

Short Summary of Conclusions of the

44th MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA

Brussels, 16 June 2008

1. Adoption of the agenda

One item was added under point 7) "Standing Committee", namely enforcement problems relating to skins of cayman crocodiles from Colombia and two items were added under 14) "Any other business", namely the interpretation of the Suspension Regulation on specimens subject to waivers and the implementation of new provisions on caviar labelling. Furthermore, the order of the agenda items was slightly changed.

With these additions and amendments, the agenda was adopted.

2. Draft summary of conclusions of the 43rd Committee meeting (SoC COM 43)

The draft summary of conclusions of the 43rd Committee meeting was adopted.

3. Outstanding Actions Points (COM 44 OAP)

The Chair informed the Committee that the list of outstanding action points had undergone considerable review, i.e. several points were deleted since they were no longer necessary or were followed up in a different manner.

4. Short report by the Commission on the outcome of the 44th Scientific Review Group meeting (26/05/08) (see also: [SoC SRG 44](#))

The Chair of the Scientific Review Group reported on the outcome of the 44th meeting.

5. Short report by the Commission on the outcome of the 16th Enforcement Group meeting (29/04/08)

The Chair of the Enforcement Group reported on the outcome of the 16th meeting.

6. Follow up to AC 23 / PC 17

The representative from the Commission informed the Committee of the key results of the Animals and Plants Committee meetings.

7. Preparation of Standing Committee 57 (see [SC 57 - Provisional agenda](#))

7.1 Preparation of the Regional Report for Europe

The Chair invited Member States to submit their contribution, if possible, by the deadline of 17 June 2008. He pointed out that the Commission's contribution had been sent.

7.2 EU Coordination under the French Presidency

The representative from France informed the Committee about the practical arrangements foreseen for the next Standing Committee to be held from 14 to 18 July 2008 in Geneva. The Committee agreed that a first EU coordination meeting would be held on Monday 14 July 2008. Further EU coordination would in principle be scheduled every morning of that week and on an ad-hoc basis as necessary. Furthermore, the Committee agreed that the Presidency should speak on key issues at the Standing Committee.

7.3 Discussion and agreement on the orientation paper (COM 44/7/3)

The Committee had a detailed discussion on the various items in the orientation paper and agreed on the line to take on most of the agenda items to be discussed at the Standing Committee. The Chair concluded that the Commission would prepare a revised orientation paper, in line with the discussions, and submit it to Member States via Circa as soon as possible. This exercise would be undertaken in close collaboration with Bulgaria and the United Kingdom as members of the Standing Committee. The Committee also discussed the possibility of holding a stakeholder meeting in preparations for the Standing Committee. The Chair undertook to consider convening such a meeting at the Commission premises.

7.4 Input to the CITES Working Group on Personal Effects (COM 44/7/4)

The Committee exchanged views on the questions suggested by the Chair of the Working Group and the possible EU reply to them. The Chair invited Member States to submit input to the Commission by the end of the week. A draft EU reply would then be uploaded on Circa.

7.5 Practical arrangements at SC 57 – logistics / coordination

This point was discussed under point 7.1.

7.6 Other issues

The representative from Germany drew the Committee's attention to a letter from IUCN regarding Caiman crocodiles from Columbia. The Committee agreed to have a look at this once the letter was available and consider any possible follow-up on that basis.

8. Initial preparations for CoP 15

The Chair invited Member States to start reflections on the preparations for the next Conference of the Parties, to consider possible listing proposals and to identify strategic

objectives. This matter would be discussed in more detail at the next Committee meeting.

9. Appendix III listing (see also: [Notification No 2008/027](#))

The Chair informed the Committee that the Appendix III listings contained in Notification 2008/027 would be incorporated into Annex C of Council Regulation (EC) No 338/97 in the context of the next update. The Chair also invited the Committee to consider further how to deal with such an amendment to the Annexes since this might potentially affect trade for specimens into and (re-)exports from the EU.

10. U.S. requirements for validation/certification of CITES documents

Following a first discussion at the last Committee meeting, some Member States submitted information on this matter; furthermore the US sent additional information explaining that, where export permits had not been endorsed by customs upon their departure from the EU, importers would be given the opportunity, initially, to re-export the shipment back to the country of export provided no other violations were found. The Chair underlined that it is a requirement of the EC Regulations that export permits be endorsed by customs at the border post. In the light of the US requirements, the Chair invited Member States to continue a pragmatic approach and to remind traders to have the documents duly stamped in order to avoid such situations.

