

ANALYSIS OF EU MEMBER STATE CITES BIENNIAL REPORTS 2007–2008

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EXECUTIVE SUMMARY

This report provides an analysis of 2007–2008 CITES biennial reports submitted by 19 European Union (EU) Member States, in order to assess the implementation and enforcement of *Council Regulation (EC) No. 338/97* and *Commission Regulation (EC) No. 865/2006 on the protection of species of wild fauna and flora by regulating trade therein* by EU Member States, henceforth referred to as the Regulations.

It aimed to provide an overview of the implementation of the Regulations in all EU Member States, however this was not possible because the Commission had only received a total of 19 biennial reports by the extended September 2009 deadline. A strict comparison with the situation in 2005–2006, in order to assess progress in implementation, was therefore not possible, but this analysis does provide an indicative assessment of the status of implementation. The totals and statistics provided for the 2007–2008 reporting period refer to 19 Member States only.

The country profiles follow the structure of the biennial report questionnaires. Actions undertaken by Member States are divided into two categories for the purpose of this analysis: obligatory actions that are explicitly required under the Regulations, and additional actions that are not explicitly required, but which contribute to improved implementation and enforcement of CITES and/or the Regulations. Interpreting some of the questions and consequent answers provided by Member States involves some subjectivity, as does identifying strengths and areas for improvement in each Member State. Results from 2007–2008 are compared with the situation in 2005–2006 to assess any progress in compliance and enforcement.

Overall, analysis of the 19 reports reviewed suggests that compliance with the Regulations is generally good in all Member States, including Bulgaria and Romania which only acceded to the EU in 2007. For the most part, the necessary structures and procedures are in place and penalties for Regulation-relevant violations are being imposed.

Common strengths amongst the Member States for obligatory measures (compliance reported in 15 or more countries) include the designation of maximum penalties for Regulation-related violations, undertaking compliance monitoring operations, marking of captive-bred specimens, monitoring of intended accommodation for live specimens and compiling lists of places of introduction and export. Stricter domestic measures, co-operation with enforcement in other countries, capacity-building, raising public awareness and controls of traders and holders are some of the additional measures that many Member States comply with. Taking into consideration those areas highlighted as requiring improvement in the 2005–2006 analysis, a number of Member States have reported complying with these measures in 2007–2008, indicating some progress in the implementation of the Regulations since the last reporting period.

Although administrative measures for CITES violations have been imposed in 17 Member States, criminal prosecutions have only been reported in 13. This may therefore be an area requiring some improvement. Another two measures approached in this analysis as being obligatory, namely the requirement for enforcement authorities to report to the Management Authority on mortality in transport and permit discrepancies, and the development of written procedures for the registration of traders and producers, are complied with to varying degrees and are recommended as areas for improvement in the future. The limited improvement in these measures since both the 2003–2004 and 2005–2006 reporting periods could be due to a problem in understanding what is actually required, in particular regarding written procedures for the registration of traders and producers. Some countries report having licensed caviar (re-)packaging plants in 2007–2008, without having the associated written procedures in place. Clarification on the need for developing written permit procedures for registration of traders and producers (as opposed to the need for actual registration), and consequently whether question D5.2 does in fact refer to an obligatory measure, is therefore required.

For the 2007–2008 reporting period, common areas proposed for improvement within the additional measures include the review of legislation on subjects related to the implementation of the Convention, the adoption of

national plans for co-ordination of enforcement in order to increase enforcement capacity and the establishment of inter-agency CITES committees.

Six Member States reported encountering some difficulties or constraints in implementing the Convention, and two countries highlighted the same problem, implementing *Resolution Conf. 13.7—Control and trade in personal and household effects*.

With the insertion of new questions in Part 2, the current analysis has benefited from a more detailed overview of the implementation of recommended measures set out by the Commission in 2007. It also appears that Member States are becoming accustomed to the biennial report format; responses are increasingly more consistent in comparison to previous reporting periods. However, although the new biennial report format allows for a greater standardization of responses, there are still some challenges concerning the completion and analysis of responses.

In addition to the problems associated with question D5.2 (covering written procedures for the registration of traders and producers), two other questions in particular appear to cause some misunderstanding and therefore inconsistencies in responses—these are D1.11 concerning informing the Commission and Secretariat of outcomes of necessary investigations and D5.7 concerning the use of export quotas when issuing permits. Furthermore, the time frame referred to in questions D5.16 and D5.17 (on the registration of scientific institutions and approval of breeders) needs to be clarified.

Finally, for some requirements, such as reporting on seizures and confiscations (C4 and C5), basic information is provided, but details are often missing, or only provided for what each Member State subjectively defines as “significant” seizures. The distinction made between seizures, confiscations and forfeitures by individual Member States, and the numbers of occurrences and/or specimens involved, is also often unclear and not standardised. It is therefore not possible to obtain an overall view of the true quantities seized and the predominant species being intercepted in illegal trade in the EU.

To facilitate the interpretation of questions and responses and thereby make full use of the biennial reports, guidance notes for the above-mentioned questions should be provided.

INTRODUCTION

The European Union (EU) constitutes one of the largest and most diverse markets for wildlife and wildlife products in the world. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which entered into force in 1975, aims to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

CITES is implemented in the EU through two main Regulations: *Council Regulation (EC) No. 338/97* on the protection of species of wild fauna and flora by regulating trade therein (the Basic Regulation) and *Commission Regulation (EC) No 865/2006* laying down detailed rules concerning the implementation of *Council Regulation (EC) No 338/97* (the Implementing Regulation). This set of Regulations is also known as the EC Wildlife Trade Regulations (hereafter referred to as the Regulations) and is directly applicable in all EU Member States. The necessary enforcement provisions must be transferred into national legislation and supplemented with national laws, as these matters remain under the sovereignty of each Member State.

According to Article 15(4)(c) of the *Council Regulation* and Article 69(5) of the *Commission Regulation*, EU Member States should report biennially to the Commission “*all the information relating to the preceding two years required for drawing up the reports referred to in Article VIII.7 (b) of the Convention and equivalent information on the provisions of this Regulation that fall outside the scope of the Convention*”.

This analysis is based on those 2007–2008 biennial reports submitted to the Commission by the extended deadline—it covers 19 of the 27 Member States. The biennial report format for EU Member States includes Part 1, which is for all CITES Parties and was therefore agreed at the 13th meeting of the Conference of the Parties to CITES in October 2004, and Part 2, covering supplementary questions specified by the Commission, related to information on the provisions of the Regulations, and that fall outside the scope of CITES (see biennial report format in Annex 1). Additionally, *Commission Recommendation No 2007/425/EC*, adopted on 13th June 2007, identifies a set of actions for the enforcement of *Council Regulation No 338/97* and specifies the measures that should be taken for the enforcement of the Regulations. These measures have been included as supplementary questions in Part 2 of the biennial report, as agreed at the CITES Management Committee meeting held on 14th November 2008 (COM 45).

The analysis of biennial reports aims to assess EU Member States’ compliance with, and performance and effectiveness in, implementing the Regulations, and to provide a brief overview of how the EU as a whole implements the Regulations. In order to focus the analysis, information provided in the biennial reports is categorized under either obligatory or additional actions, based upon the legislative requirements of the Regulations.

METHODS

Data sources

For the 2007–2008 reporting period, the Commission received 19 biennial reports in time for the analysis, including from Bulgaria and Romania, who joined the EU in January 2007.

Member States were required to submit their biennial reports to the Commission by 15th June 2009, and only 10 reports were received by this date. The deadline was consequently extended to 15th September 2009, and by the end of September, a total of 19 biennial reports had been submitted. The analysis therefore only covers these 19 Member States. All reports will, however, be included in the compilation of EU Member States' CITES biennial reports 2007–2008, available from the Commission on request.

Biennial reports for 2007–2008 follow the questionnaire format approved at the 13th meeting of the Conference of the Parties to CITES in October 2004. A revised questionnaire highlighting new questions was agreed at COM 45 and all Member States used this format except for Portugal—there are therefore several answers missing from Portugal's country profile.

This analysis covers the 2007–2008 period and biennial report questions have been interpreted to refer to actions taken by the Member State during this reporting period only. Information submitted in the 2005–2006 biennial reports has also been considered in some cases to clarify certain areas that were lacking information in the 2007–2008 reports. Additionally, for each Member State, their 2005–2006 biennial reports were consulted to assess progress since the last reporting period.

Analysis

Country profiles for each Member State are presented in alphabetical order. These country profiles follow the general structure and headings (and sub-headings) used in the biennial report format (i.e. legislative and regulatory measures; compliance and enforcement measures; and administrative measures), although responses to related questions have sometimes been grouped together. Under each of these headings and sub-headings, an assessment of compliance is presented, reflecting the level of detail provided by each Member State.

Where possible, the wording used in the analysis is similar to that provided by the Member States in their reports. Interpreting some of the questions and consequent answers provided by Member States involves some subjectivity, as does determining what constitutes “adequate” or “inadequate” implementation of the Regulations. In some cases, the lack of detail provided by the Member States in response to the questions has prevented an accurate assessment of their compliance, performance and effectiveness in implementing the Regulations.

Member State actions described in the biennial reports were divided into two categories in order to assess compliance with the Regulations: obligatory and additional measures. All those measures categorized in the 2005–2006 analysis as obligatory and additional remain unchanged for this reporting period. It must be noted that questions C17, C18 and D1.10 in the 2005–2006 reports became questions C18, C19 and D1.11 in 2007–2008, respectively, due to changes in the questionnaire format as agreed at COM 45.

Table 1 shows the biennial report questions that relate to obligatory measures, referring to the relevant Regulation Articles and including explanatory notes on the obligations laid out in the Articles, where required.

Three new questions were categorized as obligatory measures for the 2007–2008 analysis. These are:

1. D5.14 (Has a list of places of introduction and export in your country been compiled?) corresponding to Article 12 under *Council Regulation (EC) No. 338/97*;
2. D5.18 (Have caviar (re-)packaging plants been licensed?); and

3. D5.20 (Have cases occurred where export permits and re-export certificates were issued retrospectively?) corresponding respectively to Articles 66 and 15 under *Commission Regulation (EC) No. 865/2006*.

Although in some cases subjectivity in interpretation has been required to qualify measures as obligatory (e.g. question C18 in Part 2, see 2005–2006 analysis methods for details), questions D5.14, D5.18 and D5.20 are categorized as obligatory following requirements under the Regulations.

Additional measures are those not explicitly required under the Regulations, but contribute to improved implementation and enforcement, and thus to fulfilling the requirements of CITES and/or the Regulations. A number of new additional measures have been included in the 2007–2008 analysis. Questions C20, C22, C23, C24, C25 and C27 (see Annex 1) cover actions identified in the Commission Recommendation of 13th June 2007 as those facilitating the enforcement of *Regulation (EC) No 338/97*. Questions D5.16 (registration of scientific institutions) and D5.17 (approval of breeders) in Part 2 are also additional measures as they contribute to the implementation of CITES and/or the Regulations.

Some biennial report questions are not addressed in the country profiles, unless their answers indicate that there has been a change since the last reporting period or a lack of compliance. For example, information on changes in permit format or the designation of officials empowered to sign (D5.1) is summarized only if these were modified during the 2007–2008 reporting period (see country profile template in Annex 2).

Strengths and proposed areas for improvement in terms of compliance and performance are summarized at the end of each country profile. Listing a country's strengths required some subjectivity; however any actions considered "obligatory" and not undertaken by Member States are listed under areas for improvement, with some additional measures where appropriate. These summaries of strengths and areas for improvement provide a means of monitoring improvement between biennial reporting periods; the 2005–2006 analysis was consulted to assess progress since the last reporting period.

A brief review of overall compliance across the 19 Member States is provided in the Executive Summary. With a few exceptions, percentages are not used to summarize compliance (as they were in the 2005–2006 analysis) as such values would misrepresent the situation in the EU, due to the fact that not all Member States were included in the review. A strict comparison with the situation in 2005–2006, in order to assess overall progress in implementation, is also not possible. The totals and statistics provided for the 2007–2008 reporting period refer to 19 Member States only.

Throughout the analysis, "non-CITES-listed species" refers to species that are listed in the Regulation Annexes, but not in the CITES Appendices. These include some species in Annexes A and B and all those in Annex D. Where values are provided in non-Euro currencies, a conversion to Euros (EUR), using the average exchange rate for 2007–2008 for that currency as per www.oanda.com, is included.

Table I: Obligatory measures as stipulated in the EC Wildlife Trade Regulations

Question number in biennial report	Biennial report question relating to measures considered obligatory under the EC Wildlife Trade Regulations	Council Regulation (EC) No. 338/97	Commission Regulation (EC) No. 865/2006	Comments
BIENNIAL REPORT PART I				
B1	Has information on CITES-relevant legislation already been provided?	Article 20		
B2	If your country has planned, drafted or enacted any CITES-relevant legislation, please provide details.	Article 20		
C1	Have any of the following compliance monitoring operations been undertaken? - Review of reports and other information provided by traders and producers; - Inspections of traders, producers, markets; - Border controls; - Other (specify).	Article 14		Article 14 requires that Member States monitor and ensure compliance, and where necessary instigate legal action.
C2	Have any administrative measures been imposed for CITES-related violations?	Article 16		
C4	Have any significant seizures, confiscations and forfeitures of CITES specimens been made?	Article 14		Member States are required to inform the Commission and where required, the Secretariat.
C5	Has your country provided to the Secretariat detailed information on significant cases of illegal trade or information on convicted illegal traders and persistent offenders?	Article 14		Member States are required to inform the Commission and where required, the Secretariat.
C6	Have there been any criminal prosecutions of significant CITES-related violations?	Article 14		Member States are required to inform the Commission and where required, the Secretariat.
DI.1	Have there been any changes in the designation of or contact information for the MA(s) in your country which are not yet reflected in the CITES Directory?	Article 13		Member States are required to inform the Commission.

Question number in biennial report	Biennial report question relating to measures considered obligatory under the EC Wildlife Trade Regulations	Council Regulation (EC) No. 338/97	Commission Regulation (EC) No. 865/2006	Comments
BIENNIAL REPORT PART I				
D1.3	If there is more than one MA in your country, has a lead MA been designated?	Article 13		
D2.1	Have there been any changes in the designation of or contact information for the SA(s) in your country which are not yet reflected in the CITES Directory?	Article 13		Member States are required to inform the Commission.
D2.3	Has your country designated a Scientific Authority independent from the Management Authority?	Article 13		
D4.8	Have enforcement authorities reported to the MA on - Mortality in transport - Discrepancy in number of items in permit and number of items actually traded?		Article 2 Article 28 Article 45	Article 2(1): "The forms on which import permits, export permits, re-export certificates,... shall conform, except as regards spaces for national use, to the model set out in Annex 1." Annex 1, question 27 includes: -Quantity/mass actually imported or (re)exported.
D4.10	Have CITES authorities been involved in any of the following activities to bring about better accessibility to and understanding of the Conventions' requirements to the wider public? - Press releases/conferences; - Newspaper articles, radio/television appearances; - Brochures/leaflets; - Presentations; - Displays; - Information at border crossing points; - Telephone hotline; - Other (specify).	Article 12 Article 15		Article 12(5): "Member States shall ensure that at border crossing points, the public are informed of the implementing provisions of this Regulation." Article 15(1): "The Member States and the Commission shall ensure that the necessary steps are taken to make the public aware and inform it of the provisions regarding implementation of the Convention and of this Regulation..."

Question number in biennial report	Biennial report question relating to measures considered obligatory under the EC Wildlife Trade Regulations	Council Regulation (EC) No. 338/97	Commission Regulation (EC) No. 865/2006	Comments
BIENNIAL REPORT PART I				
D5.1	Have any changes in permit format or the designation and signatures of officials empowered to sign CITES permits/certificates been reported previously to the Secretariat?	Article 13	Article 2	338/97 Article 13: Outlines requirements for MA signatures and any changes to be registered with the Commission. 865/2006 Article 2: Covers format requirements set out in the 865/2006 Annexes.
D5.2	To date, has your country developed written permit procedures for any of the following: - Permit issuance/acceptance - Registration of traders - Registration of producers		Article 66 Article 18 Article 19	Article 66(7): States that caviar packaging plants must be registered with the MA. Article 18(a): Requires registration of those bodies that may benefit from simplified procedures for trade in biological samples. Article 19(b): Requires registration of those bodies that may benefit from simplified procedures for trade in dead specimens.
BIENNIAL REPORT PART 2				
B9b	Please provide details of maximum penalties that may be imposed for Regulation-related violations, or any other additional measures taken in relation to implementation of the Regulation not reported in B9.	Article 16		Article 16(2) states that measures should be appropriate to the nature and gravity of the infringement.
C18	Have specimens been marked to establish whether they were born and bred in captivity or artificially propagated?		Article 66	Article 66 refers to obligations for the marking of captive-bred animals, and not artificially propagated plants.

Question number in biennial report	Biennial report question relating to measures considered obligatory under the EC Wildlife Trade Regulations	Council Regulation (EC) No. 338/97	Commission Regulation (EC) No. 865/2006	Comments
BIENNIAL REPORT PART 2				
C19	Have any monitoring activities been undertaken to ensure that the intended accommodation for a live specimen at the place of destination is adequately equipped to conserve and care for it properly? (In accordance with Article 4(1c)).	Article 4		Article 4(1c) states that the competent scientific authority must be satisfied that the intended accommodation for a live specimen at the place of destination is adequately equipped to conserve and care for it properly.
DI.11	Has the Commission and the CITES Secretariat (if relevant) been informed of the outcomes of any investigations that the Commission has considered it necessary be made?	Article 14		Requirement under Article 14(2).
D5.14 new	Has a list of places of introduction and export in your country been compiled?	Article 12		Requirement under Article 12 (3)
D5.18 new	Have caviar (re-)packaging plants been licensed?		Article 66	Article 66 (7) states that only (re-)packaging plants that are licensed by the MA of a Member State shall be entitled to process and package or re-package caviar for export, re-export or intra-Community trade.
D5.20 new	Have cases occurred where export permits and re-export certificates were issued retrospectively?		Article 15	

AUSTRIA

Legislative and regulatory measures

Obligatory measures

Austria has enacted legislation to implement CITES nationally in the form of the 2006 *Amendment to the Species Trade Act*, and the 2006 *Species Marking Ordinance*. These are now in the process of being revised.

Maximum penalties that may be imposed for Regulation-related violations are set out by the *Austrian Species Trade Act*, which establishes penalties of up to EUR36 340, or a prison sentence of up to two years. Administrative and penal sanctions may be imposed only for Annex A-species according to the seriousness of the offence.

Additional measures and information

No additional Regulation-relevant legislation has been enacted or drafted during this reporting period and Austria has not adopted any stricter domestic measures compared to the Regulations.

A review or assessment of the effectiveness of CITES legislation has been undertaken and the following items have been considered as adequate: power of CITES authorities; control over CITES trade, implementation of the Regulations and coherence within legislation. There was no information provided on the clarity of legal obligations, consistency with existing policy on wildlife management and use and coverage of law for all types of offences and penalties.

In addition to the ongoing revisions of CITES-relevant legislation (mentioned above), there has been a review of legislation specifically regarding the marking of specimens to facilitate identification.

Compliance and enforcement measures

Obligatory measures

Inspections of traders, producers and markets, as well as border controls (restricted to international airports) have been undertaken as part of compliance monitoring operations.

Administrative measures were imposed for CITES-related violations such as illegal imports and national trade. Austria reports that the outcome of the legal procedures is “patchy” and one case is still under consideration.

Information on significant seizures and confiscations was provided to the Commission and Secretariat—Austria recorded 74 cases of seizures of live specimens in 2007 and 1607 in 2008. Concerning the seizure of dead specimens, 6523 cases were recorded in 2007 and 5571 in 2008. Caviar and corals represented a large proportion of these seizures. No criminal prosecutions of significant cases have been undertaken.

Specimens have been marked to identify whether they are captive-bred. Austria reported that all marking methods are regulated through the Species Marking Ordinance of 2006, and listed the following: closed ring, bands, tags, tattoos, marks, microchip-transponders, DNA-fingerprinting with feathers, blood, excrements, and also photo documentation for reptiles

Monitoring activities have been undertaken by the SA prior to issuing import permits, to ensure that accommodation for live specimens is adequately equipped.

Additional measures and information

There is no information on whether co-operative enforcement activities with other countries have been undertaken, or whether there has been a review or assessment of CITES-related enforcement.

Austria reported adopting national action plans for co-ordination of enforcement—the Austrian MA has created a national action plan which involves enforcement and scientific authorities.

Penalties take into account *inter alia* the market value of the specimens and the conservation value of the species involved in the offence.

There is no information provided on the following:

- training and/or awareness raising activities for the enforcement agencies, prosecution services or the judiciary;
- regular checks undertaken on traders, holders, breeders and nurseries to ensure in-country enforcement;
- risk and intelligence assessments used systematically to ensure checks within the country and at the border-crossing-points; or
- co-operation in investigations of offences taking place with relevant enforcement agencies in other Member States.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

Austria has a single MA—the Federal Ministry of Agriculture, Forestry, Environment and Water.

There is no information provided on whether the Commission or CITES Secretariat have been informed of the outcomes of investigations that the Commission considered necessary.

Additional measures and information

There are eight staff members working in the Austrian MA—6 people work full-time on CITES issues, one person works part-time, and one person spends 50% of their time on CITES matters.

There are nine SAs in Austria, with one or two people working in each. In eight of the SAs, all staff spend 50% of their time working on CITES-related issues and in one SA a single person works exclusively on CITES matters.

While no research has been undertaken by the MA in relation to non-CITES-listed species, some has been undertaken in relation to CITES-listed species. Financial support was provided for a *Bulbophyllum* spp. project with the University of Vienna's Botanical Garden. No research has been undertaken by the SA in relation to CITES and non-CITES-listed species.

The CITES Secretariat has been advised of the Austrian enforcement authorities designated for the receipt of confidential CITES-related information, namely the Federal Ministry of Finance and the Customs Authority.

There is a specialist unit responsible for CITES-related enforcement within the Customs Authority, and liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported to the MA on discrepancies in the number of items declared on permits and the number of items actually traded and also on mortality in transport, although the mortality data are not systematically collected.

Austrian CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Enforcement authorities have also reported information on seizures and confiscations to the MA.

In addition to providing information at border crossing points, CITES authorities have also provided information about the Convention's requirements to the wider public via press releases/conferences, newspapers articles, radio/television appearances, brochures and leaflets (Austrian Campaign for Travel Guides and Travellers, carried out with WWF-Austria) and displays.

Permitting and registration procedures

Obligatory measures

Changes in the designation and signatures of officials empowered to sign CITES permits/certificates have been reported—two additional people are now authorised to sign documents.

Written procedures have been developed for permit issuance/acceptance. There are no written procedures available for the registration of traders and producers.

A list of places of introduction and export in Austria has been compiled in accordance with Article 12 of *Council Regulation (EC) No.338/97*.

One caviar re-packaging plant has been licensed for exporting, processing and repackaging in Austria.

No cases occurred where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export and/or harvest quotas are used as a management tool in the procedure for issuance of permits although Austria has had no exports of wild-taken animals; however Austria takes responsibility for checking export documents of non-EC-Parties if these refer to export quotas.

Fees are charged for permit/certificate issuance, specifically the issuance of CITES documents and importing of CITES-listed species. Revenues from fees are partly used for the implementation of CITES or wildlife conservation.

31 scientific institutions have been registered in Austria, but no breeders have been approved.

Capacity building

Additional measures and information

The following activities have been undertaken to enhance the effectiveness of CITES implementation at the national level: increased budget for activities; improvement of national networks; hiring of more staff; and computerisation (e.g. electronic permitting).

Austrian CITES authorities have not been the recipients of any capacity building activities, however, they have been the providers of capacity building activities such as oral or written advice/guidance at the internal level. Financial support was provided to WWF-Austria's information campaign for traders and the public.

Collaboration/co-operative initiatives

Additional measures and information

An inter-agency committee on CITES has been established. Additionally, an informal task force with members of the Animals and Plants Committees, MA, SA, enforcement authorities and veterinary and phytosanitary agencies was created and meets annually.

No formal arrangements for co-operation between the MA and other agencies have been agreed. There have been, however, collaborative efforts between provincial, state or territorial authorities, and NGOs.

Financial assistance of EUR10 000 was provided to the CITES Trust Funds for other countries to participate in COP 14.

Areas for future work

An increased budget for activities and the improvement of national networks are considered to be high priorities by Austria for future work. Medium priorities include the hiring of more staff and the development of implementation tools.

Austria did not report any difficulties or constraints in implementing the Convention.

Summary

Strengths

- Maximum penalties that can be imposed for Regulations-related violations are in place.
- Administrative measures have been imposed for CITES-related violations.
- Specimens have been marked to identify whether they are captive-bred.
- Monitoring activities have been undertaken on intended accommodation for live specimens to ensure that such places are adequately equipped.
- Austria has reported adopting a national action plan for co-ordination of enforcement.
- Enforcement authorities reported to the MA on discrepancies in the number of items declared on permits and the number of items actually traded, and also on mortality in transport.
- A list of places of introduction and export in Austria has been compiled.
- One caviar re-packaging plant has been licensed.
- CITES authorities have been providers of capacity building activities.
- An informal CITES task force group has been created and meets annually.

Areas for improvement

- Effectiveness of CITES legislation to enhance the clarity of legal obligations, the consistency with existing policy on wildlife management and use and the coverage of law for all types of offences and penalties could be reviewed, if not already done so (no information was provided).
- Criminal prosecutions of significant cases should be undertaken.
- More information could be provided on enforcement activities, such as involvement in co-operative enforcement activities with other countries, or whether there has been any review or assessment of enforcement. This was also highlighted as a possible area for improvement in the 2005–2006 analysis.
- Further compliance monitoring operations could be undertaken, such as a review of reports and other information provided by traders and producers, also recommended in the last reporting period.
- The Commission or CITES Secretariat should be informed of the outcomes of investigations that the Commission considered necessary.
- Written procedures for the registration of traders and producers need developing.

BULGARIA

Legislative and regulatory measures

Obligatory measures

Bulgaria has partly provided information on CITES-relevant legislation. In November 2007, Bulgaria enacted an amendment to its Biological Diversity Act in order to harmonise national legislation with *EU Regulation 338/97*.

Penalties which may be imposed for Regulations-related violations are in place, such as:

- Fines from BGN500 to 10 000 (EU255.75 to EU5115.12) for private persons.
- Fines from BGN 1000 to 20 000 BGN (EU511.50 to EU10230.20) for businesses and entrepreneurs.

Additional measures and information

No additional Regulation-relevant legislation has been enacted or drafted during this reporting period.

As compared to the Regulations, stricter domestic measures have been adopted for the complete prohibition of trade in and possession of certain species. The Animal Protection Act (SG No. 13/2008) prohibits import, acquisition and keeping of primates and wild cats except for in zoos and rescue centres.

An internal review or assessment of the effectiveness of CITES legislation indicated that the power of CITES authorities, clarity of legal obligations, consistency with existing policy on wildlife management and use, coverage of law for all types of offences and penalties, implementation of Regulations, and coherence within legislation are adequate in Bulgaria. However, control over CITES trade was found to be partially inadequate. A review of legislation on the handling and housing of live specimens has been undertaken and an amendment to the 2003 Regulation for minimum requirements of keeping animals in zoos has been prepared and will be enacted in 2009. The legislation on marking specimens to facilitate identification has also been reviewed.

Compliance and enforcement measures

Obligatory measures

Inspections of traders, producers and markets have been undertaken as part of compliance monitoring operations.

There have been no criminal prosecutions of significant cases, but administrative measures for CITES-related violations have been imposed, e.g. a penalty was applied to a case of illegal import and trade of parrots and monkeys in 2008.

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat. Four seizures/confiscations of CITES specimens have been recorded for the 2007–2008 reporting period.

Specimens have been marked to establish whether they are captive-bred.

Zoos have been monitored to ensure that intended accommodation for live specimens is adequately equipped to conserve and care for them.

Additional measures and information

Co-operative enforcement activities with other countries have not been undertaken, and there has been no review of CITES-related enforcement. A national action plan for co-ordination of enforcement has not been adopted.

Penalties do not take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offence and the costs incurred.

Training and awareness raising activities have been carried out during this reporting period. In 2007 and 2008, two two-day training seminars on CITES implementation were organized by the National Customs Agency and 25 customs officers attended each meeting. In November 2008 another training seminar on the control of domestic trade in CITES-listed species was organized by the Bulgarian Authority and was directed at inspectors from the Regional Inspectorates of Environment and Water.

Regular checks on traders and holders are undertaken to ensure in-country enforcement and risk and intelligence assessments have been used systematically in order to ensure thorough checks at border-crossing-points as well as in-country.

Co-operation on investigations of offences with enforcement agencies in other Member States was not reported.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The National Nature Protection Directorate, Biodiversity Division under the Ministry of Environment and Water, is the designated MA. As Bulgaria only has one MA, there is no need for the designation of a lead MA. Changes in MA contact information have been provided.

The Commission and CITES Secretariat have not been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

There are four staff working in the Bulgarian MA and the percentage of time spent on CITES issues depends on the number of issues that arise.

Since 2003, a CITES Scientific Council with 14 experts has been working to support the CITES MA in implementing the Convention. However there is no information on the percentage of time they spend on CITES-related matters.

No research has been undertaken by the MA or SA in relation to CITES or non-CITES-listed species.

The CITES Secretariat has been advised of the Bulgarian enforcement authorities designated for the receipt of confidential CITES-related information. There are also a specialist units responsible for CITES-related enforcement—the National Nature Protection Service Directorates' Biodiversity Division and the Tariff Policy Division in the National Customs Agency. Liaison officers/focal points have been nominated within each relevant enforcement authority in Bulgaria.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported to the MA on mortality in transport and on discrepancies in the number of items declared and the number of items actually traded.

CITES authorities have not provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

The MA has access to key CITES publications, but the SA only has access to the Identification Manual. Enforcement authorities have no access to CITES publications.

Enforcement authorities have reported seizures and confiscations to the MA.

CITES authorities have not provided information about the Convention's requirements to the wider public through other activities.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance/acceptance and registration of traders and holders.

A list of 14 places of introduction and export for trade with third countries has been compiled in Bulgaria.

