

The Member States are invited to note the ACTION points.

Short Summary of Conclusions of the

34th MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA

Brussels, 14 June 2005

The Committee was chaired by Ms Soledad Blanco, Director of International Affairs in the Environment Directorate-General.

1) The agenda was adopted with two additional items to be mentioned under point 9) Any Other Business. Agenda item 4 and item 7 were deferred to the next meeting.

2) **Adoption of summaries of conclusions**

The translated summaries of conclusions of the 32nd meeting were adopted.

The draft summary of conclusions of the 33rd meeting was cleared for translation. The representative of Italy stated that he would like the minutes to be translated into Italian. The Chair reminded the Committee that working documents were only to be translated into the three working languages of the Commission.

3) **Outstanding Action Points**

All outstanding Action Points were maintained.

The chair reminded the outstanding Member States to comply with the Notification to the Parties No. 2004/077 of 9 December 2004 to submit to the CITES Secretariat contact details of each of their relevant national laws enforcement agencies. She furthermore mentioned that the Commission services would appreciate receiving a copy of this correspondence for information purposes (**ACTION**).

An update of document COM 32 Inf.1 rev. 2 on the charges for permits and certificates was circulated during the meeting. Lithuania was invited to submit the outstanding information (**ACTION**).

4) **Revision of the Rules of Procedure**

Deferred to the next Committee meeting.

5) **Preparation for the 53rd Standing Committee (SC 53)**

a) **Evaluation of SC Working Documents - Agreement on Orientation Paper**

The Committee agreed on the line to take for the items to be discussed at the 53rd CITES Standing Committee to be held in Geneva from 27 June - 1st July. The representative of the Commission undertook to revise the tabled document accordingly and to submit it to the Member States before 24 June 2005 (**ACTION**).

b) Practical arrangements at SC 53 – logistics / coordination

The representative of Luxembourg as EU Presidency informed the Committee that a first EU exchange of views on the tabled SC documents would take place at the Varembe Conference Centre (CCV) during the lunch break and that subsequent meetings would be held, as necessary, at the premises of the Council Secretariat.

The representative of Germany, as one of the European regional representatives to the Standing Committee, pointed out that all Member States should have the opportunity to raise issues themselves at the SC meeting, if the interventions follow the agreed line. The Committee agreed that the Presidency should speak on behalf of the EU on specific points where there would be need for a coordinated position.

6) Amendments to the new Commission Regulation post CoP 13

With reference to the 33rd Committee meeting, the Chair reminded the outstanding Member States to submit written comments to the Commission **by 22nd August 2005 (ACTION)**. She said that the Commission would prefer to receive all the comments from the Member States in order to have an in-depth discussion on the necessary amendments to the new Commission Regulation post CoP 13 at the next Committee meeting. She undertook to send an updated version of the tabled document integrating the specific provisions of Res. Conf. 12.7. Rev. CoP 13 on caviar **(ACTION)**.

7) Use of Article 30 of Commission Regulation (EC) No. 1808/2001

Deferred to the next Committee meeting.

8) Procedures for the introduction of specimens of Annex A/Appendix I species - Application of Article 4(1)(b)(ii) of Council Reg. (EC) No. 338/97

The Chair reported on the outcome of the discussion at the Enforcement Group meeting held on 26th March on the proposed procedures to be followed for the introduction of specimens of Annex A / Appendix I species. The main issue that discussions focussed on had been the documentation that needed to travel with CITES shipments.

The Committee finally agreed on the procedure to follow. The Commission undertook to modify the tabled document and to place it on CIRCA for the Member States' information. **(ACTION)**.

9) Format of future biennial reports

The Committee agreed to the final format (part 2) of the future biennial report relating to supplementary information on the provisions of Council Reg. (EC) No. 338/97 that fall outside the scope of CITES. The chair said that a revised version of the format would be placed on CIRCA **(ACTION)**.

Member States were invited to submit part 2 of the biennial report to the Commission **by 15 July 2005. (ACTION)**

10) Any Other Business

- a) *Clarification of wording “readily recognizable part or derivative” mentioned in annotation 12 of Council Regulation (EC) No. 338/97*

The Committee agreed that the term “readily recognizable part or derivative” mentioned in annotation 12 of Council Reg. (EC) No. 338/97 should be interpreted in accordance with Art. 2 t) of this Regulation taking into account the definition in Res. Conf. 9.6 (rev) with the effect that specimens fall under the Regulation where it appears from an accompanying document, the packaging or a mark or a label, or from other circumstances, that the goods contain parts or derivatives of animals or plants of those species. It was agreed that the words “readily recognizable” would be deleted from Annotation 12 when the Annexes are next revised.

- b) *Report of the Chair on the outcome of the 33rd Scientific Review Group, in particular regarding Swietenia macrophylla/Peru*

The Chair of the Scientific Review Group presented an oral report on the outcome of the 33rd Scientific Review Group.

- c) *Proposal for an EU Wildlife Trade Enforcement Co-ordination Workshop*

The representative of the United Kingdom informed the Committee about the intention of his Government to organise an Enforcement Workshop to be held from 25-27 October 2005. With reference to the tabled document, he invited the Member States to comment on the aim, purpose and agenda. He furthermore said that the United Kingdom would plan to set up a steering group and would invite Member States to participate.

- d) *Status of Annex A specimens circulated for breeding projects*

The Committee agreed to have a more in-depth discussion on this issue at the next meeting in conjunction with the discussion on the use of Article 30 of Commission Reg. (EC) No. 1808/2001.

- e) *Theft of eggs of Siberian crane*

The representative of Belgium drew the attention of the Committee to the fact that on 30 May 2005, two fertile eggs from a Siberian crane (*Grus leucogeranus*) had been stolen. He underlined that this species was in decline and was subject to an international conservation programme. He urged the Member States to be vigilant when issuing CITES-certificates for captive born specimens of this crane and truly let owners and keepers prove the origin of their specimens. More information was placed on CIRCA.

- f) *General housekeeping issues*

- i) *Revision of the Annexes to Council Reg. (EC) 338/97*

The Chair explained that the adoption of the Annexes of the Council Regulation would be postponed due to the Commission’s effort to improve the quality of the translations into all the Community languages and due to the need to inform the European Parliament according to the new Comitology procedures.

The representative of Italy expressed serious concerns about the delay in the adoption of the Annexes which had already entered into force under the CITES Convention on 12 January 2005. He reported about serious implementation problems in Italy, e.g. trade was not monitored correctly because of wrong issuance of import licences.

The Chair indicated that she fully shared the Member States' concerns and that the Commission services could only reiterate their regrets about this delay.

ii) Revision of the Reference Guide

A representative of the Commission invited the Member States to send final comments to the revised draft Reference Guide **by 15 July 2005**. The draft text is to be found on CIRCA (**ACTION**).

The Reference Guide would then be published on the EUROPA website pending the adoption of the new Commission Regulation (ex-1808).

iii) Joint Practical Guide for the drafting of Community Legislation

A representative of the Commission presented to the Committee a brochure published by the Commission Services which is meant to assist all those involved, in any way, in drafting legislative acts within the institutions. She further explained that this Guide might also be useful to the Member States to understand and contribute to the way in which Community legislation should be drafted.

The Member States were invited to inform the Commission whether they were interested to receive a copy of the Guide (**ACTION**). It should be noted that the Guide can also be consulted and directly downloaded in pdf format from the following EUROPA website:

<http://europa.eu.int/eur-lex/lex/en/techleg/index.htm>