11. Tour de table on MS implementation of EC Regulations' provisions on personal ownership certificates, travelling exhibition certificates and pre-issued permits

Member States gave an overview of whether and how these different types of certificates were used. It was agreed that this point should become an "Outstanding Action Point" for the Committee and that the Commission would prepare a table format for easy submission of that information in writing. Information submitted would also be used in the context of the effectiveness study follow-up.

12. Import permits for Whalebone Maori Instruments

The Committee discussed the request received by New Zealand to have an exemption in order to allow the import and tour within the EU of musical instruments made from whalebones. The Committee agreed to rapidly establish criteria for such cases, and to re-consider this request against those criteria. The Chair said that the Commission would circulate draft criteria as soon as possible.

13. Potential species qualifying for Annex X of the Implementing Regulation (SRG 44/10 (COM 44 update))

Following discussion at the last SRG meeting, UNEP-WCMC had prepared an updated document with revised criteria and initial selection of potential species for a further detailed evaluation. However, the Committee still had questions on the criteria. The Chair therefore invited Member States to submit their comments on the criteria in writing within the next two weeks. UNEP-WCMC would then be asked to prepare revised criteria which could be submitted to the Committee through written procedure.

14. Any other business

14.1 Update on on-going activities

This point was taken at the beginning of the meeting.

The Chair gave an update on the state of play of current and new EU legislation as well as other matters of interest to the Group.

He also explained that the Effectiveness Study would be followed up in the autumn with a stakeholder as well as a Member States' experts meeting.

14.2 Meeting dates 2008 – update (COM 44/14/2)

This point was taken at the beginning of the meeting.

14.3 Effectiveness study follow up

This point was taken at the beginning of the meeting.

14.4 Definition of worked specimens

The Chair invited Member States to provide examples of different types of specimens, which they consider as being worked in accordance with the definition set out in the Regulation. The Commission would then prepare a paper/table building on these examples and the UK document COM42/12/4, outlining criteria/issued to be considered when determining whether an item is a worked specimen.

14.5 Suspension Regulation

The Commission confirmed that in accordance with the Regulations, and in particular Article 71(1) of Regulation (EC) No. 865/2006, provisions relating to restrictions on the introduction into the Community of certain specimens, apply in relation to the issuance of import permits. Such restrictions therefore do not apply to imports of specimens, which are exempted from the requirement to obtain an import permit, such as in the case of certain personal and household effects

14.6 Caviar labelling

The Committee discussed the issue of when all caviar containers on the market should be labelled and sealed in line with the new provisions of Regulation (EC) No 100/2008, taking into account issues relating to the shelf-life of caviar containers already on the market. The Committee agreed to provide some leeway and set 25 December 2008 as the latest date after which all caviar containers on the market should be packaged and labelled in accordance with the new provisions. The representative of the Commission noted that all caviar currently placed on the market should nevertheless comply fully with the existing labelling requirements of Regulation (EC) 865/2006.

**ATTENDANCE LIST
of the**

44th MANGEMENT COMMITTEE MEETING ON CITES

Brussels, 16 June 2008

MEMBER STATE	ORGANISATION	PARTICIPANTS
BELGIUM	Santé Publique, Sécurité de la Chaîne Alimentaire et Environnement	2
	Federale Overheid Dienst Volksgezondheid	1
BULGARIA	Ministry of Environment and Water	1
CZECH REPUBLIC	Ministry of the Environment	1
DENMARK	Ministry of the Environment	1
GERMANY	Bundesministerium der Finanzen	2
	Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit	1
ESTONIA	Ministry of the Environment	1
IRELAND	Department of the Environment, Heritage & Local Government	1
SPAIN	Ministerio de Industria, Turismo y Comercio	2
FRANCE	Ministère de l'écologie et du développement durable	3

ITALY	Corpo Forestale dello Stato	1
LATVIA	Nature Protection Board	1
LITHUANIA	Ministry of the Environment	1
LUXEMBOURG	Ministry of the Environment	1
HUNGARY	Ministry of Environment and Water	1
NETHERLANDS	Ministry of Agriculture, Nature & Food Quality	2
POLAND	Ministry of the Environment	1
PORTUGAL	Instituto da Conservação da Natureza	1
ROMANIA	Ministry of Environment and Sustainable Development	1
SLOVENIA	Ministry of Environment	1
FINLAND	Finnish Environment Institute	1
SWEDEN	Swedish Board of Agriculture	1
UNITED KINGDOM	DEFRA	2
	Wildlife Licensing and Registration Service (WLRS)	1
	HM Revenue & Customs	1