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T-PVS (2016) 15

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

36th meeting
Strasbourg, 15-18 November 2016

**3rd Meeting of the Special Focal Points
for Illegal Killing of Birds**

14-15 April 2016
Tirana (Albania)

- MEETING REPORT -

*Secretariat Memorandum
prepared by
the Directorate of Democratic Governance*

The Standing Committee is invited to:

- Take note of the report of the meeting;
- Take note of the progress in the implementation of the Tunis Action Plan for the eradication of illegal killing, trapping and trade of wild birds;
- Thank the Albanian conservation authorities for their warm hospitality and the excellent preparation of the meeting;
- Note that the Convention is joining forces with the Convention on Migratory Species, the European Commission, Interpol, BirdLife, FACE and other relevant partners to act in synergy for the implementation of the Tunis Action Plan;
- In the light of the need to ensure close coordination between the work of the Bern Convention Group of Experts on the conservation of birds, the Network of Special Focal Points on Illegal Killing, Trapping and Trade in Wild Birds and the CMS Intergovernmental Task Force to address illegal killing of birds in the Mediterranean (MIKT), take note of the proposal to organise a back-to-back meeting of the above platforms in 2017.

1. OPENING OF THE MEETING

The meeting was opened by Mr Kledi Xhaxhiu, Deputy Minister of Environment of Albania who welcomed participants and explained the efforts implemented by his State to curb illegal killing of birds and improve the environmental resilience of Albania. A hunting ban had been implemented in the past two years and a proposal to extend this moratorium for five years is pending Parliament's approval. Of particular importance was the creation of a National Agency for Protected Areas (NAPA) whose Director (and former Albanian delegate to the Standing Committee), Mr Zamir Dedej, was present at the meeting.

The Secretariat, represented by Mr Eladio Fernández-Galiano, Head of the Democratic Initiatives Department, thanked Albania for hospitality and for having implemented sound nature conservation policies in the last years, including policies that delivered progress in the reduction of illegal killing of birds and the setting-up of a sound system of protected areas managed by professional wardens.

The Secretariat informed the Group that Ms Ivana d'Alessandro, who had served the Group of Experts on Conservation of Birds, had moved to a different position at the Council of Europe and that the new Head of the Biodiversity Unit was Ms Iva Obretenova.

2. ADOPTION OF THE AGENDA

The agenda was adopted as it figures in appendix 1 to this report.

3. ELECTION OF THE CHAIR AND VICE-CHAIR

Mr Sergei Golovkin (Malta) was elected Chair and Mr Panicos Panayides (Cyprus) was elected Vice-Chair.

Following his election as Chair, Mr Sergei Golovkin thanked the outgoing Chair, Mr Rastislav Rybanič, and the outgoing Secretary Ms Ivana d'Alessandro, for their dedication, commitment and excellent stewardship of the Convention's work, and expressed gratitude to all other stakeholders involved for their contribution to progress achieved to date. The whole Group agreed and in particular asked the Secretariat to transmit its gratitude to Ms d'Alessandro, as well as its best wishes for her further work at the Council of Europe.

4. INTRODUCTION TO THE MEETING'S OBJECTIVES

The Secretariat recalled the key milestones in Convention's work on eradication of illegal killing of birds:

- In 2011, the Bern Convention organised in Larnaca (Cyprus) the 1st International Conference on Illegal Killing, Trapping and Trade of Wild Birds in which a declaration was adopted calling governments to strengthen controls and have a "zero tolerance" approach to illegal killing, trapping and trade of wild birds (IKB).
- In 2013, in the framework of the "Week on the conservation of wild birds" organised with the Convention on Migratory Species (CMS), a "2nd International Conference on Illegal Killing of Birds" was held together with a CMS working group on poisoning. The 2nd Conference, held in Tunis, delivered the so-called Tunis Action Plan 2020, endorsed by the Standing Committee to the Bern Convention through its Recommendation No. 164 (2013).
- In 2014, a Network of Special Focal Points for Illegal Killing of Birds was created to assess progress and propose specific action by States.

It was thus expected that this 3rd meeting of the Focal Points would further the implementation of the Tunis Action Plan by taking stock of the progress achieved to date, initiatives that are ongoing, and challenges still to be overcome.

