

Summary of Conclusions

55th MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA

Brussels, 26 July 2011

1. Adoption of the agenda

The agenda was adopted.

2. Update on on-going activities

- **New Annexes of Council Regulation 338/97:** The draft Regulation containing new Annexes (including *Lamna nasus* in Annex C) should be submitted to the Committee shortly for its formal opinion and to the European Parliament. It is expected that the draft Regulation could be adopted by the end of the year.
- **New Suspension Regulation:** the new Regulation should be adopted shortly. Member States would be informed accordingly.
- **Rules of Procedure:** the Commission has recently adopted new standard rules of procedure for Committees. The Commission would check whether the existing Rules of Procedure for this Committee had to be adapted and would come back on this at the next Committee meeting.
- Member States were invited to submit their outstanding **annual** and **biennial** reports as well as input to **Notification 2011/023** (transport of live specimens) as soon as possible to the Commission.
- Member States were invited to submit their feedback on the **Circa access lists** distributed to delegations.

2.1 Presentation on new directive on imports of hunting trophies

The representative from the Commission (DG SANCO) gave a presentation on the new legislation for animal by-products and how it should be implemented. He informed the Committee that as of 1 May 2011, imports of such products would only be allowed if they came from a list of establishments submitted to the Commission in accordance with technical specifications published on the Commission's website. Embassies and relevant associations had been informed about this new legislation.

3. Summary of conclusions of the 54th Committee meeting (SoC COM 54)

The document was tabled for information purposes.

4. Outstanding Actions Points (COM 55 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 56th Scientific Review Group meeting (20/06/11) (see also: [SRG on Europa](#))

The Chair of the SRG informed the Committee about the results of SRG 56. The main issues discussed were:

- *Encephalartos* (cycads) species; for endangered and critically endangered species it has been decided to suspend trade; for other species trade will be allowed only for specimens given diameter size. It was also discussed the question of legality of the parental stock from South Africa;
- *Acynonyx jubatus* (cheetah) from Namibia;
- *Aquila verreauxii* (black eagle) from Tanzania;
- *Bulnesia sarmientoi* (holy wood) from Paraguay; and
- *Prunus africana* (African cherry) from Uganda.

6. Short report by the Commission on the outcome of the 22nd Enforcement Group meeting (11/04/11)

The Chair of the Enforcement Group summarized the outcome of the last meeting of the EG. In particular, the EG discussed the following issues:

- Effectiveness of the EG: Member States were encouraged to send enforcement officers to those meetings and to organise debriefings on the meetings. Restricted sessions should be possible to allow the exchange of sensitive information. Small working groups should work on dedicated issues (like illegal trade in eels). The Enforcement Group did not see the need for a revision of the Terms of Reference.
- Illegal trade in eels: the need to investigate further in illegal trade routes for eels was highlighted.
- Rhino horns: The Commission informed about the publication of the guidance document on trade in rhino horns and an exchange of views took place on the increase in thefts of rhino horns throughout the EU.
- Case of birds of prey: In this context, the role of zoos in possible circumventions of the rules had to be assessed further.
- Tortoises: TRAFFIC would compile a list with size limits for captive-bred specimens as well as other recommendations on this issue for enforcement officers.

The Commission would follow up with China whether they would attend the next meeting of the Enforcement Group.

7. International meetings

7.1 Report from AC / PC

The representatives from the Commission presented the main results of the recent Plants and Animals Committees. Crucial issues at those meetings were:

- Revision of several plant annotations: an intersessional working group (including members from the Standing Committee) would try to harmonise all the different drafts.
- NDF workshop: Plants and Animals Committees were in favour of formalising guidance on how to perform Non Detriment Findings.
- Significant trade review: the Animals Committee decided to include a large number of species in that review (including some snake species from Asia).
- Periodic review: the Animals Committee provided recommendations how to improve the process.
- *Falco cherrug*: the Animals Committee authorised Mongolia to continue exporting 300 specimens/year, taking account of the programme which is being developed in the country to ensure the conservation of the species. This will have an impact on the EU proposal for an Appendix I listing in the CMS Convention (CoP meeting in November 2011).
- Sturgeons: range States acknowledged that the species is in dire state and the AC agreed on a set of recommendations;
- Sharks / marine species: the CITES Secretariat and FAO would cooperate in requesting information on shark fisheries and trade.
- Snakes: the Animals Committee made several recommendations with regard to Asian snakes.
- Criteria for the inclusion of commercially exploited marine species: an intersessional working group has been established. DE drew attention to its proposal (AC 25 Inf. Doc. 10) which has been tabled after presentation to SRG 56.)

7.2 Preparation for SC 61 (COM 55/7/2)

- Discussion of the orientation paper

The Chair confirmed the working arrangements that normally the SC members from the EU would express the lines but that for critical issues (EU proposals on voting procedure and on captive-breeding operations; introduction from the sea; time-bound listing) Poland would be given the floor to speak on behalf of the EU.

The Committee then had a detailed discussion on the various items in the orientation paper. The Chair invited Member States to submit any comments on the paper by **3 August 2011**. The Commission (in conjunction with the UK) would re-submit a revised orientation paper as soon as possible for further reflection. The Commission would also indicate in a separate document which countries should be involved / expressed interest in preparing statements and / or defensive points in particular on the EU proposals but also on other important issues. Furthermore the Chair asked Member States to inform the Commission in which SC working groups they would like to participate.

