

Minutes of the Meeting between UK CITES Management Authority (WLRS), Scientific Authorities, and SUN Representatives

13.30 – 15.00 Tuesday 14 October 2008
RBG Kew

Present

John Hounslow	Animal Health (Chair)
Sophie Bird	Animal Health
Shelly Hicks	Animal Health
Rachael Hamer-Norman	Animal Health (Minute-taker)
Vin Fleming	JNCC
Sheena Hynd	JNCC
Noel McGough	RBG Kew
Rose Simpson	RBG Kew
Jim Collins	SUN coordinator
Mike Gates	World Owl Trust
Vicky Gates	International Owl Society
John Spires	British Orchids Council
Kim McDonald	Taxidermy Law
John David	RHS
Aeron Williams	Parrot Society
Robert Morgan	British Fur Trade Association
Roger Butler	International Herpetological Society
Martyn Denney	Cyclamen Society
Chris Newman	Federation of British Herpetologists
Nicholas Llewellyn	Timber Trade Federation
Manue Hooper-bue	OATA

1. Apologies for absence were received from:

Dominic Whitmee (Defra)
Dr Bryan Carroll (Bristol Zoo)
Dr Miranda Stevenson (BIAZA)
Nick Kester (Hawk Board)
Robert Sclare (Taxidermist)
Martin Jones (Hawk Board)
Sarah Bann (BASC)
Mr W F Maddams (British Cactus and Succulent Society)

2. Previous minutes and action points

The previous minutes were agreed.

Outstanding Actions (OA):

OA: Habitats Directive - TS to report back from CBD COP IX.

Action: JH to send details in writing at a later date

OA: TS to report back from EU Management Committee meeting.

No update was considered necessary as SUN members had recently attended an EU Commission meeting re regulations and would update the meeting under the relevant agenda item.

OA: NH agreed to bring up enforcement at the JLG meeting and report back.

WLRS are currently in the process of incorporating the Hampton review into their standard procedures. The code of conduct for inspections requires regulatory bodies to ensure that all inspections are intelligence led, that no inspection takes place without a valid reason, that regulatory bodies pay due heed to education and that they function in a manner which does not put unnecessary burden on those who are regulated

3. SUN Report back from EU effectiveness study stakeholder meeting

Jim Collins reported back from the EU effectiveness study stakeholder meeting which took place on 29 September. Five SUN members attended and the issues discussed/debated with NGO's included:

- Dissatisfaction with SRG. There is a tendency for species to be added to the regulations rather than removed. Possible solutions to this included increasing transparency which is already being looked at. It was also suggested that those who have a personal interest in a particular issue should not be allowed on the decision committee, citing one particular instance. VF explained that this did not happen but, in any case, it is up to Member States who is on their delegation to the SRG. It was also noted that when a negative opinion is announced, if an import permit has already been applied for and a contract is in existence, Management Authorities have the discretion to issue an import permit (Article 71.2 & 71.3) and that it is UK policy to generally use such discretion.
- Hybrids - whether any exemptions could be made for captive bred or hybrid specimens.
- CITES items brought in by tourists as souvenirs - some would like to see this more tightly controlled.
- If a specimen came into the UK before a CITES listing was in place how do you prove that it was legally imported. This is especially important with the continued addition to CITES Appendices.
- Trips to gather protected species - would it be possible to get a list of species that permits could be issued for beforehand e.g. orchids and cacti.
- Marking tortoises - there is a need for an EU wide agreement on marking tortoises that are too small to be safely micro-chipped. Permits need to be linked to the tortoise otherwise they are useless. Photographing juvenile tortoises, as an alternative to marking, is not considered to be effective by the UK Authorities but is by some other EU Member States including Germany. VF explained that JNCC had commissioned International Zoological Veterinary Group to research this problem and explore marking techniques. CN offered to bring over the German specialist who led on photo-identification to give a presentation to UK authorities if this would help. JH noted the practical difficulties of using photo-ID

in practice but agreed that it would be useful for CN to bring the German specialist to the next meeting.

Action: CN to make arrangements with the specialist to attend the next meeting

- KMc stated that a unified definition is needed for 'worked items' across all EU Member States. The UK is stricter than most of the EU, but in the rest of the EU most taxidermists have to be registered. IFAW had suggested that the antiques derogation could be removed, which would at least help to clarify the issue. A tagging system is needed for taxidermists. The Dutch have a system that they would like the EU to adopt.

The general view from the meeting was that the regulations are over-bureaucratic, and that the EU should de-regulate and cut-back on "stricter measures" unless they could be justified by evidence. The UK CITES Management Authority will be meeting with the European Commission in December to discuss these issues and a report of all the results is planned for spring. The EU stakeholder representatives made it clear that they are looking to simplify legislative requirements and practices where possible.