5. UPDATES ON ACTIVITIES AGAINST ILLEGAL KILLING OF BIRDS IN OTHER FORA

➤ State of implementation of the EU Roadmap

The Secretariat informed participants that due to intense work load and a disruption at the Brussels airport following a terrorist attack, the representative of the European Commission, Ms Marita Arvela, was regrettably unable to attend the meeting.

The Secretariat read her speech, which is included as appendix 3 to this report.

The Commission informed that:

- The Group charged with the monitoring of the implementation of the EU roadmap towards eliminating illegal killing of birds met on 24 February in Brussels.
- IMPEL (EU Network for the Enforcement and Implementation of Environmental law) is starting a project on sustainable hunting tourism, as well as other initiatives related to IKB, such as an Impel Review Initiative focusing on eradication of IKB in Messina Strait area of Italy, in collaboration with Italian *Corpo Forestale*.
- A review of the Environmental Crime Directive is foreseen to start in 2016.
- The EU Action Plan Against Wildlife Trafficking was adopted by the Commission in February 2016, to be endorsed via Council conclusions in June 2016.
- The EC supports CMS Task Force to address illegal killing of birds in the Mediterranean.
- The European Network against Environmental Crime (ENEC), financed by DG Justice, has developed and adopted a proposal for an EU Action Plan to prevent illegal poisoning of wildlife.
- Progress is being made in EC work on lead munitions, with discussions taking place within the ambit of the REACH initiative.
- The EC follows progress on the ongoing fitness check of EU Nature Directives.

➤ 1st meeting of the CMS Pan-Mediterranean Task Force: state of progress

The representative of CMS, Ms Carmen Naves, informed the participants regarding adoption in 2014 of CMS Resolution 11.16 on illegal killing of birds by which CMS will reinforce its action against illegal killing of birds in all major flyways. The resolution called the CMS Secretariat to convene an “Intergovernmental Task Force to address illegal killing of birds in the Mediterranean” (MIKT) in which several CMS Agreements will co-operate. The initiative, which is funded by the EU, aims to facilitate the implementation of existing action plans, in particular the Tunis Action Plan 2013-2020. The task force will also encourage monitoring and trends in illegal killing of birds and facilitate exchange of best practice. At the next meeting of MIKT (Cairo, 12-15 July 2016), priority action will be decided upon, including measures to strengthen national and local capacity on legal training of police and other topics.

The Group welcomed this news and decided to entrust its Chair, Mr Golovkin, to report at the meeting in Egypt on the progress of implementing the Tunis Action Plan.

As MIKT has largely similar goals to the Bern Convention’s Network of Special Focal Points on IKB, the Secretariat and several other participants expressed the need to improve co-ordination with CMS. A possibility would be to hold the meeting of the Bern Convention Group of Experts on the conservation of birds back to back with the meeting of MIKT in 2017.

Italy and Malta were tentatively mentioned as possible hosting States.

➤ Updates from BirdLife Europe

Relevant document: T-PVS/Inf(2016) 6 – Ongoing initiatives to tackle IKB

The representative of BirdLife Europe, Mr Willem Van Den Bossche, presented an overview of current problems and initiatives on illegal killing of birds. The good news is that, in a way which is perhaps unprecedented, many stakeholders are joining forces to curb illegal killing of birds, including many governments, NGOs, research institutes, INTERPOL, EUROPOL, EnviCrimeNet, ENPE, EU-

TJE, IMPEL, the EC and both CMS and Bern. The Tunis Action Plan is taken by most as an appropriate approach. However the challenge of IKB still remains very significant, including killing for food, predator control, poaching of huntable species, trophy hunting and some so-called “cultural practices” difficult to eradicate.

It is important to assess the scale, scope and impact of illegal killing of birds and develop best practice. It would be important to work on hot-spots. Just 20 areas concentrate 34 % of the killing, estimated in all to 10-36 million birds per year.

More action is needed through LIFE-ENPE (European Network of Prosecutors for the Environment), LIFE-Natura Themis (promoting awareness of wildlife) and other fora contributing to fight illegal killing of birds. However due to a multitude of various initiatives being undertaken concurrently by different stakeholders, sometimes with overlapping objectives, there is scope for greater coordination and “networking of the networks” to avoid duplication of effort.

