

Summary of Conclusions

49th MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA

Brussels, 1 December 2009

1. Adoption of the agenda

The agenda was adopted.

2. Update on on-going activities

- **Lisbon Treaty:** The Chair informed the Committee that the entry into force of the Lisbon Treaty would not affect routine business for CITES in the short term.
- **Implementing Regulation:** The Chair indicated that the Commission would address identified interpretation problems when preparing a new regulation incorporating the changes arising after CoP 15.
- **Suspensions Regulation:** The Commission would also prepare a new suspensions regulation in the coming months.

3. Summary of conclusions of the 48th Committee meeting (SoC COM 48)

The document was tabled for information purposes.

4. Outstanding Actions Points (COM 49 OAP)

The document was noted. The Chair invited Member States to submit any relevant information if and when available.

5. Short report by the Commission on the outcome of the 50th Scientific Review Group meeting (30/11/09) (see also: [SRG on Europa](#))

The Chair of the SRG informed the Committee about the outcomes of SRG 50 held the day before. Main issues discussed were timber species (*Pericopsis elata* from the Democratic Republic of Congo, *Prunus africana* from Cameroon and Uganda), *Anguilla anguilla*, *Canis lupus* from Mongolia and *Ursus arctos* from Russian Federation. Furthermore, there were presentations by Mexico on their proposals submitted to CoP 15 as well as by Canada and Greenland on the issue of *Ursus maritimus*. The SRG also selected various species for review based on the analysis of the 2007 annual reports. The Chair pointed out that the SRG strongly advised the Committee as well as the Enforcement Group to pay attention to imports of species (in particular Cactaceae from Peru) described as artificially propagated whilst they have characteristics of being taken from the wild.

6. Short report by the Commission on the outcome of the 18th (13-14/07/09) and 19th (12/11/09) Enforcement Group meetings

The Chair of the Enforcement Group reflected the outcome of the last two meetings. He pointed out that illegal trade via postal packages is on the increase and enforcement officers are devoting more efforts to address this mode of shipment. Member States were asked to establish regular contacts with third countries from where seized specimens originated, to share a maximum of information with them and to find out what those countries know about those findings. He referred to two CoP 15 proposals relating to enforcement – development of an international database for seizures (following the example of EU-TWIX) and the use of wildlife detector dogs. The issue of DNA testing was also discussed. Member States were invited to submit relevant information on laboratories carrying out DNA testing for the identification of wildlife products.

7. *Anguilla anguilla* – implementation issues

The Chair provided an update on the adoption of the various management plans for eels. He said that the negative opinion for the imports from Tunisia was maintained, and reiterated the agreement that exports of glass eels from the European Union could only take place once the national management plan was adopted. He also pointed out that, once those management plans were approved, export levels should be in accordance with quotas agreed at the previous Committee meeting, and there would be the need to develop a common approach on the monitoring of the uptake of quotas.

8. Preparations for CoP 15

The Chair recalled that discussions were now taking place in the framework of Council Working Group but that an exchange of views with Parties concerned would nevertheless be useful.

8.1. USA-SA preparations for CoP 15

This item was taken off the agenda.

8.2 Presentation Canada / Greenland on *Ursus maritimus*

The delegations from Canada and Greenland gave an update on the state of play regarding their management of *Ursus maritimus*.

The Committee had the opportunity to get clarifications on several questions and welcomed the information provided by Canada and Greenland.

8.3 Presentation by Mexico on Mexican proposals

The representative from Mexico presented the proposals submitted by Mexico to CoP 15, with particular regard to the proposal to down-list *Crocodylus moreletii* from Appendix I to Appendix II.

The Committee had the opportunity to get clarifications on several questions and welcomed the information provided by Mexico.

8.4 Other issues

Member States were reminded that, in the event that they could not attend the CoP in March, they would need to provide a mandate to another Member State to allow for a vote on their behalf.

The participation of experts from EU Member States to the presentations to the FAO Panel designed to assess listing proposals for marine species was also discussed.

9. Biennial reports 2007-2008 – Analysis (TRAFFIC) ([COM 49/9])

The Chair informed the Committee that the analysis would be made available as soon as possible on Circa and that Member States would then be invited to submit comments by a specific date.

