



INTERGROUP "CLIMATE CHANGE, BIODIVERSITY AND SUSTAINABLE DEVELOPMENT"



INTERGROUP "SUSTAINABLE HUNTING, BIODIVERSITY, COUNTRYSIDE ACTIVITIES AND FORESTRY"

Intergroup
SUSTAINABLE HUNTING, BIODIVERSITY, COUNTRYSIDE ACTIVITIES & FORESTRY
Intergroupe
CHASSE DURABLE, BIODIVERSITÉ, ACTIVITÉS RURALES & FORET
Intergruppe
NACHHALTIGE JAGD, BIODIVERSITÄT, LÄNDLICHE AKTIVITÄTEN & FORST
Intergruppo
CACCIA SOSTENIBILE, BIODIVERSITÀ, ATTIVITÀ RURALI & FORESTA
Intergrupo
CAZA SOSTENIBLE, BIODIVERSIDAD, ACTIVIDADES RURALES & FORESTA

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The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Preparation of the COP15 – Doha

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1. Introduction and opening remarks

MEP R. STURDY, Co-President of the “Sustainable Hunting” Intergroup, opened the meeting and welcomed all present and represented MEPs, as well as invited speakers, experts and guests.

MEP C. GUTIERREZ-CORTINES recognised that wildlife issues touched our hearths. She was thankful that the TRAFFIC Analyses of the CoP15 Proposals, which the Members of the ENVI Committee did not have the opportunity to consider when working on the draft Motion for a CITES Resolution for CoP15.

The meeting was then successively chaired by Mr Skylakakis and Mr Franco.

2. Overview of the CITES listing proposals

Dr S. MAINKA provided an introduction of CITES and the context in which it works. She recalled that CITES had come into force in 1975 but found its roots in a resolution adopted at an IUCN Congress in 1963 in Nairobi. The original Convention was signed by 80 Parties; now the Convention comprises 175 Parties. CITES is both a trade and a conservation treaty. It regulates International trade through a system of permits and certificates:

- Species listed in Appendix I means that no commercial trade is allowed except some International movements related to scientific research and for zoos. This Appendix contains approximately 800 species.
- Appendix II, including species not necessarily threatened with extinction, but in which trade must be controlled in order to avoid utilization incompatible with their survival, lists around 32 500 species.
- Appendix III contains 170 species that are protected in at least one country, which has asked other CITES Parties for assistance in controlling the trade. There are around 1 500 000 known species in the world.

Resolution Conf 9.24 (Rev. CoP14) provides a set of biological and trade criteria to help determine whether a species should be included in Appendices I or II. Those criteria were strongly influenced by those already established for the IUCN Red List of Threatened Species.



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The centre of the agenda for the 15th Conference of the Parties in Doha, Qatar, in March, will be the Proposals to amend the Appendices as well as the management of trade. Furthermore, the discussion about the definition of the notion of ‘introduction from the sea’, i.e. what this concept means will be critical. This agenda shows clearly that the CITES COP’s are increasingly focusing on commercially important species, in particular fisheries and timber and coral. They also reflect the major conservation challenge for species for which the convention was originally established, namely Asian big cats, elephants and rhinos.

It is important for the implementation of CITES that different organisations, such as FAO, WTO a.o. participate in the meeting.

“CITES is one of the earliest global biodiversity conventions”, Ms Mainka said. It is therefore not surprising to see that CITES will be part of the discussion and preparation for the post-2010 biodiversity targets. She drew the attention to the fact that the Intergovernmental Panel on Biodiversity and Ecosystem Services would release a report on biodiversity and ecosystems. This Panel constitutes a framework for valuing biodiversity and focus on the role of science in the decision making. This work will be likely beneficial to CITES.

In addition, Dr S. MAINKA pointed out that IUCN had been following CITES evolution in cooperation with TRAFFIC – a joint program of IUCN and WWF- for many years. For the purpose of CoP15, they have evaluated the Proposals in accordance with Resolution Conf 9.24 (Rev. CoP14), i.e. the listing criteria that the Parties decided.

