

**Short Summary of Conclusions of the
25th MEETING OF THE COMMITTEE ON TRADE IN WILD
FAUNA AND FLORA¹**

Brussels, 13 March 2003

1. The agenda was adopted with three additional items under 'Any Other Business'.

2. The summary of conclusions of the 23rd meeting was adopted.

The adoption of the summary of conclusions of the 24th meeting was deferred to the next meeting in the light of the comments made.

3. **Outstanding Action Points**

There are twinning projects between Germany and the Czech Republic as well as Austria and Romania.

Austria has provided financial support to the TRAFFIC/WWF office which was set up in Budapest.

A seminar on DNA identification was held in Sabaudia (Italy), which will be briefly reported on at the next Committee meeting.

4. **Preparation of 49th meeting of the Standing Committee, Geneva (Switzerland), 22-25 April 2003**

The Committee looked at the various agenda items of the Standing Committee. Positions will be finalised during co-ordination on the spot.

5a. **Annual Report**

The Commission asked Member States to provide any further comments on the format of the report and the analysis as soon as possible.

5b. **Biennial Report**

The Committee welcomed the amendments to the Guidelines. Some Committee members pointed out that some of the data was not collected in their countries and that the information could therefore not be provided.

¹ Draft conclusions subject to final confirmation upon approval of the minutes of the meeting by the representatives of the Member States

6a. Amendments to Annexes of Council Regulation 338/97 in addition to those following amendments to CITES appendices

The Chairman explained that the new annexes to Council Regulation 338/97 should be adopted in June. He pointed out that the Commission had not yet taken any decisions on changes that were not related to CITES CoP12 and that the aim of the discussion was to sound out Member States' views.

(i) Additions and deletions from Annex D

A representative of the Commission summarised the results of the discussions of the 25th Scientific Review Group meeting. The proposed amendments to Annex D would be incorporated into the proposed revision of the annexes to Council Regulation 338/97.

(ii) *Oxyura jamaicensis*

(iii) *Chrysemys picta*

The Committee discussed the pros and cons of a listing of invasive species on Annex B of Council Regulation 338/97. The Commission said that the issue needed further discussion.

(iv) *Padda fuscata*

The Committee discussed a possible listing of this species on Annex B of Council Regulation 338/97 as suggested by the Scientific Review Group. The Commission will examine a proposal in the light of the comments made.

(v) *Amazona ocrocephala*

Given the implementation problems of this listing, the Committee agreed that a proposal for listing the whole species on Annex A at the next CITES CoP should be considered.

(vi) *Gonystylus spp.*

The Committee examined Indonesia's request to list *Gonystylus* spp. on Annex B of Regulation 338/97. There was agreement that this issue needed further investigation, including the search for possible other solutions to the problem.

(vii) Italian endemic species

The Commission undertook to reflect further on a proposal for an Annex B listing in the light of the information to be provided by the representative of Italy.

6b. Interim arrangements pending implementation of new CITES Appendices

The Committee discussed practical ways of handling documents in the period leading up to the adoption of the new Commission Regulation. On the issue of intra-EU certificates the Commission will come back to Member States.

6c. Amendment of Commission Regulation 1808/2001

The Chairman informed the Committee that the new implementing Regulation would probably be adopted in the second half of the year.

7. Rejection of application for permits and certificates for specimens not meeting the requirements of Article 24 of Reg. 1808/2001

It was confirmed that in the case of post-Convention founder stock, absence of relevant CITES documents must imply an assumption of illegality and confiscation must be considered. Furthermore, the Committee confirmed the need to draw up a list of species for which the conditions laid down in Articles 24 or 26 of Regulation 1808/2001 are most likely not met.

8. Treatment of 50-year old worked specimens by EC Member States

The Commission clarified that no certificate was needed to sell worked specimens of Annex A species that were acquired prior to 01.06.1947. However, in case of doubt, it was up to the vendor to prove that the item was acquired before that date.

9. Use of dolphins and whales in dolphinarium

The Chairman underlined that decision on imports of dolphins for dolphinarium had to be taken on a case-by-case basis and that it was not possible to establish common rules but that Member States should have regard to Article 8 of Council Regulation 338/97.

10. Any Other Business

a) Import of reptiles from Paraguay

Information on the illegal trade in Paraguayan species was circulated to alert Member States' to the problem. Consultation with the CITES Secretariat is currently underway.

b) Short presentation of CIRCA database (document administration)

A representative of the Commission presented the CIRCA database which in the future will be used to organise meetings and share information.

c) *EU Coordination at CoPs*

The Committee took note of a reflection document on EU coordination at past and future CoPs. The paper will be discussed at the next Committee meeting.

d) *Use of Art. 8.2 of Council Regulation 338/97*

The representative of the UK enquired how this article was used in other countries. Member States were asked to provide information.

e) *Licensing of trade in vaccines, cell lines, excretions etc.*

The Commission undertook to look at the arguments in the paper presented.

f) *Marking/identification of parts and derivatives*

The representative of the UK said that the absence of any marking of parts and derivatives was a growing problem for enforcement authorities and therefore Member States should look into ways of ensuring that specimens are marked.

g) *Issuance of certificates for species subject to stricter measures in other Member States*

The item was deferred to the next meeting.

h) *Issue of re-export certificates for Annex D species*

The species concerned are listed on Appendix III of CITES but Member States have entered a reservation vis-à-vis the listing. It can therefore be anticipated that some third countries will require re-export certificates. If needed, the item will be put on the agenda of the next meeting.

i) *Application of Article 11.2(a) of Council Regulation 338/97, Commercial trade via internet and commercial trade between zoos*

The Commission undertook to investigate the issue further and communicate the results to Member States.

j) *Electronic licensing systems*

The Commission informed Member States that in principle electronic issuance of CITES documents could be made possible via an amendment of Commission Regulation 1808/2001 or its successor.