➤ **Updates from FACE**

The representative of FACE, Mr David Scallan, explained how illegal killing of birds is a real problem for sustainable hunting as it threatens the populations of huntable birds and gives bad reputation to law-abiding hunters. FACE has worked in close cooperation with BirdLife through an Agreement on the Birds Directive that encourages common action through their networks on education and aware raising initiatives.

This collaboration has been going on for 5 years. FACE has participated in main events on illegal killing of birds and supports and promotes in its constituency the Bern Convention European Charter on Hunting and Biodiversity. For FACE the main challenges are to define illegal killing of birds in its different variants, set priorities and work with the hunting community. The role of hunters is to promote and encourage compliance with hunting and conservation laws. Key players are the different national hunting associations, which can and do finance wardening and contribute to prosecution of offenders. There are a number of national organisations working in that sense. It is essential to achieve a stronger collaboration between local communities and law enforcement bodies. FACE will continue to work in that sense, focusing in the Mediterranean region.

➤ **European Network against Environmental Crimes (ENEC)**

Mr David de La Bodega presented briefly the work of ENEC, a network of lawyers and other conservationists whose main mission on the topic are to assess the degree of implementation of the birds Directive, identify gaps and bring together legal and other practitioners who work against environmental crime.

ENEC held a 1st European Workshop on Environmental Crime focused on illegal killing of birds. ENEC has issued a number of recommendations to eliminate illegal killing of birds, focusing on a harmonisation of criminal sanctions, training and awareness of judges, prosecutors and inspectors.

A 2nd ENEC Workshop was held in November 2015, focused on wildlife poisoning, which lead to an Action Plan aimed at the eradication of the use of poisoned-bait in the EU. A 3rd ENEC Workshop in February 2016 focused on habitat destruction. ENEC is also studying the degree of implementation of the Directive on the protection of the environment through criminal law and a report which summarises the situation across EU Member States is presently being prepared. This report will have a specific section dealing in particular with legal approaches to combating IKB.

6. MID-TERM REVIEW OF THE IMPLEMENTATION BY PARTIES OF THE TUNIS ACTION PLAN 2020

➤ **Report from Parties on the implementation of the relevant Recommendations**

Relevant document: T-PVS/Inf (2016) 4 – Compilation of Parties replies

The Secretariat informed that reports have been received from 15 Parties (Belgium, Croatia, Cyprus, Czech Republic, Estonia, France, Hungary, Italy, Malta, Monaco, Norway, Slovak Republic, Spain, Sweden and Turkey).

All of the 15 reports show that most States are taking the problem seriously, even if enforcement of laws varies much from one State to another. There is progress in the implementation of the Tunis Action Plan but the degree of progress is not uniform amongst all Parties. The absence of reporting by some States was also perceived as worrisome [see next point and [document T-PVS/Inf \(2016\) 8](#) for a finer analysis].

The delegations of Italy and Slovak Republic made oral statements. A presentation by Italy is dealt in point 9 of the Agenda.

The delegate of the Slovak Republic informed the Group that the government had prepared a Slovak Action Plan on environmental enforcement, including against IKB but it had not yet been adopted as they were waiting for EU guidelines and they want to avoid duplication. EU Slovak Presidency (July to December 2016) will push for an EU Action Plan adopted by all States.

➤ **Analysis of the implementation by Parties (based on the replies to the questionnaire on the mid-term review)**

Relevant document: T-PVS/Inf (2016) 8 – Mid-Term Review of the Implementation by Parties of the Tunis Action Plan 2020

The Consultant, Mr Umberto Gallo-Orsi, presented a summary of his report. He noted that not many Parties had replied and he expected more would until the end of May.

Most States had identified their national priorities, largely by a consultative process. Most States have specialised law enforcement agencies but depended on a varied array of methods and people to detect and combat illegal killing of birds (wardens, police, NGO's volunteers, prosecutors, inspectors, hunting guards, etc.). In his view there was need of more effort on prioritisation of actions and monitoring. Only a few States have databases to collect data and report on illegal killing of birds. On this aspect there was little progress since 2013 except in Malta, Italy and Turkey.