4. Progress Report on:

a. Charging - Fees Consultation

JH explained that the intention is to introduce full-cost recovery on 6 April 2009 in line with treasury requirements. Charges will be as per the consultation document <http://www.defra.gov.uk/corporate/consult/cites-charging/consultation.pdf>. A formal announcement will be made on this later this year.

MG asked whether a fee would be waived for captive bred owls. The scientific authority is working with Defra to consider the circumstances in which fees may be waived for conservation purposes.

Action: Dominic Whitmee to provide a reply to Kim McDonald's consultation response.

b. Schedule 4 Review

JH gave a brief overview of the Schedule 4 changes in England. From 1 October 2008 keepers of golden eagles, goshawk, honey buzzard, marsh harrier, white-tailed eagle, montagu's harrier, and osprey continue to register their birds. Approx 50 other species on Schedule 4 have been removed and no longer require registration (inc all hybrids). Keepers of Peregrine Falcons and Merlins will still be required to register their birds unless they have a CITES Article 10 certificate issued by the UK CITES Management Authority (WLRS). Keepers in Scotland and Wales are still required to register all 59 species and hybrids until amending legislation is introduced by their respective administrations.

VF asked when the Scottish and Welsh regulations would change. Both devolved administrations have indicated that they aim to bring legislation inline with England as soon as possible. This means that for the time being there are three different regimes in operation. Further information can be found at <http://www.defra.gov.uk/animalhealth/CITES/news/080922-birdregchanges.htm>

c. COTES (Control Of Trade in Endangered Species (Enforcement) Regulations.

JH explained that COTES is currently being significantly revised. The review is being carried out by Defra in liaison with Animal Health, the Police and HMRC to update the COTES regulations which give enforcement powers to CITES. The review will propose amendments to reflect changes to the EU Wildlife Trade Regulations and consider the need for additional or strengthened powers for enforcement authorities. It is expected that the proposals will be put out to public consultation later this year with a view to publishing a new statutory instrument by the summer 2009.

d. Ports of Entry

JH explained that Defra had held various stakeholder meetings. Defra are considering the outcomes of the meetings and consultations and aim to publish a new statutory instrument by summer 2009 but there is a lot of work still to be done.

5. E-Licensing Project

JH explained that he is involved in a bilateral e-licensing project with Switzerland. This will not come into effect immediately, but the intention is to produce a model that could be used potentially by all CITES parties. This may make electronic applications possible. Further progress reports will be made as the project escalates.

6. Lacey Act amendment

JH explained that the Lacey Act is being amended on 15 December 2008 in the US and this would affect plant importers. The purpose of the amendment is to combat illegal logging and expand protection to a broader set of plants and plant products. The amendments include plants and timber illegally harvested in the country of origin that are brought into the US. Importers are now required to submit a declaration for certain wild plants and plant products (including wood). The declaration requirements appear to apply to all CITES listed plants. Any enquiries should be directed to: Russell.A.Duncan@aphis.usda.gov tel. 0011 32-2 508-2645

Action: JH to check with US authorities to see if this affects all imports/species

7. Any other business

MG asked about the charge for semi-complete certificates for owls. JH confirmed that fees would not change the current arrangements and that these would only attract one fee per application (i.e. per breeding couple/per clutch).

JH stated that Animal Health hoped to improve integration of their international trade work. The aim is that applicants who need more than one licence from Animal Health in order to move specimens into and out of the EU would need less paperwork and get a more integrated service. KMc asked if similar could be done for taxidermy specimens which in many cases (e.g untreated skins) also require health papers as well as CITES paperwork

Action: JH to take this into account during the study

VF informed that JNCC have produced a report on corals in Fiji. This provides information on distribution and will result in de-regulation of some corals. It is available on-line. <http://www.jncc.gov.uk/page-4476>

There is also another JNCC report on the survey of diurnal raptors in Guinea available online at <http://www.jncc.gov.uk/page-4314>

VF and NMc confirmed that they had not heard any firm proposals for new listings for CoP XV

NMc stated that the next Plants Committee meeting would be in March. The closing date for documents to be considered is at the end of January when they will be made available on the web.

There is also an Animals Committee meeting which is probably going to take place in late April in Geneva.

In November VF and NMc will be attending a meeting in Mexico to establish the criteria for making non-detriment findings across a range of taxonomic groups. (http://www.conabio.gob.mx/institucion/cooperacion_internacional/TallerNDF/taller_n df.html). Better implementation of non-detriment findings might reduce the number of negative opinions in the EC in the longer term.

8. Date and place of next meeting.

Action: A joint SUN meeting will be arranged for end of Feb/beginning of March (23 Feb 2009 provisional)