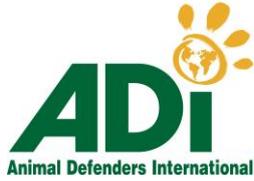


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Commissioner Karmenu Vella
European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels
Belgium

September 2017

Importation into the EU of hunting trophies from Annex B species

Dear Commissioner Vella,

At the 17th Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) that was held in Johannesburg, South Africa (2017), revisions to Resolution Conference 13.7 on Control of Trade in Personal and Household Effects were adopted based on a proposal submitted by the European Union (EU)ⁱ. These revisions, *inter alia*, removed the exemption for hunting trophies derived from Appendix II-listed species from the permitting system (see paragraph 3(b)iii, with specified exceptions only relating to cross-border trade between neighbouring countries under bilateral written agreements).

Therefore, under the revised Resolution, international trade in hunting trophies belonging to Appendix II-listed species is subject to the issuance of export permits and associated requirements detailed in Article IV of the Conventionⁱⁱ.

The EU's Wildlife Trade Regulations (WTRs) specify stricter measures in relation to Annex B species. Article 4 Paragraph 2 of Council Regulation (EC) No 338/97 states:

*"The introduction into the Community of specimens of the species listed in Annex B shall be subject to completion of the necessary checks and the prior presentation, at the border customs office at the point of introduction, of an import permit issued by a management authority of the Member State of destination."*ⁱⁱⁱ

Prior to 2015, all hunting trophies derived from Annex B species were exempt from the EU's import permit requirement because of their designation as 'Personal & Household Effects'. In 2015, the EU removed the exemption for six Annex B species which were listed in Annex XIII to Commission Regulation (EC) No 865/2006.

However, since hunting trophies have now been excluded altogether from the Personal and Household Effects exemption in CITES Res. Conf. 13.7, it is clearly incumbent on the EU to adapt the Commission Regulation and that EU Member States issue import permits for all hunting trophies from Annex B species. **This would be a logical consequence from the proposal submitted by the EU**

and agreed at CITES CoP17 one year ago. It is also the only way the EU can ascertain that such imports are indeed non-detrimental and legal.

According to the precautionary principle detailed in Article 191 of the Treaty on the Functioning of the European Union, environmental policies “*shall be based on the precautionary principle and on the principles that preventive action should be taken*”^{iv}. Mandating the requirement for import permits for all specimens of Annex B-listed species without exception would be in line with this principle and help to allay **concerns as to the sustainability and legality of such trade.**

The European Parliament Resolution of 15 January 2014 on combating wildlife crime^v expressed concerns about unethical and unsustainable trophy hunting. The Resolution called for an amendment of EU legislation to require the issuance of import permits when hunting trophies of all species listed in Annex B^{vi} are imported into Member States of the EU. This demand was reiterated in the report (2016/2076(INI)) of the EU Action Plan against wildlife trafficking in October 2016. Yet to date no associated action has been taken.

The EU Action Plan against Wildlife Trafficking, adopted in February 2016, committed EU Member States to improving compliance with EU wildlife legislation at the national level by implementing EU rules on importing hunting trophies “*to ensure that such trophies are of legal and sustainable origin*”^{vii}. This objective should oblige EU Member States to require import permits for hunting trophies from all Annex B species. The issuance of import permits is the only means by which EU Member States can ensure that trophies are of legal and sustainable origin.

In addition, equal permitting requirements for specimens derived from Annex A- and B-listed species will streamline enforcement mechanisms and strengthen implementation of EU regulations.

Based on the EU’s own initiative at CITES CoP17 and its opinion that “*the absence of a general requirement for export permits for hunting trophies of species listed in Appendix II means that there is no guarantee under the CITES framework on the legal and sustainable origins of these trophies*”^{viii}, the consequential and logical step would be to remove all exemptions related to Personal and Household Effects and to require import and export permits for all Annex B species.

We therefore request that the European Commission and EU Member States urgently revise Commission Regulation 865/2006 to require the issuance of import permits for hunting trophies from all Annex B species.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Jones', enclosed within a large, loopy oval scribble.

MARK JONES

On behalf of the following organisations:

Animal Action Greece

Animalia

Animal Conservation and Welfare Foundation (Poland)

Animal Defenders International

Animals Asia Foundation

Animal Welfare Institute

Asociación Nacional para la Defensa de los Animales

Born Free Foundation

CATCA Environmental and Wildlife Society (Canada)

Center for Biological Diversity

Cetacean Society International

David Shepherd Wildlife Foundation

Deutscher Tierschutzbund

Djurens Rätt

Dyrenes Beskyttelse

EMS Foundation South Africa

Eurogroup for Animals

Fondation Brigitte Bardot

Four Paws International

Gesellschaft zur Rettung der Delphine e.V.

Humane Society of Canada

Humane Society International (Europe)

International Fund for Animal Welfare

ISPCA

OceanCare

Pro Wildlife

SEY Suomen Eläinsuojelu

Trophy Free EU

World Animal Protection

This letter has been copied to:

Emmanuelle Maire, Head of Unit; Jorge Romero, Deputy Head of Unit; and Gael de Rotalier, Team Leader; Global Sustainability, Trade & Multilateral Agreements, European Commission

European Union Member State CITES Management and Scientific Authorities

Catherine Bearder MEP, Chair of MEPs for Wildlife.

ⁱ <https://cites.org/sites/default/files/document/E-Res-13-07-R17.pdf>

ⁱⁱ <https://cites.org/eng/disc/text.php#IV>

ⁱⁱⁱ <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01997R0338-20170204&rid=1>

^{iv} <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12016E191>

^v <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2014-0031&language=EN>

^{vi} Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade

^{vii} http://ec.europa.eu/environment/cites/pdf/WAP_EN_WEB.PDF

^{viii} <https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-39-01.pdf>