**Follow up to the European Parliament non-legislative resolution on the EU strategic objectives for the 19th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), to be held in Panama from 14 to 25 November 2022**

1. **Resolution tabled pursuant to Rules 132(2) and (4) of the European Parliament's Rules of procedure**
2. **Reference numbers:** 2022/2681 (RSP) / B9-0414/2022 / P9\_TA(2022)0344
3. **Date of adoption of the resolution:** 5 October 2022
4. **Competent Parliamentary Committee:** Committee on Environment, Public Health and Food Safety (ENVI)
5. **Brief analysis/ assessment of the resolution and requests made in it:**

The EU participated in the 19th Conference of the Parties (CoP19) to the Convention on the International Trade of Endangered Species (CITES), held in Panama from 14 to 25 November 2022. In its resolution, the European Parliament has made a wide-ranging set of requests covering not only the general positions that the EU should take at CoP19, but outlining specific actions that the EU and its Member States should take as part of action against wildlife trafficking. The resolution calls for ambitious action at CITES, aligning with other biodiversity-related treaties. The resolution also calls for improved implementation of, compliance with, and enforcement of CITES, outlining measures to be taken at the level of CITES, and within the EU and Member States to improve sanctioning, build capacity in enforcement, and fully implementing specific CITES resolutions. The resolution touches on decision-making, transparency and reporting of regulation of wildlife trafficking, calling for increased transparency in the work of the CITES Secretariat, calling for a full ban on trade in ivory in the EU. It notes that many decisions taken at previous CITES CoPs have not been implemented due to underfunding and urges the EU and other parties to explore funding mechanisms. Regarding the CITES 2021-2030 Strategic Vision, which will be discussed at CoP19, the resolution urges the parties to halt all illegal and unsustainable trade in wildlife by 2025 and calls for the Commission and the Member States to push for the inclusion of animal welfare in the CITES vision statement. The resolution requests the Commission and the Member States to strengthen the EU’s role in the global fight against wildlife trafficking, urging the Commission to significantly expand current EU wildlife trade regulations and to include illegal wildlife trade and sustainable consumption as key issues across all relevant EU policies. With relation to the revision of the EU Action Plan against Wildlife Trafficking, the resolution asks to Commission to match ambitious and comprehensive action with adequate funding. The resolution also calls for renewed focus on organised crime, cybersecurity and appropriate care of confiscated animals. Recalling the links between emerging zoonotic diseases and wildlife trade, the resolution calls for a “One Health” approach both in EU action against wildlife trafficking, and the level of CITES. Finally, the resolution makes specific recommendations for the EU position on proposals to amend the CITES appendices at CoP19.

1. **Response to the requests and overview of the action taken, or intended to be taken, by the Commission:**

The EU priorities for CITES CoP19 have been set out, inter alia, in Council Decision (EU) 022/982 of 16 June 2022 as well as the working documents submitted to the CITES Secretariat. The main EU priority for CoP19 was, in line with the overall objective of the Convention, to improve protection of species against unsustainable or illegal international trade by including them in the CITES Appendices, when the relevant criteria are met. In particular, the EU made 13 listing proposals, and all of them have been adopted at the CITES COP19, including trees and other plant species, marine species – including hammerhead and requiem sharks **(paragraph 87)**, amphibian species, and reptile species. The EU also hopes to work with other parties to clarify the framework for trade in live elephants. The EU and its Member States submitted a working document setting out steps towards clarification of that framework **(paragraph 97)**. Finally, the EU also considers it important to ensure that CITES finds it place in the wider picture of international environmental governance, making the necessary links to other processes and issues (e.g. CITES role in the protection of forests **(paragraph 5)**) and contributing to the post-2020 Global Biodiversity Framework **(paragraph 3)**.

The Council Decision on the EU position for CITES CoP19 was adopted on 14 November 2022. The position is based on (i) the best available scientific evidence **(paragraph 33)**, (ii) the precautionary principle **(paragraph 79)**, and (iii) human rights principles, taking into account local communities and indigenous persons and promoting gender equality **(paragraph 6)**, among others. In particular, the EU underlines the importance of ensuring that science-based decision making remains the bedrock of CITES. All working documents **(paragraphs 80, 82, 83, 85, 89, 90, 99 and 100-104)** and proposals to list species in CITES Appendices **(paragraphs 96 and 105)** have been examined by the EU Scientific Review Group, the Group of Experts of the competent CITES Management Authorities, and the Council, in line with the principles above. As far as possible, the EU has also engaged in dialogue and cooperated with other CITES parties in order to better understand, and in some cases improve, their proposals to CoP19. The EU and its Member States took full advantage of the conference to continue the dialogue and find appropriate and acceptable solutions to the very real issue that these proposals aim to address.