Sharing knowledge on illegal killing of birds was satisfactory but very varied. With some exceptions, there was relatively little progress in promoting "gravity factors" to the judiciary system. There was still need to improve data on the impact on populations of illegal killing of birds and a need of a clear methodology. In terms of implementing awareness-related actions, it would be important to better understand drivers of IKB at blackspot level. Several countries had done quite good awareness campaigns, often with the help of NGOs. There was relatively good co-ordination at national level and between NGOs and GOs. At international level there had been much improvement (EU, Bern, CMS and many NGOs are working closely on illegal killing of birds) and there was room for improvement on formal contacts with INTERPOL.

The Group considered very important that all relevant States should reply so there would be a fair assessment of the mid-term implementation of the Tunis Action Plan.

An improved co-ordination with INTERPOL was considered as a pressing need to advance on fighting illegal killing of birds.

7. SETTING-UP OF A REPORTING FORMAT FOR RECORDING WILDLIFE CASES AND STATISTICAL EVIDENCE

Relevant document: T-PVS (2016) 9 - Reporting format for recording wild bird crime cases

Mr Panicos Panayides presented a model reporting format to record wildlife crime cases. The proposed table includes basic typology for recording bird-related crime, data on applicable penalties and sentences meted out, number of cases, number of animals involved, etc.

Some delegations found the exercise interesting, as it would permit to see the effectiveness of legal procedures against illegal killing of birds, and allow comparison and assessment to be made at international level. Indeed the initiative proposed by Cyprus may be essential as part of the overall monitoring of implementation of Tunis Action Plan.

On the other hand several Parties also expressed concern that due to lack of uniform data collection systems and processes at regional / local / national levels, collection of such information may be difficult and burdensome. Information on court sentences and outcome of prosecution processes appeared to be particularly difficult to obtain in some cases, and even where this is available, data on specimens affected by the crime is virtually impossible to get. Some participants

also suggested that further discussion is needed on the potential format of the reporting template, including regarding typologies of bird-related crime, and that this discussion can perhaps also be taken up by other relevant fora.

The Group decided that the Secretariat would circulate for further comment the “model reporting format” so a final version would be elaborated for adoption at the next meeting.

8. IDENTIFICATION OF NATIONAL POLICING INVESTIGATION PRIORITIES: THE EXPERIENCE OF HUNGARY

Mr András Schmidt, from the Department of Nature Conservation of Hungary, presented a report of activities in his country on illegal killing of birds, based on the Tunis Action Plan and other commitments. Hungary focuses work on the impact of illegal killing of birds on protected birds. Main causes for illegal killing of birds are conflicts of interest (predators/game, fish/birds preying on fish, predators/livestock). Poisoning seems to be the main method used, although other crime involve illegal chick collection for falconry, finch trapping and shooting of protected wildfowl. Statistics on illegal poisoning have been on the increase in the last 14 years. In the last seven years it accounts for 44 % of illegal killing of imperial eagles.

Measures taken involve a 2013 Anti-poisoning Action Plan and Specific field investigation on imperial eagle LIFE project (HELICON). Other matters with less impact concern widespread conflict with bee-eaters by bee hive owners.

9. ADDRESSING ILLEGAL KILLING OF BIRDS IN GIVEN BLACK-SPOTS: THE CASE OF ITALY

Mr Alessandro Andreotti (ISPRA) and Mr Claudio Marrucci (Italian State Forestry Service) gave a very detailed account on problem of illegal killing of birds in Italy (Note: [a powerpoint presentation](#) can be consulted in the appropriate page of the meeting).

The Italian government is committed to tackle illegal killing of birds, a relatively widespread practice especially in some blackspots. A national action plan was drafted in 2015 and is now in consultation with stakeholders, envisaged to be approved at the end of 2016.

ISPRA is providing the necessary information on illegal killing of birds, especially on statistics, black-spots, drivers for illegal killing of birds and reasons for weak law enforcement. 7 black-spots have been identified.

The Forest Police (now integrated in the *Carabinieri*) has an anti-poaching unit which launches periodic operations in some black-spots. Trade, human consumption and some cultural practices are traditional drivers of illegal killing of birds, as well as capture of live decoys for hunting. Illegal taxidermy has also been a driver.

