

Minutes
JLG meeting 17 July 2012

Sophie Adwick (SA)	RSPCA	Noel McGough (NM)	RBG Kew
Rachel Alcock (RA)	WSPA	Philip Mansbridge (PM)	CWI
Margaret Balaskas (MB)	WSPA	Fran Nicholls (FN)	AHVLA
Debbie Banks (DB)	EIA	Tom Quinn (TQ)	IFAW
Mark Baxter (MBX)	Defra	Caroline Rigg (CR)	AHVLA
Jo Cary-Elwes (JCE)	Elephant Family	Trevor Salmon (TS)	Defra
Keith Davenport (KD)	OATA	Mary Rice (MR)	EIA
Jane Elliot-Malpass (JEM)	Defra	Janine Robinson (JR)	BIAZA
Gabriel Feva (GF)	Born Free Foundation	Catherine Rutherford (CR)	RBG Kew
Vin Fleming (VF)	JNCC	Heather Sohl (HS)	WWF UK
Amanda Gent (AG)	IFAW	Margaret Starling (MS)	UKBF
Clare Hamilton (CH)	Defra	Shruti Suresh (SS)	EIA
Nevin Hunter (NH)	NWCU	Will Travers (WT)	Born Free Foundation
Mark Jones (MJ)	HSI	Shelley Waterland (SW)	Born Free Foundation
Pieter Kat (PK)	LionAid	Susie Watts (SWT)	HSI
Alison Littlewood (AL)	JNCC	Dominic Whitmee (DW)	Defra
Chris Macsween (CMS)	LionAid	James Williams (JW)	JNCC
Kim McDonald (KMD)	Guild of Taxidermists	Charlotte Davies	EIA

Apologies: Bryan Carroll (BIAZA), Guy Clarke (UKBF), Jim Collins (SUN), Mike Gates (World Owl Trust), John Gripper (Sebakwe Black rhino trust), Madeleine Groves (RBG Kew), Louise Hartley (WCL), Stacey Hughes (Defra), Andrew Kelly (RSPCA), Nick Kester (Hawk Board), Grant Miller (UKBF), Chris Newman (FBH), Ian Redmond (GRASP), Chris Smith (NCA), Aeron Williams (Parrot Society) Dave Wootton (Defra),

Agenda item 1 – Welcome and introductions

Staffing issues

1. TS opened the meeting and attendees introduced themselves to the group. TS ran through the staff changes due to take place at Defra following the restricting of the department, i.e. that he will be changing post at some point in September. TS's successor will be Michael Sigsworth who currently works in waste policy. Other changes of staff may occur at other grades and TS said we should know by the end of the month if any more changes in the CITES team are due. (NB. It has since been confirmed that there will be no changes to the CITES team below TS.)
2. NM introduced Catherine Rutherford to the group who has recently started work at Kew as a Biodiversity project officer. CR advised that Alison Clarke (currently of the Ministry of Justice) will be taking up the Head of Compliance post with AHVLA on 30 July. MS said that UKBF are currently prioritising duties related to the Olympics so her availability may be limited due to this.

Legislation

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3. TS updated on progress with the COTES enforcement and Ports of Entry and Exit regulations. A first meeting had been held with relevant OGDs and enforcement agencies, current thought is that we will go out to consultation in spring 2013 and have an SI (Statutory Instrument) in place by October 2012. TS explained that the EAC is currently looking into wildlife crime and consideration will be made of incorporating any relevant outcomes/recommendations into the revised COTES Regulations.
4. TS said the Consultation Document on the proposed revision of fees for statutory services delivered by AHVLA ([Link to Con Doc](#)) was published on 16 July 2012. Responses are requested by 10 September 2012. Enquiries on the consultation can be directed to DW.

SRG – Man Com

5. TS asked if there were any questions related to the short summary of conclusions for SRG 60, none were raised. In the absence of a published short summary of outcomes of Com59, TS ran through the main items of interest which included:
 - Noting that the eels working group had concluded that it was too soon to say if the CITES listing for *Anguilla anguilla* has had an effect on populations yet
 - NZ had approached the EU for possible support on a gecko listing at CoP16
 - The timetable to prepare for CoP16
 - The US has published a list of species on their Federal Register as part of their consultation process for CoP16
 - The amending regulation for 338/97 (the EU Wildlife Trade Regulation) is in its final draft stages. And a number of guidance notes are being considered by EU member states
 - Hungary had asked Member States on their view on re-export of a number of raw elephant tusks, with the suggestion that consideration also be given to adopting the approach taken to rhino horn to elephant ivory
 - A review on the stricter measures for rhino horn will be discussed at the next two ManCom meetings (Sept and Dec)
6. SWT asked if the EU was likely to go ahead with an Appendix II listing for *Lamna nasus* (porbeagle). TS said this looked likely and would be confirmed at COM60. MJ asked about the proposal to permit the sale of items that are personal and household effects (PHE) after two years ownership, and how this would stand in relation to tighter controls on rhino horn and elephant ivory. TS said that issue had not been discussed at Com 59.
7. MJ suggested that SC62 Doc 40, annex I on Guidance for Interpretation of Personal and Household Effects, Clarification of the Interpretation of Article VII, paragraph 3 of the Convention, would mean that the EU would need to consider the legality of its approach.