With regard to implementing the Convention, Council Regulation (EC) No 338/97 and its implementing act, Commission Regulation No 865/2006, (“EU wildlife trade regulations”) incorporate CITES provisions into EU law. The Commission monitors regularly the implementation of the EU wildlife trade regulations in close cooperation with Member States. Implementation is assessed through meetings with Member States (around 10 per year) which focus on the scientific, management and enforcement aspects of the legislation and the implementation of the EU Action Plan against Wildlife Trafficking. All decisions taken at CoP19 must be transposed into EU legislation with 90 days of the end of the conference **(paragraph 10)**. The EU believes that the extension of the CITES Appendices will only help conservation of biodiversity if the Convention is properly implemented and illegal trade is effectively curbed. As such, it is supportive of measures by the CITES Secretariat and by Parties that target illegal trade, including timely sharing of illegal trade reports and increasing transparency and information sharing between Parties. In this regard, Member States share illegal trade data with the CITES Secretariat, and the EU publishes a yearly illegal trade report **(paragraphs 20 and 21)**.

In cases of non-compliance by Parties to the Convention, the EU takes into consideration the position of the Secretariat in order to take appropriate measures. The EU wildlife trade regulations go beyond CITES by empowering the EU to suspend imports of species from exporting countries, at the advice of the Scientific Review Group **(paragraph 11)**.

Regarding the implementation of Resolution Conf. 12.10 (Rev.CoP15) on registration of operations that breed Appendix-I animal species in captivity for commercial purposes **(paragraph 18)**, the EU and its Member States are working towards a satisfactory solution and understanding with the CITES Secretariat. The EU wildlife regulations and their strict implementation by Member States should provide sufficient reassurances and safeguards to ensure that illegal trade is not facilitated. A mission of the CITES Secretariat took place to assess the measures taken by the EU in relation to captive breeding operations and both the Commission and the MS have provided the Secretariat with all the necessary information. The Commission is ready to ensure that the conclusions and recommendations from the Secretariat’s assessment are implemented.

The EU has a long history of financially supporting the implementation of the decisions and recommendations of the CITES CoPs and the Standing Committee **(paragraph 26)**. The CITES projects supported by the EU include the Monitoring the Illegal Killing of Elephants and other Endangered species (MIKES), the CITES Tree Species Programme, and the International Consortium on Combatting Wildlife Crime (ICCWC). The EU has also been financially supporting the work of the CITES Secretariat, in particular for the preparation and follow-up of the CoPs. Under the current Multiannual Financial Framework, the EU is strongly committed to increase its funding to the protection and restoration of biodiversity and ecosystems, including fighting against wildlife trafficking, as shown by the targets mentioned in the Neighbourhood, Development and International Cooperation Instrument (NDICI) Regulation and the announcements made by the Commission President during the 2021 State of the Union address, and at the United Nations General Assembly in 2022. In line with NDICI – Global Europe, the EU systematically assesses the potential harm the EU funded actions could cause to biodiversity and ecosystems, as well as the opportunities for the actions to contribute positively to the protection of the ecosystems and promote nature-based solutions. And ex ante Environmental Impact Assessment is required for the actions that are deemed likely to have a significant adverse impact on the environment **(paragraph 27)**. The Commission remains committed to support the implementation of CITES and in particular to fight wildlife and timber trafficking, in line with the revised EU Action Plan to combat wildlife trafficking adopted on 9 November 2022 ([COM(2022)581](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A581%3AFIN&qid=1667989438184)) and the decisions adopted at the Conference of the Parties. Options for support and modalities of intervention will be carefully assessed during the formulation of future EU- funded programmes **(paragraph 28)**.

The revised EU action plan against wildlife trafficking ([COM(2022) 581](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A581%3AFIN&qid=1667989438184)), adopted one week before CITES CoP19, reinforces the ambitions of the 2016 Action Plan against Wildlife Trafficking, underlining the continued dedication of the EU to the fight against wildlife trafficking in the period until 2027 **(paragraph 41)**. While the focus of the revised action plan is on wildlife trafficking, it makes necessary links with the EU wildlife trade regulations and other related policies. Addressing wildlife trafficking requires a comprehensive approach and a range of measures at the intersection of sustainable wildlife trade and wider conservation policy **(paragraph 49)**.