Three caviar processing plants have been registered as caviar exporters.

There were no cases of export permits or re-export permits certificates issued retrospectively.

Additional measures and information

Export quotas are used as a management tool in the procedures for issuance of permits, but only for export of caviar harvested from the wild.

Fees are charged for the issuance of CITES documents such as import/export permits or re-export certificates, and the licensing or registration of operations that produce CITES-listed species.

No scientific institutions have been registered, and no breeders have been approved during this reporting period.

Capacity building

Additional measures and information

The improvement of national networks has been undertaken to enhance the effectiveness of CITES implementation at the national level.

CITES authorities have been the recipients and providers of capacity building activities, with the MA providing training at least once a year for officers from the National Customs Agency.

Collaboration/co-operative initiatives

Additional measures and information

There is no inter-agency committee on CITES in Bulgaria.

Formal arrangements for co-operation have been agreed between the MA and the Veterinary and Phytosanitary Border Controls. Additionally, there have been efforts to collaborate with trade or other private sector associations, NGOs and the Executive Agency of Fisheries and Aquaculture.

Bulgaria has not provided technical or financial assistance to other countries in relation to CITES.

Areas for future work

Bulgaria considers the improvement of national networks and the purchase of new technical equipment for monitoring and enforcement as high priorities for future work. Medium priority areas include an increased budget for activities and the hiring more staff.

No difficulties or constraints in implementing the Convention were identified in Bulgaria.

Summary

Strengths

- Administrative measures have been imposed for CITES-related violations.
- Specimens have been marked to establish whether they are captive-bred.

- Monitoring activities, to ensure that intended accommodations for live specimens are adequately equipped, have been undertaken for the zoos.
- Liaison officers/focal points have been nominated within each relevant enforcement authority in Bulgaria.
- Enforcement authorities have reported to the MA on mortality in transport, discrepancies in number of items declared and the number of items actually traded, and on seizures and confiscations (this was highlighted as an area for improvement in the 2005-2006 analysis and has now been addressed).
- CITES information is computerized and all the CITES authorities have access to the Internet.
- Written permits procedures have been developed for permit issuance/acceptance, and for registration of traders and holders (this was highlighted as an area for improvement in the 2005-2006 analysis and has now been addressed).
- A list of places of introduction and export has been compiled.
- Caviar (re-)packaging plants have been registered.
- There have been efforts to collaborate with trade or other private sector associations, NGOs and the Executive Agency of Fisheries and Aquaculture.

Areas for improvement

- Control over CITES trade should be addressed as an area for improvement as Bulgaria reported it as being as partially inadequate.
- Criminal prosecutions of significant cases should be undertaken.
- A review of reports and other information provided by traders and producers, as well as borders controls, need to be carried out as a part of compliance monitoring operations.
- There have been no co-operative enforcement activities with other countries and no review of CITES-related enforcement has been undertaken.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- CITES authorities need to provide information about the Convention's requirements to the wider public at border crossing points.
- The SA and enforcement authorities should be given access to all key CITES publications.

Points 1, 2, 6 and 7 were also recommended as areas for improvement in the previous reporting period.

CZECH REPUBLIC

Legislative and regulatory measures

Obligatory measures

The Czech Republic enacted national legislation to implement CITES in 2004. In addition, draft amendments to the implementing legislation were presented to the Parliament of the Czech Republic in 2008—these are still under examination.

Penalties that may be imposed for Regulation-related violations include a maximum fine of up to EUR7 150 for a private person and up to EUR53 500 for businesses, and imprisonment for up to eight years.

Additional measures and information

No additional Regulation-relevant legislation has been enacted or drafted during this reporting period.

Stricter domestic measures adopted, compared to the Regulations, include:

- Stricter measures for the protection of national and European indigenous fauna and flora (i.e. species listed in the *Decree of the Ministry of the Environment No. 395/1992 Coll.*)
- More detailed conditions and requirements for proving the legal origin of protected fauna under Section 54 of the *Nature Protection Act*, including documentation such as proof of origin and personal identification.
- Compulsory registration of specimens of selected exotic species under Section 23 of the *Act on Trade in Endangered Species*.

An assessment of the effectiveness of CITES legislation indicated that the following items are adequate in the Czech Republic: power of CITES authorities; clarity of legal obligations; control over CITES trade; consistency with existing policy on wildlife management and use; coverage of law for all types of offences and penalties, implementation of Regulations; and coherence within legislation.

There has been no review of legislation on the implementation of the Convention relating to the following issues: access to or ownership of natural resources, harvesting, introduction of live Regulation-listed species into the Community and marking specimens to facilitate identification. There is no information provided on the review of legislation covering the transport of live specimens or handling and housing of live specimens.

Compliance and enforcement measures

Obligatory measures

Inspections of traders, producers and markets, as well as border controls have been undertaken as part of compliance monitoring operations.

There have been criminal prosecutions of significant cases and administrative measures have been imposed for CITES-related violations. In 2007, 142 penalties and 59 confiscations were administered and in 2008 there were 123 penalties and 49 confiscations.

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat. In 2007, the Czech Republic confiscated 697 specimens, and in 2008, 1588 specimens.

Specimens have been marked to identify whether they were captive-bred.

Monitoring activities have been undertaken to ensure that intended accommodation for live specimens is adequately equipped.

Additional measures and information

The Czech Republic participates in the EU Enforcement Group on CITES and has been involved in co-operative enforcement activities with other countries, including the Netherlands, Germany, the UK, Slovakia,

New Zealand, USA, Austria and Brazil. The Czech Republic is also active in the Interpol Wildlife Crime Group and the EU-TWIX Advisory Group.

A review of CITES-related enforcement was undertaken in this reporting period.

The Czech Republic has reported adopting a national action plan for co-ordination of enforcement— with defined objectives and timeframes.

The penalties take into account *inter alia* the market value of the specimens and the conservation value of the species involved in the offence, as well as the costs incurred.

Training and awareness raising activities have been carried out in Czech institutions.

Regular checks on traders and holders have been undertaken to ensure in-country enforcement.

Risks and intelligence assessments have been used systematically to ensure thorough checks at border-crossing-points and within the country.

Co-operation is taking place with relevant enforcement agencies in other Member States on investigations of offences.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The Ministry of Environment has been designated as the lead MA in the Czech Republic.

There is no information on whether the Commission and CITES Secretariat have been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

There are six staff members working in the lead MA, spending an average of 83% of their time on CITES-related issues. In the other MAs, there is at least one officer working on CITES-related-issues part-time in each office. There is no information on whether the MAs have undertaken research in relation to CITES-listed species and none has been undertaken by the MA in relation to non-CITES-listed species.

There are five staff members working in the SA, in addition to the independent experts who are consulted on a case-by-case basis. Staff members spend 100% of their time on CITES issues. No research has been undertaken by the SA in relation to CITES-listed species however there has been some research in relation to non-CITES-listed species, specifically on species protected under NATURA 2000, and species protected under national law in the Czech Republic.

The Czech Republic has advised the CITES Secretariat of the enforcement authorities designated for the receipt of confidential CITES-related information.

There is a specialist unit responsible for CITES-related enforcement, led by the Czech Environmental Inspectorate and liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported discrepancies in the number of items declared on permits and the number of items actually traded to the MA, but they have not reported mortality in transport. State veterinary authorities are responsible for this and mortality in transport is reported only occasionally to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Enforcement authorities have reported to the MA on seizures and confiscations.

CITES authorities have provided information about the Convention's requirements to the wider public, in addition to information at border crossing points, through press releases/conferences; newspaper articles, radio/television appearances; brochures/leaflets; presentations; displays; and a telephone hotline.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance/acceptance and for the registration of traders, but not for registration of producers.

A list of places of introduction and export has been compiled in the Czech Republic.

No caviar (re)packaging plants have been licensed in this reporting period and no cases occurred where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are not used as a management tool in the procedures for issuance of permits since the Czech Republic does not normally export specimens taken from the wild. However, the export quotas of third countries are considered when allowing imports into the Czech Republic.

Fees of CZK1000 (EUR35) are charged per application for the issuance of CITES permits.

Four scientific institutions have been registered in the Czech Republic in 2007.

No breeders have been approved in accordance with Article 63 of *Commission Regulation (EC) No. 865/2006* whereas in 2008 one breeder from the Czech Republic was approved in terms of the *Resolution Conf. 12.10*.

Capacity building

Additional measures and information

Activities have been undertaken to enhance the effectiveness of CITES implementation at the national level, including the hiring of more staff, development of implementation tools, improvement of national networks and computerisation.

Czech CITES authorities have been the recipients of capacity building activities, including oral/written advice or guidance, and training from the Commission, TRAFFIC, and other Member States such as the Netherlands. CITES authorities have also been the providers of capacity building activities, such as oral or written advice/guidance to MAs, SAs, enforcement authorities, NGOs and the public, and also training for MA, SA and enforcement authority staff.

Collaboration/co-operative initiatives

Additional measures and information

An inter-agency committee on CITES has been established in the Czech Republic—a working group on enforcement composed of Customs and the Czech Environmental Inspectorate. Formal arrangements for co-operation have been agreed between the MAs, SAs and Customs. Additionally, there have been efforts to collaborate with provincial, state or territorial authorities, trade or other private sector associations, and NGOs.

CITES authorities also provided financial assistance to other Parties/international meetings.

Areas for future work

An increased budget for activities, hiring of more staff, and the purchase of new technical equipment for monitoring and enforcement are considered to be high priorities for future work by the Czech Republic. Medium priorities include improvement of national networks and computerisation.

The Czech Republic has not encountered any difficulties or constraints in implementing the Convention.

Summary

Strengths

- There are maximum penalties that may be imposed for Regulation-related violations.
- Many administrative measures have been imposed for CITES-related violations in this reporting period.
- There have been several criminal prosecutions of significant cases.
- Specimens have been marked to identify whether they were captive-bred
- Monitoring activities have been undertaken to ensure that intended accommodation for live specimens is adequately equipped.
- The Czech Republic has participated in co-operative enforcement activities with countries including the Netherlands, Germany, the UK, Slovakia, New Zealand, the USA, Austria and Brazil. The Czech Republic is also active in the Interpol Wildlife Crime Group and the EU-TWIX Advisory Group.
- A lead MA has been designated in the Czech Republic.
- There is a specialist unit responsible for CITES-related enforcement, led by the Czech Environmental Inspectorate.
- Liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.
- CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.
- A list of places of introduction and export has been compiled in the Czech Republic.

Areas for improvement

- There could be a review of legislation on the implementation of the Convention relating to the access to or ownership of natural resources, harvesting, the introduction of live Regulation-listed species into the Community, and of marking specimens to facilitate identification.
- A review of reports and other information provided by traders and producers should be undertaken as part of compliance monitoring operations.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- Mortality in transport should be reported to the MA.
- Written procedures should be developed for the registration of producers.

Points 1, 2 and 5 were also recommended as areas for improvement in the previous reporting period.

ESTONIA

Legislative and regulatory measures

Obligatory measures

Estonia has enacted national legislation to implement CITES. Information on CITES-relevant legislation has been partly provided to Commission and CITES Secretariat. CITES-relevant legislation drafted and enacted in Estonia includes:

- Regulation No. 29 of the Minister of the Environment of 12 April 2007 on the procedure for registration and marking of all Annex A mammals, birds and reptiles;
- Some paragraphs have been added to the Nature Conservation Act on specimens of species listed in Annexes A and B, also on rules and procedures for licensing (re-)packaging plants of caviar;
- Regulation No. 63 of the Minister of Environment of 20 December 2007 on the killing of live specimens of Annex-listed animal species that have been imported or bred for commercial purposes.

Maximum penalties that may be imposed for Regulation-related violations include:

- Violation of the requirements on use and protection of protected species: EUR1150 to 3200 fine or arrest, under the Nature Conservation Law;
- Violation of the requirements for the use or protection of a protected natural object: if significant damage is caused to the protected natural object, a fine or up to five year's imprisonment; if the damage is caused by negligence, a fine or up to three year's imprisonment under the Penal Code. The same act, if committed by a legal person is punishable by a fine.
- Violation of the requirements for hunting, catching or utilisation of wild fauna: a fine or up to three years' imprisonment under the Penal Code;
- Concealment, failure, or fraud relating to goods to be declared at Customs: if the quantity of goods is large or it is a repeat offence, fines or up to three years' imprisonment under the Penal Code. The same act, if committed by an official taking advantage of his/her official position, or by a group, is punishable by one to five years imprisonment;
- Transport of forbidden goods, declaration of such goods for customs-approved treatment or use, and conveyance of prohibited or restricted goods without a mandatory document or registered entry from a third country to Estonia, or from Estonia to a third country: detention or a fine up to EUR1150 under the Customs Act. The same act, if committed by a legal person: fine up to EUR3200.
- Violation of requirements for the keeping or transport of animals: fine of up to EUR770 or EUR3200 for an official taking advantage of his/her position, under the Animal Protection Act.
- Infringement of rules established under *EC Reg. No. 338/97*: compensation for environmental damages between EUR12 and 65 000, depending on conservation status and market value of the specimen concerned.

Additional measures and information

No additional Regulation-relevant legislation has been enacted or drafted during this reporting period and Estonia as not adopted any stricter domestic measures, compared to the Regulations.

Results of a review or assessment of the effectiveness of CITES legislation in Estonia has assessed implementation of Regulations as partially inadequate, and the following items were considered adequate: power of CITES authorities; clarity of legal obligations; control over CITES trade; consistency with existing policy on

wildlife management and use; coverage of law for all types of offences and penalties; and coherence within legislation.

There has been no review of legislation on subjects related to the implementation of the Convention.

Compliance and enforcement measures

Obligatory measures

The review of reports and other information provided by traders and producers, and inspections of traders, producers and markets, and as border controls, have been undertaken as compliance monitoring operations in Estonia.

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat. However, of a total of 23 cases of seizures/confiscations, there were no significant cases specified. Administrative measures have been imposed for CITES-related violations, but there have been no criminal prosecutions.

Marking to identify captive-bred specimens has not occurred in Estonia.

Monitoring of intended accommodation for live specimens, to ensure that it is adequately equipped, has not been undertaken.

Additional measures and information

Co-operative enforcement activities with other countries have been undertaken. Estonian Customs collaborates with police and Customs from neighbouring countries, and also with international bodies such as the World Customs Organization and Europol.

Estonia has reported both carrying out a review of CITES-related enforcement and adopting a national action plan for co-ordination of enforcement, with clearly defined objectives and timeframes.

Penalties take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offence and the costs incurred.

Some training and awareness raising activities for enforcement agencies, prosecution services and the judiciary have been carried out.

Regular checks on traders, holders, breeders and nurseries have been undertaken to ensure in-country enforcement and risk and intelligence assessments have been used systematically to ensure thorough checks in-country and at border crossing points.

Co-operation on investigation of offences is taking place with relevant agencies in other Member States.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

There is no need for Estonia to designate a lead MA as there is only one Estonian MA.

The Commission and CITES Secretariat have not been informed on the outcomes of investigations that the Commission considers necessary.

Additional measures and information

The Estonian MA has one member of staff spending 50% of his time on CITES-related issues. There is one permanent SA staff member and a Scientific Committee of 5 people works when required. The percentage of time these people spend on CITES-related issues is around 5-10%. No research has been undertaken by the MA or SA in relation to CITES-listed species or non-CITES-listed species.

The CITES Secretariat has been advised of the Estonian enforcement authorities designated for the receipt of confidential CITES-related information. There is no specialist unit responsible for CITES-related enforcement in Estonia, however liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded to the Estonian MA.

CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Estonian enforcement authorities have also reported seizures and confiscations to the MA.

CITES authorities have provided further information about the Convention's requirements to the wider public, other than at border crossing points, through press releases/conferences, newspaper articles, radio/television appearances, brochures/leaflets, presentations and displays.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance and for the registration of caviar producers since the entry into force of the amendment of the Nature Conservancy Act in August 2008 on caviar licensing procedures. There are no written procedures for the registration of traders.

A list of places of introduction and export has been compiled.

No caviar (re-)packaging plants have been licensed during this reporting period

There have been no cases where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Harvest quotas are used as a management tool in the procedures for issuance of permits in Estonia, for example there are hunting quotas for lynxes and wolves.

The MA charged a fee of EUR 320 for issuing the official label for caviar containers.

No scientific institutions have been registered and no breeders have been approved during the reporting period.

Capacity building

Additional measures and information

The following activities have been undertaken to enhance the effectiveness of CITES implementation at the national level: increased budget for activities; hiring more staff; improvement of national networks; and purchase of technical equipment for monitoring/enforcement.

The MA and the enforcement authorities have been the recipients of capacity building, such as written guidance and training in the identification of Traditional Asian Medical products provided by an expert from Netherlands and a training seminar supported by Latvia and TRAFFIC Europe in 2008.

CITES authorities (MA, SA and the enforcement authorities) have also been the providers of capacity building activities, including oral or written advice/guidance and training to Customs officers and environmental inspectors, as well as lectures, exhibitions and presentations to the public.

Collaboration/co-operative initiatives

Additional measures and information

No inter-agency committee on CITES has been established in Estonia. However, formal arrangement for co-operation, in the form of a Memorandum of Understanding, has been agreed between the Environmental Inspectorate, the police, the Veterinary and Food Board and the Tax and Customs Board. Additionally, CITES authorities have made efforts to collaborate with provincial, state or territorial authorities such as the State Agency of Medicines and Estonian Consumer Board, and also with NGOs, through discussions and consultations.

Estonia has not provided technical or financial assistance to other countries in relation to CITES issues.

Areas for future work

Estonia considers the hiring of more staff as high priority for future work. The development of implementation tools and the improvement of national networks are considered areas of medium priority. The purchase of new technical equipment for monitoring and enforcement and the computerisation are considered low priority.

No difficulties or constraints were identified in implementing the Convention in Estonia.

Summary

Strengths

- Several maximum penalties exist that may be imposed for different types of Regulation-related violations.
- Many items relating to the effectiveness of CITES legislation in Estonia have been reported to be adequate.
- A review of reports and other information provided by traders and producers has been undertaken as part of compliance monitoring, as was recommended in the two last reporting periods.
- A review of CITES-related enforcement has been undertaken.
- Liaison officers/focal points for CITES have been nominated within each relevant enforcement authority in Estonia.
- Enforcement authorities have reported mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded.
- Estonia reported having adopted national action plans for co-ordination of enforcement, with clearly defined objectives and timeframes.
- Regular checks on traders, holders, breeders and nurseries have been undertaken to ensure in-country enforcement.
- Written procedures have been developed for permit issuance and for the registration of caviar producers.
- A list of places of introduction and export has been compiled in Estonia.
- Efforts have been made to collaborate with provincial, state or territorial authorities and NGOs.

Areas for improvement

- Information on CITES-relevant legislation should be fully provided to Commission and CITES Secretariat, as should a translation of enacted legislation into one of the working languages of the Convention.

- Criminal prosecutions of significant cases should be undertaken in Estonia, if significant cases of CITES violations occur.
- A review of legislation on subjects related to the implementation of the Convention could be undertaken.
- Marking procedures should be established to identify captive-bred specimens in Estonia, also recommended in 2005–2006.
- Intended accommodation for live specimens needs to be monitored to ensure that it is adequately equipped.
- Written procedures should be developed for registration of traders.
- Caviar (re-)packaging plants should be licensed, if necessary.

Points 1, 2, 3, 4 and 6 were also recommended as areas for improvement in the previous reporting period.

FINLAND

Legislative and regulatory measures

Obligatory measures

Finland has enacted national legislation to implement CITES.

Penalties exist which may be imposed for Regulation-related violations. According to the Finnish penal code, the maximum penalty for CITES violations is two years' imprisonment.

Additional measures and information

No additional Regulation-relevant legislation has been enacted or drafted during this reporting period.

Stricter domestic measures adopted compared to the Regulations cover:

- Possession and trade of certain species listed in the EU Habitats and Bird Directives is prohibited or strictly regulated.
- Prohibitions or Regulation via permitting system on the taking and possession of live or dead animals and live plants protected under the Nature Conservation Act, which includes both CITES-listed and non-CITES-listed indigenous species;
- Import and harvest of whale species for commercial use is prohibited.

There has been no review or assessment of the effectiveness of CITES legislation in Finland during 2007–2008, however a review of the National Nature protection legislation is planned to start in 2010. There has also been no review of legislation on subjects related to the implementation of the Convention.

Compliance and enforcement measures

Obligatory measures

Border controls have been undertaken as part of compliance monitoring operations in Finland, but a review of reports and other information provided by traders and producers, or inspection of traders, producers and markets has not been conducted.

Administrative measures such as fines have been imposed for CITES-related violations. Although criminal prosecutions related to CITES species have been undertaken, compilation of information on such prosecutions, and their links to actual confiscations, is currently lacking.

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat. A total of 30 seizures and confiscations took place in Finland over this reporting period.

Specimens have been marked to identify whether they are captive-bred. In Finland no permits and certificates are issued for live animals listed in Annex A unless the specimen is permanently marked.

There has been monitoring of intended accommodation for live specimens to ensure that they are adequately equipped. All facilities keeping live animals for commercial or public purposes are inspected annually by Animal Health and Welfare authorities and irregular extra inspections are also carried out when there is reason to suspect that a given facility is not run properly.

Additional measures and information

Finland has not been involved in co-operative enforcement activities with other countries.

No review of CITES-related enforcement has been undertaken and no national action plans for co-ordination of enforcement have been adopted.

Penalties take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offence and the costs incurred.

Training and/or awareness raising activities have been carried out for Finnish institutions in this reporting period.

There have been no regular checks of traders and holders, nor have risk and intelligence assessments have been used to ensure thorough checks at border-crossing-points as well as in-country.

Co-operation is taking place with relevant enforcement agencies in other Member States on investigations of offences.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The Ministry of the Environment has been designated as the lead MA in Finland.

Finland notes that it was not necessary to inform the Commission and CITES Secretariat of the outcomes of investigations that the Commission considers necessary, as no such investigations were required.

Additional measures and information

There are two staff members working in the lead MA, each spending 5% of their time per year on CITES-related issues. Four staff members work in the secondary MA and they spend 50-90% of their time on CITES-related matters. Two people are working in the SA and they spend 5% of their time per year on CITES-related matters. Research has not been undertaken by the MA or SA in relation to CITES-listed species, or non-CITES-listed species.

The CITES Secretariat has been advised of the Finnish enforcement authorities designated for the receipt of confidential CITES-related information.

There is no specialist unit responsible for CITES-related enforcement in Finland, however liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported mortality in transport and any discrepancies in the number of items declared on permits and the number of items actually traded to the MA. However, Finland notes that there has been no mortality detected in CITES transports during this reporting period.

CITES authorities have provided information about the Convention's requirements to the public at border crossing points.

Additional measures and information

Finnish enforcement authorities have reported seizures and confiscations to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public, other than at border crossing points, through several activities, including press releases/conferences; newspaper articles, radio/television appearances; brochures/leaflets and displays.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance and for registration of caviar traders and caviar producers.

A list of places of introduction and exports has been compiled.

There are no caviar (re-)packaging plants in Finland, however there is one aquaculture firm which is processing caviar, packing and distributing its own produce. This aquaculture plant has been licensed by the MA.

There were cases of export permit and re-export certificates being issued retrospectively.

Additional measures and information

Harvest quotas have been used as a management tool in the procedure for issuing permits for brown bear trophies and meat, as well as lynx and wolf in Finland.

Fees have been charged for the issuance of CITES documents and for the licensing or registration of operations that produce CITES species. Fees have been also charged for issuing non-CITES statements needed by traders when trading specimens of non-listed species with certain countries.

No scientific institutions have been registered and no breeders have been approved in the 2007–2008 reporting period.

Capacity building

Additional measures and information

As a measure to enhance the effectiveness of the CITES implementation, there has been improvement of Customs equipment.

The MA, SA and Finnish enforcement authorities have been the recipients of capacity building activities, including oral or written advice/guidance, and training from TRAFFIC Europe and the Latvian MA

CITES authorities in Finland have also been the providers of capacity building activities, such as oral or written advice/guidance and training to the Finnish Customs and MA and the Estonian MA. They also provided capacity building in the form of written guidance to fish producers, traders, hunters and to the Finnish Orchid Society, the Herpetological Society and the Parrot Societies.

Collaboration/co-operative initiatives

Additional measures and information

There is no inter-agency committee on CITES in Finland, however meetings between Customs and the MA are organized several times a year. Consultation between the MA and Customs occurs on a daily basis and on weekly or monthly basis with the SA and the State Veterinarians.

There are no agreed formal arrangements for co-operation between the MA and other agencies; however there have been efforts to collaborate with provincial, state or territorial authorities such as environmental prosecutors, phytosanitary and veterinary inspectors, hunting authorities and regional environment centres. The MA also collaborated with trade or other private sector associations such as the Orchid Society, the Herpetological Society and the Hunter's Central Organization.

Finland has provided technical and financial assistance to other countries in relation to CITES, through the provisions of funds to the CITES Secretariat for the participation of developing countries at CITES international meetings.

Areas for future work

Finland considers the development of implementation tools and the improvement of national networks as medium priorities for future work.

Finland did not report encountering any difficulties or constraints in implementation of the Convention.

Summary

Strengths

- There are maximum penalties which may be imposed for Regulation-related violations.
- Administrative measures such as fines have been imposed for CITES-related violations.
- Specimens have been marked to identify whether they are captive-bred.
- Intended accommodations for live specimens have been monitored to ensure that they are adequately equipped.
- Liaison officers/focal points for CITES have been nominated within each relevant enforcement authority in Finland.
- Mortality in transport and any discrepancies in the number of items declared on permits and the number of items actually traded have been reported to the MA.
- CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points and at other locations.
- Written procedures have been developed for permit issuance and for registration of caviar traders and caviar producers (recommended in the 2005–2006 analysis).
- A list of places of introduction and exports has been compiled.

Areas for improvement

- A review or assessment of the effectiveness of CITES legislation, of legislation on subjects related to the implementation of the Convention, and CITES-related enforcement could all be undertaken (also recommended in 2005–2006).
- A review of reports and other information provided by traders and producers, or inspection of traders, producers and markets could be undertaken as part of compliance monitoring operations, as recommended in the 2005–2006 analysis.
- To ensure adequate traceability between confiscations and prosecutions, the compilation of information covering prosecutions dealing with CITES species needs to be improved.
- Finland should participate in co-operative enforcement activities with other countries.
- Enforcement may benefit from adoption of a national action plan for co-ordination.

FRANCE

Legislative and regulatory measures

Obligatory measures

National legislation to implement CITES has been enacted in France. The *Ordinance No. 2008-527 about the implementation of the CITES Convention in French Polynesia and Wallis and Futuna Islands* was enacted on 5th June 2008.

Penalties which may be imposed for Regulation-related violations are in place, such as:

- Maximum of three years' imprisonment, a fine of between one and two times the market value of the illegal object, and confiscation of illegal items, means of transport, and other objects used to commit the fraud (under the Customs Code).
- Maximum of six months' imprisonment and EUR9000 fine, as well as seizure of the illegal item and any vehicles used to commit the infraction (under the Environment Code). This penalty may be applied simultaneously with that under the Customs Code.

Additional measures and information

No additional Regulation-relevant legislation has been enacted or drafted during this reporting period.

Stricter domestic measures have been adopted compared to the Regulations. These relate to species protected by national legislation, setting the conditions for trade, possession and transport, and banning the taking of these species from the wild. A review or assessment of the effectiveness of CITES legislation in France has indicated that the power of CITES authorities, clarity of legal obligations, control over CITES trade, implementation of Regulations and coherence within legislation were all considered adequate. Law coverage for all types of offences and penalties is considered only partially inadequate.

There has been a review of legislation covering handling and housing of live specimens and the introduction into the Community of live Regulation-listed species that would threaten indigenous fauna and flora.

Compliance and enforcement measures

Obligatory measures

Several compliance monitoring operations have been undertaken, including: review of reports and other information provided by traders and producers; inspections of traders, producers, markets; border controls; and control of institutions housing captive wildlife (laboratories, zoos, circuses etc.).

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat. Administrative measures for CITES-related violations have been imposed, with a total of 1402 offences registered in the reporting-period. There have been significant seizures, confiscations and forfeitures of 1806 live and 32 297 dead specimens

There have also been criminal prosecutions of significant cases for violations such as illegal importation, exportation or re-exportation and/or no licences.

Specimens have been marked to establish whether they are captive-bred.

Continuous monitoring of institutions housing captive wildlife is carried out by the Departmental Directorates of Veterinary Services.

Additional measures and information

There is no information on whether co-operative enforcement activities have been undertaken with other countries.

No review of CITES-related enforcement has been undertaken during this reporting period.

No national action plans for co-ordination of enforcement have been adopted.

Penalties take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offence as well as the costs incurred.

Training or/and awareness raising activities are carried out at least once a year for enforcement agencies, prosecution services and the judiciary.

Regular checks on traders, holders, breeders and nurseries are undertaken to ensure in-country enforcement.

There is no information on whether risk and intelligence assessment are used systematically in order to ensure thorough checks at border crossing points as well as in-country.

Co-operation on investigation of offences is taking place with relevant enforcement agencies in other Member States, although no details were provided by Customs.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The “Ministère de l'Ecologie, de l'Energie du Développement Durable et de la Mer, Direction de l'EAU et de la Biodiversité, Bureau des échanges internationaux d'espèces menacées” has been designated as the lead MA in France.

The Commission and CITES Secretariat have not been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

France notes that the total number of staff members working in the MA is hard to estimate since many people are working part-time on CITES-related issues. The percentage of time they spend on CITES-related matters can also not be estimated. No research has been undertaken by the lead MA in relation to either CITES-listed or non-CITES-listed species.

There are 22 staff members working in the French SA. Between 5-80% of their time is spent on CITES-related issues. The SA has carried out research on CITES-listed species, namely on the population status and distribution of *Arapaima gigas*, *Anguilla anguilla* and *Mirounga leonida* and on the population status of *Bos gaurus*.

Research on non-CITES-listed species has also been undertaken, but no details have been provided.

The CITES Secretariat has been advised of the French enforcement authorities designated for the receipt of confidential CITES-related information.