IUCN has a seat on the United Nations and “represents nature” at the UN. As many of IUCN’s Members are EU Member States, IUCN represents also parts of the EU and play a role in promoting the policy of the EU.

3. Elephants

Ms H.N. NANDI-NDAITWAH, Namibian Minister for Environment and Tourism underlined the importance of wildlife in Namibia, where conservation and management of natural resources was not only natural responsibility but a constitutional obligation for all Namibians. Article 95 L of the Constitution states that “the state shall actively promote and maintain the welfare of the people by adopting inter alia policies aimed at /.../ maintenance of ecosystems, essential ecological processes and biological diversity of Namibia and utilisation of living natural resources on a sustainable basis for the benefit of all Namibians, both present and future /.../”.



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Since the independence in 1991, every Namibian has a right to the sustainable use of wildlife in their area. Community-Based Natural Resources Management (CBNRM) program encourages and stimulates the formation of conservancies with the primary objective of benefiting communities through the sustainable utilisation of natural resources as well as maintaining biodiversity. The ownership and the control of wildlife remains the responsibility of the government, but communities are given the right to manage them, through *inter alia* ecotourism and trophy hunting.

There are currently 58 conservancies covering over 120 000 square km and representing over 230 000 people. 31 out of the registered conservancies have hunting concessions and rely on wildlife utilisation for their livelihood. Half of the profits in 2008 came from trophy hunting.

The hon. Minister drew the attention to the United Nations Millenium Development Goals and, in particular in terms of poverty reduction and environmental management, and concluded that the conservancies were important to this end. Under the Community-Based Natural Resource Management program, wild life population on the state land outside protected areas has increased significantly. Various species, such as black rhinos, sable and black-faced impala and plain game were reintroduced in their former range.

Over the years Namibia has seen creation of jobs and in generation of revenue in areas that had few options other subsistence farming. It ought to be remembered that Namibia is a dry country, and sustainable use of wildlife is an important complement to other forms of land use. The link between conservation and rural development has been restored through the CBNRM by allowing a direct income from sustainable use. This link is at the heart of the Namibian elephant conservation strategy.

Another measure for elephant conservation, which the hon. Minister brought up, is the Trans-frontier Conservation Area (TFCA): This program in the south of Africa, facilitates free movement of elephants, but also other wildlife, between Angola, Botswana, Namibia, Zambia and Zimbabwe, and enables these countries to manage their common wildlife together and sustainably. The TFCA has contributed significantly to the recovery of wildlife in the individual participating countries and the Southern African region as a whole.

In the light of this, the elephant Proposals to CITES CoP15 from Tanzania and Zambia need some consideration. It has been proven that sustainable use has brought positive conservation results, when communities no longer regard wildlife as nuisance and of no economic value. The hon. Minister witnessed that when a heard of elephants is seen destroying water points and crops, unlike before when the villagers would shoot the elephants, this was no longer the case. The first thing they will do is to call the Ministry. The latter arrange for rangers going to the scene to drive the elephants out. In case destruction has already been caused by the elephants, the Ministry will try to offset the damages. The result of these practices is a more friendly relationship between communities and wildlife.



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Given that within Namibia, most elephants occur outside protected areas, the introduction of conservancies has resulted in more space for the elephants to move outside the protected areas.

The hon. Minister put the message across to the participants that under the CBNRM, the effective Namibian management practices and a conservation policy based on law enforcement, reported to the government in Annual Reports, habitat protection and sustainable use have led to an additional range of about 100 000 square km.

She informed the participants that the Namibian elephant population has grown from 6 000 in 1984 to 17 000 individuals in 2009.

Besides, she reiterated that elephants and humans are using the same resources, such as water, space, pasture access routes etc., and explained that the increasing elephant population created human-elephant conflicts. It is therefore vital to strike a good balance between interests.

