

**Short Summary of Conclusions of the
27th MEETING OF THE COMMITTEE ON TRADE IN WILD
FAUNA AND FLORA¹**

Brussels, 19 September 2003

1. Adoption of the agenda

The agenda was adopted with six additional items under ‘Any Other Business’.

2. Adoption of summaries of conclusions

The translations of the summaries of conclusions of the 24th and 25th meeting were adopted.

The adoption of the summary of conclusions of the 26th meeting was deferred to the next meeting.

3. Outstanding Action Points

Inform the Commission of details of their CITES-related research projects in course and special interests and expertise in various sectors

The representative of Italy informed the Committee about the publication of manuals on Italian orchids and mammals and about CITES-related legislation. He also mentioned that a meeting on plants will be organised in Perugia in early November 2003.

Inform the Commission about marking requirements for parts and derivatives

The representative of the UK said that while there was no independent legislation on the marking of parts and derivatives, the general policy was to encourage traders to use some kind of marking system.

The representatives of Denmark and Hungary reported that they asked applicants for photos of parts and derivatives (e.g. tiger or leopard skins) which were then attached to the relevant certificates.

Swedish import ban on crayfish

The Chairman said that they had got in touch with the relevant units in the Environment Directorate General and the Enterprise Directorate General and asked them to contact Germany directly.

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

All the other action points were maintained. Member States who had not done so yet were reminded to provide the information regarding stricter domestic measures, species which do not meet the criteria of Article 24 of Commission Regulation 1808/2001 and marking requirements for parts and derivatives.

4. Replacement of Commission Regulation 1808/2001

The Chairman summarized the new provisions in the draft Regulation and informed the Committee about the issues raised by the Enforcement Group the previous day. These concerned mainly the pet ownership certificate and in particular a possible extension to pets of all sources and ways to avoid laundering.

The Committee exchanged first views on this. It was agreed that detailed comments should be made in writing by 19 October so that a revised draft could be sent to the Committee for consideration at the 28th meeting in November.

5. Guidelines on compliance with the Convention

The Committee made some suggestions regarding the wording of the comments on draft guidelines on compliance with CITES and agreed to submit the revised comments to the Secretariat.

6. Transitional regime for timber species

The Committee discussed the letter by a representative of the timber industry regarding negative SRG opinions which are a potential problem for timber importers given that in consistence with Article 4 of Regulation 338/97 they take de facto effect immediately after an SRG meeting.

The Committee concluded that in line with Article 4.2 of Council Regulation 338/97 there was little scope for granting import permits where a negative SRG opinion had been formed. Instead, traders should, whenever possible, apply for permits before entering into contractual obligations.

The Chairman said that he would report back to the SRG.

7. Article 8.2 of Council Regulation 338/97

The representative of the UK introduced his paper on Article 8.2 of Regulation 338/97 which allows Member States to prohibit the holding of specimens, “in particular live animals of the species listed in Annex A”. He said that comments in writing from other Member States would be welcome.

The Chairman pointed out that while it was not possible to adopt restrictions at Community level, Member States who were seeking the voluntary agreement of others to implement a proposed measure could raise this in the Committee.

8. Marking of Annex A specimens

The Committee discussed the issue of different marking régimes for Annex A specimens arising from differing size guidelines for micro-chipping in the various Member States. This may pose difficulties when a specimen that has not been micro-chipped and is accompanied by a certificate issued by one Member State is transferred to another Member State.

It was agreed that the Management Authority in the recipient Member State could issue a new certificate subject to whatever conditions were deemed appropriate. In some cases an alternative might be to issue transaction specific certificates.

9. Rules of procedure of the Committee

The Chairman invited Member States to review the rules of procedure of the Committee. He suggested including a reference to Regulation 1049/2001 in Article 10 and limiting the number of languages into which the summaries of conclusions would have to be translated.

The Committee agreed to extend the deadline of 14 days in Article 8 to 28 days.

The item will be discussed again at the next meeting.

10. UNEP-WCMC analysis of European Community Annual Report 2001

The representative of UNEP-WCMC presented the analysis of the European Community Annual Report 2001 which was deemed to be very useful by the Committee.

11. Planning for CoP13

The Chairman presented the preliminary timetable for CoP13 preparations and asked Member States to inform the Commission about any meetings, workshops etc., the dates of which might coincide with any of the meetings planned at EU-level.

12. Any Other Business

Validity of Accession country permits after accession

The representative of the Czech Republic raised the issue of the validity of permits issued by accession countries before accession. It was suggested that, whenever possible, the validity should be limited to 31 April 2004 and that accession countries should refrain from making decisions close to accession.

Italian computerised permits/certificates issuing system

The representatives of Italy, the UK, Sweden and the Netherlands offered to share their computerised systems for trading permits as well as experiences with these systems with accession countries.

Implementation of IPOA Sharks

The Chairman informed the Committee that the Fisheries Directorate General had the lead for this file and advised them to coordinate with the Fisheries Departments in their countries.

*Listing of *Gonystylus* spp. on Annex B of Council Regulation 338/97*

The Chairman said that following Malaysia's reply to the consultation letter, the Scientific Review Group would have to consider the scientific issues involved. The item would be discussed in detail at one of the next meetings.

Problem of issuing import permits for timber on arrival in a port of entry of a Member State

The Chairman underlined the need for a coherent implementation of Article 8 of Commission Regulation 1808/2001. The issue will be put on the agenda of one of the next meetings.

Use of Article 30 of Commission Regulation 1808/2001

The question of whether or not Member States apply this Article to zoos will be raised again at a future meeting. The Chairman referred to Council Directive 1999/22/EC relating to the keeping of wild animals in zoos as a good source for guidance.