There is a specialist unit responsible for CITES-related enforcement in France—“Office central de lutte contre les atteintes à l'environnement et à la santé publique”. There is also a specialist CITES unit in the “Office national de la chasse et de la faune sauvage”, as well as in the Customs Directorate. Liaison officers/focal points for CITES have been nominated within each relevant enforcement authority in France.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported any discrepancies in the number of items declared on permits and the number of items actually traded to the MA, but have not reported mortality in transport. France notes that such information is not always specified on the permits and certificates.

French CITES authorities have not provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Monitoring and reporting of data on legal trade and permit issuance are computerized, but monitoring and reporting of illegal trade is not.

Enforcement authorities have reported seizures and confiscations to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public through press releases/conferences, brochures and leaflets, and presentations.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance/acceptance and for registration of traders and producers.

A list of places of introduction and export has been compiled in France.

Caviar re-packaging plants have been licensed—there have been four authorizations for packaging and 12 authorizations for re-packaging.

Some cases have occurred where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are used as a management tool in the procedure for issuing export permits. France notes that prior to 2009, export quotas were not used as the export of specimens taken from the wild is forbidden. However, export quotas from third countries are used to verify import permits.

Fees are not charged for permit/certificate issuance.

No scientific institutions have been registered and no breeders have been approved during the 2007–2008 reporting period.

Capacity building

Additional measures and information

The development of implementation tools and computerization have enhanced effectiveness of CITES implementation at the national level in France. Improvement of national networks is ongoing.

Enforcement authority, agency, prosecution service and judiciary staff have been the recipients of capacity building activities, such as written or oral advice/guidance from the “Office National de la Chasse et de la Faune Sauvage” (ONCFS) and from the “Office Central de Lutte contre les Atteintes à l'Environnement et à la Santé Publique” (OCLAESP). The lead French CITES authorities have also been the providers of capacity building activities, such as oral or written advice/guidance and technical assistance, to the regional French MAs, SA, enforcement authorities, public and traders. The CITES authorities have also provided oral written advice/guidance to other parties/at international meetings, as well as technical assistance to enforcement agencies, prosecution services and the judiciary.

Collaboration/co-operative initiatives

Additional measures and information

An inter-agency committee on CITES has been established in France and meets once a year. No Memoranda of Understanding or formal arrangements for institutional co-operation related to CITES have been agreed between the MA and other agencies; however efforts have been made to collaborate with state, provincial or territorial authorities; trade or other private sector associations; and NGOs.

France has provided technical and financial assistance to other countries in relation to CITES, such as financial assistance for working groups and workshops organized by the CITES Secretariat.

Areas for future work

France considers the improvement of national networks a high priority area for future work. Development of implementation tools is considered a medium priority.

France did not report encountering any difficulties or constraints in implementing the Convention.

Summary

Strengths

- Penalties that may be imposed for Regulation-related violations exist, and they notably include measures for the confiscation of transport vehicles used in such violations.
- A review or assessment of the effectiveness of CITES legislation and of legislation on handling and housing of live specimens and the introduction of live Regulation-listed species into the Community have all been carried out (recommended in 2005–2006).
- Several compliance monitoring operations have been undertaken.
- Administrative measures have been imposed and details have been provided.
- There have been criminal prosecutions of significant cases.
- Penalties take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offence as well as the costs incurred.
- France has a specialist unit responsible for CITES-related enforcement, and an inter-agency committee on CITES has been established.
- Written procedures have been developed for permit issuance/acceptance, for registration of traders and producers (an improvement since 2005–2006).
- A list of places of introduction and export has been compiled.
- CITES authorities have provided information about the Convention's requirements to the wider public through press releases/conferences, brochures and leaflets and presentations.
- France has provided technical and financial assistance to other countries in relation to CITES.

Areas for improvement

- Co-operative enforcement activities with other countries should be undertaken.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- CITES authorities should provide information about the Convention's requirements to the wider public at border crossing points (also recommended in 2005–2006 analysis).
- Mortality in the transport needs to be reported by enforcement authorities.
- Monitoring and reporting on illegal trade could be computerized.
- It would be beneficial to establish a Memoranda of Understanding or formal arrangement between the MA and others agencies for institutional co-operation related to CITES.

GERMANY

Legislative and regulatory measures

Obligatory measures

Germany has enacted legislation to implement CITES at the national level. *The Federal Nature Conservancy Act*, in force since 4th April 2002, was revised in 2007 and 2008, however, there has been no change in the regulations that implement CITES or the Regulations.

Maximum penalties that may be imposed for Regulation-related violations include:

- Fines up to EUR50 000 for the infringement of *Regulation EC No. 338/97*, of documentation requirements for import, export or re-export, or of ban on marketing;
- Fines up to EUR10 000 for infringement of import notification obligations, or enforceable conditions;
- Imprisonment of up to three years or a fine for deliberate illegal import, export, re-export or marketing;
- Imprisonment of up to five years or a fine for deliberate illegal import, export, re-export or marketing of species listed in Annex A of the Regulation or of other strictly protected species, and
- Imprisonment of at least three months, but not exceeding five years, for deliberate illegal commercial or habitual import, export, re-export or marketing of species listed in Annex A of the Regulation or of other strictly protected species.

Additional measures and information

Additional Regulation-relevant legislation has not been drafted or enacted during this reporting period.

Stricter domestic measures have been adopted compared to the Regulations. These measures include:

- Prohibition of possession and national sale of protected species, including a national ban on the offering for sale of species protected under the *Federal Nature Conservation Act*.
- Reporting and book-keeping obligations, under the *Federal Ordinance of Species Conservation*.
- Controls on the keeping of live specimens, including a ban on keeping indigenous birds of prey which are listed in Annex 4 of the *Federal Game Conservation Ordinance*. Also includes prohibitions on keeping, breeding, and free flying of hybrids of birds of prey, keeping of wild specimens in animal parks, the permitting of dangerous animals, the keeping of animals listed in Annex A and B of the *Regulation (EC) No.338/97* and a list of selected animal husbandry experts prepared by German Federal Authorities.
- Regulations on the transport of live animals, under the *Ordinance on the Protection of Animals in Transit*, which requires that animals transported by air is in accordance with the rules of the International Air Transport Association (IATA) and CITES transport guidelines.
- Controls on the introduction of live Regulation-listed species into the Community that would threaten indigenous fauna and flora.
- National marking provisions for specimens to facilitate identification: animals of the species listed in Annex 6 of the *Federal Ordinance on Species Conservation* (mammals, birds, reptiles) must be marked.

Concerning question B6 and the results of a review of the effectiveness of CITES legislation, Germany's answer is based on the "Study on the Effectiveness of the EC Wildlife Trade Regulations" (SEWTR) prepared by TRAFFIC under contract to the Commission in December 2007. Germany indicated that all items assessed were considered "adequate" and that the basic Regulation is effective in achieving the objective of CITES to ensure that trade in species is sustainable.

Apart from the general review of framework legislation, included as part of the SEWTR, there has been no national review of legislation on subjects related to the implementation of the Convention.

Compliance and enforcement measures

Obligatory measures

The following compliance monitoring operations have been carried out: review of reports and other information provided by traders and producers; inspections of traders, producers, markets; border controls, and regular checks of trade via the Internet.

Administrative measures for CITES-related violations have been imposed—there were 255 administrative proceedings and 146 criminal proceedings during this reporting period. There have also been criminal prosecutions of significant cases. A total of 1134 administrative offence procedures took place in 2007 (with 20 resulting in orders imposing fines or sentences), and 1134 in 2008 (with 9 resulting in orders imposing fines or sentences).

Detailed information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat. In 2007, 1077 confiscations occurred at major German ports of entry and 1085 in 2008. Further seizures were recorded by Customs including 132 188 specimens, 634.3 kg and 5.9 l in 2007 and 115 872 specimens, 1897.57 kg and 4.5 l in 2008.

Specimens have been marked to establish whether they were captive-bred.

Under question C19, Germany indicates that there is “no information” on whether there has been monitoring of intended accommodation for live specimens at their place of destination, to ensure such accommodation is adequately equipped. However, two examples of inspections of trader holding facilities were provided under Annex I (concerning inspections of traders (questions C1 and C24)).

Additional measures and information

Germany has participated in co-operative enforcement activities with other countries. These include co-operation with the EU CITES Enforcement Working Group, the Interpol Wildlife Crime Working Group, and the WCO Working Group on CITES issues. Additionally, Germany has exchanged intelligence with other countries, including Belgium, Luxembourg, Poland, the Netherlands, France, UK, Czech Republic, Slovenia, Croatia, Brazil, South Africa, Cameroon and the USA.

CITES-related enforcement has been regularly reviewed by the MA and Customs Investigations Agency.

No national action plans for co-ordination of enforcement have been adopted. However, in accordance with the EU Enforcement Action Plan, an Inter-agency National Action Plan Working Group (IANAP-WG) was established at the Federal Agency for the Nature Conservation. The group includes representatives from German Customs, the police, national and local CITES MA and other enforcement bodies.

Despite selecting “no information” for question C22, Germany in fact provided useful additional information concerning whether penalties take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offences and the costs incurred. The Federal Agency and the Federal States have established value-based species lists which provide the standard for fining within Germany. According to German criminal law, the severity of the offence has to be considered, and may take into account the conservation value of the species involved. However, in practice, especially with regard to non-native species, it is often impossible to ascertain their real conservation value. Furthermore, Germany has enacted legislative provisions that require the offender and/or the carrier to meet the costs of confiscation, custody and storage.

Training and awareness raising activities for enforcement authorities were carried out, such as two seminars for local management and enforcement authorities, and another seminar on raising awareness for lawyers, public

prosecutors, and judges. Several training seminars on legal matters and identification issues have been conducted by Customs authorities.

Regular checks on traders and holders have been carried out by local authorities and in special cases these were also supported by police or Customs to ensure in-country enforcement. In 2008, CITES enforcement agencies focused on checks of caviar producing/re-packaging plants or caviar producers.

Risk and intelligence assessments are being used systematically to ensure thorough checks at the border crossing points as well as in-country, and a special unit was established by the German Customs for this purpose.

Co-operation on investigations of offences is taking place with relevant enforcement agencies in other Member State, on a case-by-case basis.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The Federal Ministry for Environment, Nature Conservation and Nuclear Safety has been designated as the lead MA in Germany.

The Commission and CITES Secretariat have been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

The CITES MA at the Federal Agency for the Nature Conservation has 26 staff, but the percentage of their time spent on CITES-related matters can not be estimated.

The MA has conducted or supported research activities in relation to CITES-listed species such as the examination of the declaration of origin for timber by means of distribution of isotopes and sustainable caviar production without the necessity of killing sturgeons.

No research has been undertaken by the MA in relation to the non-CITES-listed species.

There are eight staff members in the German SA, and the percentage of time these persons invest in CITES issues would correspond to 3.5 full time posts. Research activities that have been undertaken by the SA in relation to CITES-listed species include:

- An update and translation of the computer based identification tool CITES wood/ID into all official CITES languages;
- A study on utilisation, trade and conservation of *Hoodia gordonii* in Southern Africa;
- Development of a proposal for CoP14 to amend annotations for medicinal plants species;
- Development of principles, criteria and indicators for making non detriment findings for wild specimens of medicinal plants; and
- Trade and conservation of two shark species, Porbeagle *Lamna nasus* and Spiny Dogfish *Squalus acanthias*.

No research has been undertaken by the SA in relation to non-CITES-listed species.

The CITES Secretariat has been advised of any enforcement authorities designated for the receipt of confidential CITES-related information.

There is a specialist unit responsible for CITES-related enforcement in Germany—Federal Agency for Nature Conservation, Division Z 3.3 “Legal Affairs and Enforcement”. Liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have been reporting to the MA mortality in transport and any discrepancies between the number of items declared on permits and the number of items actually traded.

CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Enforcement authorities have reported seizures and confiscations to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public, other than at border crossing points, through press releases/conferences; newspaper articles, radio/television appearances; brochures/leaflets; presentations; displays and media campaigns.

Permitting and registration procedures

Obligatory measures

Changes in permit format and the designation and signatures of officials empowered to sign CITES permits were reported to the CITES Secretariat—four changes were made during this reporting period.

Written procedures have been developed for the permit issuance/acceptance and the registration of traders and producers.

A list of places of introduction and re-export has been compiled.

Caviar re-packaging plants have been licensed over this reporting period.

There have been two cases where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are not used as a management tool in the procedure for issuing permits, since there are no exports of CITES specimens taken from the wild in Germany. However as a major importing country, Germany has a responsibility to thoroughly check export documents of non-EU Parties, if these refer to export quotas.

Fees are charged for issuing CITES documents, licensing or registering operations that produce CITES-listed species, and the use of CITES-listed species.

There is no information on whether scientific institutions have been registered in accordance with Article 60 of Commission Regulation (EC) No. 865/2006. However, Germany does not use this regulation for allowing certain "scientific institutions" commercial activities such as the exchange or transfer of Annex A specimens. However, it may be used for the (commercial) display of Annex A specimens in zoos. Certain "scientific institutions" have been registered using labels for the movement between registered institutions in line with Article 7(4) Commission Regulation (EC) No. 338/97 and Article 52 Commission Regulation (EC) No. 865/2006.

No breeders have been approved in accordance with Article 63 of Commission Regulation (EC) No. 865/2006 over the 2007–2008 reporting period.

Capacity building

Additional measures and information

The following activities have been undertaken to enhance the effectiveness of CITES implementation at the national level: hiring more staff; development of implementation tools; improvement of national networks; computerisation; and participation of MA and SA as lecturers in CITES training seminars.

German CITES authorities have not been the recipients of capacity building activities, but they have been the providers of capacity building activities, including oral or written advice/guidance to CITES authorities, traders, NGOs, public and at international meetings; technical assistance for the MA and the SA; financial assistance towards the review of wildlife trade legislation; and training for CITES authorities, traders, public and at international meetings.

Collaboration/co-operative initiatives

Additional measures and information

An inter-agency committee on CITES has been established in Germany—the Species Conservation Advisory Committee for the Implementation of CITES, set up by the Federal Agency for Nature Conservation in 1995. This committee is composed of 14 representatives from industry, trade, or consumer associations. During the 2007–2008 reporting period, the committee met only once (in 2007) with work focusing on preparations for CoP14.

The MA and SA have agreed on formal arrangements for co-operation. Efforts of collaboration efforts with the following bodies have also been made: agencies for development and trade; provincial, state, or territorial authorities; local authorities or communities; trade or other private sector associations, and NGOs.

Germany has provided technical to other EU Member States in relation to CITES.

Areas for future work

An increased budget for activities, the hiring more staff, the development of implementation tools, the improvement of national networks, the purchase of new technical equipment for monitoring and enforcement, as well as computerisation are considered medium priorities for future work. Germany notes that for both SAs, the hiring of more staff and the increase in financial resources is a “burning” issue since it has impeded the performance of both authorities in the past few years.

Germany has encountered difficulties in implementing the requirements laid down in *Res. Conf. 12.10 (rev. CoP13) Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes*. Consequently, Germany is supportive of any initiative to review and streamline the current registration guidelines.

Summary

Strengths

- A comprehensive system of maximum penalties that may be imposed for Regulation-related violations is in place
- Several compliance monitoring operations have been carried, including regular checks of trade via Internet.
- There have been criminal prosecutions of significant cases.
- Specimens have been marked to establish whether they were captive-bred.
- Written procedures have been developed for permit issuance/acceptance and the registration of traders and producers.
- CITES authorities have provided information about the Convention’s requirements to the wider public through several different activities.
- Co-operative enforcement activities with several other countries and organisations have been undertaken.

- Regular checks on traders and holders have been carried out.
- Risk and intelligence assessment are being used systematically to ensure thorough checks at the border crossing points as well as in-country.
- Information has been provided on the number staff working at the MA (as recommended in the 2005–2006 analysis).
- CITES-related enforcement is regularly reviewed by the MA and Customs Investigations Agency.
- Liaison officers have been nominated within each relevant enforcement agency.
- A list of places of introduction and re-export has been compiled.
- Enforcement authorities have reported mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded to the MA.
- Formal arrangements for co-operation have been agreed between the MA and the SA.

Areas for improvement

- Information on whether monitoring of intended accommodation for live specimens at the place of destination is being carried out should be provided under question C19.

GREECE

Legislative and regulatory measures

Obligatory measures

Greece has enacted legislation to implement CITES nationally, and information on CITES-relevant legislation has been provided to the Commission and CITES Secretariat.

Maximum penalties that may be imposed for Regulation-related violations include fines between GRD200 000 and 5 000 000 (EUR587 to 14 675), and up to two years' imprisonment.

Additional measures and information

Additional Regulation-relevant legislation has not been drafted or enacted during this reporting period.

Compared to the Regulations, stricter domestic measures on the conditions for trade, taking, and possession have been adopted. These include issuance of permits for endangered species of indigenous flora and endemic wild fauna. Trade and distribution in the Greek market and possession and keeping of live animal species listed in Annex A and Appendix I for personal purposes are prohibited.

There is no information on whether or not a review or assessment of the effectiveness of CITES legislation has been undertaken in Greece. There has been no review of legislation on subjects related to the implementation of the Convention, or no information is available.

Compliance and enforcement measures

Obligatory measures

Compliance monitoring operations such as inspections of traders, producers and markets, and border controls have been undertaken.

Administrative measures for CITES-related violations have been imposed, and there have been criminal prosecutions of significant cases—details were provided in the annex to the biennial report.

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat—from a total of 23 seizures/confiscations during 2007–2008, 13 were considered significant.

Specimens have been marked to establish whether they are captive-bred.

Intended accommodation for live specimens has been monitored.

Additional measures and information

Co-operative enforcement activities with other countries were not undertaken in this reporting period.

There has been no review of CITES-related enforcement and no national action plans for co-ordination of enforcement have been adopted.

Penalties take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offence, and the cost incurred.

Training and awareness raising activities for enforcement agencies, prosecution services and the judiciary have been carried out.

Traders and holders have been checked regularly to ensure in-country enforcement, and risk and intelligence assessments have been used systematically at border crossing points as well as in-country.

There has been no co-operation with relevant enforcement agencies in other Member States on investigation of offences during this reporting period.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

A lead MA has been designated in Greece.

The Commission and CITES Secretariat have not been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

The lead MA has four permanent staff members spending 100% of their time on CITES-related issues. Four additional staff work in the regional MAs of West Macedonia and Central Macedonia and dedicate an average of 60% of their time to CITES. A total of 24 staff work in the remaining regional MAs, spending an average of 49% of their time on CITES-related issues. The MAs have not carried out any research on CITES-listed or non-CITES listed species.

Ten staff work in the SA, and their time spent on CITES-related issues depends on the nature and complexity of these issues. There is the option to use additional specialists when needed. No research on CITES-listed species has been undertaken and there is no information on research on non-CITES-listed species.

The CITES Secretariat has been advised of the Greek enforcement authorities designated for the receipt of confidential CITES-related information.

There is no specialist unit responsible for CITES-related enforcement in Greece. Liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported mortality in transport to the MA, however no information on discrepancies in the number of items declared on permits and the number of items actually traded is provided.

Greek CITES authorities have informed the wider public about the Convention's requirements at border crossing points.

Additional measures and information

Information on permit issuance and monitoring and reporting of data on legal and illegal trade is now computerized. All authorities have access to the Internet, but regional MAs and enforcement authorities only have access to the Internet in some offices.

The MAs, SA and enforcement authorities all have access to key CITES publications.

Enforcement authorities have reported seizures and confiscations to the MA.

Other than at border crossing points, CITES authorities have provided information on the Convention's requirements to the wider public through press releases/conferences, newspaper articles, radio/television appearances, brochures, leaflets, presentations and a website for the enforcement of CITES in Greece.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance/acceptance and registration of traders and producers.

A list of places of introduction and export has been compiled

No caviar re-packaging plants were licensed during this reporting period.

There were no cases where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are used as a management tool in the procedure for issuing permits.

Fees are charged for issuing CITES documents in Greece.

The Museum of National History University of Crete has been registered as a scientific institution. No breeders have been approved during this reporting period.

Capacity building

Additional measures and information

The following activities have been undertaken to enhance the effectiveness of CITES implementation at the national level: hiring of more staff; purchase of technical equipment for monitoring/enforcement; and computerisation.

Greek CITES authorities have not been the recipients of external capacity building activities, although they have been the providers of activities such as oral or written advice/guidance—from the lead MA to regional MAs, enforcement authorities, and traders, as well as training via presentations to schools.

Collaboration/co-operative initiatives

Additional measures and information

No inter-agency committee on CITES has been established in Greece. However, formal arrangements for co-operation have been agreed between the MA and the SA, Customs, police, and other government agencies. There have also been efforts to collaborate with agencies for development and trade, provincial, state or territorial authorities, local authorities or communities, trade or other private sector associations, and NGOs.

Greece has not provided technical or financial assistance to other countries in relation to CITES.

Areas for future work

Greece considers an increased budget for activities, the hiring of more staff, and the improvement of national networks as high priorities for future work. Medium priority areas include the development of implementation tools, purchase of new technical equipment for monitoring and enforcement, and computerisation.

Greece did not report encountering any difficulties or constraints in implementing the Convention.

Summary

Strengths

- Information on CITES-relevant legislation has been fully provided to the Commission and CITES Secretariat (as recommended in the 2005–2006 analysis)
- Administrative measures for CITES-related violations have been imposed, and criminal prosecutions of significant cases have been undertaken.
- Specimens have been marked to establish whether they are captive-bred.
- Monitoring of intended accommodation for live specimens has been carried out.
- Enforcement authorities have reported mortality in transport to the MA (as recommended in the 2005–2006 analysis).
- CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points, and through several other activities.

- Information on permit issuance and monitoring and reporting of data on legal and illegal trade is computerized.
- A list of places of introduction and export has been compiled.
- Written procedures have been developed for permit issuance/acceptance and registration of traders and producers.
- SA and enforcement authorities now have access to key CITES publications (also highlighted as an area for improvement in 2005–2006).

Areas for improvement

- Information on a review or assessment of the effectiveness of CITES legislation in Greece should be provided; or if none has taken place, a review should be undertaken.
- A review of legislation on subjects related to the implementation of the Convention could be undertaken.
- A review of reports and other information provided by traders and producers should be undertaken as part of compliance monitoring operations.
- Greece should participate in co-operative enforcement activities with other countries.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- Enforcement authorities should report discrepancies in the number of items declared on permits and the number of items actually traded to the MA.
- Caviar (re-)packaging plants should be licensed, if necessary.

Points 1, 3 and 7 were also recommended as areas for improvement in the previous reporting period.

HUNGARY

Legislative and regulatory measures

Obligatory measures

National legislation to implement CITES has been enacted in Hungary. CITES-relevant legislation has been enacted in the form of a *Government Decree No.292/2008*. This covers specific rules for the enforcement of international and European Community legal acts regulating the international trade in endangered species of wild fauna and flora.

Penalties for Regulation-related violations may be imposed through:

- The *Criminal Code of Hungary*: the illegal purchase, possession, sale, import or (re)export, transport through Hungarian territory, trade in or killing of species listed in Annex A and B is a criminal offence punishable by up to three years' imprisonment.
- National CITES Regulations: set out maximum penalties for any person not meeting the obligations of CITES and the Regulations —HUF10 000 to 100 000 (EUR37 to 370) if the species is not nationally protected and if the species is nationally protected, the amount of the fine is based on the “conservation value” of the species as determined by Ministerial decree and is imposed per specimen.

Additional measures and information

Additional Regulation-relevant legislation has not been drafted or enacted during this reporting period.

Stricter domestic measures adopted in Hungary compared to the Regulations, include requirements for registration of trade in all Annex A-listed specimens, as well as live specimens of mammal, bird and tortoise species listed in Annex B, with the MA (with some exceptions). There are also stricter permitting requirements and rules for the keeping, display and utilisation of nationally protected and strictly protected species.

No information on a national review or assessment of the effectiveness of CITES legislation was provided. There has been no review of legislation on subjects related to the implementation of the Convention.

Compliance and enforcement measures

Obligatory measures

Compliance monitoring operations undertaken include inspections of traders, producers, markets, and border controls.

Administrative measures for CITES-related violations have been imposed. Details are provided in an annex to the biennial report. There have been criminal prosecutions of significant cases including: the illegal killing of a jaguar, the offender being found guilty and resulting in two years probation; and the smuggling of 200 Hermann's Tortoise, the offender being sentenced to eight months imprisonment. Additionally, Hungary reported record sentences for the illegal shooting and smuggling of birds protected by national legislation. The court imposed a six-month imprisonment suspended for three years and the offenders were also fined HUF18 000 000 (EUR67 585). This sentence is the most severe penalty that has been imposed in Hungary for “damage to nature”.

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat and details are provided in an annex to the biennial report.

Specimens have been marked to identify whether they are captive-bred. Photo identification is used in the case of juvenile tortoises.

Intended accommodation for live specimens has been monitored and inspectorates occasionally check housing conditions.

Additional measures and information

Hungary has been involved in co-operative enforcement activities with other countries, such as exchange of intelligence with Germany, the Czech Republic, Austria, the Netherlands, the UK and Argentina.

There has been no review of CITES-related enforcement in Hungary.

No national action plans for co-ordination of enforcement have been adopted during the reporting period.

Penalties take into account *inter alia* the market value and the conservation value of the specimens involved in the offence—according to national CITES Regulation, fines are higher for higher value commodities and specimens subject to registration duty.

Training and awareness activities for enforcement agencies, prosecution services and judiciary have been carried out.

There have been regular checks of traders and holders such as pet shops, breeders and nurseries.

Risk and intelligence assessments have been used systematically to ensure thorough checks at borders crossing-points as well as in-country.

Co-operation on investigations of offences is taking place with relevant enforcement agencies in other Member States.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The designated lead MA in Hungary is the Ministry of Environment and Water.

The Commission and CITES Secretariat have not been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

The lead MA has four members of staff, spending an average of 75% of their time on CITES-related issues. The Hungarian SA has one staff member spending 30% of his time on CITES issues. Occasional scientific support is provided by independent experts. While the MA has not carried out any research in relation to CITES-listed species, the SA has worked in partnership with the National Park Directorates in research on mammals, birds and plants. No research has been undertaken by the MA or SA in relation to non-CITES-listed species.

The CITES Secretariat has been advised of enforcement authorities designated for the receipt of confidential CITES-related information. Special units have been established within the police and the public prosecutor's offices and there is one person responsible for CITES enforcement at each environmental inspectorate. Liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported to the MA discrepancies in the number of items declared on permits and the number of items actually traded, but have not reported mortality in transport.

Hungarian CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

All information is computerised, except for monitoring and reporting of data on legal and illegal trade.

Authorities have access to most key CITES publications, however, enforcement authorities do not have access to the *2003 Checklist of CITES Species* and the *CITES Handbook*.

Enforcement authorities have reported seizures and confiscations to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public through other means, such as: press releases/conferences; newspaper articles, radio/television appearances; brochures/leaflets; presentations; displays; and CITES public awareness campaigns with WWF Hungary and Oracle Hungary.

Permitting and registration procedures

Obligatory measures

Written procedures have not been developed for permit issuance or registration of traders and producers.

A list of places of introduction and export has been compiled.

Six processing and/or re-packaging plants have been licensed and registered during the reporting period.

There have been no cases where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are not used as a management tool in the procedures for issuing permits.

Fees are charged for issuing CITES and internal documents such as breeding certificates, certificates of origin and EC certificates.

No scientific institutions have been registered and no breeders have been approved during the 2007–2008 reporting period.

Capacity building

Additional measures and information

The improvement of national networks and training of enforcement officers has enhanced the effectiveness of CITES implementation at the national level.

Hungarian CITES authorities have been the recipients of capacity building activities, such as oral or written advice/guidance from other MA and SA, the CITES Secretariat and EU-TWIX.

The MA and SA have also been the providers of capacity building activities, such as oral or written advice/guidance, to inspectorates, Customs, police, veterinary and phytosanitary authorities, judges, prosecutors and universities. The SA provided training to the environmental inspectorates, Customs, police, and universities.

Collaboration/co-operative initiatives

Additional measures and information

There is no inter-agency committee on CITES in Hungary. Formal arrangements for co-operation have been agreed between the MA, the Customs and the police. There have also been efforts to collaborate with provincial, state or territorial authorities and NGOs.

Hungary has provided training assistance to enforcement authorities in Romania.

Areas for future work

Hungary considers the improvement of national networks as a medium priority for future work.

Hungary did not report encountering any difficulties or constraints in implementing the Convention.

Summary

Strengths

- Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat.
- Administrative measures and criminal prosecutions of significant cases have been undertaken.
- Specimens have been marked to identify whether they are captive-bred.
- Monitoring of intended accommodation for live specimens has been undertaken.
- Penalties take into account *inter alia* the market value and the conservation value of the specimens involved in the offence.
- Hungary has co-operated in investigations of offences with relevant enforcement agencies in other Member States.
- A specialist unit for CITES-related enforcement has been established and liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.
- Hungarian CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points and through numerous other activities.
- A list of places of introduction and export has been compiled.

Areas for improvement

- A national review or assessment of the effectiveness of CITES legislation in Hungary, and a review of legislation on subjects related to the implementation of the Convention could be carried out.
- Reports and other information provided by traders and producers should be reviewed as part of compliance monitoring operations in Hungary.
- A review of CITES-related enforcement should be undertaken.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- Enforcement authorities should report on mortality in transport to the MA.
- Enforcement authorities should be given access to the key CITES publications.
- Written procedures should be developed for permit issuance, registration of traders and producers.

Points 1, 5 and 7 were also recommended as areas for improvement in the previous reporting period.

ITALY

Legislative and regulatory measures

Obligatory measures

National legislation has been enacted to implement CITES in Italy and information on CITES relevant legislation has been fully provided to Commission and CITES Secretariat. In May 2008, Italy enacted additional CITES-relevant legislation entitled “Marking requirements for primary and secondary containers of caviar and registration of producing and re-packaging plants”.

Maximum penalties that may be imposed for Regulation-related violations include seizures of specimens, administrative sanctions of up to EUR10 300, and imprisonment.

Additional measures and information

Additional Regulation-relevant legislation has not been drafted or enacted during this reporting period.

Compared to the Regulations, stricter domestic measures on the conditions for trade, taking, possession and transport of CITES-listed species have been adopted in Italy.

