix II. Proposed by Madagascar.

Tentative U.S. negotiating position: Support, pending ongoing information gathering.

Information indicates that this species meets the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because it is harvested from the wild for international ornamental trade and its status in the wild appears to be declining.

Prop. 69. Inclusion of the East African sandalwood (*Osyris lanceolata*) in Appendix II.

Proposed by Kenya and the United Republic of Tanzania. *Tentative U.S. negotiating position:*

Likely to oppose. While this species is affected by trade in some parts of its range, primarily

Kenya and Tanzania, it is unclear whether the species meets the biological and trade criteria for

inclusion in Appendix II in accordance with Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on

Criteria for amendment of Appendices I and II. East African sandalwood is a wide-ranging species native to sub-Saharan Africa, Europe (Iberian Peninsula and Balearic Island), and Asia (India to southeast Asia). Information provided on the status, management, and trade of the species is limited primarily to Kenya and Tanzania, and the status and management of the species in other parts of its range are unclear.

Prop. 70. Deletion of the annotation to the listing of *Aquilaria* spp. and *Gyrinops* spp. in Appendix II, and replacement with a new annotation. Proposed by China, Indonesia, and Kuwait. *Tentative U.S. negotiating position:* Oppose. This document proposes to delete the existing annotation to the agarwood listing and replace it with a new annotation specific to specimens of agarwood in trade. The United States is concerned about potential implementation and enforcement issues associated with the proposed annotation and the difficulty for Customs and other enforcement officials to identify certain exempt specimens (e.g., mixed oil containing less than 15% agarwood oil; exhausted agarwood powder; and finished products packaged and ready for retail trade, except for patent medicine, beads, prayer beads, and carvings).

Prop. 71. Inclusion of *Cyphostemma laza* in Appendix II. Proposed by Madagascar. *Tentative U.S. negotiating position:* Support, pending ongoing information gathering. Information indicates that this species meets the biological and trade criteria of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* because it is harvested from the wild for international ornamental trade and its status in the wild appears to be declining. It also occupies the same habitat as two similar CITES-listed species, *Cyphostemma*

elephantopus and *C. montagnacii*, and so may qualify for an Appendix-II listing under Annex 2b of Resolution Conf. 9.24 (Rev. CoP15).

Conclusion of the Meeting

78. Determination of the time and venue of the next regular meeting of the Conference of the Parties (no document). Tentative U.S. negotiating position: No position necessary at this time. The Secretariat does not normally circulate a document on the time and venue of the next CoP. We anticipate receiving information on this at CoP16, at which time the United States will develop a negotiating position. The United States favors holding CoP16 in a country where all Parties and observers will be admitted without political difficulties, and where facilities are available to ensure the safe and efficient conduct of the meeting.

79. Closing remarks (No document)