

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

Short Summary of Conclusions of the

37th MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA

Brussels, 20th April 2006

- Introduction by the Chairman

- 1) The agenda was adopted with three additional suggestions under point 16) "Any other business" relating to f) Outcome of workshop on trade in exotic birds, g) Use of Article 30 and h) result of a research project on CITES listed wood types. Points 10) and 11) were deferred to a later meeting.

- 2) **Adoption of summaries of conclusion**

The translated summaries of conclusions of the 35th meeting were adopted.

The draft summary of conclusions of the 36th meeting was cleared for translation with two changes.

- 3) **Outstanding Action Points**

All outstanding Action Points were maintained.

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, with reference to the 36th Committee meeting, informed the Committee that, instead of having a meeting in April or May 2006, the Chairwomen to the CITES Plants Committee (PC), Dra. Margarita Clemente Muñoz, as well as the European representative, Dr Giuseppe Frenguelli, had decided to organise the next European regional Plants Committee meeting in Perugia from 18 – 21 October 2006. This meeting would in particular look at trade in medicinal plants and medicinal plants essences and issues relating to timber and in particular improvement on practices in non-detrimental findings. Representatives from the Member States' management authorities, scientific authorities, the Commission services as well as the CITES Secretariat would be invited to attend. He also underlined that the 16th CITES Plant Committee to be held in Lima in July 2006 would also address those issues.

The Chair welcomed the inclusion of the emphasis on timber species and invited Member States to share any written information available through CIRCA. **(ACTION)**

Inform the Commission on activities on CITES implementation in Candidate Countries

The representative of Slovenia informed the Committee that the Slovenian Management Authority would hold a meeting with the Croatian counterparts on 31st May 2006 to discuss common issues and in particular, how to assist Croatia to develop their legislation. Thereafter, a two-day seminar for criminal police would be organised which would also be attended by Croatian colleagues. From 10 – 12 May 2006, a two-day seminar would be organised in

Serbia-Montenegro to be attended by police, customs and inspectors from Serbia-Montenegro, Macedonia and Croatia. Training would be provided by the German Federal Agency for Nature Conservation and the UK Customs Authorities as well as by the Slovenian Management Authority.

Inform the Commission about stricter domestic measures

The Chair reminded the Member States, unless specific information had already been sent in follow-up to the preceding Committee meetings, 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)**

Inform the Commission about the Member States' practices with regard to the handling of confiscation of personal effects, when more than the allowed amount is attempted to be imported

Member States were reminded to send the relevant information to the Commission with a view to share experience among Member States through CIRCA, to have full information available out of which best practice in particular for enforcement reasons could emerge. **(ACTION)**

4) Amending Commission Regulation post CoP 13

The Committee agreed that the Commission would prepare a revised draft of the amending Regulation focussing exclusively on the changes that would be necessary as a result of the 13th Conference of the Parties (CoP 13). This document would then be tabled at the next Committee meeting to be held on 11 September 2006. The Chair pointed out that other issues raised by Member States going beyond CoP 13 would be discussed in the context of the wider evaluation of the effectiveness of EU wildlife trade regulations. They would be put forward to the future contractor, carrying out the study on the effectiveness of the EU wildlife regulations. Member States would also have the opportunity to raise some of the issues at the Vilm workshop to be held from 27 – 29 November 2006.

5) Preparation for 14th Conference of the Parties (CoP 14)

a) Possible proposals

i)? *Lamna nasus* (porbeagle) & *Squalus acanthias* (spiny dog fish)

The representative of Germany introduced their two provisional shark proposals which had been sent out to various stakeholders. She invited the EU Member States to submit comments to the German Authorities by the end of April in view of finalising the proposals for a second consultation round to take place in the summer.

The Chair encouraged the Member States to contact their relevant colleagues dealing with fisheries issues on national level as early as possible. **(ACTION)**

ii) Other proposals

The Committee exchanged views on other possible proposals.

