

SUMMARY OF CONCLUSIONS

80th MEETING OF THE COMMITTEE ON TRADE IN WILD FAUNA AND FLORA

Brussels, 14 November 2017

1. Adoption of the agenda

The agenda was adopted.

2. Update on on-going activities

The Commission informed that [Commission Implementing Regulation 2017/1915](#) prohibiting the introduction into the Union of specimens of certain species of wild fauna and flora ("suspension regulation") was adopted on 19/10/2017.

3. Summary of conclusions of the 79th Committee meeting

The summary of conclusions of the 79th Committee meeting held on 19/09/2017 was tabled for information.

4. Outstanding Actions Points

Member States were invited to submit any relevant information as appropriate.

5. Short report by the Commission on the outcome of the 81st meeting of the Scientific Review Group (SRG 81 of 13/11/17)

The Chair of the SRG informed the Committee about the main opinions which had been agreed at the 81st meeting of the Scientific Review Group (SRG 81) on 13/11/2017.

The SRG formed a positive opinion for the import of *Galanthus woronowii* from Georgia for artificially propagated plants and for 15 million bulbs from the wild. Positive opinions were also adopted for the import of *Brookesia therezieni*, *Scaphiophryne marmorata*, *Phelsuma laticauda* from Madagascar and for *Python reticulatus* from the Sabah region, Malaysia. In addition, the SRG formed a positive opinion for *Panthera leo* from the Niassa reserve including the Chipanje Chetu community conservation area in Mozambique, while negative opinion for all other populations in Mozambique has been agreed.

The SRG confirmed the "no opinion ii" for the import of *Brookesia brygooi*, *Brookesia stumpffi*, *Brookesia superciliaris* and *Brookesia thieli* from Madagascar. A "no opinion i" was formed for *Python reticulatus* from Malaysia (Sarawak).

As in previous years, the SRG came to the conclusion that the status of *Anguilla Anguilla* remained critical and decided to maintain the zero quota for the export and negative opinion for the import until the end of 2018. The Commission will inform all range states about this decision.

6. Short report by the Commission on the outcome of the 35th meeting of the Enforcement Group (EG 35 of 06-07/11/17)

The 3 days meeting of the Enforcement group was hosted this time by Europol. A number of presentations were made by the Enforcement authorities from the Member States in particular in relation to ivory trafficking and rhino horns. On the latter Poland reported on inspections following the import of hunting trophies from South Africa where a number of hunters were no longer in possession of their hunting trophies and had probably smuggled them to other countries. Member States were invited to look into this matter and verify that imported hunting trophies are still in possession of the hunters.

Presentations were also given on timber and the Enforcement Group (EG) discussed the situation of *Dalbergia* since the entry into force of the new listings early 2017. It was generally noted that the number of seizures of musical instruments due to the absence of export or import permits had decreased recently compared to the first months following the entry into force of the listing of *Dalbergia* species in CITES Appendix II. More focus would now be given to handicraft items made of rosewood.

TRAFFIC presented new data on trade in European eels from the EU to third countries. The Commission requested the EG to check their export data for trade in eels to third countries. The Management Committee was also invited to look at these data which would be circulated to them.

Further presentations were made by Spain, the Netherlands and Germany on birds. The Commission highlighted Germany's presentation on new forms of illegal trade in very rare orchids from South East Asia and on the importation of a large shipment of live mari-cultured corals by the UK border force.

A representative from IMPEL (European Union Network for the Implementation and Enforcement of Environmental Law) presented their activities in relation to wildlife trafficking, notably linked to sturgeon poaching in the Danube and illegal killing of birds.

The Czech Republic presented the project TigrisID concerning the registration of DNA of tigers in captivity in Europe designed to address possible illegal trade of tigers and tiger products from Europe to Asia.

The Commission recalled that environmental crime is considered for the first time as priority in the new EU policy cycle against organised crime. From 2018 – 2021 more resources should be made available at EU level against environmental crime. The Commission pointed out that the process for the development of an operational action plan in respect to environmental crime had started under the leadership of a colleague from the French office for environmental and health crime. The key question will be how to link this process with the Wildlife trade enforcement process.

The Commission indicated that DG Home will soon launch a call for proposals on environmental crime as part of the Internal Security Fund¹.

Most of the thematic working groups which had been set up in the past (birds, eels, forensics, ivory, timber, reptiles, relations with EU-Eastern border countries) met during the EG to discuss future activities.

¹ The call was launched on 14 November, see <http://ec.europa.eu/research/participants/portal/desktop/en/opportunities/isfp/topics/isfp-2017-ag-env.html>

Finally, the third day was devoted to training on trafficking in endangered species through internet market places and social media with presentations from experts on cybercrime and security from Interpol, the Belgian customs and TRAFFIC China. As a result a working group was set up to take up the matter further in respect to online trade in illegal wildlife trade products.

7. International issues

7.1 Lessons learnt from CITES CoP 17

The Commission indicated it would circulate a revised version of the document for adoption in written procedure before the end of 2017.

7.2 Preparations of the 69th CITES Standing Committee (27/11– 01/12/2017)

The Commission tabled for discussion the draft EU orientation paper circulated before the meeting.

The 69th Standing Committee (SC) will be the first opportunity to review the progress since the last CITES CoP 17 in October 2016 and emphasize on the implementation and enforcement of the last CITES CoP decisions. Matters of specific interest to the EU include the legality of trade in sei whales from the North Pacific; findings and recommendations linked to the National Ivory Action as well as the implementation of commitments taken by concerned parties in illegal trade in rhinoceros. Moreover, particular attention will be given to the implementation of the rosewood listings following their adoption at CoP 17, and the current trade suspension in rosewood and ebonies from Madagascar.