Under the revised action plan, the EU is committed to tackling the drivers of wildlife trafficking. Noting that the EU is a key market for illegally-traded wildlife, the EU and its Member States will implement awareness-raising, social science-based demand-reduction activities, with particular focus on priority species **(paragraph 43)**. In addition, the EU supports the actions of partner countries that are sources of wildlife and wildlife products to improve security and sustainable livelihoods, while preserving the critical ecosystems and wildlife that are vital to all. One the examples of such initiatives is NaturAfrica, which was developed to support community-based biodiversity conservation in Africa **(paragraph 40)**.

In the framework of the revised action plan against wildlife trafficking, the EU and its Member States will renew focus on capacity-building along the enforcement chain **(paragraph 14)**, with a view to stepping up dissuasive and proportional sanctioning of illegal wildlife trade, including through seizing of illicit financial flows and the proceeds of wildlife crime **(paragraph 63)**. In this respect, the Commission will ensure full coordination with relevant EU Directives and tools, including the revised Environmental Crime Directive (once adopted) **(paragraph 56)**, but also the Serious and Organised Crime Threat Assessment (SOCTA), the European Multidisciplinary Platform Against Criminal Threats (EMPACT), and the multiple directives addressing illicit financial flows (Directives 2014/42/EU and 2019/1153). Actions will include cross-border trainings, integration of wildlife crime and wildlife trafficking into police and legal training centres, schools and academies, as well as creating databases of training materials and case law **(paragraph 16)** and encouraging the specialisation of enforcement actors such as police, prosecutors, and courts. At a global level, the EU and its Member States will work to ensure global cooperation of enforcement actors, including through established international platforms such as the International Consortium on Combating Wildlife Crime. (ICCWC), and through exploring the possibility of a protocol on environmental crime under the UN Convention against Transnational Organized Crime (in line with the 2021-2025 EU strategy to tackle organised crime (COM(2021) 170)) **(paragraph 54)**.

Acting under the framework of the revised action plan, networks of specialised rescue centres will be expanded at the national and EU level and efforts to effectively reintroduce seized live specimens to the wild will be increased **(paragraph 61)**.

The revised action plan against wildlife trafficking includes reinforced engagement to tackle online wildlife trade. The revised action plan harnesses the momentum of the adoption of the Digital Services Act (Regulation (EU) 2022/2065) to reinforce action against online wildlife trafficking and equip the EU and Member State authorities with new tools to address the challenges linked to online illegal wildlife trade **(paragraph 48)**. The EU and its Member States will ensure coordination between CITES management and enforcement authorities, the European Board for Digital Services, and digital services coordinators under the Digital Services Act. The Commission will also develop specific guidelines on the online trade in wild species in coordination with Member States’ CITES enforcement experts and the other relevant stakeholders **(paragraph 59)**. The EU will also step-up cooperation with the private sector and engagement with relevant global networks, such as the ICCWC and the International Network for Environmental Compliance and Enforcement (INECE), as well as civil society organisations and networks, such as the Coalition to End Wildlife Trafficking Online.

The EU wildlife trade regulations aim to protect biodiversity from overexploitation by ensuring that all trade in wildlife is legal and sustainable. Legal wildlife trade is important in regions and communities living close to nature. In these areas, sustainable use of local wildlife can generate economic benefits, create green jobs, reduce human-wildlife conflict; and foster a sense of ownership of local nature and biodiversity. As such, the Commission does not plan to make proposals to end the commercial trade in endangered species and their parts, but rather to continue to strengthen efforts to make sure that this trade is legal and sustainable **(paragraph 35)**. Under the revised action plan, the Commission will examine the feasibility and added value of tightening EU legislation regulating the illegal wildlife trade, or of creating new tools to reduce unsustainable trade in wildlife. These include creating a “positive list” of species whose specimen taken from the wild can be traded and kept as pets **(paragraph 38)**, criminalising all trade in illegally-sourced wildlife **(paragraph 34)**, and requiring the registration of all animals and plants imported to the EU **(paragraph 37)**.

In December 2021, Commission adopted amendments to the implementing act of the EU wildlife trade regulations and a revised guidance document on the EU regime governing trade in ivory, and in doing so, effectively banned most forms of trade in ivory in the EU. The implementation of the new regime governing trade in ivory in the EU will be regularly monitored by the Group of Experts of the competent CITES Management Authorities and the EU CITES Enforcement Group, and further measures will be taken as appropriate **(paragraph 25)**.

