

40th MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA

Brussels, 23 April 2007

1) Adoption of the agenda

The agenda was adopted with one additional item under 11) 'Any other business' regarding guidelines on the disposal of confiscated animals.

2) Adoption of summaries of conclusions

The translated summary of conclusions of the 38th Committee meeting was adopted.

The draft summary of conclusions of the 39th Committee meeting was cleared for translation including some amendments proposed by the representative of France under point 10.b.ii) and agreed by the Committee.

3) Outstanding Actions Points

At the 38th Committee it was agreed that all measures for the implementation by Member States of the caviar labelling and registration provisions of the Commission Regulation 865/2006 should be in place and that all caviar on the EU market should be labelled by 1st April 2007. Consequently, the Committee exchanged information on the state of play of the implementation of those provisions.

The Chairman thanked those Member States who had already undertaken to submit relevant information to the Commission services. He reminded the remaining Member States to send in their outstanding information, including information on the labels used, as soon as possible in order to upload it to CIRCA for information purposes. **(ACTION)** The issue would be revisited at regular intervals. He emphasised that the fact that although some Member States may not have packaging or producing companies within their territory, there was nevertheless a need to check retailers and ensure that all caviar that may be on the market is labelled. He also proposed to address any enforcement related issue at the next Enforcement Group.

4) Short report by the Commission on the outcome of the 40th Scientific Review Group

The Chair of the Scientific Review Group reported on the outcome of the 40th meeting.

5) Discussion and finalisation of the EU Enforcement Action Plan

The Committee discussed and agreed on amendments to the draft EU Enforcement Action Plan which had been prepared by the Commission in collaboration with the United Kingdom. This is a follow-up to the UK workshop on Enforcement held in October 2005 and the findings of the Commission study on Enforcement published at the end of 2006, as well as the Council conclusions of December 2006 which called upon the Member States and the

Commission to develop a coordinated response and actions for the enforcement of CITES.

The Chairman explained that the document would now be passed through the internal Commission procedures for its adoption as a Commission recommendation before the end of May. The intention would be to table it as an information document at the 14th Conference of the Parties (CoP 14) to be held from 3rd - 15th June in The Hague, the Netherlands. He concluded this point by underlining that the adoption of this Action Plan would depict the determination of the EU to advance enforcement of CITES within EU jurisdiction and beyond.

6) Reporting format of 2005-2006 Biennial reports

The Committee agreed to complete the 2005-2006 biennial reporting exercise by using the current reporting format. Several Member States expressed the need for fine-tuning some of the questions. In that regard, the Chairman informed the Member States that the format of the biennial report would also be looked at under the new monitoring contract to be awarded soon. He therefore recommended revisiting this issue again during the first half of 2008 once the recommendations in the framework of the new contract would have been made available. This would also allow taking account of any decisions which might be taken at the forthcoming 14th Conference of the Parties (CoP 14). Due to CoP 14, the Chairman also agreed to postpone the deadline for the submission of the reports to the Commission services until 15th July 2007. (**ACTION**)

7) Update on the Study on the Effectiveness of the EC Wildlife Trade Regulations

TRAFFIC presented an update on the current state of play of the study they are currently conducting together with IUCN under a contract to the European Commission.

The Committee noted the update and agreed to have a more in-depth discussion at a subsequent meeting on the basis of recommendations and options to be developed by the contractor.

8) Discussion on the EC provisions on Personal and household effects in relation to developments within CITES

The Committee agreed to come back to this issue at an appropriate time after CoP 14 to discuss whether there would be any scope for revising the EC provisions on personal and household effects.

9) Preparation of Standing Committee 55

The Committee exchanged views on a line to take with regard to key issues tabled at the 55th Standing Committee to be held on 2nd June 2008 in The Hague, The Netherlands. It was noted that not all the relevant meeting documents had been made available on the website of the CITES Secretariat so far. However, the Member States were in a position to discuss the report prepared by the CITES Secretariat on MIKE (Monitoring of Illegal Killing of Elephants). The Committee concluded that the conditions for the one-off sale relating to the MIKE baseline data were formally met.

Several Member States were however still in the process of finalising the analysis of the baseline data as presented in the report with a view to confirm that this was indeed the case. The Chairman therefore invited Member States to provide any additional comments/information on the issues by 7th May 2007 in writing in particular whether the conclusion set out above was not acceptable and in that case to come forward with agreeable

suggestions. It was agreed that silence by any Member State was to be taken as consent with the conclusions of the Committee as set out above. **(ACTION)**

10) Preparation for the 14th Conference of the Parties to CITES

The Chairman encouraged the Member States to supply information to the Netherlands as soon as possible about the participation of political representatives (ministers and secretaries of state) to the ministerial segment to be held on 13th June during CoP 14. **(ACTION)**

The Committed also exchanged information about the state of play of organisation, side-events and respective communication activities at the conference.

The Chairman reminded those Member States wishing to have CITES relevant material to be exposed at the Commission stand to inform the Commission services. He also thanked those countries who had already sent in their material. **(ACTION)**

11) Any other business

a) *Update on on-going activities*

The Chairman gave an update of the current state of play of draft legislation, in particular

(1) Amending Commission Regulation integrating necessary CoP 13 changes:

In view of expediting the process, the Committee exceptionally agreed to have a written procedure in English only with a two weeks deadline for comments.

(2) New Suspensions Regulation:

The draft text was sent to the European Parliament on 19th April 2007 for its right of scrutiny.

b) *Analysis of 2004 Annual reports and Yearbook*

Under contract with the Commission, UNEP-WCMC had prepared a Yearbook of the 2004 analysis of annual reports containing general trends in trade. The Chairman sought the Member States' agreement to publish this Yearbook on the EUROPA website. The Committee welcomed this document and provided useful comments to be taken into account before publication.

c) *Forthcoming EC wildlife trade monitoring contract*

The representative of the Commission presented the main elements of the draft tender specifications for the forthcoming EC wildlife trade monitoring contract and invited the Member States to submit comments.

d) *List of CITES-experienced translators in Member States*

The Chairman informed the Member States that the Commission would welcome receiving a list of names of specialised translators that the Member States were using for CITES-related purposes. This would be very useful for any future CITES specific

translations.

e) *TAIEX support in the field of environment*

With reference to the lack of available training courses on CITES related issues, the Chairman informed the Member States about the availability of financial support under TAIEX in the field of environment. However, he reminded the Member States that they would need to become active in applying from their side for this financial support. .

f) *Meeting dates 2007 – update*

The Chairman drew the attention of the Committee to the updated schedule of meeting dates.

g) *Letter from the Secretariat on Review of trade in specimens of Appendix I species*

The Committee agreed that the Commission would reply on behalf of the EU Member States to the letter dated 2nd March 2007 of the CITES Secretariat explaining in general terms why the European Community is not implementing all the provisions stated in Resolution Conf. 12.10. With regard to country specific cases, it was agreed that Member States would send individual responses directly to the Secretariat. (**ACTION**)

h) *Disposal of confiscated specimens*

Several countries reported that they had received a letter from a non-governmental organisation requesting to receive information on how they deal with the disposal of confiscated animals. It was concluded that this request should be dealt individually on a country specific basis. (**ACTION**)