The government's self insurance scheme contributes to acceptance among local people. It is a scheme whereby communities generated income from the use of elephants, including from trophy hunting, is put aside as an insurance. The hon. Minister exemplified that if a herd of 200 elephants went through a crop field of 20 hectares, the family having that field risked facing starvation in a subsistence-based economy such as the Namibian. The insurance scheme is there to assist these families with money coming from utilisation of wildlife.

In conclusion, success has been brought to elephant conservation, since this species has been given a monetary value. Therefore, the hon. Minister strongly opposed the Proposal to CoP15 by Kenya et al. This Proposal undermines the compromise reached at CoP14 and the credibility of any further negotiations and collaboration among African elephant range states, she argued. Finally, the Kenya et al. Proposal would undermine the investment and progress made by Namibia and other Southern African states in terms of elephant management, as well as the efforts to encourage co-existence of rural people with wildlife to secure a future for wildlife outside and within protected areas. In other words, the Proposal would create hostility among people towards wildlife.

The hon. Minister called on her development partners and the international community as a whole to avoid making conclusions and decisions that could have detrimental effects on the biggest shared elephant population in Africa, namely the one shared between Angola, Botswana, Namibia, Zambia and Zimbabwe.



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4. Polar bears

Ms A. JESSEN, Deputy Minister, Department of Fisheries, Hunting and Agriculture, Greenland Government, started her presentation by underlining the similarities between the situation in Greenland regarding the principles behind efficient conservation for polar bears and that for elephants in Namibia. Polar bears have played an important role for Inuit life. Without polar bears the Inuits would not have survived.

In relation to CITES, Greenland explained its argument not to list the polar bears in Appendix I.

She drew the attention to the conclusion in the IUCN Polar Bear Specialists Group and TRAFFIC analysis of the CoP15 Proposal that the polar bear does not meet the biological criteria for up-listing to Appendix I. Ms A. JESSEN regretted that some groups were trying to use the polar bear as an icon for climate change problems.

She described the central role of polar bear hunting in mythology and culture and for subsistence. The meat is consumed locally and the skin is used for traditional trousers and parts of it for production of souvenirs. Only fishing and hunting can make the people thrive in an area of ice, and therefore, polar bears are important in remote areas of the Northwest and East of Greenland.

There are around 56 000 people in Greenland, of which 2731 are occupational hunters. Very few of these hunters are involved in polar bear hunting, which requires special skills.

Greenland is very keen to conserve nature. As an example it can be mentioned that Greenland is host to the world's largest national park, namely Northeast Greenland National Park, where special provisions apply for access.

In 2005, quotas were introduced for polar bear hunting. There is a system of all-year protection of cubs and females. The government's position is that no wildlife, including polar bears, is given to zoological institutions, since the latter do not represent a natural environment.

The Scientific Authority in Greenland is the Greenland Institute of Natural Resources. In 2007, 308 polar bear units were exported. At the time-being, Greenland has a voluntary export ban for polar bears, which was introduced in April 2008. It can be lifted after a positive Non-Detrimental Finding.

For Greenland hunters it is mandatory to report all catches; hunt from airplanes and snow mobiles is forbidden; there is a size-regulation for boats. Greenland has also signed international and bilateral agreements on the conservation of the polar bear. The latest being a Memorandum of Understanding between Canada/Nunavut and Greenland on Kane Basin and Baffin Bay shared populations.



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In conclusion, the Greenland government finds premature to change the status of the polar bear by listing it in Appendix I. In this regard, it agrees with the conclusions in the IUCN Polar Bear Specialists Group and TRAFFIC Analysis. Ms A. JESSEN reminded the participants that there was a well-functioning co-management agreement between polar bear range states.

Mr D. SMITH reported that there were between 20 000 and 25 000 polar bears in the world, of which 10 000 - 15 000 can be found in Canada. As was touched upon by Ms A. JESSEN, cooperative management requires Inuit people in polar bear range areas to cooperate. He underlined that Inuits should be able to benefit from sustainable use. With regard to trade in polar bear specimens, this is very small and does not negatively affect the conservation status of the species.