An assessment of the effectiveness of CITES legislation in Italy indicated that the following items are adequate: powers of CITES authorities; clarity of legal obligations; consistency with existing policy on wildlife management and use; coverage of law for all types of offences and coverage of law for all types of penalties.

Control over CITES trade and the coherence within legislation were found to be partially inadequate. Implementation of Regulations was considered inadequate, due to delays in national implementation of amended Regulations leading to uncertainties in applying the law.

A review of legislation covering the following subjects related to the implementation of the Convention has been carried out: access to or ownership of natural resources; handling and housing of live specimens; the introduction of live Regulation-listed species into the Community; marking of specimens to facilitate identification and the regulation of trade in captive bred sturgeons for the production of caviar. Additionally Italy notes that the regulation of marking requirements for captive-bred specimens is currently under revision. Guidelines for handling and movement of marine turtles to rescue centres have been also produced.

Compliance and enforcement measures

Obligatory measures

As part of compliance monitoring, a review of reports and other information provided by traders and producers, inspections of traders, producers, and markets, and border controls have all been undertaken.

Administrative measures have been imposed for CITES-related violations, including the failure to seal or incorrectly fill out the register of detention, non-correlation between the specimen quantity stated on certificates and the actual quantity in trade, and non-compliance with Art. 54 Reg. (CE) 865/06 (referring to specimens born and bred in captivity).

Information on significant cases of illegal trade have been reported to the Commission and the CITES Secretariat. Of a total of 284 cases of seizures/confiscation, nine cases were considered significant. There have been criminal prosecutions of significant cases such as illegal trade of cacti, the wholesale and retail source of illegal caviar, and the illegal importation of wildlife birds from non-EU countries of Eastern Europe.

Specimens have been marked to identify whether they are captive-bred—marking specimens of Annex A-listed species has been carried out.

Monitoring of intended accommodation for live specimens is being carried out to ensure that it is adequately equipped.

Additional measures and information

Italy has participated in co-operative enforcement with other countries, including collaboration between the “Central Investigation Unit of State Forestry Corp” and the police and/or Customs of other EU and non-EU countries.

No review of CITES-related enforcement has been undertaken.

National action plans for co-ordination of enforcement have not been adopted.

Penalties do not take into account *inter alia* the market value, conservation value of the specimens involved in the offence and the costs incurred.

Training and awareness activities for enforcement agencies, prosecution services and the judiciary have been carried out.

Traders and holders are checked regularly and risk and intelligence assessments have been systematically used to ensure thorough checks at the border crossing points, as well as in-country

Italy co-operated with relevant enforcement agencies in other Member States on investigations of offences, although no details were provided.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The designated lead MA in Italy is the Ministry of Environment, Land and Sea Protection.

There is no information on whether the Commission and CITES Secretariat have been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

Six staff work in the lead MA (three full-time and 3 part-time), with there being an additional 250 units in the State Forestry Corps. Six staff (5 full-time and 1 part-time) work in the Ministry of Economic Development, which is responsible for issuing import and export permits. However, there are no details on the percentage of time spent by all these staff on CITES-related matters. Research undertaken by the MA in relation to CITES-listed species includes the publication of the Italian translation of a Canadian identification guide for tropical woods and the drafting of guidelines for measurement of timber and the marking requirement decree. There has been no research undertaken by the MA in relation to non-CITES-listed species.

There are four members of staff working in the Italian SA, spending 100% of their time on CITES-related issues. There are also 19 other SA staff, whose time on CITES issues cannot be estimated. The SA has not carried out research in relation to CITES or non-CITES-listed species.

The CITES Secretariat has been advised of Italian enforcement authorities designated for the receipt of confidential CITES-related information.

There is a specialist unit responsible for CITES-related enforcement, led by the State Forestry Corps. Two focal points for CITES have been nominated within each relevant enforcement authority, one for the Secretariat/Interpol, and another one for the Secretariat/EU-TWIX.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported to the MA discrepancies in the number of items declared on permits and the number of items actually traded, but they have not reported mortality in transport.

CITES authorities have not provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

The MA and the SA have access to all the CITES-related publications except for the identification manual. The enforcement authority does not have access to the checklist of CITES species nor to the identification manual.

Italian enforcement authorities have not reported seizures and confiscations to the MA.

CITES authorities have not provided information about the Convention's requirements to the wider public through other activities.

Permitting and registration procedures

Obligatory measures

Changes in permit format and persons authorised to sign documents have been reported. These include "work in progress" to ensure permits are brought in line with the provisions of the EU Regulations and changes in those designated to sign export and import permits.

Written procedures have been developed for permit issuance and for registration of traders and producers.

A list of places of introduction and export has been compiled.

Caviar re-packaging plants have been licensed in this reporting period, but there are no further details available for this reporting period.

There have been no cases where export permit and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are used as a management tool in the procedure for issuing permits in Italy.

Fees are charged for issuing CITES documents and for using and importing CITES listed-species.

No scientific institutions have been registered and no breeders have been approved during the 2007–2008 reporting period.

Capacity building

Additional measures and information

Several activities have been carried out to enhance the effectiveness of CITES implementation at the national level in Italy, including the development of implementation tools, the purchase of technical equipment for monitoring/enforcement and computerisation.

Italian CITES authorities have been the recipients of capacity building activities, such as technical assistance from the Information and Communication Company "Almaviva Italia". Traders and the public have been recipients of oral or written advice/guidance. The Italian SA has also been the provider of capacity building activities, such as oral or written advice/guidance, for the European Regional CITES Plants meeting in October 2008.

Collaboration/co-operative initiatives

Additional measures and information

No inter-agency committee on CITES has been established in Italy. However, formal arrangements of co-operation have been agreed between the MA, SA and Customs. There have also been efforts to collaborate with trade and other private sector organizations, and NGOs.

During this reporting period, Italy has not provided technical and financial assistance to other countries in relation to CITES.

Areas for future work

Italy considers an increased budget for activities and the hiring more staff as high priorities future work. The development of implementation tools, the improvement of national networks as well as computerization are medium priorities.

Italy has encountered difficulties in implementing *Resolution Conf. 13.7* on control and trade in personal and household effects (PHE) due to the unclear interpretation of the resolution and the definitions of PHE and tourist souvenirs.

Summary

Strengths

- Stricter domestic measures compared to the Regulations have been adopted in Italy, including measures for conditions for trade, taking, possession and transport of CITES-listed species.
- There has been a review of legislation on the access to or ownership of natural resources, harvesting, handling and housing of live specimens, the introduction of live-Regulation-listed species into the Community and on marking of specimens to facilitate identification.
- Compliance monitoring activities have been undertaken by Italy.
- Administrative measures for CITES-related violations have been imposed and there have been criminal prosecutions of significant cases.
- Specimens have been marked to identify whether they are captive-bred.
- Monitoring of intended accommodation for live specimens is being carried out.
- Italy has participated in co-operative enforcement activities with other countries, including co-operation with police and/or Customs of other EU and non-EU countries.
- Traders and holders are checked regularly and risk and intelligence assessments have been systematically used to ensure thorough checks at the border crossing points and in-country.
- Two liaison officers/focal points for CITES have been nominated within each relevant enforcement authority in Italy.
- Enforcement officers have reported to the MA on discrepancies in the number of items declared on permits and the number of items actually traded. This is an improvement from the previous reporting period.
- Written procedures have been developed for permit issuance and also for registration of traders and producers.
- A list of places of introduction and export has been compiled.

Areas for improvement

- Implementation of Regulations, the control over CITES trade and coherence within legislation need to be addressed as areas for improvement – these were assessed by Italy as either inadequate or partially inadequate.
- A review of CITES-related enforcement could be undertaken.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary (also recommended in 2005–2006).
- Enforcement authorities should report to the MA on mortality in transport.

- CITES authorities should provide information about the Convention's requirements to the wider public at border crossing points and also by other means.
- The MA, SA and enforcement authorities should have access to all key CITES documents.
- An inter-agency committee on CITES could be established (also recommended in 2005–2006).
- CITES authorities should provide the amounts of fees they charged for permit issuance, registration or CITES-related activities.

LATVIA

Legislative and regulatory measures

Obligatory measures

National legislation has been enacted to implement CITES in Latvia and information on CITES-relevant legislation has been fully provided to the Commission and CITES Secretariat.

No information was provided regarding maximum penalties that may be imposed for Regulation-related violations.

Additional measures and information

Additional Regulation-relevant legislation has not been drafted or enacted during this reporting period.

Latvia has adopted stricter domestic measures compared to the Regulations, which apply to the conditions for taking and complete prohibition of possession of specific non-CITES-listed species.

A review of the effectiveness of CITES legislation in Latvia has indicated that consistency with existing policy on wildlife management and use, and coverage of law for all types of offences are partially inadequate. However, the following items were assessed to be adequate: powers of CITES authorities; clarity of legal obligations; control over CITES trade; coverage of law for all types of penalties; implementation of Regulations; and coherence within legislation.

There has been a review of legislation on transporting of live specimens and the handling and housing of live specimens.

Compliance and enforcement measures

Obligatory measures

Several compliance monitoring operations have been undertaken, including a review of reports and other information provided by traders and producers; inspection of traders, producers, markets, and border controls.

Administrative measures for CITES-related violations have been imposed, including confiscations. However, criminal prosecutions of significant cases have not been undertaken.

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat. In this reporting period 2007–2008, a total of 75 seizures were reported, of which ten were considered significant.

Specimens have been marked to establish that they were born and bred in captivity.

Estonia has undertaken monitoring activities to ensure that intended accommodation for live specimens is adequately equipped.

Additional measures and information

Co-operative enforcement activities with other countries include information exchange and investigative assistance in cases involving *Ursus actus* cosmetic products exported from the Russian Federation.

Reviews of CITES-related enforcement have been mainly carried out by TRAFFIC and the Commission.

Latvia has reported adopting national action plans for co-ordination of enforcement.

Penalties take into account *inter alia* the market value of specimens, the conservation value of the species involved in the offences and the costs incurred.

Training and awareness raising activities for enforcement agencies, prosecution services and the judiciary have been carried out, although details were not provided.

Regular checks have been undertaken on traders and holders such as pet shops, breeders and nurseries to ensure in-country enforcement. Risk and intelligence assessments have been also used systematically to ensure thorough checks at border-crossing-points, as well as in-country.

Estonia co-operates takes with relevant enforcement agencies in other Member States on investigations of offences.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

There is only one MA in Latvia and therefore no obligation to designate a lead MA.

There is no information on whether the Commission and CITES Secretariat have been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

Two staff members work in the Latvian MA and four staff members work part time in the SA. The percentage of time they spend on CITES-related issues can not be estimated for either. No research has been undertaken by the MA or SA in relation to CITES-listed species. In relation to non-CITES-listed species, research has been undertaken by the MA but not by the SA.

The CITES Secretariat has been advised of those enforcement authorities designated for the receipt of confidential CITES-related information in Latvia.

There is no specialist unit responsible for CITES-related enforcement. However, liaison officers/focal points for CITES have been nominated within each relevant enforcement authority in Latvia.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported discrepancies in the number of items declared on the permit and the number of items actually traded, to the MA, but have not reported on mortality in transport.

CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Enforcement authorities have reported seizures and confiscations to the MA.

Latvian CITES authorities have provided information about the Convention's requirements to the wider public, other than at border crossing points, through several activities including press releases/conferences, newspaper articles, radio/television appearances, brochures/leaflets, presentations and displays.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance/acceptance, but not for the registration of traders and producers.

No list of places of introduction and export has been compiled during this reporting period.

Caviar re-packaging plants have been licensed, although no further details were provided for this reporting period.

There were no cases where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are used as a management tool in the procedure for issuing of permits.

Fees are charged for the issuing of CITES documents in Latvia, although no details were provided.

No scientific institutions have been registered and there has been no approval of breeders during the 2007–2008 reporting period.

Capacity building

Additional measures

The following activities have been undertaken to enhance the effectiveness of CITES implementation at the national level: increased budget for activities; development of implementation tools; and improvement of national networks.

Latvian CITES authorities have been the recipients of capacity building activities, such as training of MA, SA and enforcement authority staff by the Latvian Environmental Protection Fund and EU-TWIX. CITES authorities in Latvia have also been the providers of capacity building activities, such as oral or written advice/guidance and training, to other Latvian CITES authorities, traders, NGOs and the public.

Collaboration/co-operative initiatives

Additional measures and information

There is no inter-agency committee on CITES established in Latvia, but a formal agreement for co-operation have been agreed between the MA and the Riga National Zoo. There have also been efforts to collaborate widely, including with agencies for development and trade; provincial, state or territorial authorities; local authorities or communities; indigenous peoples; trade or other private sector associations, and NGOs.

Latvia has not provided technical or financial assistance to other countries in relation to CITES.

Areas for future work

Latvia considers an increased budget for activities and the hiring of more staff as high priorities for future work. The development of implementation tools and the improvement of national networks are medium priority goals.

Latvia did not report any difficulties or constraints in implementing the Convention.

Summary

Strengths

- Information on CITES-relevant legislation has been fully provided to Commission and CITES Secretariat (as recommended in 2005–2006).
- The 2005-2006 highlighted the need for future work to improve the effectiveness of CITES legislation in Latvia with regard to the powers of CITES authorities—this was now assessed as adequate in the current reporting period.
- Administrative measures for CITES-related violations have been imposed.
- Information on whether marking to identify captive-bred specimens is occurring has now been provided (as recommended in 2005–2006).
- Intended accommodation for live specimens has been monitored (as recommended in 2005–2006).
- Latvia has reported adopting national action plans for co-ordination of enforcement.

- Regular checks on traders and holders such as pet shops, breeders and nurseries have been undertaken, to ensure in-country enforcement.
- Enforcement authorities have reported discrepancies in the number of items declared on permits and the number of items actually traded, to the MA.

Areas for improvement

- Information regarding maximum penalties that may be imposed for Regulation-related violations should be provided.
- Criminal prosecutions of significant cases should be undertaken.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- A specialist unit responsible for CITES-related enforcement and an inter-agency committee on CITES could be established in Latvia.
- Enforcement authorities should report mortality in transport to the MA.
- Written procedures for registration of traders and producers need to be developed.
- A list of places of introduction and export should be compiled.
- Details of the caviar (re-)packaging plants licensed in Latvia could to be provided.
- The fees charged for the issuance of CITES documents should be reported.

Points 1, 2, 5 and 6 were also recommended as areas for improvement in the previous reporting period.

NETHERLANDS

Legislative and regulatory measures

Obligatory measures

National legislation to implement CITES has been enacted in the Netherlands. However, there is no information on whether this legislation has been provided to the Commission and CITES Secretariat.

Penalties that may be imposed for Regulation-related violations include a maximum of six years' imprisonment and/or a fine of EUR 74 000 for private individuals, and EUR 740 000 for corporate bodies. Other measures include closing down of corporate bodies, disfranchising and confiscation.

Additional measures and information

No additional Regulation-relevant legislation has been drafted or enacted during this reporting period (however, the development of caviar re-packaging Regulations is noted in the permitting section).

Compared to the Regulations, stricter domestic measures have been adopted, including measures relating to the conditions for trade, taking, possession and transport of all primates and Felidae, wild specimens under the European Bird and Habitat Directive, as well as rhino horns and tiger bones. There is also an obligation of registration for all sources of specimens listed in Annex A and for birds without a seamless closed foot ring listed in Annex B. Other stricter measures include the marking of birds and other vertebrates from Annex A.

In 2007, a review of the effectiveness of CITES legislation was carried out by the Ministry of Agriculture, Nature and Food Quality in the Netherlands and it indicated that the following items were adequate: powers of CITES authorities; clarity of legal obligations; control over CITES Trade; consistency with existing policy on wildlife management and use; coverage of law for all types of offences and penalties; implementation of Regulations, and coherence within legislation.

In addition, the Netherlands notes that the effectiveness of legislation covering protected areas and species, including CITES species, has been assessed as adequate. A compliance assessment for several types of trade has also been undertaken and an intervention strategy to stimulate information exchange between enforcement agencies and priority assessments has been launched.

There has been no review of legislation related to the implementation of the Convention.

Compliance and enforcement measures

Obligatory measures

No information concerning a review of reports and other information provided by traders and producers is provided. Inspections of traders, producers and markets, border controls, and criminal investigations have all been undertaken as part of compliance monitoring operations in the Netherlands.

Administrative measures for CITES-related violations have been imposed. A total of 1064 cases of illegal trade were handled by the functional public prosecutor's office between 2007 and 2008. There have been criminal prosecutions of significant cases—639 cases were taken to court during this reporting period.

Information on seizures and confiscations has been provided to the Commission and CITES Secretariat—722 specimens (101 live and 621 dead) were seized/confiscated in 2007 and 671 specimens (112 live and 559 dead) were seized/confiscated in 2008. In 2008, there were three significant seizures of illegally imported Annex B plants—15 000 plants of the species of *Tillandsia xerographica*, 402 000 flower bulbs of the species *Cyclamen hederifolium*, and 16 000 plants of *Tillandsia xerographica* and *Tillandsia barrisii*.

Specimens have been marked to establish whether they are captive-bred.

Monitoring activities have been undertaken to ensure that intended accommodation for live specimens is adequately equipped. The Netherlands notes that the SA has checked all accommodation holding live specimens of species in Annex A under source codes W, F and I and zoos have been inspected on behalf of the national legislation for zoos.

Additional measures and information

The Netherlands has participated in co-operative enforcement activities with other countries, such as traineeships with the General Inspection Service, exchange of information via Interpol, Customs and co-operation with several EU Member States, including the UK, Belgium, Germany and the Czech Republic. Investigative assistance and exchange of information between the Administrative Law Enforcement Section and local enforcement authorities has also occurred.

There has been no review or assessment of CITES-related enforcement during 2007–2008, although CITES controls have been partially reviewed by Customs.

The Netherlands has reported adopting a national action plan for co-ordination of enforcement (a co-operative strategy for CITES enforcement).

Penalties take account *inter alia* the market value of the specimens, the conservation value of the species involved in the offence and the costs incurred.

Training and/or awareness raising activities for enforcement agencies, prosecutions services and the judiciary have been carried out.

Regular checks on traders and holders such as pet shops, breeders and nurseries have been undertaken to ensure in-country enforcement.

Risk and intelligence assessments have been used systematically to ensure thorough checks at border crossing points, as well as in-country.

Co-operation on investigations of offences is taking place with relevant enforcement agencies in other Member States.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The lead MA in the Netherlands is the “Policy Section” of the Ministry of Agriculture, Nature and Food Quality, in the Department of Nature. There have been recent changes in the MA contact information—there being an additional enforcement authority: the Administrative Law Enforcement Section falling under the Ministry of Agriculture, Nature and Food Quality.

There is no information on whether the Commission and CITES Secretariat have been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

There are 366 members of staff working at the Dutch MA. Two work in the Policy Section and spend 50% of their time on CITES issues, 14 work in the Permit Section (80% of their time being allocated to CITES work), and approximately 350 work in the Plant Health Service (but for only 0.3% of their time). The MA has not carried out any research in relation to CITES-listed species, and there is no information on whether research has been undertaken to non-CITES-listed species. The Dutch SA has 12 staff, with one fulltime secretary and one part-time assistant spending 100% of their time on CITES-related issues. There are eight committee members and two additional experts spending between 5–20% of their time on CITES issues. The SA has not carried out

any research on CITES-listed species and there is no information on whether research has been undertaken in relation to non-CITES-listed species.

The CITES Secretariat has been advised of the enforcement authorities designated for the receipt of confidential CITES-related information in the Netherlands.

There is a specialist unit responsible for CITES-related enforcement—the General Inspection Service being the lead agency. There is no information on whether liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

Dutch enforcement authorities have reported mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded, to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Enforcement authorities have reported seizures and confiscations to the MA.

CITES authorities have also provided information about the Convention's requirements to the wider public through press releases/conferences; newspaper articles, radio/television appearances; brochures/leaflets; presentations; displays; telephone hotlines, and a monthly CITES newsletter.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance, but not for the registration of traders and producers.

A list of places of introduction and export has been compiled.

No caviar re-packaging plants have been registered during this reporting period, although the Dutch MA, in co-operation with the UK MA has implemented caviar re-packaging Regulations and labels and the registration of the first plant is planned for mid-2009.

The Netherlands reported a few cases where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are used as a management tool in the procedure for issuing permits.

Fees are charged issuing CITES documents, EC-certificates and phytosanitary certificates.

Thirteen scientific institutions have been registered by the MA during this reporting period. No breeders have been approved.

Capacity building

Additional measures and information

Activities undertaken to enhance the effectiveness of CITES implementation at the national level include increased budget for activities, hiring of more staff, development of implementation tools, improvement of national networks, computerisation, and organization of COP14 and side events.

Dutch MA and enforcement authority staff of have been the recipients of capacity building such as oral or written advice/guidance provided during a CITES course. The CITES authorities have also been the providers of capacity, such as oral or written advice/guidance and internal technical and financial assistance. Traders and the Croatian MA benefitted. The Dutch SA facilitated a CITES introduction course in universities in the Netherlands and Spain.

Collaboration/co-operative initiatives

Additional measures and information

An inter-agency committee on CITES has been established in the Netherlands, and is called the Working Group for CITES enforcement which meets six times a year. Representatives in this group include the Ministry of Agriculture, Nature Conservation and Food Quality, General Inspection Service, MA, police, Customs and the Functional Public Prosecutors office.

Formal arrangements for co-operation have been agreed between the MA and the SA, Customs, police, and other government agencies. There have also been efforts to collaborate with agencies for development and trade, provincial, state or territorial authorities, local authorities or communities, indigenous people, trade or other private sector organisations, and NGOs.

The Netherlands has provided financial assistance to Argentina, Malaysia and Georgia, as well as enforcement training and technical assistance for the Croatian MA.

Areas for future work

The Netherlands has no high priority areas for future work. The development of implementation tools, the improvement of national networks and the purchase of new technical equipment for monitoring and equipment are medium priorities.

The Netherlands did not report any difficulties or constraints in implementing the Convention.

Summary

Strengths

- Penalties for Regulation-related violations exist.
- Many items relating to the effectiveness of CITES legislation in the Netherlands have been reported as adequate in national reviews.
- Administrative measures for CITES-related violations have been imposed and criminal prosecutions of significant cases have been undertaken.
- Specimens have been marked to establish whether they are captive-bred.
- Intended accommodation for live specimens is being monitored.
- The Netherlands participated in co-operative enforcement activities with other countries, such as the exchange of information with several EU Member States, including the UK, Belgium, Germany and Czech Republic.
- Regular checks on traders and holders such as pet shops, breeders and nurseries have been undertaken to ensure in-country enforcement.
- Risk and intelligence assessments have been used systematically to ensure thorough checks at border crossing points, as well as in-country.
- Co-operation on investigations of offences is taking place with relevant enforcement agencies in other Member States.

- Dutch enforcement authorities have reported mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded, to the MA.
- CITES authorities have provided information on the Convention's requirements to the wider public at border crossing points, and through several other activities.
- A list of places of introduction and export has been compiled.

Areas for improvement

- Information on CITES-relevant legislation should be fully provided to the Commission and the CITES Secretariat, if this has not been done already.
- Legislation on subjects related to the implementation of the Convention and CITES-related enforcement should be reviewed.
- Reports and other information provided by traders and producers should be reviewed as part of compliance monitoring operations.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- Written procedures should be developed for registration of traders and producers.

Points 1, 2 and 5 were also recommended as areas for improvement in the 2005–2006 reporting period.

POLAND

Legislative and regulatory measures

Obligatory measures

Poland has enacted national legislation to implement CITES.

Penalties that may be imposed for Regulation-related violations include imprisonment from three months to a maximum of five years.

Additional measures and information

No additional Regulation-relevant legislation has been drafted or enacted during this reporting period.

Stricter domestic measures adopted in Poland compared to the Regulations include:

- Requirement to submit a written declaration of possession of live CITES-listed animal species to the appropriate District Authority in order to register the specimens. Zoological Gardens and wildlife traders (e.g. pet shops) are excluded from this obligation to register, but are required to possess documents proving legal origin of the specimens.
- Prohibitions relating to harvest, possession, transport, sale and purchase of all indigenous protected species. Exemption from these prohibitions requires permission from the Minister of Environment.
- Confirmation of birth in captivity by district veterinary officials. This obligation refers to species listed in Annex A-D.

The results of an assessment of the effectiveness of CITES legislation in Poland indicated that only clarity of legal obligations are partially inadequate—other items are adequate: powers of CITES authorities; control over CITES trade; consistency with existing policy on wildlife management and use; coverage of law for all types of offences; coverage of law for all types of penalties; implementation of Regulations; and coherence within legislation.

There has also been a review of legislation on the handling and housing of live specimens.

Compliance and enforcement measures

Obligatory measures

As part of compliance monitoring operations, inspections of traders, producers and markets; border controls, and control of commercial trade including sale offers in CITES specimens via the Internet have been carried out.

No administrative measures for CITES-related violations have been imposed, however criminal prosecutions of significant cases have been undertaken. Most of the sentences imposed in court were fines and forfeitures of the seized specimens or an obligation for community work.

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat. In 2007, Customs reported 230 seizures/confiscations in total, of which seven were considered significant and in 2008, 183 seizures/confiscations occurred, seven being significant.

Specimens have been marked to identify whether they were born and bred in captivity.

Monitoring of intended accommodation for live specimens has been undertaken, to ensure that is adequately equipped.

Additional measures and information

Co-operative enforcement activities with other countries include information exchange between Polish and British Customs representatives.

There has been a review of CITES-related enforcement, through assessment and compilation of seizures and collaboration between enforcement authorities and the MA.

There is no information on whether national action plans for co-ordination have been adopted during the reporting period.

Penalties in Poland take into account *inter alia* the market value of the specimens and the conservation value of the species involved in the offences, as well as the costs incurred.

Training and awareness raising activities for the enforcement agencies, the prosecution services and the judiciary have been carried out.

Traders and holders such as pet shops, breeders and nurseries are checked regularly to ensure in-country enforcement.

Risk and intelligence assessments are used systematically in order to ensure thorough checks at border-crossing-points, as well as in-country.

There is no information on whether Poland is co-operating in investigations of offences with relevant enforcement agencies in other Member States.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

There is only one MA in Poland; therefore it is not necessary for Poland to designate a lead MA. There have been some changes in the contact details of the CITES MA—it is still under the Ministry of Environment, but now is located within the department of Nature Conservation.

The Commission and CITES Secretariat have not been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

There are three people working in the Polish MA, spending an estimated 100% of their time on CITES-related issues. There are four people working in the Polish SA on a voluntary basis—it was not possible for the MA to estimate the percentage of time SA staff members spend on CITES-related issues.

Research in relation to CITES-listed species has been undertaken by the MA and includes an analysis of the internet trade in Poland of specimens of fauna and flora listed in the CITES appendices, and proposals on the practical implementation of the Regulations concerning marking specimens of endangered animal species. The MA has not carried out research on non-CITES-listed species. No research has been undertaken by the SA in relation to CITES and non-CITES-listed species.

The CITES Secretariat has been advised of any enforcement authorities designated for the receipt of confidential CITES-related information. There is a specialist unit responsible for CITES-related enforcement in Poland—within the Police force (General and provincial Headquarters)—and the Ministry of Finance, provincial Customs Chambers and General Veterinary Inspectorate all have designated co-ordinators. Additionally, liaison officers/focal points for CITES have been nominated within each relevant enforcement authority in Poland.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported mortality in transport to the MA (although there were no reports on cases of animal deaths during import or (re-)export during the reporting period). Discrepancies in the number of items declared on permits and the number of items actually traded have also been reported to the MA.

Polish CITES authorities have not provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Information is computerised, and the MA and the SA have access to the Internet. The enforcement authority has access through a different office, and not all enforcement officers dealing with CITES have constant access to the Internet.

Polish enforcement authorities have reported seizures and confiscations to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public in Poland (except for at border crossing points) through newspaper articles, radio/television appearances, presentations and a telephone hotline.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance/acceptance, but not for the registration of producers and traders.

A list of places of introduction and export in Poland has been compiled.

Four caviar plants have been registered by the MA—two aquaculture plants, one caviar re-packaging plant, and one producing and re-packaging plant. The registered companies are obliged to submit reports concerning their activities, namely harvesting, processing, re-packaging and selling caviar.

There were no cases where exports permits and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are not used as a management tool in the procedure for issuing permits. Wild specimens of native CITES species are not subject to exploitation for commercial international trade, and therefore no quotas are required.

Fees are charged for issuing CITES documents and EU certificates.

No scientific institutions have been registered and no breeders have been approved during the 2007–2008 reporting period.

Capacity building

Additional measures and information

The development of implementation tools, improvement of national networks and training for enforcement authorities have all been undertaken in order to enhance the effectiveness of CITES implementation at the national level.

Polish enforcement authorities have been the recipients of capacity building activities, such as oral or written advice/guidance and training, and the public was the recipient of awareness campaigns and lectures. Representatives of local authorities responsible for CITES animal registration were also the recipients of training on registration procedures from a Polish NGO.

Polish CITES authorities have also been the providers of capacity building activities, such as oral or written advice/guidance and training with WWF Poland. Polish Customs also provided training.

Collaboration/co-operative initiatives

Additional measures and information

An inter-agency committee on CITES has been established—the CITES Working Group. It meets several times a year and is comprised of representatives from the MA and SA, Ministry of Finance, Customs Service, Police, Veterinary Inspection, and NGOs. A closer co-operation with the representatives from the judiciary and prosecutors' office is planned.

There is no information on whether formal arrangements for co-operation have been agreed between the MA and other agencies; however there have been efforts to collaborate with provincial, state or territorial authorities, local authorities or communities, and NGOs.

Poland has not provided technical or financial assistance to other countries in relation to CITES.

Areas for future work

Poland considers the hiring of more staff and an increased budget for activities as high priority areas for future work. The development of implementation tools, improvement of national networks, and purchase of new technical equipment for monitoring and enforcement and computerisation are medium priorities.

Poland reported some difficulties or constraints in implementing the Convention, such as the lack of rescue centres fully devoted to CITES animals and the small number of staff working within the CITES MA.

