

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

Short Summary of Conclusions of the

38th MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA

Brussels, 11th September 2006

- Introduction by the Chairman

- 1) The agenda was adopted with one additional suggestions under point 11) "Any other business" relating to c) Introduction of exotic freshwater turtles.

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

The translated summaries of conclusions of the 36th meeting were adopted.

The draft summary of conclusions of the 37th meeting was cleared for translation with two changes.

- 3) **Outstanding Action Points**

Use of confidential Risk Information Forms (RIFs)

This point was deleted and would be further dealt with in the framework of the Enforcement Group.

Permit numbering systems in place in the EU Member States

The Committee agreed to add this point to the outstanding action points, thereby inviting the Member States to provide information about permit numbering systems in place in the EU Member States. **(ACTION)**

- 4) **Implementation of Commission Regulation (EC) No 865/2006**

- a) *Caviar labelling and registration provisions (Article 64, 65, 66) and personal effects exemption (Article 57)*

Member States reported on progress in implementing the caviar labelling and registration provisions.

The Chair invited the Member States to submit further information to the Commission on the progress made with regard to the labelling and registration provisions according to Articles 64, 65 and 66 of the new implementing Commission Regulation. The information would then be made available via CIRCA. **(ACTION)**

The Committee furthermore agreed that 1st April 2007 would be the cut-off date after which no unlabelled caviar found on the market could be considered legal. The chair underlined nevertheless that all caviar containers imported into the EU after 9th July 2006 need to be labelled.

The Committee also discussed the issue of unlabelled caviar being brought into the EU as personal effect. It was noted that personal effects were not covered by the CITES Convention and that therefore, no provisions could be put on them. For that reason the Committee concluded to address the issue again when further amending the EU implementing legislation.

b) Other issues

The Commission representative clarified the scope of personal ownership certificates and the link with Article 10 certificates. She said that personal ownership certificates were only to be used for imports into and exports from the EU of pets. She furthermore explained that these certificates were not meant for cross-border movement within the EU. Art 10 certificates for intra-community movement would serve a different purpose and would still be required in addition for Annex A live wild-sourced specimens.

The Representative of Germany informed the Committee about difficulties implementing the new provisions relating to transaction-specific certificates. He therefore suggested an amendment to Commission Regulation (EC) No 865/2006 which was discussed under agenda point 5.

5) Amending Commission Regulation post CoP 13

The Committee discussed possible amendments to the Commission Regulation (EC) No 865/2006 focussing exclusively on the changes that would be necessary as a result of the 13th Conference of the Parties (CoP 13). However, the Committee agreed to also address the issue of transaction specific certificates in as much as the relevant provisions were causing serious implementation problems to some Member States. The remaining outstanding issues would be considered in the framework of the on-going study on the effectiveness of the EC wildlife trade regulations and the Expert Workshop to be held from 27 – 29 November 2006 on the Isle of Vilm.

The Chair explained the further process with a view to have an amending Commission Regulation adopted by spring 2007. The Commission would revise the draft version to be placed on CIRCA for the Member States' comments within a three weeks deadline. **(ACTION)**

6) Presentation by *Milieu* of draft final results of Study on Enforcement of EU Wildlife Trade Regulations

Milieu presented the draft final results of the Study they conducted under a contract with the Commission on Enforcement of EU Wildlife Trade Regulations. The Member States were subsequently invited to comment. The chair mentioned that it was the Commission's intention to make the EU overview part of the Study available to the public, whilst the individual Member States reports would only be made available to the other Member States. However, she stressed that the Committee would have an opportunity to comment further on this matter in writing or at the next meeting.

7) Preparations for the Vilm workshop on the evaluation of the EC wildlife trade regulations to be held from 14 – 17 November 2006

a) State of play and exchange of views on agenda

The representative of Germany gave an update on the current state of play of the organisation of the workshop. She requested Member States to reflect on the proposed

agenda items as well as on the items for discussion in the Working Groups. She invited Member States to submit to Germany and to the Commission any further themes as well as case studies on past and current experiences and problems with the implementation of the EC wildlife trade regulations. All this information would serve as basis for the work in the working groups. **(ACTION)**

She also reminded those Member States to register to the Workshop by end of September at the latest. The Chair reiterated that the main purpose of the workshop was to consider and discuss implementation problems and furthermore urged the Member States to ensure that those officials working directly with the practical implementation of the EU CITES legislation on national level should participate in the workshop. **(ACTION)**

b) Conclusions of the Budapest Workshop held on 27 April 2006

The representative of Hungary presented the conclusions of the Intergovernmental Meeting on the review of the EU's CITES Regulation.

8) Short report by the Commission on the outcome of the 37th Scientific Review Group

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

9) Preparation for the 54th Standing Committee (SC 54)

a) & b) Evaluation of SC Working Documents including key issues

The Committee agreed on the line to take on most of the items to be discussed at the 54th Standing Committee to be held in Geneva from 2 – 6 October 2006. The representative of the Commission undertook to revise the tabled document accordingly and submit it to the Member States via CIRCA as soon as possible for their comments by 20 September 2006. The Commission would then produce a final draft, in collaboration with the Presidency, Germany, the Czech Republic and the Netherlands, the latter being members to the CITES Standing Committee. The Chair said that any further discussion on outstanding issues would take place on the spot in Geneva **(ACTION)**

c) Candidates for European Representatives

The Committee exchanged ideas about 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.

d) Practical arrangements at SC 54

The Finnish Presidency informed the Committee that the Council Secretariat would issue an invitation to a first EU exchange of views on the tabled SC documents to take place at the International Conference Centre (CICG) on Monday, 2nd October 2006 during the lunch break. Subsequent meetings would be held, as necessary, on an ad-hoc basis.

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

a) *Update on possible proposals*

- *Lamna nasus* (porbeagle) & *Squalus acanthias* (spiny dog fish) (D)

The representative of Germany informed the Member States that the latest version of the two shark proposals would be tabled at the 38th Scientific Review Group meeting to be held on 26th September 2006. She said that the second consultation round, as indicated at the last Committee, had been launched and that she hoped to receive a lot of positive input.

- *Anguilla anguilla* (European eel) (SE) / *Balaeniceps rex* (Shoebill) (DK)

The representatives of Sweden and Denmark presented an update on the current state of preparations and pointed out that the respective proposals would be tabled at the 38th Scientific Review Group meeting.

- The representative of France informed the Committee about their intention to draft a resolution on semi-finished goods in crocodilian skins.
- The representative of the United Kingdom reported that his country was preparing a number of resolutions related to internet trade of CITES species and to the recommendations of the CITES enforcement workshop which the United Kingdom organised last year.

b) *State of play of organization*

The representative of the Netherlands informed the Committee that the host agreement between the CITES Secretariat and the Netherlands would be signed very soon.

c) *Initiatives for awareness-raising and communication on the EU and its implementation of CITES in the framework of CoP14*

The Committee exchanged views on how to use the momentum of CoP 14 to raise awareness and promote the CITES Convention and its effective implementation in the EU.

11) Any other business

a) *Annual and biennial reporting exercises*

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

b) *Outcome of the workshop on "CITES and livelihoods" held in South Africa on 5-7 September 2006 – short report by Germany*

The representative of Germany reported on the outcome of this workshop.

c) *Introduction of exotic freshwater turtles*

The representative of Portugal undertook to provide information in writing to be placed on CIRCA for an exchange of views among Member States on this issue.