10. IMPACT OF THE HUNTING BAN IN ALBANIA AS A WAY TO PROMOTE SUSTAINABLE HUNTING TOURISM

Ms Elvana Ramaj (Directorate of Biodiversity and Protected Areas of Albania) made a presentation on the very radical measure taken by Albanian authorities to curb the decrease in wild birds (including migratory birds) in the country: the total ban of hunting since spring 2014, to be likely extended for 5 further years, if approved by Parliament.

Since 2015, Albania has established a National Agency of Protected Areas, well served by motivated teams of rangers and wardens. Illegal killing of birds is monitored and policed. 650 inspections had led to confiscation of 600 guns. This is presumably the tip of the iceberg, but the mentality is changing. In the two years of the moratorium there has been a marked increase in numbers of wintering birds, particularly in the wetlands.

11. INTEGRATING THE TUNIS ACTION PLAN INTO NATIONAL LEGAL REGIMES: THE CASE OF MALTA

Mr Sergei Golovkin gave an overview of some of the major legal, administrative, judicial and enforcement reforms implemented by Malta over the past three years, which resulted in the improvement of the protection for wild birds and major reduction in wildlife crime. These reforms,

amongst other, included the doubling of the penalties for all forms of bird-related crime and a ten-fold increase in the penalties against illegal targeting of birds, introduction of administrative fines system for minor offences, affording full legal protection to birds not naturally occurring in Europe on par with the protection enjoyed by European territory birds, strengthening the legal remit of the Ornithological Committee, complete revamp and major strengthening of regulatory controls over hunting, modernisation of sustainable hunting governance systems, including introduction of technology-based licensing and game reporting systems, the doubling of enforcement strength deployed in the field during bird migration seasons, six-fold increase in inspections and spot checks, and other measures.

12. THE ROLE OF THE NGOS IN THE IMPLEMENTATION OF THE TUNIS ACTION PLAN

Mr Stefan Ferger explained the role of NGOs on illegal killing of birds. Their role is very varied. It includes providing information, as they are involved in science, data sampling – for instance through the International Waterbird Census or hunting bag statistics – and also data analysis that may permit to know the trends of bird populations and also the trends in illegal killing of birds.

NGOs can also help with awareness with the general public and in publicising enforcement results, thus creating a favourable public perception of fight against illegal killing of birds. NGOs can and do co-operate with law enforcement agencies and are sometimes “the eyes of such agencies” with a high number of highly motivated people (RSPB alone has more than 1 million members!). NGOs carry out awareness campaigns and can team up professionally with MEAs. The role of NGOs in fighting illegal killing of birds is essential and they need to be involved at all stages of elaboration of national and international strategies.

13. COORDINATION WITH THE CMS TASK FORCE: ROLE OF THE SFP AND TOOLS FOR THE EXCHANGE OF INFORMATION

Mr Fernando Spina explained how the biology of migratory birds is important to better focus fight against illegal killing of birds as, in a context of climate change, some stop-over sites become key in the survival of migratory birds. It was of paramount importance to know which migrating species were affected by illegal killing of birds and where are the black-spots. There are reasons to focus on illegal killing of birds in the Mediterranean as CMS was doing, identifying islands, coasts and wetlands where there are key concentrations of migratory birds. Scientific work (ringing in particular) could provide part of the necessary information to guide conservation action.

It is therefore useful to:

- Improve knowledge of methods used in illegal killing of birds;
- Better know the species affected and their flyways;
- Identify biological / geographical bottlenecks;
- Improve knowledge on changes of attitude towards illegal killing of birds;
- Insist on awareness campaigns.

The Group agreed that there was keen interest to enhance co-operation between the Bern Convention and CMS on the topic, as decided in point 5 of the Agenda. Similar synergies were to be developed with other relevant partners, including, among others, the European Commission, the Barcelona Convention, INTERPOL, BirdLife and FACE.

The Chair of the Network will bring such message to the next meeting of MIKT and the Secretariats of the Bern Convention and CMS were asked to continue their collaboration.

14. OTHER BUSINESS

No other business was raised.

15. CLOSURE

In the name of participants, the Chair thanked Albanian authorities for their warm hospitality, the excellent hosting of the meeting and the excursion to the National Park Divjake – Karavasta.