Summary

Strengths

- Penalties that may be imposed for Regulation-related violations include imprisonment for a maximum of five years.
- Most items relating to the effectiveness of CITES legislation in Poland have been reported as adequate.
- Criminal prosecutions of significant cases have been undertaken (an improvement since 2005–2006).
- Specimens have been marked to identify whether they are captivity-bred.
- Monitoring of intended accommodation for live specimens has occurred.
- Regular checks on traders and holders are undertaken.
- The MA has carried out research on CITES-listed species.
- A list of places of introduction and export in Poland has been compiled.
- Caviar re-packaging plants have been registered in Poland.
- Polish enforcement authorities have been the recipients and providers of capacity building activities.
- There is a specialist unit responsible for CITES-related enforcement in Poland.
- Liaison officers/focal points for CITES have been nominated within each relevant enforcement authority in Poland.

Areas for improvement

- Legislation on access to or ownership of natural resources, harvesting and transporting of live specimens could be reviewed.
- Administrative measures should be imposed for CITES-related violations

- Reports provided by traders and producers should be assessed as part of compliance monitoring operations in Poland.
- The Commission and CITES Secretariat could be informed of the outcomes of investigations that the Commission considers necessary.
- CITES authorities should provide information about the Convention's requirements to the wider public at border crossing points.
- Written procedures should be developed for the registration of traders and producers.
- Enforcement authorities and enforcement officers should be provided with direct Internet access.

Points 2, 3, 4, 6 and 7 were also recommended as areas for improvement in the 2005–2006 reporting period.

PORTUGAL

Legislative and regulatory measures

Obligatory measures

Portugal has enacted legislation to implement CITES nationally. Information on CITES-relevant legislation has been partly provided to the Commission and CITES Secretariat. Additional CITES-relevant legislation has been planned, drafted or enacted under the *Decree Law 114/90, 5 April*. This legislation concerns measures for detention of ivory and stricter measures for some live animals such as Carnivora, Crocodylia, Boidae and large or venomous snakes.

There is no information on maximum penalties that may be imposed for Regulation-related violations in Portugal.

Additional measures and information

Portugal reports having additional Regulation-relevant legislation in place—the *Portaria 359/92 (Decree Law)*—but no further details are provided.

Stricter domestic measures adopted in Portugal, compared to the Regulations, include the conditions for trade, taking, possession and transport of certain species, as well as the complete prohibition of trade and possession for wild indigenous species.

Results of an assessment on the effectiveness of CITES legislation indicate that while the coverage of law for all types of offences is adequate, the power of CITES authorities, clarity of legal obligations, control over CITES trade, consistency with existing policy on wildlife management and use, implementation of Regulations, and coherence within legislation are all only partially adequate. Additionally, the coverage of law for all types of penalties is inadequate. As a result, new legislation is being considered.

There has been no review of legislation on subjects related to the implementation of the Convention.

Compliance and enforcement measures

Obligatory measures

The following compliance monitoring operations have been undertaken: review of reports and other information provided by traders and producers; inspection of traders, producers, markets; and border controls.

Administrative measures for CITES-related violations have been imposed and there have been two criminal prosecutions related to the illegal trade of birds.

Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat, with 234 specimens seized in 2007 and 275 specimens in 2008.

Specimens have been marked to identify whether they are captive-bred—through the marking of Annex A-listed specimens and the use of microchips or close rings for birds.

Monitoring to ensure intended accommodation for live specimens is adequate occurs when a request is made to possess Annex A-listed species.

Additional measures and information

Co-operative enforcement activities cover co-operation with the Brazilian Institute of Environment and Renewable Natural Resources (IBAMA) and also with the MAs of the Netherlands, UK and Spain.

There has been no review of CITES-related enforcement.

For Portugal, there is no information concerning national action plans (C20), penalties (C22), training and awareness (C23), checks (C24), risk and intelligence assessments (C25) or co-operation (C27), as Portugal did not use the revised format for reporting.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The Institute for Nature and Biodiversity Conservation (ICNB) is designated as the lead MA in Portugal. Changes to SA staff have been reported.

The Commission and CITES Secretariat have not been informed of the outcomes of investigations that the Commission considers necessary,

Additional measures and information

There are seven staffs working in the lead MA, spending an average of 48% of their time on CITES-related issues. Two other people work in the regional MAs of the Azores and Madeira, spending 20% of their time on CITES-related matters. There are two staff members in the Portuguese SA, each spending approximately 15% of their time on CITES-related issues. No research has been undertaken by the MA or SA in relation to CITES- or non-CITES-listed species.

The CITES Secretariat has been advised of the Portuguese enforcement authorities designated for the receipt of confidential CITES-related information.

There is currently no specialist unit responsible for CITES-related enforcement in Portugal, and liaison officers/focal points for CITES have not been nominated within each relevant enforcement authority. Both these issues are under consideration.

Communication, information management and exchange

Obligatory measures

Portuguese enforcement authorities have not reported either discrepancies in the number of items declared on the permit and the number of items actually traded, or mortality in transport, to the MA.

Portuguese CITES authorities have also not provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Permit issuance is computerised, although monitoring and reporting of data on legal and illegal trade is not.

Enforcement authorities have reported seizures and confiscations to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public, other than at border crossing points, through press releases; brochures/leaflets; and presentations.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit/issuance acceptance, but not for the registration of traders and producers.

For Portugal, there is no information concerning compiling lists of introduction and export (D5.14), licensing of caviar plants (D5.18) or retrospective issuing of permits (D5.20), as Portugal did not use the revised format for reporting.

Additional measures and information

Export quotas are used as a management tool in the procedure for issuing permits.

Fees are charged for issuing CITES documents.

There is no information on registering of scientific institutions or approval of breeders.

Capacity building

Additional measures and information

In order to enhance effectiveness of CITES implementation at the national level, Portugal has improved national networks.

Portuguese CITES authorities have not been the recipients of capacity building activities. However, they have been the providers of oral or written advice/guidance and technical assistance and training to enforcement and Veterinary authorities, as well as oral or written advice/guidance to NGOs and technical assistance to traders.

Collaboration/co-operative initiatives

Additional measures and information

There is no inter-agency committee on CITES in Portugal. However, formal arrangements for co-operation have been agreed between the MA and the police. There have also been efforts to collaborate with the provincial, state or territorial authorities and with local authorities or communities.

Portugal has not provided technical or financial assistance to other countries in relation to CITES.

Areas for future work

Portugal considers the following areas to be high priorities for future work: an increased budget for activities, the improvement of national networks and computerization. The development of implementation tools, the hiring of more staff and the purchase of new technical equipment for monitoring and enforcement are considered medium priority activities.

Portugal did not report encountering any difficulties or constraints in implementing the Convention.

Summary

Strengths

- Several compliance monitoring operations have been undertaken.
- Administrative measures have been imposed for CITES-related violations.
- Criminal prosecutions of significant cases have been undertaken in Portugal (a recommendation from 2005–2006).
- Marking has been undertaken to identify captive-bred specimens.
- Intended accommodation for live specimens being monitored.
- Portugal has participated in co-operative enforcement activities with other countries.

Areas for improvement

- Information on CITES-relevant legislation should be fully provided to the Commission and CITES Secretariat.
- Information on maximum penalties that may be imposed for Regulation-related violations in Portugal needs to be provided, and maximum penalties should be established if they are not already.

- Effectiveness of CITES legislation needs to be enhanced, with the majority of areas only being considered partially adequate.
- A review of legislation on subjects related to the implementation of the Convention could be undertaken.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- Enforcement authorities should report to the MA on mortality in transport and discrepancies between the number of items declared on permits and the number of items actually traded.
- Information should be provided about the Convention's requirements to the wider public at border crossing points.
- Written procedures for the registration of traders and producers need to be developed.
- An inter-agency committee on CITES in Portugal could be established (recommended in the two last reporting periods).
- The updated version of the biennial report format should be used in the future to ensure completion of all questions.

Points 1, 2, 3, 6, 7, 8 and 9 were also recommended as areas for improvement in the 2005–2006 reporting period.

ROMANIA

Legislative and regulatory measures

Obligatory measures

Romania has enacted legislation to implement CITES nationally such as:

- *Governmental Ordinance no. 164/2008*, amending *Governmental Ordinance no. 195/2005* on environmental protection.
- *Governmental Ordinance no. 57/2007* regarding protected areas, conservation of natural habitats and wild flora and fauna.
- *Governmental Ordinance no. 23/2008* regarding fishery and aquaculture.
- *Joint Order of the Ministry of Environment and Ministry of Agriculture no. 1369/2007* regarding the procedure for establishing derogations from measures of protection of wild flora and fauna.
- *Order of the Ministry of Environment and Sustainable Development no. 410/2008* for approving the authorization procedure for harvesting, capture and/or acquisition activities, commercialization in internal markets, export of mineral samples, plants, vertebrates and invertebrates fossils, and export and import of wild specimens of flora and fauna.
- *Order of the Ministry of Environment no. 1798/2007* for approving the procedure for issuing environmental authorization.
- *Governmental Decision* regarding registration of sturgeons stocks from aquaculture facilities and of caviar produced from aquaculture operations, and marking by labelling of caviar.

Romania has fully provided information on this CITES-relevant legislation to the CITES Secretariat and Commission.

The maximum penalties that may be imposed for Regulation-related violations are EUR25 000 for legal persons and EUR3700 for private persons.

Additional measures and information

Additional Regulation-related legislation includes *Orders of the Ministry of Environment and Sustainable Development* for the adoption of measures for enforcement of EU Regulations on wildlife trade (*Order no. 255/2007*) and for approving derogations for brown bear, wolf, lynx and wild cat species (*Orders no. 1386/2007 and 1092/2008*).

Stricter measures adopted in Romania include the prohibition of capture and killing of wild specimens of sturgeon species for commercial purposes for a period of ten years starting in 2006*; and the prohibition for physical persons to possess strictly protected species and other species listed in CITES Appendices. There are also domestic measures restricting or prohibiting trade, taking, possession or transport of species not included in Appendix I, II or III.

A review of the effectiveness of CITES legislation in Romania indicated that the following items were adequate: powers of CITES authorities; clarity of legal obligations; consistency with existing policy on wildlife management and use; coverage of law for all types of offences and coherence within legislation. Control over CITES trade, coverage of law for all types of penalties and implementation of Regulations were assessed as partially inadequate.

There has been a review of legislation related to the access to or ownership of natural resources, harvesting, and handling and housing of live specimens, but not on transporting of live specimens.

* This ban has been lifted since submission of the biennial report by Romania. The new legislation, allowing sturgeon fishing for purposes other than restocking, was adopted in September by the Agriculture and Environment Committees of the Romanian Parliament. <http://www.panda.org/?180441/Romanians-protect-lift-of-sturgeon-fishing-ban>

Compliance and enforcement measures

Obligatory measures

Reports and other information provided by traders and producers have been reviewed; traders, producers and markets been inspected and border controls been carried out (compliance monitoring operations in Romania).

Administrative measures for CITES-related violations have been imposed, although no details are provided. Information on significant cases of illegal trade has been provided to the Commission and Secretariat. A total of five seizures/confiscations of CITES specimens was made during the 2007–2008 reporting period, two of which were considered significant. There have been no criminal prosecutions of significant cases.

Specimens have been marked to establish whether they are captive-bred.

Intended accommodation for live specimens has not been monitored in order to establish whether it is adequately equipped.

Additional measures and information

Co-operative enforcement activities with other countries include information exchange with neighbouring countries or EU Member States regarding national wildlife trade legislation, the legal acquisition of specimens and the validity/issuance of CITES documents.

Romania notes that the Commission regularly reviews and assesses enforcement of the EU Wildlife Trade Regulations in all Member States.

National action plans for co-ordination of enforcement have not been adopted—each enforcement authority has its own action plan.

There is no information on whether penalties take account *inter alia* the market value of the specimens, the conservation value of the species involved in the offence and the costs incurred. Romania notes that national legislation establishes the maximum and minimum fines for infringements of *Regulation (EC) 338/97* and the National Environmental Guard assesses and applies the fines.

Eight training and/or awareness raising activities have been carried out for enforcement agencies, prosecutions services and the judiciary during this reporting period.

There have been regular checks of traders and holders such as pet shops, breeders and nurseries to ensure in-country enforcement.

There is no information on whether risk and intelligence assessments have been used systematically to ensure thorough checks at border crossing points as well as in-country.

Romania is co-operating with relevant enforcement agencies in other Member States in investigations of offences.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

There is one MA in Romania (the Ministry of Environment), and therefore there is no need to designate a lead MA.

The Commission and CITES Secretariat have not been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

Three people work at the Romanian MA. One person works full time on CITES-related matters and two people work part-time. The MA has carried out research in relation to CITES-listed species, such as a study on developing a registration system for sturgeons in aquaculture. The Romanian SA has 32 staff members—nine work at the Romanian Academy, 20 at the Forest Research and Management Planning Institute and three at the Danube Delta National Institute for Research and Development. The time they spend on CITES-related issues cannot be estimated. The SA has undertaken research on the populations, distribution, and off-take and illegal trade of various CITES-listed species such as *Acipenser stellatus*, *Acipenser gueldenstaedti*, *Acipenser ruthenus*, *Huso huso*, *Ursus arctos*, *Canis lupus*, *Lynx lynx* and *Felis silvestris*.

Neither the MA nor the SA has carried out any research in relation to non-CITES-listed species.

The CITES Secretariat has been advised of enforcement authorities designated for the receipt of confidential CITES-related information in Romania.

There is a specialist unit responsible for CITES-related enforcement—under the Customs National Authority and the National Environmental Guard. Liaison officers/focal points for CITES have been nominated within each relevant enforcement authority in Romania.

Communication, information management and exchange

Obligatory measures

Romanian enforcement authorities have not reported either mortality in transport or discrepancies in the number of items declared on permits and the number of items actually traded, to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Information for the monitoring and reporting of data on legal trade is computerized, but information on illegal trade and for permit issuance is not.

Romanian enforcement authorities do not have access to the *2005 Checklist of CITES Species* (book) and the *CITES Handbook*.

Enforcement authorities have reported seizures and confiscations to the MA.

CITES authorities have also provided information about the Convention's requirements to the wider public through other means (apart from at border crossing points), including press releases/conferences, brochures/leaflets and presentations.

Permitting and registration procedures

Obligatory measures

Changes in permit format and four changes to persons authorised to sign CITES documents have been reported.

Written procedures have been developed for permit issuance/acceptance and for the registration of traders, but not for the registration of producers.

A list of places of introduction and export has been compiled.

There is no information on whether caviar re-packaging plants have been registered during this reporting period.

There have been no cases where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export and/or harvest quotas are used as a management tool in the procedure for issuing permits.

Fees are charged for issuing CITES documents and for harvesting of CITES-listed species.

No scientific institutions have been registered and no breeders have been approved during this reporting period.

Capacity building

Additional measures and information

Activities which have been undertaken to enhance the effectiveness of CITES implementation at the national level include the development of implementation tool, purchase of technical equipment for monitoring/enforcement and computerisation.

The Romanian MA and the SA have been the recipients of capacity building, such as oral or written advice/guidance and training provided by the Commission. The CITES authorities have also been the providers of capacity building, such as internal oral or written advice/guidance and training for the MA, SA and enforcement authorities and also oral or written advice/guidance for traders, NGOs and the public.

Collaboration/co-operative initiatives

Additional measures and information

No inter-agency committee on CITES has been established in Romania. Formal arrangements for co-operation have been agreed between the MA and the SA, Customs, police, other government agencies and NGOs. There have also been efforts to collaborate with agencies for development and trade, provincial, state or territorial authorities, trade or other private sector organisations, and NGOs.

Romania has not provided technical or financial assistance to other countries in relation to CITES.

Areas for future work

Romania considers an increased budget for activities, the hiring of more staff, the development of implementation tools, the improvement of national networks and the establishment of a Permanent National CITES S.A. Committee as high priority areas for future work.

Romania encountered difficulties in implementing the requirements laid down in *Res. 12.7 (Rev. CoP14)* regarding labelling of caviar traded on the internal market, due to overlaps in the competence of Romanian authorities.

Summary

Strengths

- Romania has enacted legislation to implement CITES nationally and has provided information on this CITES-relevant legislation to the CITES Secretariat and Commission.
- There are maximum penalties that may be imposed for Regulation-related violations.
- A review of the effectiveness of CITES legislation has been undertaken and most of the items were assessed as adequate.
- Legislation on access to or ownership of natural resources, harvesting, and handling and housing of live specimens has been reviewed.
- A number of compliance monitoring operations have been undertaken.
- Romania has co-operated with neighbouring countries or EU Member States in enforcement activities
- Specimens have been marked to establish whether they are captive-bred.
- Regular checks on traders and holders have been carried out to ensure in-country enforcement.
- Both the MA and SA have undertaken research activities in relation to CITES-listed species.

- There is a specialist unit responsible for CITES-related enforcement and liaison officers/focal points for CITES have been nominated within each relevant enforcement authority in Romania.
- CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points and through other activities.
- Efforts have been made to collaborate with agencies for development and trade, provincial, state or territorial authorities, trade or other private sector organisations, and NGOs.
- A list of places of introduction and export has been compiled.

Areas for improvement

- It is recommended that details on administrative measures that have been imposed for CITES violations be provided.
- Criminal prosecutions of significant cases should be undertaken.
- Intended accommodation for live specimens needs to be monitored to ensure it is adequately equipped.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- Enforcement authorities should report both mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded, to the MA.
- Information on monitoring and reporting of illegal trade and permit issuance should both be computerized.
- The Enforcement authorities should be given access to the *2005 Checklist of CITES Species* (book) and the *CITES Handbook*.
- Written procedures for the registration of producers should be developed.
- It would be beneficial to provide details on amounts charged for issuing CITES documents and harvesting CITES-listed species.
- Information on the registration of caviar re-packaging plants should be provided.

SLOVENIA

Legislative and regulatory measures

Obligatory measures

CITES-relevant legislation in Slovenia has been enacted in the form of *Decree (No. 39/2008)* on course of conduct and protection measures in the trade in animal and plant species. Slovenia has provided all information concerning this legislation to the Commission and the Secretariat.

Slovenia has penalties that may be imposed for Regulation-related violations. During the 2007–2008 reporting period, the *Penal Code of the Republic of Slovenia (UL. RS, No. 95/2004)* has been replaced by the *Criminal Code (UL. RS, No. 55/2008)* which came into force in November 2008. The penalties that may be imposed under the *Criminal Code* are as follows:

- imprisonment of up to five years for illegal possession, taking, harming, killing, export, import or trade of endangered plant or animal species, specimens or their parts or derivatives;
- a fine and imprisonment for six months to ten years is stipulated if the item is of great or exceptional importance for nature protection or if the act is performed within a criminal organisation.

However, Slovenia notes that most penalties applied in the 2007–2008 reporting period were based on the *Penal Code*. These include a fine or imprisonment of up to three years (five years in exceptional cases) and the confiscation of goods when a person exports or imports endangered animal or plant species to the contrary of provisions of international law and without the permission of the agency responsible. Maximum fines have also been set for offences under the *Nature Conservation Act* and the *Decree on the Course of Conduct and Protection Measures in the Trade in Animal and Plant Species*.

Additional measures and information

No additional Regulation-relevant legislation was drafted or enacted during this reporting period.

Slovenia has adopted stricter domestic measures, compared to the Regulations, concerning trade, taking, possession, commercial activities and breeding.

An assessment of the effectiveness of CITES legislation indicated that the following items are adequate in Slovenia: powers of CITES authorities; clarity of legal obligations; control over CITES trade; coverage of law for all types of offences; coverage of law for all types of penalties; and implementation of Regulations. Slovenia noted that the 2007 TRAFFIC *Study on the Effectiveness of the EC Wildlife Trade Regulations* was the source of these results.

There has been a review of legislation on harvesting, however there is no information on whether a review on access to or ownership of natural resources, transporting of live specimens and handling and housing of live specimens has been undertaken.

Compliance and enforcement measures

Obligatory measures

Slovenia has conducted reviews of reports and other information provided by traders and producers, inspections of traders, producers and markets, and border controls.

Administrative measures for CITES-related violations have been imposed—details were provided in an annex on seizures. Information on significant cases of illegal trade has been provided to the Commission and CITES Secretariat: in 2007, Slovenia reported a total of 19 seizures/confiscations, four of which were considered significant and in 2008, 22 seizures/confiscations were reported, five of which were significant. There were three

criminal prosecutions in 2007: two cases were sanctioned by a fine of EUR 600 and one resulted in a five month prison sentence and three years probation. Six criminal prosecutions reported for 2008 are ongoing.

Specimens have been marked to identify whether they are captive-bred.

Intended accommodation for live specimens has been monitored.

Additional measures and information

Slovenia has participated in co-operative enforcement activities with other countries, such as following alerts posted on the EU-TWIX network and intensifying surveillance when needed.

Again Slovenia referenced the 2007 TRAFFIC *Study on the Effectiveness of the EC Wildlife Trade Regulations* when noting that a review of CITES-related enforcement in Slovenia had been carried out during 2007–2008.

No national action plans for co-ordination of enforcement have been adopted.

Penalties take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offences and the costs incurred.

Training seminars on CITES have been carried out on a regular basis for Customs personnel and environmental inspectors.

Regular checks on traders and holders such as pet shops, breeders and nurseries have been undertaken to ensure in-country enforcement and risk and intelligence assessments are being used systematically to ensure thorough checks at border crossing points, as well as in-country.

Co-operation on investigations and offences is taking place with relevant enforcement agencies in other member States.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

The Ministry of Environment and Spatial Planning has been designated as the lead MA in Slovenia.

There have been changes in the contact details for enforcement authorities, including the Customs Administration of Slovenia and the Ministry of Interior-Police. There have also been changes in the contact details (telephone and contact persons) of the SA during this reporting period.

The Commission and CITES Secretariat have not been informed of the outcomes of investigations that the Commission considers necessary.

Additional measures and information

Slovenia has four staff working in the MAs, one at the Ministry of the Environment and Spatial Planning spending 60% of their time on CITES-related issues, and three at the Environmental Agency of the Republic of Slovenia, spending an average of 75% of their time on CITES-related matters. Slovenia has two staff working on CITES-issues in the SA and they have spent a total of 2400 hours working on CITES-related matters during this reporting period.

The MA has conducted research in relation to CITES-listed species, namely *Ursus arctos*, *Tursiops truncatus*, *Otus scops*, *Strix uralensis*, *Aquila pomarina* and *Gyps fulvus*, as well as on rescue centres. The SA has conducted research on the population status, distribution and off-take of *Caretta caretta*. Neither the MAs nor SA have undertaken research on non-CITES-listed species.

Slovenia has advised the CITES Secretariat of enforcement authorities designated for the receipt of confidential CITES-related information.

Slovenia has a specialist unit responsible for CITES-related enforcement and liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have reported mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded, to the MA.

CITES authorities in Slovenia have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

All CITES information is computerised, including the registration marked wild animals kept in captivity. An information system including various databases, such as the register of marked animals, CITES database and the register of endangered and protected species, is currently under development.

Enforcement authorities in Slovenia have reported seizures and confiscations to the MA.

CITES authorities have provided information about the Convention's requirement to the wider public other through several activities, including press releases/conferences, newspapers articles, radio/television appearances, brochures/leaflets, presentations, displays, and a telephone hotline.

Permitting and registration procedures

Obligatory measures

Changes in permit format, or the designation and signatures of officials empowered to sign CITES permits/certificates, have not been reported to the Secretariat. Slovenia uses the EU CITES permit/certificate format as specified by *Commission Regulation (EC) No.865/2006*.

Slovenia has developed written procedures for permit issuance/acceptance and registration of traders and producers.

A list of places of introduction and export has been compiled.

No caviar re-packaging plants have been licensed over this reporting period.

There have been no cases where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Hunting quotas for certain species (e.g. *Ursus arctos*) are considered in the procedure for issuing export permits.

Fees are charged for issuing CITES documents, for licensing or registration of operations that produce CITES-species, for the use and import of CITES-listed species and for EU internal trade certificates.

No scientific institutions have been registered and no breeders approved during the 2007–2008 reporting period.

Capacity building

Additional measures and information

In order to enhance the effectiveness of CITES implementation at the national level Slovenia has improved national networks, developed implementation tools and computerised information.

CITES authorities have been the recipients of oral or written advice/guidance. NGOs have been recipients of financial assistance. CITES authorities in Slovenia have also provided oral or written advice/guidance and

training to the MA, SA, enforcement authorities, traders, NGOs, the public and other parties, and at international meetings.

Collaboration/co-operative initiatives

Additional measures and information

In 2002, Slovenia established the inter-sectoral Committee for the Prevention of Illegal Wildlife Trade. The Committee consists of permanent members from the Criminal Police Directorate (Interpol Central Bureau for Slovenia), the General Customs Directorate (Investigation Division) and the Ministry of the Environment and Physical Planning/Environmental Agency.

Formal arrangements for co-operation have been agreed between the MA and the SA, Customs and police. There have also been efforts to collaborate with trade and other private sector associations, and NGOs.

Slovenia has provided training assistance to Croatia in relation to CITES.

Areas for future work

Slovenia considers an increased budget for activities and the improvement of national networks as medium priorities for future work, there being no high priorities.

Slovenia did not report encountering any difficulties or constraints in implementing the Convention.

Summary

Strengths

- There are maximum penalties that may be imposed for Regulation-related violations.
- Many items relating to the effectiveness of CITES legislation have been reported as adequate.
- A review of legislation on harvesting has been undertaken, as well as a review of CITES-related enforcement.
- Several compliance monitoring activities have been undertaken.
- Administrative measures for CITES-related violations have been imposed and criminal prosecutions conducted.
- Specimens have been marked to identify whether they are captive-bred.
- Intended accommodation for live specimens has been monitored.
- Co-operation on investigations and offences with relevant enforcement agencies in other member States is taking place.
- Slovenian enforcement authorities have reported both discrepancies and mortality in transport to the MA (the latter being an improvement since 2005-2006).
- Slovenia has a specialist unit responsible for CITES-related enforcement and a liaison officers/focal points for CITES has been nominated within each relevant enforcement authority.
- A list of places of introduction and export has been compiled.

Areas for improvement

- A review of legislation covering access to or ownership of natural resources, transporting of live specimens and handling and housing of live specimens could be undertaken, if it has not been already.

- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- Caviar (re-)packaging plants should be licensed, if necessary.

SPAIN

Legislative and regulatory measures

Obligatory measures

Spain has enacted national legislation to implement CITES. Additional CITES-relevant legislation was established in Spain during the 2007–2008 reporting period:

- *Law 32/2007* approved and published on 7th November 2007 regulates the exploitation, transport, experimentation and killing of animals, and introduces for the first time a fee for issuing CITES documents.
- *Law 42/2007* covering “Natural Heritage and Biodiversity” was adopted on 13th December 2007 and outlines provisions related to indigenous species of fauna and flora.
- A resolution adopted on 18th July 2008 establishes the possibility to request CITES documents via electronic communications technology (the Internet).

Penalties that may be imposed for Regulation-related violations are in place and are as follows:

- For administrative offences, fines of up to three times the value of the goods, and
- For criminal offences, fines of up to four times the value of the goods, and imprisonment for judicial sentences.

Additional measures and information

No additional Regulation-relevant legislation was drafted or enacted during this reporting period.

Compared to the Regulations, Spain has adopted stricter domestic measures relating to the capture and possession of certain indigenous species.

The results of any assessment of the effectiveness of CITES legislation were not provided and Spain notes that there has been no review of legislation on subjects relating to the implementation of the Convention.

Compliance and enforcement measures

Obligatory measures

Spain has conducted a review of reports and other information provided by traders and producers, inspections of traders, producers and markets, and border controls.

Administrative measures (e.g. fines, bans, suspensions) have been imposed for CITES-related violations in 2007–2008. Information on significant cases of illegal trade has been provided to the Commission and the Secretariat—724 seizures and confiscations were made. There were 300 administrative offences for the attempted introduction of CITES-species into the country without CITES permits and 38 criminal prosecutions for smuggling and offences under the *Penal Code*.

Specimens have been marked to establish whether they are captive-bred.

Monitoring of intended accommodation for live specimens has been carried out.

Additional measures and information

Spain has been involved in co-operative enforcement activities with other countries, including information exchange on seizures with other CITES authorities. There are plans to develop co-operation between the environmental units of all Latin American countries in order to carry out a study on CITES implementation.

There is no information on whether CITES-related enforcement has been reviewed in Spain during this reporting period.

No national action plans for the co-ordination of enforcement have been adopted. Spain does not consider this necessary due to the MA and enforcement authorities communicating on a regular basis.

Penalties take into account *inter alia* the market value of the specimens and the conservation value of the species involved in the offence. The possibility of also taking into account the cost incurred is currently under consideration.

Training and/or awareness raising activities for Spanish enforcement agencies, prosecution services and the judiciary have been carried out.

Breeders and nurseries are regularly checked to ensure in-country enforcement. Checks of pet shops are less frequent and are generally the result of specific investigations.

Intelligence and risk assessments are used systematically to ensure thorough checks at border crossing points, but not in-country.

Spain is co-operating with relevant enforcement agencies in other Member States on investigations offences.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

Spain has designated a lead MA—the Ministry of Industry, Tourism and Trade. The Department of Customs and Special Taxes, under the Ministry of Economy, is an additional CITES authority.

Spain has not informed the Commission and CITES Secretariat of the outcomes of investigations that the Commission has considered necessary, because no such investigations were required during this reporting period.

Additional measures and information

Thirty staff work in the MAs. 10 full-time staff work in the principal MA and spend 100% of their time on CITES-related matters. 20 staff work in the regional offices (other MAs with competency for granting permits)—their percentage of time working on CITES varies between offices. Four staff members work for the SA and they spend 75% of their time on CITES-related issues.

The MAs conducted research activities in relation to CITES-listed species and collaborated with museums and universities on the identification of timber and other species. The SA has not carried out any research activities in this area. The MA has not conducted any research of non-CITES-listed species and there is no information on whether the SA has undertaken research on non-CITES-listed species.

Spain has advised the CITES Secretariat of those enforcement authorities designated for the receipt of confidential CITES-related information.