10. Applying NDF for seized specimens of *Pterocarpus santalinus* (COM 49/10)

The Chair concluded that the situation for handling of confiscated specimens by EU Member States was quite clear under the EU wildlife trade regulations (Art. 8.6 of Regulation 338/97), but that the question of how to treat the import of confiscated specimens and how to apply NDF in those cases would merit further discussion. The Committee should also look at the question how this relates to the current CITES Resolution.

11. Trade in *Euphorbia antisyphilitica* – situation in Member States

The issue of finished products containing *Euphorbia* will be discussed at CoP 15. The Committee confirmed that the question of the identification of derived products was not only relating to *Euphorbia antisyphilitica* and that there was the need for a systematic approach within the EU. Consequently, this matter would have to be carefully addressed when discussing new Resolutions as well as when drafting a new Implementing Regulation.

12. Illegal imports of ramin brushes from India into Germany (COM 49/12)

The Chair suggested that the Commission could explore possibilities to prepare an assessment of trade patterns in ramin. Furthermore, the matter should be discussed with producing and range states to avoid similar problems in the future (no re-export permit issued by the country where the products were processed before being exported into the EU).

13. Proof of legal acquisition / Application of Article 8.3 d) certificates (COM 49/13)

The Chair recalled that this issue was passed on to the Committee by the Enforcement Group. Member States then described their individual approaches on this. The Chair proposed to send some specific questions to Member States in order to get a clear picture of current practices. Such feedback would be useful to establish a way forward.

14. Import of Annex A specimens for other purpose which are non-detrimental – Article 4.1(a)(ii) (COM 49/14) (SRG 49/4/3)

The Committee discussed the different options presented in the document. The Chair invited Member States to look further into the matter and proposed to further discuss this at the next Committee meeting. At some point, the Committee could call upon the SRG to give a general view on how the Community should deal with Appendix I / Annex B species. The Commission would check the legal implications of option 3.

15. Any other business

15.1 Meeting dates 2010 (COM 49/15/1)

The provisional timetable was submitted for information.

15.2 Preparation of future EC wildlife trade monitoring contract – feedback, ideas, continuation, usefulness

The Chair asked Member States to submit suggestions on possible tasks by 23 December 2009.

ATTENDANCE LIST
of the
49th MANGEMENT COMMITTEE MEETING ON CITES

Brussels, 1 December 2009

MEMBER STATE	ORGANISATION	PARTICIPANTS
BELGIUM	Federal Public Service Health, Food Chain en Environment	2
BULGARIA	Ministry of Environment and Water	1
CZECH REPUBLIC	Ministry of the Environment	1
	Agency for Nature Conservation	1
CYPRUS	Ministry of Environment	1
DENMARK	Ministry of Environment	1
ESTONIA	Ministry of Environment	1
	Tallinn Zoo	1
GERMANY	Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit	1
	Bundesagentur für Naturschutz	2
IRELAND	Department of the Environment, Heritage & Local Government	2
SPAIN	Ministerio de Industria, Turismo y Comercio	3
FRANCE	Ministère de l'écologie et du développement durable	2
ITALY	Corpo Forestale dello Stato	2
	Ministero dell'Ambiente e della Tutela del Territorio e del Mare	1
	Permanent Representation	1
LUXEMBOURG	Ministry of Environment	1
HUNGARY	Ministry of Environment and Water	2

MALTA	Environment and Planning Authority	1
NETHERLANDS	Ministry of Agriculture, Nature & Food Quality	2
POLAND	Ministry of Environment	1
	The Polish Society for Nature Protection	1
GREECE	Ministry of Rural Development & Food	1
	Ministry of Environment	1
PORTUGAL	Instituto da Conservação da Natureza	1
ROMANIA	Ministry of Environment and Sustainable Development	1
SLOVENIA	Ministry of Environment	1
SLOVAKIA	Ministry of Environment	2
	State Nature Conservancy	1
FINLAND	Finnish Environment Institute	1
SWEDEN	Swedish Board of Agriculture	2
UNITED KINGDOM	DEFRA	2
	Animal Health	1
	Royal Botanical Gardens	1