

Summary of Conclusions

52nd MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA

Brussels, 15 September 2010

The Chair welcomed in particular Mr John Scanlon, CITES Secretary-General, and Mr Juan-Carlos Vasquez from the CITES Secretariat who attended part of the meeting. In his introduction, Mr Scanlon focussed on challenges lying ahead for CITES, including upcoming international meetings, cooperation with other international organisations and possible approaches towards marine species. He also referred to various capacity building projects carried out by the CITES Secretariat (and partly financed by the European Commission) and future funding needs.

1. Adoption of the agenda

With the addition of some points under "Any Other Business", the agenda was adopted.

2. Update on on-going activities

- **New Annexes:** The Annexes to Council Regulation (EC) No 338/97 reflecting the decisions taken at CoP 15 were adopted on 22 July 2010 and published in the Official Journal L 212 of 12 August 2010.
- **New Suspensions Regulation:** After Member States' consultation, the draft measure was submitted to the European Parliament whose right of scrutiny expires end of September. After that date, the Commission will launch the procedure for adoption.

3. Summary of conclusions of the 51st Committee meeting (SoC COM 51)

The document was tabled for information purposes.

4. Outstanding Actions Points (COM 52 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 53rd Scientific Review Group meeting (14/09/10) (see also: [SRG on Europa](#))

The Chair of the SRG informed the Committee about the outcome of SRG 53. Main issues discussed (other than *Anguilla anguilla*) were the negative opinions for hunting trophies of *Ursus arctos* from the Russian Federation and for four sturgeon species from Caspian range states. The SRG had also dealt with questions relating to *Swietenia macrophylla* from Peru, various species from Tanzania and captive-bred reptiles from Indonesia. The SRG had furthermore undertaken another review of long-standing import suspensions and discussed the analysis of the 2008 Annual Reports.

Regarding a possible revision of the Annexes to Council Regulation (EC) No 338/97, the SRG's view was that the scientific criteria were met for the inclusion of sharks, red and pink corals, the grey squirrel and the Turquoise Dwarf Gecko from Tanzania. Furthermore, the SRG had agreed to the modification of the current corals annotation as well as to the changes of Annex C following CITES Notification 2010/018.

6. *Anguilla anguilla* – implementation of the listing ([see also specific Circa folder](#))

The Commission reported on the discussions that had taken place during the Eel Working Group on 13 September 2010 and the SRG meeting on 14 September. Both groups had expressed their concerns about the population status of the species as well as the current levels of fishing and had stressed the need to reduce fishing mortality; they had also suggested that there should be a consistent approach for exports and imports. A wide majority of the SRG members had held the view that an NDF could not be made and had been of the opinion that a regime should be adopted whereby exports and imports of all *Anguilla anguilla* specimens and commodities would not be allowed.

The Committee then had extensive discussions about the different options available for establishing a regime for the export of eels from and their import into the EU. Discussions covered various aspects including the link between the implementation of Council Regulation 338/97 and Council Regulation 1100/2007, the recent development and adoption of management plans for eels in most EU Member States, the impact of trade measures on the overall fishing level for eels in the EU, the consistency with the export and import regime adopted in 2009, as well as the repercussions of any decision on third countries and consequences for the EU. Member States took different views on the way in which the SRG had arrived at its recommendations, with one expressing strong concerns about the methodology applied, stating in particular that the SRG should have considered existing management plans in line with SRG guidelines and practice.

Considering the recognized need to establish EU-wide rules and to ensure consistency between exports and imports, the Commission concluded that it would present a proposal on the export and import regime applicable until October 2012, to be dealt with in written procedure in the course of the month of October.

7. Possible revision of Annexes to Regulation (EC) No 338/97

The Chair emphasised that the aim of the discussion under this point was to get Member States' views on a) the possible inclusion, in the Annexes to Council Regulation (EC) No 338/97, of two sharks, red and pink corals, the grey squirrel and the Turquoise Dwarf Gecko from Tanzania; b) the modification of the current corals annotation as well as c) the changes to Annex C necessary to reflect CITES Notification 2010/018. He invited the Committee to also consider how possible unilateral listings would be perceived by third countries.

7.1 Listing of non-CITES listed species: marine species (COM 52/7/1 (SRG 53/7/1))

The Committee discussed the possible inclusion of two shark species (porbeagle and spiny dogfish) and red and pink corals in either Annex B or C of Council Regulation (EC) No 338/97 and/or an Appendix III listing under the CITES

Convention. Some Member States spoke in favour of unilateral listing in Annex B, with others opposing it. While a number of Member States saw merit in further exploring the option of Appendix III listing, others opposed it, and there was agreement that this would need to be done on a case-by-case basis, taking account, for each case, of pro's and cons. The Commission agreed to take account of the range of views expressed and to suggest a way forward in advance of the next meeting.

7.2 Listing of invasive alien species

(a) *Sciurus carolinensis* (COM 52/7/2 (SRG 53/7/2))

The Committee supported a possible inclusion of this invasive species in Annex B of Council Regulation (EC) No 338/97. However, the Committee also stressed the need for binding provisions under a new strategy for invasive alien species currently under discussion with stakeholders and pointed at the possible relevance of articles 8(5) and 9(6) of Regulation 338/97.

7.3 *Lygodactylus williamsi* (COM 52/7/3 (SRG 51/15))

Given the sharp increase in trade of this species and as Tanzania expressed its support for such a measure, the Committee was favourable to a possible inclusion of this species in Annex B of Council Regulation (EC) No 338/97, while recognizing that the procedure to do so would take time. In parallel, Tanzania should be encouraged to list the species in Appendix III.