Appendix 1



Strasbourg, 7 April 2016



CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

3RD MEETING OF THE SPECIAL FOCAL POINTS FOR ILLEGAL KILLING OF BIRDS

14-15 April 2016
Tirana (Albania)

AGENDA

1. WELCOMING REMARKS

- Mr Kledi Xhaxhiu, Deputy Minister of Environment of Albania
- Mr Eladio Fernandez Galiano, Head of the Democratic Initiatives Department, Council of Europe

2. ADOPTION OF THE AGENDA

3. ELECTION OF THE CHAIR AND VICE-CHAIR

4. INTRODUCTION TO THE MEETING'S OBJECTIVES

5. UPDATES ON ACTIVITIES AGAINST ILLEGAL KILLING OF BIRDS IN OTHER FORA

- **State of implementation of the EU Roadmap**
Ms Marita Arvela, European Commission, DG ENV
- **1st meeting of the CMS Pan-Mediterranean Task Force: state of progress**
Ms Carmen Naves, Co-ordinator of the CMS Pan-Mediterranean Task Force
- **BirdLife**
Mr Willem van den Bossche, European Nature Conservation Officer, BirdLife International
- **FACE**
Mr David Scallan, Wildlife Policy Officer, European Federation of Associations for Hunting and Conservation
- **European Network against Environmental Crimes**
Mr David de la Bodega, co-ordinator of the ENEC

Discussion

6. MID-TERM REVIEW OF THE IMPLEMENTATION BY PARTIES OF THE TUNIS ACTION PLAN 2020

- **Report from Parties on the implementation of the relevant Recommendations**
- **Analysis of the implementation by Parties (based on the replies to the questionnaire on the mid-term review)**
Dr Umberto Gallo Orsi, Consultant on Biodiversity conservation and NGO development
- **Discussion on the progress, gaps, and steps forward**

7. SETTING-UP OF A REPORTING FORMAT FOR RECORDING WILDLIFE CASES AND STATISTICAL EVIDENCE

Mr Panicos Panayides, Game & Fauna Department Officer, Ministry of the Interior, Cyprus,

- **Discussion on the draft reporting template to be submitted to the 36th Standing Committee meeting**

8. IDENTIFICATION OF NATIONAL POLICING INVESTIGATION PRIORITIES: THE EXPERIENCE OF HUNGARY

Mr András Schmidt, Deputy Head of Department, Ministry of Rural Development, Hungary

- **Discussion on the submission by Parties of their national lists of policy/investigation priorities to the 36th Standing Committee meeting**

9. ADDRESSING ILLEGAL KILLING OF BIRDS IN GIVEN BLACK-SPOTS: THE CASE OF ITALY

Mr Alessandro Andreotti Researcher of ISPRA, National Institute for Environmental Protection and Research and Mr Claudio Marrucci, Head of Core operating anti-poaching- Officer, Italian State Forestry Corp

- **Discussion on how to effectively use knowledge on the black-spots of illegal killing of birds for more efficient enforcement**

10. IMPACT OF THE HUNTING BAN IN ALBANIA AS A WAY TO PROMOTE SUSTAINABLE HUNTING TOURISM

Ms Elvana Ramaj, Head of the Biodiversity Unit, Directorate of Biodiversity and Protected Areas, Ministry of Environment, Forestry and Water Administration

- **Discussion on the benefits and challenges of the hunting moratorium**

11. INTEGRATING THE TUNIS ACTION PLAN INTO NATIONAL LEGAL REGIMES: THE CASE OF MALTA

Mr Sergey Golovkin, Head of Wild Birds Regulation Unit, Parliamentary Secretariat for Agriculture, Fisheries & Animal Rights, Malta

- **Discussion on how to improve enforcement**

12. THE ROLE OF THE NGOS IN THE IMPLEMENTATION OF THE TUNIS ACTION PLAN

Mr Stefan Ferger, Euronatur

- **Discussion on ways to improve co-operation and co-ordination between national authorities and other stakeholders, the NGOs in particular**

13. COORDINATION WITH THE CMS TASK FORCE: ROLE OF THE SFP AND TOOLS FOR THE EXCHANGE OF INFORMATION

Mr Fernando Spina, Chair of the CMS Scientific Council

- *Discussion on a possible message to be delivered by the Chair of the Network of the Special Focal Points on IKB to the Task Force at its first meeting*

14. OTHER BUSINESS

15. CLOSURE

Appendix 2

LIST OF PARTICIPANTS

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[Apologised for absence / Excusée]

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Appendix 3

NOTE TO THE SPECIAL FOCAL POINT ON IKB by Ms Marita Arvela

Let me first apologise that I couldn't this time join the meeting, due to other pressing work. I know that this is unfortunate also due to the fact that there is now a transition period taking place to fill in the gap as our excellent colleague, Ivana D'Alessandro, no longer leads us on this important topic.

