

**The Member States are invited to  
note the ACTION points.**

**Short Summary of Conclusions of the  
35<sup>th</sup> MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA**

*Brussels, 13<sup>th</sup> October 2005*

The Committee was chaired by Mr Hugo-Maria Schally, newly appointed Head of Unit of the Unit Environmental Agreements & Trade in the Environment Directorate-General.

**- Introduction by the Chairman**

1) The agenda was adopted without additional suggestions.

**2) Adoption of summaries of conclusion**

The translated summaries of conclusions of the 33rd meeting were adopted.

The draft summary of conclusions of the 34th meeting was cleared for translation.

**3) Outstanding Action Points**

All outstanding Action Points were maintained.

*Inform the Commission about stricter domestic measures*

The Chair invited the Member States, unless specific information had already been submitted under the biennial reporting exercise, to provide the Commission with further information on any stricter measures adopted and implemented on national level. If no stricter measures had been put in place, it should also be mentioned explicitly. **(ACTION)**

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

The Chair explained that the current Rules of Procedures needed to be amended in order to comply with the standard text of the rules of procedure as adopted by the Commission on 31 January 2001 ([OJ C 38, 6.02.2001, p. 3](#) in accordance with Council Decision 1999/468/EC of 28 June 1999 ([1999 OJ L 184, 17.7.1999, p. 3](#)). The agreed standard text was distributed to the Committee at the meeting as reference document.

The Chair invited the Member States to submit comments on the tabled document (COM 34/4 ANNEX) **by 21 October 2005**. Based on those comments, the Commission would circulate a new version for adoption by written procedure. **(ACTION)**

**5) Amendments to the new Commission Regulation post CoP 13**

The Committee had a first exchange of views on the necessary amendments to the new Commission Regulation post CoP 13 based on a preliminary draft prepared by the Commission and submitted to the Member States end of July, written comments received from the United Kingdom and previous comments received by Germany, Malta and Italy.

The Chair invited Member States to send written comments **by 27 October 2005. (ACTION)**. The Commission would then prepare a revised draft following in-house consultations with the aim to submit it at the 36<sup>th</sup> Committee meeting on 7<sup>th</sup> February 2006.

Furthermore, following a proposal made by the representative of the United Kingdom, the Committee decided to revive the Working Group on electronic permitting in order to consider the customs-related provisions which could be taken on board in a future revision exercise. With a view to ensure a broad spectrum of approaches in the Working Group, the Chair proposed that those Member States wishing to be associated should inform the Commission and the United Kingdom accordingly. **(ACTION)** The Commission, represented by DG. TAXUD and DG.ENV, would also participate. The Committee agreed that the Working Group, which would work electronically, should present its findings at the 37<sup>th</sup> Committee meeting on 20<sup>th</sup> April 2006.

## **6) Follow-up to the 53<sup>rd</sup> Standing Committee (SC 53)**

### **a) Short report by SC members on SC 53 outcome**

The representative of Germany, on behalf of the Czech Republic and the Netherlands being the Regional Representatives to the Standing Committee, reported on the main outcomes of the 53<sup>rd</sup> Standing Committee held in Geneva from 27/6 – 1/07/2005.

### **b) Feedback by EU Member States on relevant follow-up actions**

Those Member States who had been nominated to the Working Groups under the Standing Committee reported on actions they have undertaken so far. The Chair underlined the importance of having an information flow among Members nominated to the Working Groups, other Member States and the Commission in order to ensure proper representation of interests in the Working Groups.

*Strategic Plan Working Group:* NL would ensure involvement of all MS and Commission in preparing its input to the WG.

*Workshop on introduction from the Sea:* The representative of Germany reported that the European Region would be represented by the Management Authority of the United Kingdom, by the Scientific Authority of Germany and by Iceland as Fisheries expert. The European Commission would also take part in the workshop.

In preparation of the workshop, the representative of the United Kingdom offered to prepare a briefing note. Member States should submit their input on this matter to the Commission, the United Kingdom and Germany by 10<sup>th</sup> November. The final text would then be circulated by CIRCA. **(ACTION)**

*Tiger Enforcement Taskforce:* The Chair asked Member States to submit to the Commission information on trade in tiger skins in the Tibet/China area.