7.4 Review of corals annotation (COM 52/7/4 (SRG 53/7/4))

Queries were made on the interpretation of the changes proposed to implement CITES Resolution Conf. 11.10 (Rev. CoP 14), notably whether any change would require updated guidelines for enforcement officers. The Commission would follow up on this issue by the next meeting, after consultation with the Member States which expressed the need for clarification.

7.5 [CITES Notification No 2010/018](#)

This Notification is about new listings in Appendix III which should be reflected in Annex C of Council Regulation (EC) No 338/97. The Commission would seek clarification about annotation 13, but in principle the Committee agreed to this amendment of the Annexes.

The Commission would give further consideration to the various points raised under this agenda item and would prepare a proposal for a revision of the Annexes of Council Regulation (EC) No 338/97 in due course.

8. Effectiveness Study follow up / Revision of Implementing Regulation

The Chair thanked Member States for the input received so far in response to a Commission non-paper on possible changes to the Implementing Regulation and the

drafting of a guidance document and invited Member States that had not done so far to submit their comments by 30 September 2010. The Commission would carefully assess all contributions received and endeavour to prepare a more elaborated paper for the next Committee meeting. The Commission would endeavour to arrange a dedicated meeting to discuss that paper in advance of the next Management Committee meeting.

9. CoP 15 follow up

The Committee had a further exchange of views on lessons learned from CoP 15 and what operational conclusions could be drawn from them for the coming months and years. The Committee supported the suggestions made by the Commission and further reflected that early discussion of issues that would arise or be discussed at forthcoming Standing Committees was also desirable. The CITES Secretariat confirmed that it would be circulating a detailed work programme for the intercessional period shortly.

The Chair invited Member States to submit any further thoughts on this issue including on the EU strategy for CoP 16, and items that could or should be discussed at the intersessional Standing Committees, to the Commission by **30 September 2010**. On this basis, he concluded that the Commission would prepare a paper for the next meeting of the Committee.

10. 2008 Annual report analysis (UNEP-WCMC) (COM 52/10 (SRG 53/9))

The Chair invited Member States to submit any comments on the document by 15 October 2010.

11. Caviar – analysis of trade and 2010 quota (UNEP-WCMC) (COM 52/11 (SRG 53/11))

The Chair invited Member States to submit any comments on the document by 15 October 2010.

12. Tortoises (TRAFFIC) (COM 52/12 (SRG 53/19))

The Chair invited Member States to submit any comments on the document by 15 October 2010.

13. MIKE/ETIS and African Elephant Action Plan

The Committee concurred on the importance of the MIKE programming and agreed that the programme is an essential tool for decision-making in this area.

The Chair noted the broad support by the Committee to continue the funding for this programme at least until the next CoP in 2013. He informed the Committee that the Commission would talk to the relevant Commission services about a potential extension of EU funding for the project.

The Secretary-General informed the Committee that the mid-term review of the project would be completed this year.

14. Marking device chip (COM 52/14)

The Committee suggested that this document also be discussed at the Enforcement Group. The issue would be tabled again at the next Committee meeting.

15. Any other business

15.1 Update on EPIX (UNEP-WCMC) (COM 15/15/1)

The Commission representative drew Member States' attention to the issue of document fraud and questioned whether EPIX could address the needs expressed by a number of Member States that a mechanism should be set up for accessing permits and certificates issued by another Member state in order to fight fraud. He invited Member States to submit further questions and comments directly to UNEP-WCMC.

15.2 EG effectiveness

The Chair invited Member States to submit their comments on the effectiveness of the Enforcement Group and on the tasks that should be carried out by this Group to the Commission by 15 October 2010. The matter would be discussed further at the Enforcement Group of 4 and 5 November and at future Management Committee meeting.

15.3 Other issues

- The representative from Germany informed the Committee about a new project to determine the age and origin of ivory. In order to carry out this project, Germany asked Member States whether they could provide samples of ivory to them.

ATTENDANCE LIST
of the
52nd MANGEMENT COMMITTEE MEETING ON CITES

Brussels, 15 September 2010

MEMBER STATE	ORGANISATION	PARTICIPANTS
BELGIUM	Federal Public Service Health, Food Chain en Environment	5
BULGARIA	Ministry of Environment and Water	1
CZECH REPUBLIC	Ministry of the Environment	1
	Agency for Nature Conservation	1
DENMARK	Ministry of Environment	1
ESTONIA	Ministry of Environment	1
	Tallinn ZOO	1
GERMANY	Bundesagentur für Naturschutz	2
	Federal Ministry for the Environment	1
IRELAND	Department of the Environment, Heritage & Local Government	1
SPAIN	Ministerio de Industria, Turismo y Comercio	1
FRANCE	Ministère de l'écologie et du développement durable	2
ITALY	Ministero dell'Ambiente e della Tutela del Territorio e del Mare	2
LATVIA	Nature Conservation Agency	1
LUXEMBOURG	Ministry of Environment	1
HUNGARY	Ministry of Environment and Water	2
MALTA	Environment and Planning Authority	0
NETHERLANDS	Ministry of Agriculture, Nature & Food Quality	2
AUSTRIA	Ministry of Agriculture and Forestry,	1

	Environment and Water Management	
POLAND	Ministry of Environment	1
	The Polish Society for Nature Protection	1
GREECE	Ministry of Environment	2
PORTUGAL	Instituto da Conservação da Natureza	0
ROMANIA	Ministry of Environment and Forestry	1
SLOVENIA	Ministry of Environment	1
SLOVAKIA	Ministry of Environment	1
	State Nature Conservancy	1
FINLAND	Finnish Environment Institute	1
SWEDEN	Swedish Board of Agriculture	1
UNITED KINGDOM	DEFRA	1
	Animal Health	1