I would like to update you on some main points reflecting the implementation of the EU Roadmap towards eliminating illegal killing, trapping and trade of birds, which is – as you know - part of the Tunis Action Plan.

My focus is on issues with Commission involvement. I have altogether six points. And for your information that the EU roadmap has been updated in the beginning of April 2016.

1. A regular coordination meeting with stakeholders, as part of the EU roadmap, took place on 24 February 2016 in Brussels. There were representatives from BirdLife, FACE, IMPEL, Interpol and CMS. Some of today's presentations will cover our discussion points. But I mention few of them.

- You might be interested to know that IMPEL (EU Network for the Enforcement and Implementation of Environmental Law) is starting a new project on hunting tourism and its legal and illegal scope. First meeting should take place next week and Birdlife and FACE were invited to participate. IMPEL is also keen in developing approaches to share data on IKB with NGOs. Using experience of the EU TWIX database has been mentioned in this context.
- The Environmental Crime Directive was discussed as well. A review is foreseen to start this year with an open-end in terms of outcomes. For the moment, further guidance on this directive is not foreseen. The Commission has co-operated with national judges on the environment crime directive and a new training module on combating wildlife trafficking is foreseen to be developed and published this year.

2. The EU Action Plan against wildlife trafficking was adopted by the Commission in February 2016. While its focus is on international illegal trade, the action to combat illegal killing of birds in the EU and the respective roadmap is part of the Action Plan (namely, under Action 11). The Action Plan refers to Tunis Action Plan as well (Action 32)!

The EU Action Plan will be endorsed via Council conclusions in June 2016. In general, the Action Plan contains a set of actions that the EU and its Member States will take domestically as well as internationally, focused on the three pillars of prevention, enforcement and global partnership.

The Commission has already had an internal meeting between different Directorate Generals on the follow-up of the Action Plan.

3. Ms Naves will tell all about this, but the Commission is happy to see that the 1st meeting of the Intergovernmental Task Force to address Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean co-ordinated by CMS will take place in July, and Egypt is hosting it. From the EU point of view, eight Member States are concerned and have been contacted by CMS to nominate Members to the Task Force. This Task Force's work is financed for three years by the Commission.

4. The European Network against Environmental Crime (ENEC) - a project financed by DG Justice - has developed and adopted *A proposal for an EU Action Plan to prevent illegal poisoning of wildlife*. Although this plan is not to be formally endorsed by the EU Member States, the Commission encourages Member States to consider it and implement it as appropriate. We have for example included it on the agenda of the meeting of the Expert Group on Nature directives taking place next week.

5. I would also like to update you on the latest developments to ban lead shots.

In December 2015 the Commission requested the European Chemicals Agency (ECHA) to prepare a so-called *REACH Annex XV dossier* for a potential restriction of the use of lead in shots across the European Union. This will involve a risk assessment, a cost benefit analysis and a socio economic assessment. This request covers

- First, the assessment on EU wide restrictions on the use of lead shots in wetlands.
- In parallel to this, the same Agency will also check the use of lead shots in other terrestrial environment, in lead weights and target shooting.

European Chemicals Agency will soon open a call for evidence gathering which lasts until mid-June (if someone is interested, they are invited to check Agency's website).

This process is a transparent process; all documents will be available on the ECHA website for consultation.

6. Finally, a general update on the Fitness Check of the EU Nature Directives.

The draft emerging findings of the consultations were presented and discussed at a conference in Brussels in November 2015. The consultants draft final report was received in February 2016. The Commission intends to publish its conclusions of the Fitness Check by June 2016 in the form of a Commission Staff Working document.

The adoption of the document by the Commission is foreseen for early June before a high level Conference organised by the Netherlands on the Fitness Check at the end of June. The current plan is that, on the basis of those conclusions, the Commission would propose some follow up actions in fall 2016.

Thank you for your attention and I wish you a good meeting!