Action point 1– JEM to send link to the US Federal Register ASAP

Action point 2– JEM to circulate draft amending regulation for 338/97 ASAP

SC62 preparation

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8. TS explained the EU process for SC62, i.e. that EU member states need to reach a common position on each of the agenda items. TS explained that the UK had taken the lead in drafting the orientation paper for the EU and as such a number of UK views have remained on the orientation paper. TS ran through the agenda items and discussion on those of interest to JLG members are below.
9. Secret Ballots - WT asked what was happening re: secret ballots and were the US pursuing a proposal on Secret Ballots. TS said that the EU/UK were of the opinion that the threshold for secret ballots should be raised and the issue is still under negotiation. The Secretariat paper on Secret Ballots contains information on the use of secret ballots held a recent CoP's but WT suggested that the paper drafted by SSN and previously provided to the group by SWT gave a much clearer overall picture on the use of secret ballots. TS concluded by saying that if the US submitted a proposal on Secret Ballots then the EU may be asked to support/co-sponsor. Alternatively if the US decided not to make the proposal themselves then we would want the EU would consider doing so and ask for support/co-sponsorship from the US.

Action point 3: JEM to re-circulate SSN doc on secret ballots (inc with e-mail)

10. Financial matters TS reported that the Secretariat have suggested a 24% increase in budget is required for 2014-16. The EU will discuss this issue with the Secretariat and the Finance and Budget Sub-committee (FSBC). WT suggested that NGO's may be able to help with budget discussions as the generally operate within tight financial constraints. WT asked if CoPs (accommodation agents etc) could be put out to tender as the same group (MK) routinely act as the booking agents for CoPs.
11. Enforcement Indicators - DB noted that SC62 Doc 14.7 says that ICCWC's *Wildlife and Forest Crime Analytic Toolkit*, was due to be released at SC62. The document will not be ready in time for SC62 but a draft should be. SWT asked for the latest position on the livelihoods toolkit and what future work was expected one published, this was due to be discussed at SC62 but the final draft is not ready yet. TS said the livelihoods working group would continue and the final draft should be discussed at CoP16.
12. COMIFAC¹ – HS said that the COMIFAC action plan had been adopted by Ministers in the COMIFAC countries and asked that the EU commend this action at SC62. HS said that key to COMIFAC was effective enforcement and adequate financial support?
13. CM noted concern that poaching for lion bone is on the increase and wondered if the legal trade in lion bone in South Africa is impacting on the illegal trade. TS said that the Periodic Review (PR) process may look at the impacts of legal trade, CM thought that this process wasn't making much progress at the moment. PK suggested that range states could conclude their PR is enough information already. VF said he will ask SC62 for a progress report on PR and the UK will encourage the process to move ahead more quickly. TS suggested he could have an informal word with Kenya in the margins of SC62 on this.

¹ COMIFAC was established in 2005, at a summit of the Central Africa Heads of State, to act as a regional forum for the conservation and sustainable joint management of forest ecosystems in Central Africa.

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14. Introduction from the Sea (IFS) - HS asked for the current thinking on IFS, she said WWF were pleased with the current text but not the Argentinean text which was added. TS said a recent EU meeting agreed some of the text but put in a reserve on the issue of flagged and chartered vessel as the EU was concerned about creating potential loopholes. HS asked what the UK view was on this, TS said we are awaiting the IFS working group views on the issue.
15. E-Permitting – WT flagged concerns about the process so far on e-permitting, i.e. that Parties without good IT might be disadvantaged if e-permitting were introduced. TS stressed that whilst there are still some issues to be resolved re; e-permitting it remains a viable option, safe-guards will be put in to ensure no Parties are disadvantaged by use of e-permitting and there is a move generally by the WCO to using paperless systems for permitting [NB epix]. TS reassured the group that e-permitting will not be mandatory.