6) Initial preparation of the 54th Standing Committee

a) Preparation of the Regional Report for Europe

The representative of the Czech Republic as one of the regional representatives to the Standing Committee offered to prepare the Regional Report for Europe to be submitted to the CITES Secretariat by 3rd August 2006. He said that he would send out a request to the European Region by mid-June to provide him the relevant country input for the report by mid-July. **(ACTION)**

b) EU Coordination under the Finnish Presidency

The Finnish representative announced that the incoming Presidency would make the necessary arrangements, such as invitations and agendas, for coordination meetings at the Standing Committee.

It was agreed that the Commission would prepare a draft orientation paper on the tabled agenda items in collaboration with the two regional representatives to the Standing Committee, Germany and Czech Republic, as well as the Finnish Presidency. This draft would be tabled for discussion at the next Committee meeting on 11 September 2006. **(ACTION)**

c) Candidates for European Representatives in the Standing Committee

The Chair invited the Committee to reflect on future regional representatives and subsequently alternates to the Standing Committee since the term of Germany and the Czech Republic would expire at the next CoP. This issue would be discussed again at the next Committee meeting. **(ACTION)**

d) Issues for discussion / short reports from representatives of the relevant SC Working Groups on:

i) Strategic Vision (NL)

The representative of the Netherlands as member to the Strategic Plan Working Group (SPWG), representing the European Region at the first meeting of this group on 24 April 2006 in Ottawa, thanked the Member States and the European Commission for their contributions and introduced the document which would serve as a basis for his interventions at the SPWG meeting. The Committee agreed that increased focus should be placed on effective implementation and enforcement. Furthermore, the revised Strategic vision should underline the key priorities for CITES and be tied into practical measures in order to implement the vision.

ii) Introduction from the sea (CION)

The Committee agreed that the Commission would prepare a draft reply to the CITES Secretariat in line with the questions put forward in the tabled document with a view to raise uncertainties, identify CITES specific problems and ask questions to be taken account of in the further process. This draft reply would be on placed on CIRCA for the Member States' comments before being sent to the CITES Secretariat. **(ACTION)**

It was also agreed to create a CIRCA newsgroup to exchange further views and to define a clear EC position to be taken at the 54th Standing Committee for discussion at the next

Committee meeting. The Chair invited the Member States to indicate to the Commission their interest to participate in such a newsgroup. **(ACTION)**

iii) Compliance (CION)

The Chair proposed that the representatives to the Standing Committee signal to the Chair of the Standing Committee the importance of holding a Compliance Working Group meeting in parallel to the Standing Committee. The representative of the United Kingdom, as member to the EU legal drafting group, would also signal this issue to the Norwegian Chair of the compliance working group.

iv) Personal and Household effects (UK)

The Chair pointed out that the EU representative to this working group should be vigilant in order to ensure that the CITES derogation would not provide a loophole for unsustainable trade in Appendix II species. The EU would continue to keep its control measures in place in line with measures in place under CITES prior to CoP 13. The CITES Secretariat had been notified accordingly.

v) Electronic permitting (IT)

The representative of Italy, chairing this Working Group, presented the tabled document and invited the Member States to submit comments by 5th May 2006. He drew the attention of the Committee to the fact that in order for the Working Group to carry out its duties, the CITES Secretariat should start its work according to decision 13.70 adopted at CoP 13. However, external funding would still need to be provided.

vi) Export Quotas (DE)

The representative of Germany said that a draft paper prepared by this Working Group in December 2005 had been submitted to the Animal and Plants Committee for their opinion.

vii) Elephants / Mike baseline data

Member States expressed concerns about the future financing of the MIKE programme and underlined the importance of having the requested baseline data available for the 54th Standing Committee in autumn.

7) Economic incentives

The Chair invited the Member States to supply examples for economic incentives to Germany who offered at the 53rd Standing Committee to supply examples on the use of economic incentives within the EU. **(ACTION)**

8) MOU between CITES and FAO (10th meeting of the Sub-Committee on Fish Trade of FAO COFI FT)

The Chair invited the Member States to advise their respective colleagues attending the above-mentioned sub-group meeting to support the text endorsed by the 53rd CITES Standing Committee. **(ACTION)**

9) Presentation of the preliminary overview of biennial reports by TRAFFIC

As part of their contract with the Commission, TRAFFIC made a verbal presentation based on the preliminary analysis of the 2003 – 2004 biennial reports submitted by Member States.