Spain has a specialist unit responsible for CITES-related enforcement and liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

In the biennial report, Spain indicates that enforcement authorities have not reported mortality in transport or discrepancies in the number of items declared on permits and the number of items actually traded, to the MA. However, under comments Spain notes that information on mortality during transport in trade with third Parties and the actual number of items traded is provided by the CITES Authorities in charge of controlling consignments and/or is recorded on the permits by Customs border authorities. The MA then passes on this information in its annual reports. Therefore, Spain does appear to be complying with this measure.

CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Spanish enforcement authorities have reported seizures and confiscations to the MA.

Press releases/conferences, media communications and presentations have been used to promote better accessibility to and understanding of CITES requirements.

Permitting and registration procedures

Obligatory measures

Written permit procedures have been developed for permit issuance and the registration of traders and producers.

A list of places of introduction and export has been compiled.

Three caviar-repackaging plants have been licensed in Spain and detailed information was sent to the Commission and CITES Secretariat.

During 2007–2008, there was one case where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Spain does not use export quotas as a management tool in the procedure for issuing permits, as Spain does not allow exports of native fauna and flora for commercial purposes.

Fees are charged for issuing CITES documents and EU export permits and certificates.

No scientific institutions were registered and no breeders were approved according to Articles 60 and 63 of the EU Regulations, respectively, over the 2007–2008 reporting period.

Capacity building

Additional measures and information

To enhance the effectiveness of CITES implementation at the national level Spain has increased its budget for activities, hired more staff, purchased technical equipment for monitoring/enforcement and computerised information.

Spanish CITES authorities have been the recipients of capacity building activities. Specifically, the MA has received oral or written advice/guidance and training from authorities from other countries. Enforcement authorities have received training on environmental offences from the Police and other training from the British Enforcement Agency.

The CITES authorities have also been providers of capacity, such as oral or written advice/guidance, to traders, the public and other parties/for international meetings.

Collaboration/co-operative initiatives

Additional measures and information

No inter-agency committee on CITES has been established in Spain, and there are no agreed formal arrangements for co-operation between the MA and other agencies. However, the Spanish CITES authorities have made efforts to collaborate with provincial, state or territorial authorities, local authorities or communities, NGOs and the commercial/private sector.

Spain has provided technical assistance to the MA of Portugal.

Areas for future work

Spain considers increasing the budget for activities and hiring more staff as high priorities and the following as medium: development of implementation tools; improvement of national networks; and purchasing of new technical equipment for monitoring and enforcement.

Spain does not report any difficulties or constraints in implementing the Convention, apart from a need for better training in timber species identification.

Summary

Strengths

- In Spain, maximum penalties, including prison sentences, are in place for Regulation-related violations and fines are related to the value of the goods involved.
- Administrative measures for CITES-related violations have been imposed.
- Spain has conducted reviews of reports and other information provided by traders and producers, inspections of traders, producers and markets, and border controls.
- Specimens have been marked to establish whether they are captive-bred.
- Intended accommodation for live specimens has been monitored.
- Breeders and nurseries are checked regularly, to ensure in-country enforcement.
- Information about mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded appears to have been provided to the MA.
- Written permit procedures have been developed for permit issuance and the registration of traders and producers (an improvement from the last reporting period).
- A list of places of introduction and export has been compiled.
- Caviar-repackaging plants have been licensed in Spain and details have been sent to the CITES Secretariat and the Commission.
- Fees are now charged for the issuance of CITES documents in Spain and for the issuance of EU export permits or certificates (a recommendation from 2005–2006).
- The Spanish CITES authorities have made efforts to collaborate with provincial, state or territorial authorities, local authorities or communities, NGOs and the commercial/private sector through collaborative and information-sharing meetings.

Areas for improvement

- Results of the review or assessment of the effectiveness of CITES legislation in Spain should be provided; or a review be conducted if none has taken place.
- Legislation on the specific subjects related to the implementation of the Convention outlined in questions B8 and B8b, should be reviewed.
- Information on whether there has been a review of CITES-related enforcement should be provided.
- Development of an inter-agency committee on CITES and formal agreements for co-operation with other agencies should both be considered (also suggested in the 2005–2006 analysis).

SWEDEN

Legislative and regulatory measures

Obligatory measures

Sweden has enacted national legislation to implement CITES.

In Sweden, the maximum penalty for Regulation-related violations is four years imprisonment.

Additional measures and information

No additional Regulation-relevant legislation has been drafted or enacted during this reporting period. And Sweden has not adopted any stricter domestic measures, compared to the Regulations.

The results of a review of the effectiveness of CITES legislation indicated that the following items are adequate in Sweden: powers of CITES authorities; clarity of legal obligations; consistency with existing policy on wildlife management and use; coverage of law for all types of offences; coverage of law for all types of penalties; implementation of Regulations; and coherence within legislation. Control over CITES trade was found to be partially inadequate because CITES is still not a priority for Customs control.

Sweden has not reviewed any legislation in relation to implementation of the Convention.

Compliance and enforcement measures

Obligatory measures

Sweden has carried out the following compliance monitoring operations: a review of reports and other information provided by traders and producers; inspection of traders, producers and markets; and border controls.

Administrative measures have been imposed for CITES-related violations. No criminal prosecutions of significant cases have been undertaken.

Information on significant cases of illegal trade has been reported to the Commission and the Secretariat. Sweden has reported a total of 49 seizures/confiscations, of which one was considered significant.

There is no information on whether marking to identify captive-bred species has occurred.

There is also no information on whether intended accommodation for live specimens has been monitored.

Additional measures and information

Sweden has conducted co-operative enforcement activities with Nordic-Baltic countries (Denmark, Finland, Norway, Sweden, Estonia, Latvia, and Lithuania)—in the form of exchange of information.

There is no information on whether CITES-related enforcement was reviewed.

No national action plans for co-ordination of enforcement have been adopted.

According to Swedish Customs, penalties take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offences and the costs incurred.

Enforcement agencies, prosecutions services and the judiciary have benefited from training or/and awareness raising activities.

There is no information on whether regular checks on traders and holders have been undertaken— as this is not a task for Customs in Sweden. Risk and intelligence assessments have been used systematically to ensure thorough checks at border crossing points and in-country.

Co-operation on investigations of offences is taking place, whenever it is applicable, with relevant enforcement agencies in the other Member States.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

There is no requirement to designate a lead MA as Sweden has only one. Since the 2005–2006 reporting period there have been changes in the names of the division and department in charge of CITES-related issues—it is now the Division for CITES and Pet Animals, within the Department for Animal Welfare and Health.

The Commission and CITES Secretariat have not been informed of the outcomes of investigations that the Commission considers necessary, although some information was reported to the Scientific Review Group.

Additional measures and information

Six staff* work in the Department for Animal Welfare and Health: one biologist/zoologist (50% of their time working on CITES), one veterinarian (50%), four assistants (non biologists) (77% on average). Two people work in the SA and spend an average of 45% of their time on CITES-related issues. Officers of the Museum of Natural History also assist the SA, but it is not possible to estimate the percentage of time they spend on CITES-related matters. No research has been undertaken by the MA in relation to CITES-listed or non-CITES-listed species, while the SA been involved in *Anguilla anguilla* identification activities. No research has been undertaken by the SA in relation to non-CITES-listed species.

The CITES Secretariat has been advised of any enforcement authorities designated for the receipt of confidential CITES-related information, except in the case of Customs. Sweden has a specialist unit responsible for CITES-related enforcement, but it is an unofficial group led by WWF/TRAFFIC. The creation of an official group under the MA is under consideration. Liaison officers/focal points for CITES has been nominated within each relevant enforcement authority.

*Information on CITES authority staff members was updated from TRAFFIC's personal communication with the Division for CITES and Pet Animals (November, 2009), as information provided in the report was out of date.

Communication, information management and exchange

Obligatory measures

Enforcement authorities have not reported mortality in transport or discrepancies in the number of items declared on permits and the number of items actually traded, to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

Information on monitoring and reporting of illegal trade is computerized, but legal trade and permit issuance is not.

MA and enforcement authorities have access to the Internet, but there is no information on whether the SA has access or not. In addition, whilst the MA has access to all key CITES publications, enforcement authorities do not have access to the *2003 Checklist of CITES Species* and there is no information on whether the SA has access to these publications.

Enforcement authorities have reported seizures and confiscations to the MA.

Other activities promoting better accessibility to and understanding of CITES requirements, include press releases/conferences, media communications, brochures and leaflets, presentations and displays.

Permitting and registration procedures

Obligatory measures

Written procedures have been developed for permit issuance/acceptance and for the registration of traders, but not for producers.

A list of places of introduction and export has been compiled.

No caviar (re-)packaging plants have been licensed during 2007–2008.

There were no cases where export permits and re-export certificates were issued retrospectively.

Additional measures and information

Export quotas are used as a management tool in the procedure for issuing permits. Sweden requests information on quotas in export permits it receives, and states the quota in the import permits it issues. Sweden does not have quotas for their own exports.

Fees are charged for issuing CITES documents and EU CITES certificates for commercial activities.

Sweden has 23 registered scientific institutions however none were registered in 2007–2008. No breeders have been approved during this reporting period either.

Capacity building

Additional measures and information

Sweden has improved its national network in order to enhance the effectiveness of CITES implementation at the national level.

The Swedish CITES authorities have not been the recipients or providers of any capacity building over this reporting period.

Collaboration/co-operative initiatives

Additional measures and information

No inter-agency committee on CITES been established in Sweden and there are no agreed formal arrangements for co-operation between the MA and other agencies. However, there have been efforts to collaborate with agencies for development and trade, provincial, state or territorial authorities, local authorities or communities, trade or other sector associations and NGOs.

Sweden did not provide information on whether they provided technical and financial assistance to other countries in relation to CITES.

Areas for future work

Sweden considered the following as high priorities for Customs' work: computerisation, “easier” legislation with fewer exceptions, and the establishment of a national environmental team (including CITES).

The Swedish MA did not report encountering any difficulties or constraints in implementing the Convention and no information was available for Customs.

Summary

Strengths

- There is maximum penalty for Regulation-related violations.
- Administrative measures for CITES-related violations have been imposed (an improvement from the previous reporting period).

- Many items relating to the effectiveness of CITES legislation in Sweden have been assessed as being adequate.
- Several compliance monitoring operations have been undertaken.
- Risk and intelligence assessments have been used systematically by Customs to ensure thorough checks at border crossing points, as well as in-country.
- Written procedures have been developed for permit issuance/acceptance and for the registration of traders (an improvement since the 2005–2006 reporting period).
- A list of places of introduction and export has been compiled.
- Sweden has made efforts to collaborate with various agencies and authorities.

Areas for improvement

- Sweden could review legislation on subjects related to implementation of the Convention and CITES-related enforcement.
- Criminal prosecutions of significant cases should be undertaken.
- Information on the following should be provided: whether marking is occurring to identify captive-bred specimens and whether intended accommodation for live specimens is being monitored.
- The Commission and CITES Secretariat should be informed of the outcomes of investigations that the Commission considers necessary.
- Enforcement authorities should report mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded, to the MA.
- The SA and enforcement authorities would benefit from access to the Internet and all key CITES publications.
- Legal trade data and permit issuance could be computerised.
- Written procedures should be developed for the registration of producers.
- Swedish CITES authorities would benefit from becoming recipients or providers of capacity in the next reporting period.
- An inter-agency committee on CITES could be established.

Points 2, 6, and 9 were also recommended as areas for improvement in the 2005–2006 reporting period.

UNITED KINGDOM

Legislative and regulatory measures

Obligatory measures

The United Kingdom (UK) has enacted national legislation to implement CITES and has partly provided this information to the Commission and Secretariat (some UK Overseas Territories have yet to implement their CITES legislation and therefore copies of the relevant legislation are not available in these cases). *Statutory Instrument 2007, No 2952 The Control of Trade in Endangered Species (Enforcement) (Amendment) Regulations 2007* came into force on 10th November 2007. These Regulations amend the *Control of Trade in Endangered Species (Enforcement) Regulations 1997* by replacing the reference to *Commission Regulation (EC) No. 939/97* with a reference to the current Commission Regulation (*Commission Regulation (EC) No. 865/2006*).

The UK has penalties that may be imposed for Regulation-related violations and these are appropriate to the nature and gravity of the infringement:

- Maximum prison sentence for import/export offences: seven years and/or an unlimited fine;
- Maximum penalties for certain internal offences: five years imprisonment and/or an unlimited fine.

Additional measures and information

Concerning additional Regulation-relevant legislation, a review of *The Control of Trade in Endangered Species (Parts of Entry) 1985 regulation* started in Spring 2007 with a public consultation which was completed in October 2007. A final impact assessment is currently in progress with a view to having the regulation in place by 2010.

The UK has adopted stricter domestic measures, compared to the Regulations, with regards to the taking and possession of native bird and animal species, and the registration of some bird species. Other stricter measures include the prohibition to offer or expose for sale, to possess or transport for the purpose of sale certain live non-native species.

Assessment of the effectiveness of CITES legislation indicated that the following items are “partially inadequate” in the UK (in some cases due to shortcomings of the EU Wildlife Trade Regulations): clarity of legal obligation; control over CITES Trade; and coverage of law for all types of offences and penalties.

UK domestic regulations need to be updated to reflect new developments such as non invasive DNA sampling and caviar labelling. This is being carried out as part of the review of Control of Trade in Endangered Species (COTES) Regulations. Furthermore, a national review of the sanctions used in the UK was undertaken between 2005 and 2006. The review presented a number of recommendations on modernising and rationalising the use and application of sanctions. In light of this review the UK is reconsidering relevant CITES offences and penalties with the objective of bringing these fully up-to-date when the COTES Regulations are revised in 2010/11.

The UK reported that the powers of their CITES authorities are adequate. However, this will be considered further in the context of the ongoing review of COTES Regulations and the EU’s Review of the effectiveness of the EU Wildlife Trade Regulations, in order to identify whether further improvements or enhancements to those powers can be achieved.

There has been no review of legislation on subjects related to the implementation of the Convention during this reporting period. However, there has been a review of the introduction of live Regulation-listed species into the Community that would threaten the indigenous fauna and flora.

Compliance and enforcement measures

Obligatory measures

The UK has conducted reviews of reports and other information provided by traders and producers, inspections of traders, producers and markets and border controls.

No administrative measures (e.g. fines, bans, suspensions) have been imposed for CITES-related violations in 2007-2008. A total of 791 seizures/confiscations were reported for the 2007–2008 period and four criminal prosecutions were made.

Specimens have been marked to establish whether they are captive-bred. All keepers of live Annex A-listed specimens must ensure all specimens kept for commercial purposes are marked.

Monitoring has been carried out to ensure that the accommodation for live specimens at the place of destination is adequately equipped.

Additional measures and information

The UK has been involved in co-operative enforcement activities with other countries, including information exchange with enforcement agencies in the USA, France, South Korea and South Africa and intelligence exchange with Czech Republic and Switzerland. The UK National Wildlife Crime Unit (NWCU) has used Interpol to circulate intelligence. Joint operations have been undertaken with New Zealand, the Netherlands, Germany and Sweden. The UK has also conducted enquiries with Zambia, Ghana, Macedonia and Ireland and there has been technical co-operation with Brazil and the Cayman Islands.

CITES enforcement was reviewed by the National Wildlife Crime Unit (NWCU) and illegal trade in CITES species was identified as a UK priority in 2007 and 2008, and continues to be so.

The UK reports having adopted national action plans for co-ordination of enforcement.

Penalties take into account *inter alia* the market value of the specimens, the conservation value of the species involved in the offence and the costs incurred.

Training and/or awareness activities have been carried out by the United Kingdom Border Agency (UKBA) for its own detection staff and also for the UK police forces wildlife officers.

Risk and intelligence assessments are used systematically in order to ensure thorough checks at border crossing points, as well as in-country. All UKBA Customs examinations of CITES-derivatives or live animals are conducted using a risk-based system (from low to high).

Co-operation on investigations of offences is taking place with relevant enforcement agencies in other Member States.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

Two Government bodies make up the UK CITES MA—the Department for Environment Food and Rural Affairs (Defra) deals with CITES policy issues and the Animal Health, Wildlife Licensing and Registration Service undertakes licensing activities for the UK. The UK reports having designated Defra as the lead agency.

There was no information on whether the Commission or CITES Secretariat have been informed of the outcomes of any investigation that the Commission considered necessary. The UK has indicated, however, that details of the outcomes of their investigations are made publicly available.

Additional measures and information

Seven full time staff members, as well as one part-time staff member, are working in the CITES policy team. 33 people are working in the CITES licensing team. They spend approximately 90% of their time on CITES-related matters. The MA undertook research activities in relation to CITES-listed species, such as forensic identification of CITES-listed timber and wood products. The MA also undertook research in relation to non-CITES-listed species, including assessing the impacts of introducing full cost CITES fees to customers and of non-compliance.

The UK has two SAs, the Joint Nature Conservation Committee (JNCC) (fauna) and the Royal Botanic Garden Kew (RBG Kew) (flora). In total, nine staff members are working within the SAs. At JNCC three staff members spend 100% of their time on CITES-related issues, one spends 80%, and one spends 40% of their time. At RBG Kew three staff spend 100% of their time on CITES-related issues and one staff spends 60%.

The SAs carried out research in relation to CITES-listed species focusing on the:

- Population, distribution, off-take, legal and illegal trade of Aves and diurnal raptors in Guinea;
- Population, distribution, off-take and legal trade of corals in Fiji, Tonga, Samoa and Vanuatu
- Alternative forms of marking *testudinids*.

No research was undertaken by the SA on non-CITES-listed species.

The UK has advised the CITES Secretariat of those enforcement authorities designated for the receipt of confidential CITES-related information. It has a specialist unit—the UK Border Agency, including anti-smuggling staff—which is responsible for CITES-related enforcement at the borders. Additionally, liaison officers/focal points for CITES have been nominated within each relevant enforcement authority.

Communication, information management and exchange

Obligatory measures

UK enforcement authorities have reported mortality in transport and discrepancies in the number of items declared on permits and the number of items actually traded, to the MA.

CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points.

Additional measures and information

UK enforcement authorities have reported seizures and confiscations to the MA.

Press releases/conferences, media communications, brochures and leaflets, presentations and displays, a telephone hotline, and attendance at public shows were all used to promote better accessibility to and understanding of CITES requirements. A short survey was also undertaken in March 2008 by the UK Central Office of Information to assess public awareness of CITES restrictions.

Permitting and registration procedures

Obligatory measures

Changes in permit format, or the designation and signatures of officials empowered to sign CITES permits have been reported to the CITES Secretariat.

Written procedures have been developed for permit issuance/acceptance, as well as for the registration of traders and producers.

A list of places of introduction and export has been compiled— this list is under review and the UK hopes to update it in 2010/11.

Six UK caviar re-packaging plants have been licensed.

The UK has reported that five export permits and seven re-export certificates were issued retrospectively.

Additional measures and information

Export quotas have not been used as a management tool in the procedure for issuing permits, since they are not applicable in the UK. The MA charges fees for issuing CITES documents, the use of CITES-listed species and the importing of CITES-listed species.

Twenty scientific institutions have been registered and 110 breeders have been approved during the 2007–2008 reporting period.

Capacity building

Additional measures

To enhance the effectiveness of CITES implementation at the national level the UK has developed implementation tools and improved national networks.

Enforcement authority staff has been the recipients of capacity building, such as training on timber identification from the German CITES MA.

The CITES authorities in the UK have been the providers of oral/written guidance, technical and training through a significant number and wide variety of capacity-building activities. The CITES authorities also provided oral or written advice/guidance and technical assistance to traders, NGOs and other Parties/international meetings.

Collaboration/co-operative initiatives

Additional measures and information

The UK has established the following inter-agency committees on CITES:

- CITES Officers Group (COG): MA, SA and Customs—meet every six months;
- Joint Liaison Group (JLG): MA, traders and NGOs—meet every six months;
- A UK High level group (HLG): MA, SA, Police, Customs and Government departments—three times a year
- Inter-Departmental Ministerial Group on Biodiversity (IDMGB): Foreign and Commonwealth Office (FCO), Department for Environment, Food and Rural Affairs (Defra), Department for International Development (DfID) and JNCC (SA)—the last meeting was in March 2007
- Partnership for Action against Wildlife Crime (PAW): MA, SA, Customs and police – meet three times a year.

Formal arrangements for co-operation between the MA and other agencies include Memoranda of Understanding with the SA, Customs, police and other government agencies. Other Memoranda of Understanding have been also agreed between JNCC and the Falkland Islands and British Indian Ocean Territory (BIOT). Additionally, CITES authorities in the UK have collaborated with agencies for development and trade, provincial/state/territorial authorities, trade/private sector associations and NGOs.

The UK has also provided technical and financial assistance to other countries in relation to CITES, including India, Trinidad and Tobago, Poland, Romania, Slovakia, Cayman Islands, China and other EU Member States.

Areas for future work

The UK does not identify any areas of work as high or medium priorities—in light of the overall adequacy of the UK's implementation, although there is room for improvement, such minor improvements are not considered high or medium priorities.

The UK has encountered some difficulties in implementing the personal effects derogation. The UKBA has noted that although the Regulations are well understood by those who deal with CITES on a day-to-day basis, those that encounter CITES species less regularly have on occasion had difficulty with the personal effects derogation, the ever increasing list of exemptions exacerbating the problem.

Summary

Strengths

- Maximum penalties can be imposed according to the nature and gravity of the infringement.
- CITES authorities have provided information about the Convention's requirements to the wider public at border crossing points
- Written procedures have been developed for permit issuance/acceptance and for the registration of traders and producers (as recommended in 2005–2006).
- A list of places of introduction and export has been compiled.
- Caviar re-packaging plants have been licensed in the UK.
- Development of implementation tools and improvement of national networks have been undertaken to enhance the effectiveness of CITES implementation at the national level.
- CITES authorities have been the providers of many capacity building activities.
- The UK has been involved in co-operative enforcement activities with other countries.

Areas for improvement

- Administrative measures should be imposed for CITES-related violations (this was also suggested as an area for improvement in 2005–2006).
- Legislation on specific subjects related to the implementation of the Convention (other than for legislation on the introduction of live Regulation-listed species into the Community) could be reviewed.
- Information on whether the Commission and CITES Secretariat have been informed of the outcomes of investigations that the Commission considers necessary should be provided.

DISCUSSION AND CONCLUSIONS

Overall, analysis of the 19 reports suggests that compliance with the Regulations is generally good in all 19 Member States, including those that have only recently acceded (Romania and Bulgaria in 2007). For the most part, the necessary structures and procedures are in place and penalties for Regulation-relevant violations are being imposed. There are a number of common areas requiring improvement, however, both under obligatory and additional measures.

It appears that Member States are becoming accustomed to the biennial report format with responses being increasingly more consistent in comparison to previous reporting periods. However, although the new biennial report format allows for a greater standardization of responses, there are still some challenges concerning the completion and analysis of responses.

Legislative and regulatory measures

Obligatory measures

CITES-relevant legislation has been planned, drafted or enacted by all 19 Member States, and all necessary information on this legislation has been provided to the Commission and CITES Secretariat by at least 16 Member States.

With the exception of two Member States, who did not provide the relevant information in their biennial reports, all Member States stipulated maximum penalties that can be imposed for Regulation-related violations in their countries. The severity of the fines under national law varies considerably across Member States, ranging from EUR12 to EUR740 000 in 2007–2008. The maximum penalty reported in 2005–2006 was EUR450 000. In some Member States, there are separate scales for individuals and commercial enterprises. In three cases, the fine is based on the market or conservation value of the species. Prison sentences range from three months to ten years.

Additional measures and information

Seven of the 19 Member States drafted or enacted additional Regulation-relevant legislation over the 2007–2008 reporting period. Sixteen have adopted stricter domestic measures compared to the Regulations (Annex 5). In general, these stricter measures refer to conditions and/or prohibitions for possession and trade of CITES-listed and indigenous species (CITES-listed or not). Fifteen Member States conducted a review of the effectiveness of CITES legislation in their countries. They highlighted those areas they considered adequate, partially adequate or inadequate and this information could be used as a basis for establishing priorities for improvement in the future. There has also been a review of legislation on selected subjects related to implementation of the Convention in eight Member States.

Compliance and enforcement measures

Obligatory measures

All 19 Member States have undertaken compliance monitoring activities such as: reviewing reports and other information provided by traders and producers; conducting inspections of traders, producers and markets, and undertaking controls at the borders. Seventeen Member States imposed administrative measures for CITES-related violations, and criminal proceedings were instigated in 13 Member States, with some cases being taken to court.

CITES-listed and non-CITES-listed specimens have been seized or confiscated in all Member States, and since the 2005–2006 reporting period, efforts have been made by Member States to provide more details on this aspect. The annual number of seizures and confiscations range from a few to several thousand specimens (see Annex 3). In the 19 Member States, most seizures of dead specimens were of caviar, crocodile and python skin (purses, handbags and belts), medicines (Asian medicines, *Hoodia* capsules) and other dead animal parts or

products such as ivory, horns, furs and meat. For live specimens, corals, tortoises, cacti and orchids were seized. All 19 Member States reviewed have provided information on significant cases of illegal trade to the Commission and to the CITES Secretariat.

Seventeen Member States have undertaken the marking of specimens to identify whether they are captive-bred. Fifteen reported monitoring intended accommodation for live specimens.

Additional measures and information

Fifteen Member States participated in co-operative enforcement activities with other countries. Eight carried out a review of CITES-related enforcement and seven reported having adopted national action plans for co-ordination of enforcement. The objectives and timeframes of these action plans would benefit from review.

Fifteen Member States reported taking into account the market value of the specimens and the conservation value of species when considering penalties. All but two Member States have reported carrying out training and/or awareness raising activities for enforcement agencies, prosecution services and judiciary. Fifteen countries say they have undertaken regular checks on traders and holders to ensure in-country enforcement. Thirteen Member States have systematically used risk and intelligence assessments to ensure thorough checks both in-country and at border crossing points and 14 have reported co-operating with relevant enforcement agencies in other Member States for investigating offences.

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

MAs and enforcement authorities with appropriate powers have been designated in each country. All SAs are independent from the MAs and changes in MA and SA contacts have been provided to the Secretariat. Twelve Member States have designated a lead MA and the remaining seven are not required to do so as these countries have only one MA.

Only one Member State provided an affirmative answer to Question D1.11 (previously D1.10), on whether the Commission and CITES Secretariat have been advised of the outcomes of any investigation which the Commission has considered necessary (as required under Article 14(2)). Twelve Member States responded that they have not informed the Commission, and the remaining six stated that there was no information.

As highlighted in the 2005–2006 analysis, the understanding and interpretation of the requirement outlined in Article 14(2) is questionable. It is difficult to determine whether a “no” response refers to the actual act of informing the Commission and Secretariat, or whether it indicates that no such investigations were considered necessary. In the 2007–2008 reports, two Member States (Finland and Spain) specifically stated that the Commission was not informed as such investigations were not deemed necessary, however the majority have not clarified this. It is suggested that this question be revised to ensure better understanding by the Member States and consequent assessment of the implementation of this requirement.

Additional measures and information

MAs and SAs in 12 Member States have undertaken or supported research activities with regard to CITES-listed species. With regard to non-CITES-listed species, only four of the 19 Member States covered by the analysis have done so.

The number of staff members working in MAs and SAs and the percentage of time spent on CITES-related issues varies considerably between the Member States. One to 366 staff is employed in each MA, each of those spending between 0.3 and 100% of their time on CITES-related issues. In SAs across the EU, staff members vary from one to 32, spending between 5 and 100% of their time on CITES-related issues. These variations are presumably partly dependent on factors such as the capacity of Member States to devote resources to CITES

activities, specialization of staff, country size and the assumed importance of wildlife trade. The difference in staff numbers working for the MAs and SAs (the former generally having larger capacities) could be explained by the fact that in some countries the SA is not a large public institution with capacity to provide regular assistance, but is composed of committees of experts or temporary consultants. Nine Member States reported difficulties in estimating time and work input on CITES issues, due to the fact that many MA and SA roles involve working on a combination of CITES and other conservation and non-conservation issues.

All Member States have advised the CITES Secretariat of the designated enforcement authority for the receipt of confidential CITES-related enforcement information. Within these enforcement authorities, a CITES liaison officer has been nominated in 17 Member States and a specialist unit responsible for CITES-related enforcement has been established in 14 of the 19 analysed Member States.

Communication, information management and exchange

Obligatory measures

The 2005–2006 analysis highlighted the need for improving reporting on mortality in transport and on discrepancies in the number of items on permits and the number of items actually traded, as only 77% of Member States appear to have reported on at least one of these items and 50% on both. For the 2007–2008 period, 15 Member States (79%) reported on at least one of these items and nine reported having undertaken both (47%). The situation does therefore not appear to have improved over the two years. Enforcement authorities in four Member States did not report any information to the MA, although for one of these (Spain), the information provided in comments appears to contradict this.

In their 2007–2008 reports, only 14 Member States provided information on CITES at border crossing points. Many countries that provided this information in 2005–2006 did not appear to do so for the 2007–2008 reporting period.

Additional measures and information

The majority of CITES authorities in the 19 Member States have access to the Internet and CITES information is computerized. However, in some Member States, CITES authorities still have only partial access to key CITES publications (also noted in 2005–2006). Seventeen of the 19 Member States have been involved in public awareness activities at locations other than border crossing points.

Permitting and registration procedures

Obligatory measures

Fifteen Member States have reported changes in permit format or signatures to the Secretariat. Eighteen have developed written procedures for permit issuance/acceptance, however, only eight have developed such procedures for the registration of both traders and producers. This is only one more than reported as having done so in 2005–2006 (seven Member States), and therefore there appears to have been little improvement in this area over the last two years, representing a possible hindrance in implementing the Regulations. However, several Member States have emphasised the need for clarification of the requirement of developing written procedures as outlined in question D5.2.

During the 2007–2008 reporting period, 11 Member States licensed caviar (re-)packaging plants (between one and six in each country)—it is not known if (re-)packaging plants are located in the remaining countries and therefore whether they need to comply with this measure. Plants appear to have been registered in four countries that have not developed written procedures for the registration of either traders or producers (Austria, Hungary, Latvia and Poland)—a discrepancy that merits clarification.

Lists of places of introduction and export were compiled by nearly all Member States. Six Member States have retrospectively issued export permits and export certificates.