Member States were invited to provide further comments on the draft orientation paper in writing by 17/11/2017. A revised version of the orientation paper will be prepared by the Commission for submission to the Council for adoption by silence procedure by 23/11/17. Furthermore, the Commission will prepare, in consultation with the Member States, a document on its main priorities for transmission to 3rd countries.

In addition, the Commission asked Member States to indicate their participation in the working groups during the SC and inter-sessionally.

The EU representative of the Standing Committee recalled the need from all Member States for their contributions to the European regional report by 15/11/2017. In addition he stressed that the appointment of a representative from the European Union for the sub-committee on budget and finances was still to be decided.

7.3 Preparations of the 18th CITES CoP (Sri Lanka, 2019)

The Commission informed that the 18th CITES CoP would probably take place in May 2019 but that the exact date would still need to be confirmed.

The Chair of the SRG indicated that SRG 82 and SRG 83 would follow the listing proposals based on the analysis prepared by WCMC and in consultation with the Member States.

The agenda item was referred to the next meeting where it will be discussed in more depth, including on the strategic objectives that the EU should be pursuing at CoP18.

8. Intra-EU Working Group on trade in rosewood species (including India)

The Commission representative informed that the electronic working group on the implementation of the new listings in rosewood species had made progress since its creation in June. The group had been busy with various discussions on the implementation challenges and particularly with the preparation of the 69th Standing Committee.

Several exchanges took place in the working group regarding the refusal by the Management Authority of the United Kingdom of an application for the re-export of specimens of *Dalbergia latifolia* (source code W) from India which had been first imported in Sweden., sold to the UK and then should be re-exported from the UK. The refusal was issued on the basis of concerns relating to the use of source code OW (pre-Convention, wild) and lack of information as to whether India's national legislation allows exports of wild specimens.

Another case had been brought to the attention of the SRG, whereby the Management Authority of the United Kingdom refused an import application for pre-Convention *Dalbergia* spp (source code W) originating from India and being re-exported via China. The Commission informed that the refusal was consulted through a written procedure by the SRG.

Committee members pointed out that the justification made by the Scientific Authority of the UK was based on a legal question and not on scientific grounds. The Committee noted that the SRG would not form an opinion on this species/country combination until the Commission would receive a reply from India following its consultation letter of October, in which India was asked to provide information on its non-detriment and legal-acquisition findings for the species, on the use of source codes and about documents equivalent to CITES permits issued by the Indian authorities.

Many members of the Committee considered that the refusals to deliver the re-export and import permits in the two cases at stake were not sufficiently justified. The Commission encouraged Member States to adopt a pragmatic approach on the treatment of applications for *Dalbergia latifolia*, pending a response from India, and invited the UK to revert to the Commission on the handling of this case.

9. Revision of Implementing Regulation 856/2006 of Council Regulation (EC) No 338/97

Following the last Committee meeting a number of Member States supported the revision of the Implementing regulation to reflect the decisions taken at the last CoP 17.

The revision will mainly emphasise on the standard nomenclature, the description codes and the reporting provisions.

The Commission will work along these lines in consultation with the Member States. A revised version of the Implementing Regulation could possibly be adopted in summer 2018.

Moreover, the Commission will look into the reporting obligations in relating the suggested changed from the bi-annual to a tri-annual report and report at the next Committee meeting.

10. Any other business

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ATTENDANCE LIST
of the
80th MANAGEMENT COMMITTEE MEETING ON CITES

Brussels, 14 November 2017

MEMBER STATE	ORGANISATION	PARTICIPANTS
BELGIUM	Federal Public Service Health, Food Chain and Environment	2
BULGARIA	Ministry of Environment and Water	1
CROATIA	Ministry of Environment and Nature Protection	1
CZECH REPUBLIC	Ministry of the Environment	1
	Permanent Representation of CZ to the EU	0
	Agency for Nature Conservation	0
CYPRUS	Ministry of Agriculture, Natural Resources and Environment	0
DENMARK	Ministry of Environment	1
GERMANY	Bundesamt für Naturschutz	1
	Federal Ministry for the Environment	2
ESTONIA	Ministry of Environment	2
IRELAND	Department of Arts, Heritage and the Gaeltacht	1
GREECE	Ministry of the Environment and Energy	0
SPAIN	Ministerio de Economía y Competitividad	1
FRANCE	Ministère de l'écologie, de l'Énergie et de la Mer	2
	Ministère des Affaires étrangères	0
ITALY	Ministero dell'Ambiente e della Tutela del Territorio e del Mare	3
	Arma dei Carabinieri	1
LATVIA	Nature Conservation Agency	1
LITHUANIA	Environmental Protection Agency	1
LUXEMBOURG	Ministry for sustainable Development and	0

	Infrastructures - Environment department	
HUNGARY	Ministry for Rural Development	2
MALTA	Environment & Resources Authority	2
NETHERLANDS	Ministry of Agriculture, Nature and Food Quality	1
	RVO CITES Bureau Netherlands	1
AUSTRIA	Ministry of Agriculture and Forestry, Environment and Water Management	1
POLAND	Ministry of Environment	0
PORTUGAL	Instituto da Conservação da Natureza	1
ROMANIA	Ministry of Environment and Forestry	0
SLOVENIA	Ministry of Environment	1
SLOVAKIA	Ministry of Environment	1
FINLAND	Finnish Environment Institute	1
	Ministry of Environment	1
SWEDEN	Swedish Board of Agriculture	1
	Swedish Environmental Protection Agency	0
UNITED KINGDOM	Department for Environment, Food & Rural Affairs (DEFRA)	1