### **c) Update by Commission on financial contribution to the CITES Secretariat for the implementation of decisions taken at CoP 13**

The Commission informed the Committee about the conclusion of a grant agreement with the CITES Secretariat in order to support action in follow-up to certain decisions taken at the 13<sup>th</sup> Conference of the Parties such as a Workshop on the Introduction from

the Sea, assistance to range States of the Saiga antelope, legislation workshop for Anglophone Africa with a view to improve national legislation and Enforcement training.

d) **Session on Sturgeon Enforcement at 11<sup>th</sup> Enforcement Group**

The Chair informed the Committee that, in follow-up to the 53<sup>rd</sup> Standing Committee (SC 53), the Commission would organise a special session of the EU Enforcement Group on 11<sup>th</sup> November following the 11<sup>th</sup> Enforcement Group meeting to be held on 10<sup>th</sup> November to discuss sturgeon enforcement issues at EU level and to prepare a broader workshop with range and consumer States next spring.

The Committee considered that it would be useful to ensure synergies with relevant work on sturgeon enforcement being carried out under the CMS.

The Chair invited the Committee members as well as Enforcement Group members to actively participate in the special session and to provide input. **(ACTION)**

7) **Follow-up on Notifications to the Parties**

The Committee discussed a number of recent notifications issued by the CITES Secretariat to the Parties.

8) **Presentation of on-going study on EU Enforcement by *Milieu***

The representative of the consortium of three consulting firms, Milieu Ltd., DDH Consulting and ViSK contracted by the Commission, to undertake a study about the enforcement situation in each Member State with the overall goal to assist efforts to strengthen enforcement of CITES and the EU Wildlife Trade Regulations, in particular at EU level made a presentation of the study.

The Chair asked the Member States to cooperate by filling in questionnaires to be sent out by the contractor and to participate in telephone interviews.

9) **Liability for advertising or causing to be advertised for sale**

The Committee exchanged views on this issue relating to the extent to which the 'medium' can be held liable when it publishes adverts for CITES specimens in breach of the CITES Regulations.

The Chair suggested to exchange information by CIRCA on how this issue is dealt with at national level. **(ACTION)**

10) **Any Other Business**

a) *New Gaborone strategy*

The Chair informed the Committee that the Commission has launched a new demarche towards those countries that had not yet ratified the Gaborone amendment. He furthermore invited all Member States to raise the issue in their bilateral contacts with the relevant countries and to make use of the Gaborone info pack provided.

b) *Update on biennial and annual reporting exercises*

The Chairman asked the outstanding Member States to submit their Annual and Biennial Reports as soon as possible. **(ACTION)**

c) *Committee meeting schedule for 2006*

The Committee was invited to note the meeting schedule for 2006 and to indicate to the Commission any dates that might impact with this planning. **(ACTION)**

The Chair furthermore informed the Committee that a detailed roadmap for the CoP 14 preparations would be prepared for the next 36<sup>th</sup> Committee meeting in February. **(ACTION)**

d) *Application to import green sea turtles from the Cayman Islands (UK)*

Following an in-depth discussion, the Committee noted that the UK would go forward with its decision to accept a specific import application for green sea turtles from a captive-breeding operation in the Cayman Islands as source code C.

e) *Problems with establishing captive-bred status for *Propyrrhura couloni* in Czech Republic*

The Committee agreed to create a working group to look into the broader issue of pre-convention breeding stocks. The chair invited those Member States who expressed interest to join the working group, to indicate the relevant contact details to the Commission **(ACTION)**. The Commission undertook to draft a first working document to be distributed to the Working Group which should start exchanging views electronically and meet at a later stage **(ACTION)**. The findings would then be presented to the Committee at a future meeting.

f) *Relation between FLEGT and CITES (DE)*

The representative of Germany requested the Commission to provide the Committee with further information on illegally imported wood and the possible link of CITES to the FLEGT system. **(ACTION)**

g) *Internal movement of Annex A specimens for non-commercial purposes (UK)*

The Committee exchanged views on this issue, in particular whether documentation was required to move Annex A specimens for non-commercial purposes when none of the provisions of Article 8 of Council Regulation 338/97 were met. It was agreed to have a more in-depth discussion at the next Committee meeting when internal legal advice from the Commission would be available.