Additional measures and information

Harvest or export quotas are incorporated into the procedure for issuing permits in 13 of the EU Member States reviewed. This question is interpreted differently by each Member State, however. Several countries that do not export native species, indicate that they use quotas in the procedure for issuing import permits, as they take responsibility for checking the export quotas referred to in export permits of non-EU Parties. Other Member States, however, respond negatively to this question, for the same reason (i.e. they do not use quotas since native CITES-listed species are not being exported). This question would therefore benefit from clarification, to ensure answers mirror what is required by the Commission.

Among the 19 EU Member States, only one (France) does not charge for permits and certificates (Annex 4). In the other 18 countries, fees range from EUR6 (for blank forms for registered propagation units in Germany) to EUR500 (licensing and registration of caviar (re-)packaging facilities). One Member State charged a fee of EUR320 for issuing labels for containers of caviar. The amounts charged per permit/certificate vary not only between Member States, but also according to the document type (import/export permit, re-export certificate, internal trade certificate, etc.) and the quantity and type of specimens involved (plants/animals, live/dead, antiques, etc.).

Six Member States reported registering one to 20 scientific institutions in accordance with Article 60, and for one of these Member States, registration actually referred to pre-2007. Question D5.16 is a new question and there appear to be differences in interpretation between countries—whether the number of institutions registered refers to the total registered in the country, or just the number registered during the 2007–2008 period. Furthermore, it must be noted that Article 60 is currently under review (D.Jelden, German CITES MA, *in litt.* to TRAFFIC, January 2010). Only one country approved new breeders in accordance with Article 63—the UK reported approving 110 breeders during 2007–2008. The Czech Republic reported approving one breeder in accordance with *Resolution Conf. 12.10—Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes*.

Capacity building

Additional measures and information

All Member States included in this analysis have undertaken capacity building activities during the 2007–2008 period in order to enhance the effectiveness of CITES implementation. Computerization, improvement of national networks, the purchase of technical equipment for monitoring/enforcement, the development of implementation tools and the hiring of staff are some of the capacity-building activities reported by Member States. MA and SA staff in 15 Member States have received training, and 18 Member States were the providers of capacity building activities.

Collaboration/co-operative initiatives

Additional measures and information

Inter-agency or inter-sectoral CITES committees have been established in eight Member States. Formal arrangements for co-operation, such as Memoranda of Understanding between the MA and other authorities, including Customs and police, have been developed in 13 Member States.

With regard to CITES issues, 10 Member States provided technical or financial assistance to other countries during 2007–2008.

Areas for future work

Six Member States reported encountering some difficulties or constraints in implementing the Convention: Italy and the UK highlighted difficulties in implementing *Resolution Conf. 13.7—Control and trade in personal and household effects*; Poland indicated a lack of rescue centres and limited staff numbers; Romania encountered difficulties in implementing the requirements laid down in *Res. 12.7 (Rev. CoP14)* regarding labelling of caviar traded on the

internal market, due to overlaps in the competence of Romanian authorities; and Spain indicated the need for better training in timber species identification.

Summary

Strengths

All Member States appear to have drafted, planned or enacted CITES-related legislation and have the necessary structures in place for implementing and enforcing the requirements of the Regulations. The vast majority of Member States have established maximum penalties and fines that can be imposed for Regulation-related violations on a national scale.

Although not obligatory under the Regulations, 16 out of the 19 Member States have adopted stricter domestic measures covering trade, taking, possession or the prohibition of keeping of protected species. Fifteen Member States have also carried out an assessment of the effectiveness of CITES legislation, with varying results.

Compliance monitoring activities, such as border controls and inspection of traders, producers and markets, have been undertaken by all Member States. Most have also imposed administrative measures for CITES violations, with some cases having been taken to court.

Other areas of strong compliance with the Regulations include the marking of captive-bred specimens (17 Member States reporting requiring this) and the monitoring of intended accommodation for live specimens (undertaken by 15 Member States). Training and awareness activities for enforcement agencies, prosecutions services and the judiciary have also been carried out in 17 Member States, and regular checks of traders and holders have been undertaken by 15 Member States to ensure in-country enforcement.

Furthermore, in terms of communication and information exchange, 17 Member States have engaged in public awareness activities, such as presentations, campaigns and dissemination of brochures and in capacity building. The majority of CITES authorities in the analysed Member States have access to the Internet.

Regarding permitting and registration procedures, the majority of Member States have developed written procedures for permit issuance (18) and have compiled lists of places of introduction and exports (17).

Although comparison with 2005–2006 was difficult due to the incomplete data set for analysis in the current report, there are specific issues that were highlighted as areas needing improvement in 2005–2006 that have now been addressed by individual countries. These include the providing of full information on legislation to the Commission and Secretariat (two Member States), review of effectiveness of CITES legislation (two), review of legislation on selected subjects (one), compliance monitoring operations (one), undertaking administrative measures (one) and criminal prosecutions (two), monitoring accommodation (one), developing marking requirements (one), reporting mortality in transport and/or permit discrepancies (four), developing written procedures for permit issuance and/or registration of traders and producers (seven) and access to key publications (one).

Areas for improvement

Despite the individual improvements highlighted above, the priority areas for improvement within the obligatory measures are consistent with those identified in the 2005–2006 analysis, suggesting that several of the recommendations outlined in the previous analysis may not have been addressed.

Firstly, it is recommended that countries be encouraged to consistently report all details of seizures, confiscations and forfeitures. This would ensure all the relevant information is available to establish a more accurate picture of illegal trade in the Member States and the EU as a whole. Guidance on how to interpret “significant” in question C4, and subsequently provide comparable answers to question C5, would therefore be beneficial.

Informing the Commission and Secretariat on outcomes of necessary investigations, however, appears to be the measure that requires the greatest improvement, both in comprehension and compliance—it is suggested that

this question be a priority for clarification in time for the following reporting period. Reporting by enforcement authorities to MAs on mortality in transport and discrepancies in the number of items on permits and the number of items actually traded—both requirements under the Regulations—needs to be improved. Currently only nine Member States report on both these items.

The development of written procedures for the registration of traders and producers is another area that appears to need improvement—written procedures have been established for both traders and producers in only eight of the 19 Member States. It has been suggested by some Member States (and in the 2005–2006 analysis), however, that this apparent lack of compliance may in fact be due to unclear wording of question D5.2. Clarification of what is meant by the “development of written permit procedures” and whether in fact the development of such procedures is an obligatory measure (as opposed to the actual registration of the traders and producers) is necessary. During the 2007–2008 reporting period, 11 Member States licensed caviar (re-)packaging plants (between one and six in each country). The other eight countries may not be caviar (re-)exporters, however, if some of these are involved in such trade this obligatory measure may also need some improvement.

For the additional measures, Member States are encouraged to review their legislation on subjects such as access to or ownership of natural resources, harvesting, transporting of live specimens and handling and housing of live specimens. This is currently underway in only eight Member States. In order to increase enforcement capacity, it has been recommended that Member States adopt national plans for co-ordination of enforcement with clearly defined objectives and timeframes. Only seven Member States appear to have such plans in place and the level of detail and coherence between such plans is unknown. MAs and/or SAs of 12 and four Member States have been involved in research activities on CITES and non-CITES-listed species, respectively. It is unclear whether these low numbers are due to financial constraints or a lack of human resources.

It is recommended that the Commission defines the exact reporting requirements under questions D5.7, D5.16 and D5.17 (use of export quotas in issuing permits, the registration of scientific institutions and the approval of breeders) prior to the next reporting period, to ensure consistency in responses.

Finally, in order to increase co-operation and information exchange within the EU, it is suggested that more Member States establish inter-agency CITES committees. Only eight countries have such committees in place.

ANNEX I: CITES BIENNIAL REPORT FORMAT

Part I - CITES Questions

Note: Part 1 is composed exclusively of the questions included in the CITES Biennial Report format, approved at the 13th meeting of the Conference of the Parties to CITES, October 2004.

A. General information

Party	
Period covered in this report: 1 January 2007 to 31 December 2008	
Details of agency preparing this report	
Contributing agencies, organizations or individuals	

B. Legislative and regulatory measures

1	Has information on CITES-relevant legislation already been provided under the CITES National Legislation Project? If yes, ignore questions 2, 3 and 4.	Yes (fully) <input type="checkbox"/> Yes (partly) <input type="checkbox"/> No <input type="checkbox"/> No information/unknown <input type="checkbox"/>
2	If your country has planned, drafted or enacted any CITES-relevant legislation, please provide the following details: Title and date: _____ Status: _____ Brief description of contents: _____	
3	Is enacted legislation available in one of the working languages of the Convention?	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
4	If yes, please attach a copy of the full legislative text or key legislative provisions that were gazetted.	legislation attached <input type="checkbox"/> provided previously <input type="checkbox"/> not available, will send later <input type="checkbox"/>
5	Which of the following issues are addressed by any stricter domestic measures that your country has adopted for CITES-listed species (in accordance with Article XIV of the Convention)?	Tick all applicable
	The conditions for:	The complete prohibition of:
	Yes No No information	Yes No No information
	Trade	Trade
	Taking	Taking
	Possession	Possession
	Transport	Transport
	Other (specify)	Other (specify)
	Additional comments	

6	What were the results of any review or assessment of the effectiveness of CITES legislation, with regard to the following items?	Tick all applicable			
	Item	Adequate	Partially Inadequate	Inadequate	No information
	Powers of CITES authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Clarity of legal obligations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Control over CITES trade	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Consistency with existing policy on wildlife management and use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Coverage of law for all types of offences	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Coverage of law for all types of penalties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Implementing Regulations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Coherence within legislation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Please provide details if available:				
7	If no review or assessment has taken place, is one planned for the next reporting period?				Yes <input type="checkbox"/>
					No <input type="checkbox"/>
					No information <input type="checkbox"/>
	Please provide details if available:				
8	Has there been any review of legislation on the following subjects in relation to implementation of the Convention?	Tick all applicable			
	Subject	Yes	No	No information	
	Access to or ownership of natural resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Harvesting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Transporting of live specimens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Handling and housing of live specimens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Please provide details if available:				
9	Please provide details of any additional measures taken:				

C. Compliance and enforcement measures

		Yes	No	No information
1	Have any of the following compliance monitoring operations been undertaken?			
	Review of reports and other information provided by traders and producers:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inspections of traders, producers, markets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Border controls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Have any administrative measures (e.g. fines, bans, suspensions) been imposed for CITES-related violations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	If Yes, please indicate how many and for what types of violations? If available, please attach details as Annex.			
4	Have any significant seizures, confiscations and forfeitures of CITES specimens been made?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5	<p>If information available:</p> <p><input type="checkbox"/> Significant seizures/confiscations</p> <p><input type="checkbox"/> Total seizures/confiscations</p> <p>If possible, please specify per group of species or attach details on annex.</p>	<p>Number</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>		
6	Have there been any criminal prosecutions of significant CITES-related violations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	If Yes, how many and for what types of violations? If available, please attach details as Annex.			
8	Have there been any other court actions of CITES-related violations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	If Yes, what were the violations involved and what were the results? Please attach details as Annex.			
10	How were the confiscated specimens generally disposed of?	Tick if applicable		
	– Return to country of export			<input type="checkbox"/>
	– Public zoos or botanical gardens			<input type="checkbox"/>
	– Designated rescue centres			<input type="checkbox"/>
	– Approved, private facilities			<input type="checkbox"/>
	– Euthanasia			<input type="checkbox"/>
	– Other (specify)			<input type="checkbox"/>
	Comments:			
11	Has your country provided to the Secretariat detailed information on significant cases of illegal trade (e.g. through an ECOMESSAGE or other means), or information on convicted illegal traders and persistent offenders?	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		Not applicable		<input type="checkbox"/>
		No information		<input type="checkbox"/>
	Comments:			
12	Has your country been involved in cooperative enforcement activities with other countries (e.g. exchange of intelligence, technical support, investigative assistance, joint operation, etc.)?	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		No information		<input type="checkbox"/>
13	If Yes, please give a brief description:			
14	Has your country offered any incentives to local communities to assist in the enforcement of CITES legislation, e.g. leading to the arrest and conviction of offenders?	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		No information		<input type="checkbox"/>
15	If Yes, please describe:			
16	Has there been any review or assessment of CITES-related enforcement?	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		Not applicable		<input type="checkbox"/>
		No information		<input type="checkbox"/>
	Comments:			
17	Please provide details of any additional measures taken:			

D. Administrative measures

D1 Management Authority (MA)

1	Have there been any changes in the designation of or contact information for the MA(s) in your country which are not yet reflected in the CITES Directory?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2	If Yes, please use the opportunity to provide those changes here.		
3	If there is more than one MA in your country, has a lead MA been designated?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4	If Yes, please name that MA and indicate whether it is identified as the lead MA in the CITES Directory.		
5	How many staff work in each MA?		
6	Can you estimate the percentage of time they spend on CITES related matters? If yes, please give estimation	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
7	What are the skills/expertise of staff within the MA(s)?	Tick if applicable	
	– Administration		<input type="checkbox"/>
	– Biology		<input type="checkbox"/>
	– Economics/trade		<input type="checkbox"/>
	– Law/policy		<input type="checkbox"/>
	– Other (specify)		<input type="checkbox"/>
	– No information		<input type="checkbox"/>
8	Have the MA(s) undertaken or supported any research activities in relation to CITES species or technical issues (e.g. labelling, tagging, species identification) not covered in D2(8) and D2(9)?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
9	If Yes, please give the species name and provide details of the kind of research involved.		
10	Please provide details of any additional measures taken		

D2 Scientific Authority (SA)

1	Have there been any changes in the designation of or contact information for the SA(s) in your country which are not yet reflected in the CITES Directory?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
2	If Yes, please use the opportunity to provide those changes here.			
3	Has your country designated a Scientific Authority independent from the Management Authority?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
4	What is the structure of the SA(s) in your country?	Tick if applicable		
	– Government institution		<input type="checkbox"/>	
	– Academic or research institution		<input type="checkbox"/>	
	– Permanent committee		<input type="checkbox"/>	
	– Pool of individuals with certain expertise		<input type="checkbox"/>	
	– Other (specify)		<input type="checkbox"/>	
5	How many staff work in each SA on CITES issues?			
6	Can you estimate the percentage of time they spend on CITES related matters?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
	If yes, please give estimation			
7	What are the skills/expertise of staff within the SA(s)?	Tick if applicable		
	– Botany		<input type="checkbox"/>	
	– Ecology		<input type="checkbox"/>	
	– Fisheries		<input type="checkbox"/>	
	– Forestry		<input type="checkbox"/>	
	– Welfare		<input type="checkbox"/>	
	– Zoology		<input type="checkbox"/>	
	– Other (specify)		<input type="checkbox"/>	
	– No information		<input type="checkbox"/>	
8	Have any research activities been undertaken by the SA(s) in relation to CITES species?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9	If Yes, please give the species name and provide details of the kind of research involved.			
	Species name	Populations	Distribution	
		Off take	Legal trade	
		Illegal trade	Other (specify)	
	1			
	2			
	3			
	etc.			
	No information			<input type="checkbox"/>
10	Have any project proposals for scientific research been submitted to the Secretariat under Resolution Conf. 12.2?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
11	Please provide details of any additional measures taken:			

D3 Enforcement Authorities

1	To date, has your country advised the Secretariat of any enforcement authorities that have been designated for the receipt of confidential enforcement information related to CITES?	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
2	If No, please designate them here (with address, phone, fax and email).	
3	Has your country established a specialized unit responsible for CITES-related enforcement (e.g. within the wildlife department, Customs, the police, public prosecutor's office)?	Yes <input type="checkbox"/> No <input type="checkbox"/> Under consideration <input type="checkbox"/> No information <input type="checkbox"/>
4	If Yes, please state which is the lead agency for enforcement:	
5	Please provide details of any additional measures taken:	

D4 Communication, information management and exchange

1	To what extent is CITES information in your country computerized? Tick if applicable																												
	<ul style="list-style-type: none"> - Monitoring and reporting of data on legal trade <input type="checkbox"/> - Monitoring and reporting of data on illegal trade <input type="checkbox"/> - Permit issuance <input type="checkbox"/> - Not at all <input type="checkbox"/> - Other (specify) <input type="checkbox"/> 																												
2	Do the following authorities have access to the Internet? Tick if applicable																												
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Authority</th> <th style="width: 10%;">Yes, continuous and unrestricted access</th> <th style="width: 10%;">Yes, but only through a dial-up connection</th> <th style="width: 10%;">Yes, but only through a different office</th> <th style="width: 10%;">Some offices only</th> <th style="width: 10%;">Not at all</th> <th style="width: 30%;">Please provide details where appropriate</th> </tr> </thead> <tbody> <tr> <td>Management Authority</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Scientific Authority</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Enforcement Authority</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td></td> </tr> </tbody> </table>	Authority	Yes, continuous and unrestricted access	Yes, but only through a dial-up connection	Yes, but only through a different office	Some offices only	Not at all	Please provide details where appropriate	Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Enforcement Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Authority	Yes, continuous and unrestricted access	Yes, but only through a dial-up connection	Yes, but only through a different office	Some offices only	Not at all	Please provide details where appropriate																							
Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																								
Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																								
Enforcement Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																								
3	Do you have an electronic information system providing information on CITES species? Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>																												

4	If Yes, does it provide information on:	Tick if applicable		
	– Legislation (national, regional or international)?			<input type="checkbox"/>
	– Conservation status (national, regional, international)?			<input type="checkbox"/>
	– Other (please specify)?			<input type="checkbox"/>
5	Is it available through the Internet:	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		Not applicable		<input type="checkbox"/>
		No information		<input type="checkbox"/>
	Please provide URL:			
6	Do the following authorities have access to the following publications?	Tick if applicable		
	Publication	Management Authority	Scientific Authority	Enforcement Authority
	<i>2003 Checklist of CITES Species</i> (book)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<i>2003 Checklist of CITES Species and Annotated Appendices</i> (CD-ROM)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Identification Manual</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<i>CITES Handbook</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	If not, what problems have been encountered to access to the mentioned information?			
8	Have enforcement authorities reported to the Management Authority on:	Tick if applicable		
	– Mortality in transport?			<input type="checkbox"/>
	– Seizures and confiscations?			<input type="checkbox"/>
	– Discrepancy in number of items in permit and number of items actually traded?			<input type="checkbox"/>
	Comments:			
9	Is there a government website with information on CITES and its requirements?	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		No information		<input type="checkbox"/>
	If Yes, please give the URL:			
10	Have CITES authorities been involved in any of the following activities to bring about better accessibility to and understanding of the Convention's requirements to the wider public?	Tick if applicable		
	– Press releases/conferences			<input type="checkbox"/>
	– Newspaper articles, radio/television appearances			<input type="checkbox"/>
	– Brochures, leaflets			<input type="checkbox"/>
	– Presentations			<input type="checkbox"/>
	– Displays			<input type="checkbox"/>
	– Information at border crossing points			<input type="checkbox"/>
	– Telephone hotline			<input type="checkbox"/>
	– Other (specify)			<input type="checkbox"/>
	Please attach copies of any items as Annex.			
11	Please provide details of any additional measures taken:			

D5 Permitting and registration procedures

1	Have any changes in permit format or the designation and signatures of officials empowered to sign CITES permits/certificates been reported previously to the Secretariat?	Yes	<input type="checkbox"/>			
		No	<input type="checkbox"/>			
		Not applicable	<input type="checkbox"/>			
	If no, please provide details of any:	No information	<input type="checkbox"/>			
	Changes in permit format:					
	Changes in designation or signatures of relevant officials:					
2	To date, has your country developed written permit procedures for any of the following?	Tick if applicable				
		Yes	No	No information		
	Permit issuance/acceptance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Registration of traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Registration of producers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3	Please indicate how many CITES documents were issued or denied in the two year period? (Note that actual trade is normally reported in the Annual Report by Parties. This question refers to issued documents).					
	Year 1	Import or introduction from the sea	Export	Re-export	Other	Comments
	How many documents were issued?					
	How many applications were denied because of severe omissions or mis-information?					
	Year 2					
	How many documents were issued?					
	How many applications were denied because of severe omissions or mis-information?					
4	Were any CITES documents that were issued later cancelled and replaced because of severe omissions or mis-information?	Yes	<input type="checkbox"/>			
		No	<input type="checkbox"/>			
		No information	<input type="checkbox"/>			
5	If Yes, please give the reasons for this.					
6	Please give the reasons for rejection of CITES documents from other countries.	Tick if applicable				
	Reason	Yes	No	No information		
	Technical violations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Suspected fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Insufficient basis for finding of non-detriment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Insufficient basis for finding of legal acquisition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
7	Are harvest and/or export quotas as a management tool in the procedure for issuance of permits?	Yes	<input type="checkbox"/>			
		No	<input type="checkbox"/>			
	Comments	No information	<input type="checkbox"/>			
8	How many times has the Scientific Authority been requested to provide opinions?					
9	Has the Management Authority charged fees for permit issuance, registration or related CITES activities?	Tick if applicable				
	– Issuance of CITES documents:	<input type="checkbox"/>				
	– Licensing or registration of operations that produce CITES species:	<input type="checkbox"/>				
	– Harvesting of CITES-listed species :	<input type="checkbox"/>				

	<ul style="list-style-type: none"> – Use of CITES-listed species: <input type="checkbox"/> – Assignment of quotas for CITES-listed species: <input type="checkbox"/> – Importing of CITES-listed species: <input type="checkbox"/> – Other (specify): <input type="checkbox"/> 	
10	If Yes, please provide the amounts of such fees.	
11	Have revenues from fees been used for the implementation of CITES or wildlife conservation? <ul style="list-style-type: none"> – Entirely: <input type="checkbox"/> – Partly: <input type="checkbox"/> – Not at all: <input type="checkbox"/> – Not relevant: <input type="checkbox"/> Comments:	Tick if applicable
12	Please provide details of any additional measures taken:	

D6 Capacity building

1	Have any of the following activities been undertaken to enhance effectiveness of CITES implementation at the national level?						Tick if applicable
	Increased budget for activities	<input type="checkbox"/>	Improvement of national networks			<input type="checkbox"/>	
	Hiring of more staff	<input type="checkbox"/>	Purchase of technical equipment for monitoring/enforcement			<input type="checkbox"/>	
	Development of implementation tools	<input type="checkbox"/>	Computerisation			<input type="checkbox"/>	
	– Other (specify)					<input type="checkbox"/>	
2	Have the CITES authorities in your country been the <i>recipient</i> of any of the following capacity building activities provided by external sources?						
	Please tick boxes to indicate which target group and which activity.						
	Target group	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	What were the external sources?
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

3	Have the CITES authorities in your country been the <i>providers</i> of any of the following capacity building activities?						
	Please tick boxes to indicate which target group and which activity.						Details
	Target group	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other parties/International meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4	Please provide details of any additional measures taken						

D7 Collaboration/co-operative initiatives

1	Is there an inter-agency or inter-sectoral committee on CITES?						Yes	<input type="checkbox"/>
							No	<input type="checkbox"/>
							No information	<input type="checkbox"/>
2	If Yes, which agencies are represented and how often does it meet?							
3	If No, please indicated the frequency of meetings or consultancies used by the MA to ensure co-ordination among CITES authorities (e.g. other MAs, SA(s), Customs, police, others):							
		Daily	Weekly	Monthly	Annually	None	No information	Other (specify)
	Meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Consultations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4	At the national level have there been any efforts to collaborate with:					Tick if applicable		Details if available
	Agencies for development and trade					<input type="checkbox"/>		
	Provincial, state or territorial authorities					<input type="checkbox"/>		
	Local authorities or communities					<input type="checkbox"/>		
	Indigenous peoples					<input type="checkbox"/>		
	Trade or other private sector associations					<input type="checkbox"/>		
	NGOs					<input type="checkbox"/>		
	Other (specify)					<input type="checkbox"/>		

5	To date, have any Memoranda of Understanding or other formal arrangements for institutional cooperation related to CITES been agreed between the MA and the following agencies?	Tick if applicable		
	SA			<input type="checkbox"/>
	Customs			<input type="checkbox"/>
	Police			<input type="checkbox"/>
	Other border authorities (specify)			<input type="checkbox"/>
	Other government agencies			<input type="checkbox"/>
	Private sector bodies			<input type="checkbox"/>
	NGOs			<input type="checkbox"/>
	Other (specify)			<input type="checkbox"/>
6	Has your country participated in any regional activities related to CITES?	Tick if applicable		
	Workshops			<input type="checkbox"/>
	Meetings			<input type="checkbox"/>
	Other (specify)			<input type="checkbox"/>
7	Has your country encouraged any non-Party to accede to the Convention?	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		No information		<input type="checkbox"/>
8	If Yes, which one(s) and in what way?			
9	Has your country provided technical or financial assistance to another country in relation to CITES?	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		No information		<input type="checkbox"/>
10	If Yes, which country(ies) and what kind of assistance was provided?			
11	Has your country provided any data for inclusion in the CITES Identification Manual?	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		No information		<input type="checkbox"/>
12	If Yes, please give a brief description.			
13	Has your country taken measures to achieve co-ordination and reduce duplication of activities between the national authorities for CITES and other multilateral environmental agreements (e.g. the biodiversity-related Conventions)?	Yes		<input type="checkbox"/>
		No		<input type="checkbox"/>
		No information		<input type="checkbox"/>
14	If Yes, please give a brief description.			
15	Please provide details of any additional measures taken:			

D8 Areas for future work

1	Are any of the following activities needed to enhance effectiveness of CITES implementation at the national level and what is the respective level of priority?			
	Activity	High	Medium	Low
	Increased budget for activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hiring of more staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Development of implementation tools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Improvement of national networks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Purchase of new technical equipment for monitoring and enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Computerisation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2	Has your country encountered any difficulties in implementing specific Resolutions or Decisions adopted by the Conference of the Parties?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
3	If Yes, which one(s) and what is the main difficulty?		
4	Have any constraints to implementation of the Convention arisen in your country requiring attention or assistance?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5	If Yes, please describe the constraint and the type of attention or assistance that is required.		
6	Has your country identified any measures, procedures or mechanisms within the Convention that would benefit from review and/or simplification?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
7	If Yes, please give a brief description.		
8	Please provide details of any additional measures taken:		

E. General feedback

Please provide any additional comments you would like to make, including comments on this format.

Thank you for completing the form. Please remember to include relevant attachments, referred to in the report. For convenience these are listed again below:

Question	Item		
B4	Copy of full text of CITES-relevant legislation	Enclosed	<input type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C3	Details of violations and administrative measures imposed	Enclosed	<input type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C5	Details of specimens seized, confiscated or forfeited	Enclosed	<input type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C7	Details of violations and results of prosecutions	Enclosed	<input type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C9	Details of violations and results of court actions	Enclosed	<input type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
D4 (10)	Details of nationally produced brochures or leaflets on CITES produced for educational or public awareness purposes, Comments	Enclosed	<input type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>

Part 2 - Supplementary Questions¹

Please be aware that questions in Part 2 have been updated since the last reporting period, and this new version should be used when submitting biennial reports.

Note: Questions in Part 2 are additional to those in Part 1, and relate to information on the provisions of the EC Regulations (*Regulation (EC) No. 338/97* and *Regulation (EC) No. 865/2006*) that falls outside the scope of CITES.

The numbering of this section reflects that in Annex 1, Part 1, with the addition of (b) to distinguish the two. New questions that do not correspond to questions in Annex 1, Part 1 are marked "new". Unless otherwise stated, the legislation referred to below is *Council Regulation (EC) No. 338/97*.

¹ As agreed at COM45

B. Legislative and regulatory measures

1b	If not already provided under questions B (2) and B (4), please provide details of any national legislation that has been updated in this reporting period and attach the full legislative text.						
2b	If your country has planned, drafted or enacted any additional Regulation -relevant legislation, other than that reported under question B (2) or above, please provide the following details:						
	Title and date:			Status:			
	Brief description of contents:						
5b	Has your country adopted any stricter domestic measures, other than those reported under question B(5), specifically for non CITES-listed species ² ?						
	Tick all applicable categories below that these categories apply to.						
		The conditions for:			The complete prohibition of:		
	Issue	Yes	No	No information	Yes	No	No information
	Trade	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Taking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Possession	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Additional comments						
8b	Has there been any review of legislation on the following subjects in relation to implementation of <i>Council Regulation (EC) No. 338/97</i> ?						
		Yes	No	No information			
	Introduction of live Regulation-listed species into the Community that would threaten the indigenous fauna and flora (in accordance with Article 3, paragraph 2 (d)).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	Marking specimens to facilitate identification (in accordance with Article 19, paragraph 1 (iii)).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	Please provide details if available:						
9b	Please provide the following details about Regulations-related violations: Maximum penalties that may be imposed; Or any other additional measures taken in relation to implementation of the Regulation not reported on in question B (9).						

² In this questionnaire, "non CITES-listed species" refers to species that are listed in the Regulation Annexes, but not in the CITES Appendices. They include some species in Annexes A and B and all those in Annex D.