5. Marine species

Mr Mark DICKEY-COLLAS shared his experience as core Member of the FAO Expert Advisory Panel for the Assessment of Proposals to amend CITES Appendices I and II in relation to commercially exploited aquatic species. The panel met in Rome, 7–12 December 2009 and its results were published in the FAO Fisheries Report No. 925.

He highlighted that his views did not represent those of the panel as a whole or FAO. The panel (consisting of 8 core members and other 13 experts on the organisms or CITES) reviewed the proposals submitted to CITES.

He explained that recommendations given by the panel had been based on the criteria agreed by FAO and CITES in 2007. The productivity of an organism must first be considered (high, medium or low) and the extent of decline in numbers and/or the recent rate of decline should be assessed. Then the panel gathered evidence to assess the state of the global populations related to these criteria. It also reviewed the proposals to list species as look-a-like organisms.

On the basis of the results of the assessment of the state of the global populations, the panel gave the following recommendations for the forthcoming CITES COP15: listing in Appendix II for the porbeagle shark and the oceanic whitetip shark, not listing in Appendix II for certain species of corals. With regard to one of most sensitive issues: the up listing of bluefin tuna, he pointed out that there was a unanimous agreement to list it in Appendix II and not in Appendix I.



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6. The EU position on the CITES Proposals

Mr H-M SCHALLY, Head of Unit ‘Multilateral Environmental agreements, processes and trade issues’, Directorate ‘International Affairs’, DG ENV, European Commission, pointed out that there was yet no EU position that had been agreed upon.

He recalled at the outset that the EU’s view is that CITES constituted one of the major environmental conventions along with inter alia the Ramsar Convention on Wetlands and the Convention on Biological Diversity (CBD). CITES is one of the grand daddies of international multinational agreements, he said. He explained that all 27 UE Member States are members of CITES, but that the European Union has not been able to become a party to the Convention, even if wildlife trade was an EU competence and that the EU had implemented CITES through comprehensive legislation. The text of the Convention currently didn’t allow the Union to become a party. The “Gaborone amendment” adopted more than twenty years ago, which would give the EU the possibility to become a Party had not entered into force yet.

He pointed out that the EU was the most important market for wildlife in the world. Besides, the EU is by far the main donor for the implementation for CITES, e.g. through capacity building such as for example the MIKE program for elephants. The EU Committee on Trade in Wild Fauna and Flora, composed of representatives from Member State Management Authorities, was the EU body overseeing implementation of CITES in the EU.

Mr H-M SCHALLY set out that the principle stance by the EU that CITES is the tool for regulating trade in wildlife whatever the level might be. He held that CITES did not aim in trade interdiction, which is a common misinterpretation. He insisted on the fact that decision will be based on the best available science.

With regards to the CoP15, the EU’s final position will be adopted by the Council based on a Commission proposal. The Barroso-I Commission wished the Barroso-II Commission to take the decision; this explains why a Commission decision has not yet been presented to the Council. He said that the vote on a Motion for a CITES Resolution in the Parliament’s Environment Committee this very morning would be taken into consideration by the Commission.

In light of the foregoing, he could not talk about a Commission or an EU position, but merely the state of play regarding the analysis of the Proposals.

On the EU’s shark Proposals, he recalled that similar attempts from the EU had failed last time, but believes that they might go through this year. Shark species and populations suffer from decline and conservation measures are insufficient. Further control measures are needed; there is unregulated trade taking place. The EU is both consumer and provider of shark roducts. To CITES CoP15, the EU has proposed to list the porbeagle (*Lamna nasus*) and spiny dogfish (*Squalus acanthias*) in Appendix II.