10) Electronic data sharing amongst EU CITES Management Authorities

Deferred to a later meeting.

11) Interpretation of definition “Member State of destination”

Deferred to a later meeting.

12) Interpretation of definition of the wild life regulations relating to worked specimens

The Committee exchanged views about the interpretation of the definition of worked specimens. The Chair said that the Commission would further look into that issue and would inform the Member States as soon as the legal advice would be available.

13) Short report by the Commission on the outcome of the 36th Scientific Review Group

The Chair of the Scientific Review Group (SRG) informed the Committee about the outcome of the last SRG.

14) Short update on the state of play of preparations for the Sturgeon Enforcement Workshop to be held in Brussels from 27 - 29 June 2006

The Chairman reminded the Member States to ensure adequate representation at the Sturgeon Enforcement Workshop in particular by enforcement authorities. Participants would need to register on-line (<http://scic.cec.eu.int/fmi/iwp/cgi?-db=eu-sturgeon-workshop&-loadframes>) as indicated in the invitation dated 13 March 2006 sent to Member States.

Member States were also invited to contact the Commission in case they would be interested to make a presentation on a particular issue.

15) Short update on state of play of preparations for the Vilm workshop on the evaluation of EC wildlife trade regulations to be held from 14 - 17 November 2006

The representative of Germany gave a short update on the state of play of the preparations for this workshop. Invitations and the provisional agenda had been sent out to the Member States. She also asked Member States about their interest to present case studies.

16) Any other business

a) ? Annual and biennial reporting exercises

The Commission representative informed the Committee about the current state of play.

b) ? Outcome enquiry on use of CIRCA

The Committee agreed not to restrict the access to CIRCA any further under the condition that the respective national Management Authority with primary responsibility for the CITES implementation should agree to the nomination of the members to the relevant CIRCA interest groups.

c) ? Exchange of views on CITES livelihoods process and initiatives

The Committee exchanged views on this initiative.

- d) ? *Update of marking table prepared by TRAFFIC under its contract with the Commission services*

Outstanding Member States were reminded to send their comments to TRAFFIC as soon as possible and by 26 April 2006 at the latest in order to allow them to update this table and to include details for the new Member States. **(ACTION)**

- e) ? *Name and address of holder in certificates*

The Committee exchanged views on different practices in the Member States. The Commission representative said that the Regulation in place would require that the name and address of the holder be specified on the certificates. However, if the Member States had a system in place (e.g. Code, post box number), making clear reference to name and address of the holder, there should not be a problem.

The Chair invited the Member States to flag this issue to the Enforcement Authorities and if practical problems might occur, they should be taken up in the next Enforcement Group meeting in order to find a practical solution.

- f) ? *Trade in wild birds*

The Commission representative reported on the outcome of the workshop on “Trade in Wild Birds” organised by the World Parrot Trust.

- g) ? *Use of Article 30*

The representative of the United Kingdom informed the Committee that he would send some appropriate wording to the Commission with regard to the use of Article 30 for further consideration.

- h) ? *Research project on CITES listed wood types*

The representative of Germany informed the Committee about the development of a CD-ROM on different CITES listed wood types (42 different types), which would enable customs officers to identify CITES species. A workshop had already been held to have it tested out by customs officers. This will be presented at the next EU Enforcement Group meeting in June 2006.

General housekeeping issues:

The Chairman provided information relating to the following issues:

New Annexes to Council Regulation (EC) No. 338/97: The Corrigendum to the new Annexes would be adopted on 24th April 2006.

The new Suspensions Regulation was adopted on 19th April 2006 and would be published in the Official Journal OJ L 107 on 20th April 2006.

Draft Commission Regulation replacing Commission Regulation (EC) No. 1808/2001 All the language versions had been aligned to the inter-institutional legal drafting rules prior to its adoption by mid-May.

Caviar labelling: In follow-up to a discussion at the last Committee meeting concerning the understanding of the meaning of “non-reusable” label and whether it should seal the containers, the Chair urged the Member States to ensure that labels seal caviar containers in order to follow the intention of Resolution Conf. 12.7 and to ensure harmonious application of the labelling system throughout the European Union. The Chair said that a guidance note on this matter would be sent to the Member States shortly. **(ACTION)**.