The EU has been pursuing a balanced approach towards the trade of hunting trophies **(paragraph 39)**, on which widely divergent positions are held by various countries and non-governmental organisation (NGOs). In the context of the CITES, this approach and the broad international support for it are reflected in a Resolution that was proposed by the EU and adopted by consensus by the Conference of the Parties in 2016.[[1]](#footnote-2) Legal, well-regulated trophy hunting programmes can play an important role in delivering benefits for both wildlife conservation and for the livelihoods and wellbeing of indigenous and local communities living with wildlife. Ensuring a return of benefits for local communities, certainly in areas where other resources are scarce, can create an incentive for local communities to be willing to live next to the wildlife, and to continue to protect these species. EU law already goes beyond the protection required by CITES for listed species. Import in the EU of all species in Appendix 1 and 6 species of Appendix II of CITES, is only authorised when it has been scientifically demonstrated that the import will not be detrimental for the species, and where it contributes to species conservation as well as livelihoods of local communities. Permit issuance relies on the positive opinion of Scientific Review Group, who is mandated to ensure that imports of listed species are kept at a sustainable level and will not deplete the species’ population. Building on this, under the revised action plan against wildlife trafficking the EU will apply increased scrutiny to imports of hunting trophies, by exploring extending the requirement for an import permit for hunting trophies to additional species covered by Annex B to the EU wildlife trade regulations, working with international partners to update available evidence on the impacts of trophy hunting on wildlife; and by making the opinions of the Scientific Review Group on country-species combinations for importing hunting trophies more transparent.

The Commission recognizes the links between illegal wildlife trade and poor animal husbandry. As mentioned in the State of the Union address 2022, the revision of EU animal welfare legislation is planned as part of the actions taken by the Commission under the European Green Deal .The revised action plan against wildlife trafficking recognises the need to apply a One Health approach to wildlife trade, and to examine the risks of the spread of zoonotic diseases related to trade in wild animals and products derived from wild animals such as bushmeat **(paragraphs 67, 68, and 72)**. The Commission also welcomes the enhanced cooperation and work in this area with the international community and with non-EU countries, in order to minimise the risk of future epidemics and zoonoses. This enhanced cooperation is particularly important from the One Health perspective **(paragraph 70)**.

In cooperation with the United Nations Office on Drugs and Crime, the Commission is supporting Safety across Asia for the global environment (SAFE), a project which aims to evaluate the risks of spread of zoonotic diseases in facilities in which humans engage with wildlife **(paragraph 70)**. These facilities, which include wet markets, will be explored in four countries in southeast Asia, with a view to implementing targeted risk reduction and mitigation strategies and establishing permanent dialogue with local and national authorities **(paragraph 68)**. The project will also aim to develop regional standards at the ASEAN level, and to contribute towards a framework to tackle the link between the trade of wildlife for consumption and zoonotic diseases at a global scale.

A system for monitoring the implementation **(paragraph 46)** of the revised action plan will be set up by the Commission in cooperation with Member States in the first year following the adoption of the plan to regularly measure progress. It will include a light reporting mechanism for the EU Member States and stakeholders, based on existing reporting frameworks. A number of indicators will be identified to, as far as possible, measure the results achieved in terms of the overall impact of the revised action plan on wildlife trade.

The Commission fully agrees with the Parliament that it is important to support the fight against wildlife crime, both at the EU level and in EU Member States. As the action plan gathers a wide range of actions from many sectors, it is difficult to earmark specific budgetary allocations for its implementation **(paragraph 42)**. Wildlife trade should be taken into account under relevant EU funds, including but not limited to EMPACT, the Internal Security Fund, the LIFE Programme, and the Neighbourhood, Development and International Cooperation Instrument. The revised action plan does encourage Member States to allocate sufficient financial and human resources to the fight against wildlife trafficking including through building the capacity of enforcement actors and creating specialised units of police, prosecutors and judiciary **(paragraph 45)**. The revised action plan also seeks to maximise the efficiency of existing resources by coordinating and streamline existing processes and tools, including communication channels such as the EU Trade in Wildlife Information Exchange (EU-TWIX), the Europol Secure Information Exchange Network Application (SIENA), and EMPACT.

1. CITES E-Res-17-09 0 [↑](#footnote-ref-2)