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Politically important, in his view, is the EU Proposal on tigers, a species being one of the most endangered in the world. There are only 3000-5000 tigers left in the world with a marked decline and reduction of habitats. This species is listed in Appendix I, since 1975, but illegal trade is taking place. The Proposal seeks to oblige range states to inform on actions at national level. Hence, it is not a listing proposal, but nevertheless of important. He predicted that China and India would be tough to discuss with.

On the bluefin tuna, the Commission had not expected that it would be proposed for listing this year. But when Monaco made the Proposal to list northern bluefin tuna (*Thunnus thynnus*) on CITES Appendix I, the Commission concluded that information available tended to go towards supporting a listing in Appendix I. The Commission recommendation to support the Monaco proposal had however not been endorsed by the Council, where this position ended up four votes short. The final EU decision on this topic will be decided before CoP15, awaiting scientific information from the International Commission for the Conservation of Atlantic Tunas (ICCAT) and other sources.

In relation to elephants, Mr SCHALLY recalled that Namibia had taken the lead for arriving at an African solution on elephant and ivory trade at CITES COP 14 in 2007. He expressed concerns about the propensity of the Proposals both from Kenya et al.'s and Zambia and Tanzania on the other side to divide the African continent. The Commission would favour a dialogue to arrive at an African solution before or at CoP15 in Doha.

From a substantive point of view, the down-listing Proposals from Zambia and Tanzania have two components: the actual down-listing and the approval of the sale of ivory stocks. The Commission is concerned about poaching and illegal trade. It is also concerned about the Proposals in the light of the fact that the effects of the recent ivory sale have not yet been assessed. In his view, there is a clear time-line that was agreed at CoP14 in the Hague Conference. He therefore argued that it was highly unlikely that the EU would support more ivory trade at the next CoP15.

As far as polar bears are concerned, the Commission is aware of climate change's impact in the Arctic, and the EU has clearly put forward its measures in Copenhagen that would help in this regard. When looking at the US Proposal, one has to look at additional threats, see whether International trade endangers them and whether the up listing in Appendix I will have positive results on the conservation of the specie. In conclusion, Mr SCHALLY underlined that the important thing in relation to CITES was to see to what extent international trade plays a role.

On red corals, the Commission has seen over-harvest the last years. The Commission wishes to better regulate this trade; its previous assessment has not changed.

Finally, Mr SCHALLY confirmed that the EU will be a pro-active party at the CoP15 in Doha.



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7. Debate

Ms C. MANGALO, Comité National des Pêches Maritimes et des Elevages Marins, raised two questions:

- how come there is yet no clear definition of ‘introduction from the seas’.
- since it exists an agreement between FAO and CITES on the way to evaluate biomass, why could not the biomass before exploitation serve as the basis for evaluating the conservation status of stocks?

In reply to this question, Mr H-M SCHALLY stated that the lack of a clear definition of ‘introduction from the sea’ was a major challenge for CITES and for that reason there is a group working on it. The Commission hopes to see a decision being taken at CoP15 in Doha. It must, however, be a solution that does not increase red-tape.

With reference to Mr SCHALLY’s statement that there are disagreements between FAO and CITES in relation to the listing criteria and the introduction of species from the sea to national territories, Mr M. DICKEY-COLLAS pointed out that there was no disagreement between CITES and the FAO Panel on the criteria. The problem is a scientific issue. For stocks or species that have been exploited for thousand years, the question is whether one should choose between assessing it compared to when the exploitation started or to as if it had not been exploited.

Mr S. SINHA, IFAW, wondered if the EU, before arriving at CITES CoP15 in Doha CITES where there might be negotiations, would take more flexible decisions in advance.

Mr SCHALLY replied that a group of 27 Parties and light-footed decisions was maybe a contradiction, but he thinks that in recent years the cases where the EU Member States have abstained have been very rare. He believes that there is a beauty in, at the spot, being bound by common decisions.

Mr J. R. MONSON, Safari Club International Foundation, asked the Commission how a worry about polar bear population trended fits into the listing criteria.

Mr H-M SCHALLY replied by stressing that the important thing was to look at the impact of international trade.

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