Species issues

16. Tigers– DB, referring to [Conf 12.5 \(Rev CoP 15\)](#), said she was concerned that whilst the Global Tiger Initiative and Global Tiger Forum are active in reporting on tigers, reporting is limited on other Asian Big Cats (ABCs). DB asked if the UK could raise this at SC and for SC to consider setting a deadline for range and consumer states of ABCs to comply with the reporting requirements in Conf 12.5.
17. DB also thought under-reporting was taking place on [Decision 14.69](#). DB asked if TS could query this with the Secretariat and that a Notification could be issued on reporting requirements.
18. [Decision 15.46](#) asks Parties to report incidents of poaching and illegal trade in trade of tigers and ABCs to Interpol using Eco –messages. DB asked if this Decision could be revised to set a new deadline for Parties to submit the required information to Interpol.
19. CMS reported that tiger farms now exist in South Africa with the tigers being exported mainly to the UAE and some to Botswana. Data shows 131 tigers have been exported from ZA in the last 10 years.

Action point 4: CMS to provide data on tiger exports from ZA to TS

20. Elephants – MR asked if the UK had a view on the recent report on Decision Making Mechanisms (DMM) and necessary conditions for a future trade in African elephant ivory. TS explained that both the UK and EU had concerns on the report as rather than describe DMMs it focused on possible trade controls once a DMM had been agreed. Our view is that the report is not fit for purpose and does not fulfil the requirements of the contract. SWT agreed that the report contains a number of errors. TS suggested that a small targeted working group (consumers/range states) should be set up in reaction to the report. WT agreed that a working group should focus on the DMM rather than sales controls once a decision had been made. WT noted a number of concerns on the report including that for the original tender process, docs were in English, a number of elephant range states are French speaking. TQ thanked the UK for the robust approach to the DMM and asked if NGOs might be able to participate in a working group.

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21. MR said it was important to clarify a definition of 'trading party status'. HS said the WWF interpretation was that the term should refer to a particular sale and not be an open ended agreement.
22. SWT mentioned that \$50,000 had been provided for the DMM, partly by the Commission and partly by Botswana and asked what proportion had been provided by the EU

Action Point 5: TS to check with the Commission how much they contributed towards the report on a DMM

23. TQ asked if the Ireland, who holds the EU Presidency during CoP16, would allow Parties to speak on behalf of the Presidency and if so could the UK speak on elephant's issues. TS replied these sorts of decisions would be made nearer to CoP.
24. MR next raised the issue of ivory trade control in Thailand and the requirement for Thailand to report on progress at SC62 [Conf 10.10 Rev CoP15](#). UK agreed that a strong message needs to be sent to Thailand re: reporting. HS said it would be useful to get a timeline from Thailand on implementing their legislation to protect elephants but it would be useful to know what interim measures are in place.
25. JCE asked if Myanmar would be included in the Thai discussions on elephants – TS said he hoped it would.
26. Rhinoceroses – SWT reported that HSI had been asked to visit Beijing; their visit included providing educational advice, attendance at a press conference and to assist China with drawing up a 'rhino pledge'. HSI were accompanied by a vet from S Africa with extensive experience in treating illegally de-horned rhino. The press conference received good media coverage.

Action Point 6: SWT to send information on the Beijing visit to TS

27. SWT asked what response to [Notification 2012/014](#) had been received by the rhino working group (currently chaired by TS). TS there had been a limited response but in our view the group should continue. TS was unable to confirm who would chair the working group once he changes jobs but hopes the group will be able to finish its task. SWT noted concern on rhino horn trade in Viet Nam and said that HSI are considering writing to Vince Cable on the recent trade agreement with Viet Nam highlighting the trade in rhino horn. TS advised that HSI copy the letter to Caroline Spelman for Defra to respond as necessary. HS agreed with SWT's comments on Viet Nam and asked if SC could set up a postal procedure to ask Viet Nam report on their rhino horn trade after SC62.

[SWT suggested a Ministerial level meeting on rhino should include range states to include Kenya/Namibia]

Action Point 7: JLG to keep group/Defra informed of any intel related to rhino

Practical arrangements for SC62

28. TS confirmed the UK delegation as:

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- Trevor Salmon (Defra – Head of Delegation)
- Mark Baxter (Defra)
- Clare Hamilton (Defra – legal)
- Caroline Rigg (AHVLA)
- James Williams (JNCC)

Denmark are leading for the EU (Cyprus currently hold the Presidency) and there will be daily EU coordination. UK delegation will be available outside of EU coordination. Two side events – Rhinos working group, lunchtime – 23 July (room 19)

26 July – evening session, steering group on IUCN workshop on elephant poaching

- No AOB raised
- Date of next meeting – November 2012.

Action Points

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Action point 4: CMS to provide data on tiger exports from ZA to TS

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