- **EU coordination / Logistics**

The representative from Poland informed the Committee about planned EU coordination at SC 61 and their reception that was likely to take place on 15 August 2011. Details would be communicated later but it is likely that the first coordination meeting will take place on Monday 15th morning.

- **Regional report**

The representative from Bulgaria invited Member States to submit their input to the regional report by the deadline indicated in his e-mail (**27 July 2011**). Some Member States stated they had not received the e-mail.

7.3 Preparation CoP 16 (COM 55/7/3)

The Chair presented the revised document COM 55/7/3. One Member State still has a difficulty with the question of delegation of voting rights. The Commission and this Member State will work together to resolve that problem.

The Chair also informed the Committee about progress being made in other countries with regard to CoP 16 preparations and about possible listing proposals. One Member State intends to initiate a proposal to include *Lamna nasus* in Appendix II and asked the other Member States for timely feedback. The Commission will present a document on timeline and process for the preparation of CoP16 at the next Committee.

8. Process for inclusion of *Lamna nasus* in CITES Appendix III (COM 55/8)

The Chair informed the Committee about the outcome of the consultation procedure with range states. To date, the Commission had received positive feedback from the US, New Zealand and (to a lesser extent, since in favour of Appendix II) Australia; China was not in favour of such a listing.

It was made clear during the Committee that such an Appendix III listing should not preclude the EU from proposing the inclusion of the species in Appendix II at the next CoP.

The Committee then discussed the next steps to be undertaken with regard to the notification to the CITES Secretariat of the inclusion of porbeagle into CITES Appendix III. The Commission would inform the Committee at a later stage how the Notification to the Secretariat should be undertaken.

9. Implementing Regulation

9.1 Amending Regulation

The Chair informed the Committee that the Commission would submit a revised version in September for further consideration. That document would still be tabled on an informal basis.

9.2 Guidelines (COM 55/9/2)

The Chair thanked Member States for their feedback regarding their participation in the elaboration of guidelines. The countries interested in a topic should first discuss among themselves before a draft was submitted to the Committee. A more detailed discussion on timelines and draft guidelines would then take place at the next Committee meetings.

10. *Anguilla anguilla* – implementation of the listing (COM 55/10)

The Chair invited Member States that had not yet submitted their data on eel harvest, exports/imports and seizures to do as soon as possible. He also asked Member States to double check the data contained in the compilation that was made available for the meeting.

The Chair informed the Committee that ICES welcomed the suggestion to cooperate on this matter in the future. He stressed the need that the Eel Working Group should develop recommendations for SRG 57 and COM 56 so that the situation on trade could be reviewed in the autumn and a trade regime from next year onwards be discussed.

The Committee noted the rumours about illegal exports of glass eels. If necessary, the Committee would discuss this further at its next meeting for possible action.

The Committee also considered the question how to establish the legality of eels traded within the EU. This issue would be discussed further at the next meeting.

11. Vienna symposium (COM 55/11)

The Committee noted the outcome of the symposium as summarised in the document.

The Committee would discuss this issue further at its next meeting. The Chair invited Member States to provide any input for possible recommendations to the Commission.

12. Interpretation of rhino annotation for Namibia (COM 55/12)

The Committee discussed the question how to treat specimens of *Ceratotherium simum simum* that had been exported from South Africa to Namibia. The Chair invited Member States to submit further comments on this matter in writing to the Commission.

13. Any other business

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ATTENDANCE LIST
of the
55th MANGEMENT COMMITTEE MEETING ON CITES

Brussels, 26 July 2011

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
CYPRUS		0
DENMARK	Ministry of Environment	1
ESTONIA		0
GERMANY	Bundesamt für Naturschutz/Federal Agency for Nature Conservation	1
	Federal Ministry for the Environment, Nature Conservation and Nuclear Safety	2
IRELAND	Department of Arts, Heritage and the Gaeltacht	1
SPAIN	Ministerio de Industria, Turismo y Comercio	1
FRANCE	Ministère de l'écologie et du développement durable	1
ITALY	Ministero dell'Ambiente e della Tutela del Territorio e del Mare	1
	Corpo Forestale	1
LATVIA		0
LITHUANIA		0
LUXEMBOURG	Ministry for sustainable Development and Infrastructures - Environment department	2
HUNGARY	Ministry for Rural Development	1
MALTA	Environment and Planning Authority	1

NETHERLANDS	Ministry of Agriculture, Nature & Food Quality	2
AUSTRIA	Ministry of Agriculture and Forestry, Environment and Water Management	1
POLAND	Ministry of Environment	2
	Salamandra – Polish Society for Nature Protection	1
	GDOS	1
GREECE	Ministry of the Environment, Energy and Climate Change (Greek Central CITES Management Authority).	2
PORTUGAL	Instituto da Conservação da Natureza	1
ROMANIA		0
SLOVENIA	Ministry of Environment	1
SLOVAKIA		0
FINLAND	Finnish Environment Institute	1
SWEDEN	Swedish Board of Agriculture	1
UNITED KINGDOM	DEFRA	1
	Animal Health	1
CANDIDATE COUNTRY		
CROATIA	Ministry of Culture	1