C. Compliance and enforcement measures

2b	Have any actions, in addition to those reported in C (2-9) above, been taken for Regulation-related violations?	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
9b	Please provide the following details about Regulations-related violations: Maximum sanctions which have been imposed over this reporting period; The outcomes of any prosecutions;	
16b	Has there been any review or assessment of Regulation-related enforcement, in addition to that reported under C (16) above?	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	Comments:	
18 new	Have specimens been marked to establish whether they were born and bred in captivity? (In accordance with <i>Commission Regulation (EC) No. 865/2006</i> , Article 66)	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	Comments:	
19 new	Have any monitoring activities been undertaken to ensure that the intended accommodation for a live specimen at the place of destination is adequately equipped to conserve and care for it properly? (In accordance with Article 4 paragraph 1 (c) of <i>Council Regulation (EC) No. 338/97</i>).	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	Comments:	
20 new	Have national action plans for co-ordination of enforcement, with clearly defined objectives and timeframes been adopted, and are they harmonized and reviewed on a regular basis? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIa.)	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	Comments:	
21 new	Do enforcement authorities have access to specialized equipment and relevant expertise, and other financial and personnel resources? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIb.) If yes, please provide details.	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	Comments:	
22 new	Do penalties take into account inter alia the market value of the specimens and the conservation value of the species involved in the offence, and the costs incurred? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIc.)	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	Comments:	

23 new	Are training and/or awareness raising activities being carried out for a) enforcement agencies, b) prosecution services, and c) the judiciary? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph II d.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments:			
24 new	Are regular checks on traders and holders such as pet shops, breeders and nurseries being undertaken to ensure in-country enforcement? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph II g.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments:			
25 new	Are risk and intelligence assessment being used systematically in order to ensure thorough checks at border-crossing points as well as in-country? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph III h.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments:			
26 new	Are facilities available for the temporary care of seized or confiscated live specimens, and are mechanisms in place for their long-term re-homing, where necessary? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph III i.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments:			
27 new	Is cooperation taking place with relevant enforcement agencies in other Member States on investigations of offences under Regulation No. (EC) 338/97? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph III e.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments:			
28 new	Is assistance being provided to other Member States with the temporary care and long-term re-homing of seized or confiscated live specimens? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph III j.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments:			
29 new	Is liaison taking place with CITES MAs and law enforcement agencies in source, transit and consumer countries outside of the Community as well as the CITES Secretariat, ICPO, Interpol and the World Customs Organization to help detect, deter and prevent illegal trade in wildlife through the exchange of information and intelligence? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph III k.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments:			
30 new	Is advice and support being provided to CITES MAs and law enforcement agencies in source, transit and consumer countries outside of the Community to facilitate legal and sustainable trade through correct application of procedures? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph III l.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments:			

D. Administrative measures

D1 Management Authority (MA)

8b	Have the MA(s) undertaken or supported any research activities in relation to non CITES-listed species or technical issues (e.g. species identification) not covered in D2 (8) and D2 (9)?	Yes <input type="checkbox"/>	
		No <input type="checkbox"/>	
		No information <input type="checkbox"/>	
11 new	Has the Commission and the CITES Secretariat (if relevant) been informed of the outcomes of any investigations that the Commission has considered it necessary be made? (In accordance with Article 14 paragraph 2 of <i>Council Regulation (EC) No. 338/97</i>)?	Yes <input type="checkbox"/>	
		No <input type="checkbox"/>	
		No information <input type="checkbox"/>	

D2 Scientific Authority (SA)

8b	Have any research activities been undertaken by the SA(s) in relation to non CITES listed species?	Yes <input type="checkbox"/>	
		No <input type="checkbox"/>	
		No information <input type="checkbox"/>	
9b	If Yes, please give the species name and provide details of the kind of research involved.		
	Species name	Populations	Distribution
	1		
	2		
	3		
	etc.		
			No information <input type="checkbox"/>
11 new	How many Scientific Review Group (SRG) meetings have the SA attended?	Number	<input type="checkbox"/>
	Indicate any difficulties that rendered attendance to the SRG difficult:		

D3 Enforcement Authorities

6 new	Has a liaison officer/focal point for CITES been nominated within each relevant enforcement authority in your country?	Yes <input type="checkbox"/>	
		No <input type="checkbox"/>	
		Under consideration <input type="checkbox"/>	
		No information <input type="checkbox"/>	

D4 Communication, information management and exchange

1b	Is Regulation-related information in your country computerized on?		Tick if applicable
	– Annex D listed species		<input type="checkbox"/>
	– Other matters not reported on in question D4 (1) (please specify)		<input type="checkbox"/>
3b	Do you have an electronic information system providing information on Regulation-listed species?	Yes <input type="checkbox"/>	
		No <input type="checkbox"/>	
		No information <input type="checkbox"/>	

D5 Permitting and registration procedures

9b	Has the Management Authority charged fees for any Regulation-related matters not covered in question D5 (9)? If yes, please provide details of these Regulation-related matters and the amount of any such fees.	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
13 new	Can you indicate the percentage of permits/certificates issued that are returned to the MA after endorsement by customs?	Percentage :% No information	<input type="checkbox"/> <input type="checkbox"/>
14 new	Has a list of places of introduction and export in your country been compiled in accordance with Article 12 of <i>Council Regulation (EC) No. 338/97</i> ? If yes, please attach.	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
15 new	Have persons and bodies been registered in accordance with Articles 18 and 19 of Commission Regulation (EC) No. 865/2006? If yes, please provide details.	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
16 new	Have scientific institutions been registered in accordance with Article 60 of Commission Regulation (EC) No. 865/2006? If yes, please provide details.	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
17 new	Have breeders been approved in accordance with Article 63 of Commission Regulation (EC) No. 865/2006? If yes, please provide details.	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
18 new	Have caviar (re-)packaging plants been licensed in accordance with Article 66 (7) of Commission Regulation (EC) No. 865/2006? If yes, please provide details.	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
19 new	Are phytosanitary certificates used in accordance with Article 17 of Commission Regulation (EC) No. 865/2006? If yes, please provide details.	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
20 new	Have cases occurred where export permits and re-export certificates were issued retrospectively in accordance with Article 15 of Commission Regulation (EC) No. 865/2006? If yes, please provide details.	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

D8 Areas for future work

2b	Has your country encountered any difficulties in implementing specific suspensions or negative opinions adopted by the European Commission? (In accordance with Article 4 (6)).	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4b	Have any constraints to implementation of the Regulation, not reported under question D8 (4) , arisen in your country requiring attention or assistance?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

ANNEX 2: COUNTRY PROFILE TEMPLATE

COUNTRY NAME

Legislative and regulatory measures

Obligatory measures

Has information on CITES-relevant legislation been provided to Commission and the CITES Secretariat? (B1) [Information on this will only be included in the country profile if the answer is NO or the situation has changed since the last reporting period]

If not already provided under question B2 and B4, please provide details of any national legislation that has been updated in this reporting period. (B1b)

Has CITES-relevant legislation been planned, drafted or enacted? (B2)

Are there maximum penalties that may be imposed for Regulations-related violations? (B9b)

Additional measures and information

Has additional Regulation-relevant legislation been drafted or enacted? (B2b)

Are there stricter domestic measures adopted compared to the EC Regulations? (B5 and B5b)

Results of any review or assessment of the effectiveness of CITES legislation. (B6)

Has there been any review of legislation on subjects related to the implementation of the Convention? (B8 and B8b)

Compliance and enforcement measures

Obligatory measures

Which compliance monitoring operations have been undertaken? (C1)

Have administrative measures been imposed for CITES-related violations? (C2)

Have significant seizures, confiscations or forfeitures been made? (C4)

Has information on seizures/confiscations been provided to the Commission and Secretariat? (C5)

Have criminal prosecutions of significant cases been undertaken? (C6)

Are specimens being marked to identify those that are captive-bred? (C18)

Are monitoring activities being undertaken on intended accommodation for live specimens? (C19)

Additional measures and information

Have co-operative enforcement activities with other countries been undertaken? (C12)

Has a review of CITES-related enforcement been undertaken? (C16)

Have national action plans for co-ordination of enforcement, with clearly defined objectives and timeframes, been adopted and are they harmonized and reviewed on a regular basis? (C20)

Do penalties take into account *inter alia* the market value of the specimens and the conservation value of the species involved in the offence, and the costs incurred? (C22)

Are training and/or awareness raising activities being carried out for a) enforcement agencies, b) prosecution services, and c) the judiciary? (C23)

Are regular checks on traders and holders such as pet shops, breeders and nurseries being undertaken to ensure in-country enforcement? (C24)

Are risk and intelligence assessment being used systematically in order to ensure thorough checks at border-crossing-points as well as in-country? (C25)

Is co-operation taking place with relevant enforcement agencies in other Member States on investigations of offences? (C27)

Administrative measures

Management, Scientific and Enforcement Authorities

Obligatory measures

If there is more than one MA in the country, has a lead MA been designated? (D1.3)

Have changes in MA or SA contact information changed? (D1.1 and D2.1) [Information on this will only be included if there have been changes]

Is the SA independent from the MA? (D2.3) [Information on this will only be included in the country profile if the answer is NO or the situation has changed since the last reporting period]

Has the Commission/Secretariat been informed of the outcomes of investigations that the Commission considers necessary? (D1.11)

Additional measures and information

Number of staff working in the MA. (D1.5)

Percentage of MA staff time spent on CITES-related issues. (D1.6)

Has research been undertaken by the MA in relation to CITES species? (D1.8)

Has research been undertaken by the MA in relation to non-CITES-listed species? (D1.8b)

Number of staff working in the SA. (D2.5)

Percentage of SA staff time spent on CITES-related issues. (D2.6)

Has research been undertaken by the SA in relation to CITES species? (D2.8)

Has research been undertaken by the SA in relation to non-CITES-listed species? (D2.8b)

Has the Secretariat been advised of any enforcement authorities that have been designated for the receipt of confidential CITES-related information? (D3.1)

Is there a specialist unit responsible for CITES-related enforcement? (D3.3)

Have liaison officers/focal points for CITES have been nominated within each relevant enforcement authority? (D3.6)

Communication, information management and exchange

Obligatory measures

Have enforcement authorities reported mortality in transport and discrepancies in the number of items declared on the permit and the number of items actually traded, to the MA? (D4.8)

Have CITES authorities provided information about the Convention's requirements to the wider public at border crossing points? (D4.10)

Additional measures and information

Is information computerized and do authorities have access to Internet? (D4.1 and D4.2) [Information on this will only be included in the country profile if the answer is NO or the situation has changed since the last reporting period]

Do authorities have access to key CITES publications? (D4.6) [Information on this will only be included in the country profile if the answer is NO or the situation has changed since the last reporting period]

Have enforcement authorities reported to MA(s) on seizures and confiscations? (D4.8)

Have CITES authorities provided information about the Convention's requirements to the wider public, other than at border crossing points? (D4.10)

Permitting and registration procedures

Obligatory measures

Have changes in permit format, or the designation and signatures of officials empowered to sign CITES permits been reported to the Secretariat? (D5.1) [Information on this will only be included in the country profile if the answer is NO or the situation has changed since the last reporting period]

Have written procedures been developed for permit issuance and registration of traders and producers? (D5.2)

Has a list of places of introduction and export in your country been compiled? (D5.14)

Have caviar (re-)packaging plants been licensed? (D5.18)

Have cases occurred where export permits and re-export certificates were issued retrospectively? (D5.20)

Additional measures and information

Are export quotas used as a management tool in the procedures for issuance of permits? (D5.7)

Are fees charged for permit/certificate issuance? (D5.9)

Have scientific institutions been registered? (D5.16)

Have breeders been approved? (D5.17)

Capacity building

Additional measures and information

Have selected activities been undertaken to enhance effectiveness of CITES implementation at the national level? (D6.1)

Have CITES authorities been the recipients of capacity building activities? (D6.2)

Have CITES authorities been the providers of capacity building activities? (D6.3) [Information on this will only be included in the country profile if the answer is YES]

Collaboration/co-operative initiatives

Additional measures and information

Has an inter-agency/sectoral committee on CITES been established? (D7.1)

Have formal arrangements for co-operation been agreed between the MA and other agencies? (D7.5)

Whom have there been efforts to collaborate with? (D7.4)

Has the country provided technical and financial assistance to other countries in relation to CITES? (D7.9)

Areas for future work

What does the country consider high/medium priority areas for work? (D8.1)

Have there been any difficulties or constraints in implementing the Convention? (D8)

Summary

Strengths

Bullet-point summary of the country's strengths and exceptional additional activities.

Areas for improvement

Bullet-point summary of areas of non-compliance, weak compliance, or where countries have highlighted areas of difficulty.

ANNEX 3: OVERVIEW OF SEIZURES AND CONFISCATIONS IN 19 MEMBER STATES, 2007–2008

Country	2007	2008
Austria	Seizures/confiscations of 6597 specimens (74 live and 6523 dead) Seizures/confiscations of 11.298 kg* of caviar	Seizures/confiscations of 7 178 specimens (1607 live and 5571 dead) Seizures/confiscations of 1.751 kg of caviar and 15.5 kg of corals
Bulgaria	One confiscation (10 bracelets of Black Coral)	Three confiscations (total of 7 specimens)
Czech Republic	Confiscation of 697 specimens (179 live and 518 dead) and 360 boxes of traditional chinese medicines	Confiscation of 1588 specimens (1180 live and 408 dead) and 28 kg of traditional chinese medicines
Estonia	23 seizures/confiscations—no more details provided	
Finland	30 seizures/confiscations of live and dead specimens—confiscations include mostly Crocodylia or snake skins items sent in postal packages.	
France	Seizures/confiscations of 1806 live specimens Seizures/confiscations of 32297 dead specimens	
Germany	Customs : Seizures: 132 188 specimens, 634.3 kg and 5.9 L Cancellations: 114 543 specimens, 66.2 kg and 2.1 L Confiscations: 17 012 specimens, 60.1 kg and 2.6 L Major German ports of entry: 1077 confiscations	Customs: Seizures: 115 872 specimens, 1897.57 kg and 4.5 L Cancellations: 76 266 specimens, 1 781.9 kg and 3.5 L Confiscations: 21 537 specimens, 29.5 kg and 1.0 L Major German ports of entry: 1085 confiscations
Greece	23 seizures/confiscations (13 significant)	
Hungary	Seizures/confiscations of one jaguar trophy, 222 tortoises, 514 fur seal skins and 8849 live medicinal leeches	Seizures/confiscations of 40 kg of brown bear sausages, 2.602 kg of caviar and 620 bottles of ayurvedic products
Italy	284 seizures/confiscations (nine significant)	
Latvia	75 seizures/confiscations (10 significant)	
Netherlands	Seizures/confiscations of 722 specimens (101 live and 621 dead)	Seizures/confiscations of 671 specimens (112 live and 559 dead)
Poland	230 seizures consisting of 3196 specimens	183 seizures consisting of 200 889 specimens
Portugal	Seizures/confiscations of 234 specimens and 150.48 kg	Seizures/confiscations of 275 specimens
Romania	Five seizures/confiscations (two significant)	
Slovenia	19 seizures/confiscations of 91 specimens and 12 kg	22 seizures/confiscations of 77 specimens and 141.475 kg (1.475 kg of caviar)
Spain	724 seizures/confiscations—no more details provided	
Sweden	49 seizures/confiscations—33 by Customs composing of 57 specimens in 2007 and 4680 specimens and 0.778 kg in 2008	
UK	360 seizures/confiscations	431 seizures/confiscations

Source: EU Member States CITES biennial reports, 2007–2008.

* kg = kilogramme, L =litre

ANNEX 4: OVERVIEW OF FEES FOR PERMITS AND CERTIFICATES IN 19 MEMBER STATES, 2007–2008

Country	Type	Charges in EUR (€)	Comments
Austria	Permit/certificate	40.00	Issuance of permits and certificates for live animals in Annex A: mammals and birds.
	Permit/certificate	15.00	Issuance of permits and certificates for live animals in Annex A: reptiles.
	Permit/certificate	10.00	Issuance of permits and certificates for live animals and plants in Annex A: amphibians, fish, insects, molluscs, and plants.
	Permit/certificate	10.00	Issuance of permits and certificates for live animals and plants in Annexes B and C.
	Permit/certificate	40.00	Issuance of permits and certificates for dead animals and plants in Annex A, parts or derivatives thereof, including hunting trophies and antiquities for the purposes of Article 2(w) of <i>Regulation (EC) No. 338/97</i> .
	Permit /certificate	40.00	Issuance of permits and certificates for specimens in Annex B for hunting trophies and antiquities for the purposes of Article 2(w) of <i>Regulation (EC) No. 338/97</i> .
	Permit/certificate	7.00	Issuance of permits and certificates for dead animals and dead plants in Annex B, parts or derivatives thereof.
Bulgaria	Permit/certificate	15.00	Issuance of CITES import or export permits, or re-export certificates for native species of Bulgaria. Per species.
	Import permit	23.00	Issuance of CITES import permits for non-native species of Bulgaria. Per species.
	Permit/certificate	12.80	Issuance of CITES import or export permits or re-export certificates for zoos, botanical gardens, circuses, aquaria, expositions of plants and animals and for specimens for museums and scientific institutions.
	Registration	154.00	Registration of breeding operation for Appendix I-species and caviar processing and exporting plants.
Czech Republic	Permit/certificate	35.00	Issuance of CITES permits and certificates for the movement of live specimens.
Estonia	Certificate	320.00	Issuance of the official label for caviar containers.
Finland	Permit/certificate	75.00	Issuance of export permits, import permits, and re-export certificates.
	EU internal trade certificate	40.00	Issuance of EU certificates for sale and movement of certain CITES-listed species and specimens inside the EU.
	Certificate	42.00	Issuance of non-CITES certificates, used by some traders when trading items of non-listed species with certain countries. Usually one certificate is issued for a large quantity of items.
France	No fees are charged for issuing permits/certificates.		

Country	Type	Charges in EUR (€)	Comments
Germany	Import permit	41.00	For live specimens.
	Export permit	21.00	For live specimens.
	Re-export certificate	25.00	For live specimens.
	Personal ownership certificate	35.00	For live specimens.
	Travelling exhibition certificate	50.00	For live specimens.
	Import permit	16.00	For dead specimens, parts and derivatives.
	Export permit	12.00	For dead specimens, parts and derivatives.
	Re-export certificate	12.00	For dead specimens, parts and derivatives.
	Travelling exhibition certificate	50.00	For dead specimens, parts and derivatives.
	Sample collection certificate accompanied by ATA Carnet	20.00	For dead specimens, parts and derivatives.
	Licensing and registration of (re-) packaging caviar plants	500.00	
	Negative certificate	13.00	
	Blank forms for registered propagation units	6.00	
Greece	Permit/certificate	40.00	Issuance of CITES permits and certificates.
	Permit/certificate	15.00	Issuance of CITES permits and certificates with purpose code 'P' (Personal).
Hungary	Permit/certificate	40.00	Issuance of export and import permits, and re-export certificates.
	EU internal trade certificate	8.00	Issuance of breeding certificates, certificates of origin and EC certificates.
Italy	Permit/certificate	16.87	Issuance of CITES documents.
	Registration	-	Licensing or registration of operations that produce CITES species.
	Permit/certificate	16.87	Importing of CITES-listed species.
Latvia	Fees are charged for issuing CITES documents.		
Netherlands	Permit/certificate	60.00	Issuance of CITES documents.
	EU internal trade certificate	15.00	Issuance of EU certificates.
	EU internal trade certificate	30.00	CITES phytosanitary certificate for export to Switzerland.
	Permit/certificate	100.00	Exemptions of prohibition on possession.
Poland	Permit/certificate	25.00	Issuance of CITES import and export permits, and re-export certificates.
	EU internal trade certificate	4.00	Budgetary and government units, including zoological, botanical gardens and scientific institutions are exempt from fees in Poland.
Portugal	Permit/certificate	25.00	Issuance of CITES documents.
	EU internal trade certificate	20.00	
Romania	Fees are charged for issuing CITES documents and harvesting of CITES-listed species.		

Country	Type	Charges in EUR (€)	Comments
Slovenia	Permit/certificate	17.73	-Issuance of CITES permits -Licensing/registration of operations that produce CITES species -Use and importing of CITES-listed species.
	EU internal trade certificate	17.73	-No details provided.
Spain	Permit/certificate	20.00	Issuance of CITES documents: Export/Import permit or re-export certificate up to 4 species plus EU 5.00 for each additional species.
	Permit/certificate	30.00	Certificate for private property up to 4 species plus EU 5.00 for each additional species.
	Permit/certificate	10.00	Certificate for travelling exhibition.
	EU internal trade certificate	20.00	EU certificate.
Sweden	Permit/certificate	38.50	Issuance of CITES documents.
	EU internal trade certificate	34.00	EU CITES certificate for commercial activities.
UK	Permit/certificate (plants and corals)	7.67 (£7) for each genus	Application for fewer than five genera where the import, export or re-export is for commercial purposes.
		5.47 (£5) for each genus	Application for five or more genera where the import, export and re-export is for commercial purposes.
		5.47 (£5) for each genus	Application for any number of genera where the import, export or re-export is not for commercial purposes.
	Permit/certificate (Mammals, birds, reptiles and others)	10.96 (£10) for each species	Application for fewer than five species where the import, export or re-export is for commercial purposes.
		8.77 (£8) for each species	Application for five or more species where the import, export and re-export is for commercial purposes.
		5.47 (£5) for each species	Application for any number of species where the import, export or re-export is not for commercial purposes.

Source: EU Member States CITES biennial reports, 2007–2008.

ANNEX 5: OVERVIEW OF STRICTER DOMESTIC MEASURES COMPARED TO THE EC WILDLIFE TRADE REGULATIONS IN 19 MEMBER STATES, 2007–2008

Country	Description of any stricter domestic measures
Austria	No stricter domestic measures.
Bulgaria	<p>Complete prohibitions for protected native species and Appendix I species taken from the wild. Prohibition imposed for keeping of wild species of felines and primates outside zoos and rescue centres.</p> <p>Regarding the non CITES-listed species, complete prohibition of import, acquisition and keeping of primates and wild cats except for in zoos and rescue centres (the Animal Protection Act (SG No. 13/2008)).</p>
Czech Republic	<p>Stricter measures for the protection of national and European indigenous fauna and flora (i.e. species listed in the <i>Decree of the Ministry of the Environment No. 395/1992 Coll.</i>).</p> <p>More detailed conditions and requirements for proving the legal origin of protected fauna under Section 54 of the <i>Nature Protection Act</i>, including documentation such as proof of origin and personal identification.</p> <p>Compulsory registration of specimens of selected exotic species under Section 23 of the <i>Act on Trade in Endangered Species</i>.</p>
Estonia	<p>Prohibition of growing of a non-native species endangering natural balance except in scientific cases on the basis of the permission of the Minister of Environment.</p> <p>Prohibition of release of living specimens of non-native species, planting and sowing of non-native plant species into the wild.</p>
Finland	<p>The taking and possession of animal and plant species protected under the <i>Nature Act</i> is completely prohibited.</p> <p>The taking and possession of dead animals protected under the <i>Nature Act</i> is either prohibited or regulated by permits.</p> <p>The import of whale products from all whale species for commercial use is prohibited by law.</p> <p>The taking of whales is prohibited, including for all Finnish vessels.</p> <p>Possession and trade of certain species listed in the EU Habitats and Bird Directives is prohibited</p>
France	<p>Stricter measures relating to the conditions for trade, possession and transport, and the complete prohibition of taking species which are protected at the national level.</p> <p>Depending on species and number of specimens, keeping nationally protected live animals can be subject to varying degrees of restriction. The possession of live animals of rare species, or those which are difficult to keep, dangerous, or protected at the national level requires previous authorization at the prefectural level.</p>
Germany	<p>Prohibition of possession and national sale of protected species, including a national ban on the offering for sale of species protected under the Federal Nature Conservation Act.</p> <p>Reporting and book-keeping obligations, under the Federal Ordinance of Species Conservation.</p> <p>Keeping live specimens, including a ban on keeping indigenous birds of prey which are listed in Annex 4 of the Federal Game Conservation Ordinance. Also includes prohibitions on keeping, breeding, and free flying of hybrids of birds of prey, keeping wild specimens in animal parks, the permitting of dangerous animals, the keeping of animals listed in Annex A and B of the Regulation (EC) No.338/97 and a list of selected animal husbandry expertises prepared by German Federal Authorities.</p> <p>Regulations on the transport of live animals, under the Ordinance on the Protection of Animals in Transit, which requires animals being transported by air to be carried in accordance with the rules of the International Air Transport Association (IATA) and CITES transport guidelines.</p> <p>Introduction of live Regulation-listed species into the Community that would threaten the indigenous fauna and flora.</p> <p>National marking provisions for specimens to facilitate identification: animals of the species listed in Annex 6 of the Federal Ordinance on Species Conservation (mammals, birds, reptiles) must be marked.</p>

Country	Description of any stricter domestic measures
Greece	Stricter measures on the conditions for trade, taking and possession of Greek endangered species of indigenous flora and endemic, migratory, and sedentary wild fauna that are not including in the Annexes of the EU Wildlife Trade Regulations. Regulated through the issuance of permits. Import, export, possession and keeping of live animal species listed in Annex A and Appendix I are prohibited when the purpose is trade or distribution in the Greek market for personal purposes, or the possession and keeping for personal purposes.
Hungary	Registration with regional inspectorates is required for all Annex A specimens, and live specimens of mammal, bird and tortoise species listed in Annex B (with some exceptions). Where specimens originate from outside Hungary, a certificate of origin is issued. All registered specimens must be marked (e.g. closed rings, microchip transponders, photo identification). Authorization from inspectorates is required for possession, taking, preparation, sale and purchase, display, utilisation, transport, reintroduction, domestication, and captive breeding of protected and strictly protected species. Protected species are listed in the <i>Decree of the Minister of Environment No. 13/2001 (V.9) KoM</i> on protected and strictly protected plant and animal species. Certain exemptions exist for certain species of birds of prey for falconing purposes. All birds must be marked with seamlessly closed foot rings or microchip transponders. Hybridization and the keeping of hybrids of birds of prey are prohibited. Falconers must pass an exam on nature conservation law, including CITES and the Regulations, before permission for keeping birds is granted. The number of specimens that can be kept by one person is limited to maximum two birds for falconry and two pairs for breeding purposes.
Italy	Stricter measures on the conditions for trade, taking, possession and transport of CITES-listed species.
Latvia	Stricter measures on the conditions for taking and the complete prohibition of possession of certain non-CITES-listed species.
Netherlands	Stricter measures relating to the conditions for trade, taking, possession and transport of all primates and Felidae, wild specimens under the European Bird and Habitat Directive, as well as rhino horns and tiger bones. Obligation of registration for all sources of specimens listed in Annex A and for the birds listed in Annex B without a seamless closed foot ring. Stricter measures relating to the marking of birds and other vertebrates from Annex A.
Poland	Requirement to submit a written declaration of possession of live CITES-listed animal species to the appropriate District Authority in order to register the specimens. Zoological gardens and wildlife traders (e.g. pet shops) are excluded from this obligation to register but are required to possess documents proving legal origin of the specimens. Prohibitions relating to harvest, possession, transport, sale and purchase of all indigenous protected species. Exemption from these prohibitions requires permission from the Minister of Environment. Confirmation of birth in captivity by district veterinary officials. This obligation refers to species listed in Annex A–D.
Portugal	Requirement to register indigenous captive-bred CITES-listed species. Prohibition on keeping, and stricter measures for detention of certain types of live animals, including some carnivores, primates, crocodylians, and large or venomous snakes. Stricter domestic measures relating to the conditions for trade, taking, possession and transport of non-CITES-listed species, such as wild indigenous species. Exemptions apply for captive-bred species, if registered.

Country	Description of any stricter domestic measures
Romania	<p>Prohibition of capture and killing of wild specimens of sturgeon species for commercial purposes for a period of ten years starting 2006.*</p> <p>Prohibition for physical persons to possess strictly protected species and other species listed in CITES Appendices.</p> <p>Domestic measures restricting or prohibiting trade, taking, possession or transport of species not included in Appendix I, II or III.</p>
Slovenia	<p>Obligation to notify the keeping of live animals in captivity and insurance of adequate living conditions.</p> <p>Permitting requirement for captive-breeding of CITES-listed species.</p> <p>Permitting requirement for individuals keeping animals of indigenous or non-indigenous species in captivity with the purpose of public exhibition in zoos, aquariums, terrariums or similar facilities.</p> <p>Prohibition of keeping in captivity certain animal species, as well as cetaceans, for commercial purposes.</p> <p>Requirement for import permit applicant to submit an “assessment of risk to nature” document with the import application for the purpose of introduction or re-introduction into the wild, captive breeding or artificial propagation. The assessment is to be carried out by a competent expert designated by the Environmental Agency of the Republic of Slovenia in accordance with the Rules on the assessment of risk to nature and on the authorization. Expenses related to carrying out the assessment are covered by the applicant.</p> <p>Requirement for registration of scientists and scientific institutions wishing to use specimens of species listed in Annexes A, B or C.</p> <p>Requirement for marking of captive reptiles, birds and mammals listed in Annex A, Annex B if they are being used as breeding stock, or protected by national Regulation. Specimens should be marked by closed ring, microchip, and for some species of birds, genetic sampling.</p> <p>Requirement for individuals to obtain a permit in order to receive and keep confiscated specimens for commercial purposes.</p> <p>Prohibition on taking, harming, killing or otherwise disturbing protected animal or plant species or their habitats and structures.</p> <p>Prohibition on keeping wild specimens of certain species, and Falconiformes and Strigiformes, in captivity.</p>
Spain	Stricter domestic measures relating to the capture and possession of certain indigenous species.
Sweden	No stricter domestic measures.
UK	<p>Prohibitions on the trade in products of seriously threatened species, including Tiger and Tibetan antelope.</p> <p>Registration requirement for certain bird species protected under national legislation.</p> <p>Stricter domestic measures relating to the taking and sale of some native species, which are regulated under license.</p>

Source: EU Member States CITES biennial reports, 2007–2008.

* This ban has been lifted since submission of the biennial report by Romania. The new legislation, allowing sturgeon fishing for purposes other than restocking, was adopted in September by the Agriculture and Environment Committees of the Romanian Parliament. <http://www.panda.org/?180441/Romanians-protest-lift-of-sturgeon-fishing-ban>

ANNEX 6: ABBREVIATIONS

BIOT	British Indian Ocean Territory
COG	CITES Officers Group
COP	Conference of the Parties
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
DFID	Department for International Development
DEFRA	Department for Environment Food and Rural Affairs
EU	European Union
EC	European Community
FCO	Foreign and Commonwealth Office
HLG	High Level Group
IANAP-WG	Inter-agency National Action Plan Working Group
IATA	International Air Transport Association
IBAMA	Brazilian Institute of Environment and Renewable Natural Resources
ICNB	Institute for Nature and Biodiversity Conservation
IDMGB	Inter-Departmental Ministerial Group on Biodiversity
IUCN	International Union for the Conservation of Nature
JLG	Joint Liaison Group
JNCC	The Joint Nature Conservation Committee
MA	Management Authority
NGO	Non-Governmental Organization
NWCU	National Wildlife Crime Unit
OCLAESP	Office Central de Lutte contre les Atteintes à l'Environnement et à la Santé Publique
ONFCS	Office National de la Chasse et de la Faune Sauvage
PAW	Partnership for Action against Wildlife Crime
PHE	Personal and Household Effects
RBG Kew	Royal Botanic Gardens, Kew
SA	Scientific Authority
UKBA	United Kingdom Border Agency