

EUROPEAN COMMISSION  
Directorate-General XI  
Environment, Nuclear Safety and Civil Protection  
Directorate A – General and International Affairs  
XI.A.4 – Development and the Environment

## **Biennial Report (1997-1998)**

On legislative, regulatory and administrative measures taken by the Member States of the  
European Union to enforce the provisions of the  
Convention on International Trade in Endangered Species of Wild Flora and Fauna  
(CITES)

Compiled by the  
World Conservation Monitoring Centre

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## ***THE COMMUNITY AND THE REGULATIONS ON TRADE IN WILDLIFE***

### **Legislative measures**

Awaiting the entry into force of the « Gaborone » Amendment, which would allow Community accession to CITES, the Commission is implementing CITES on a voluntary basis. Nevertheless, the Community has been implementing CITES since 1 January 1984 with Council Regulation (EEC) No 3626/82 and Commission Regulation (EEC) No 3418/83 and its modifications and updates.

A new and more complete regulation was adopted on 9 December 1996 and came into force on 1 June 1997 (Council Regulation (EC) No 338/97 and Commission Regulation (EC) No 939/97). These regulations have been amended subsequently as a follow-up of COP10. The Commission published also a number of regulations containing suspensions of import of certain species of wild fauna and flora on the basis of Article 4(6) of Regulation 338/97.

References of these regulations are :

Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein  
L 61 of 3 March 1997, page 1

Corrigendum to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein  
L 100 of 17 April 1997, page 72 (only French, German, Danish, Swedish, Finnish and Dutch text)

Council Regulation (EC) No 938 of 26 May 1997 amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein  
L 140 of 30 May 1997, page 1

Commission Regulation (EC) No 939/97 of 26 May 1997 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein  
L 140 of 30 May 1997, page 9

Corrigendum to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein  
L 298 of 1 November 1997, page 70

Commission Regulation (EC) No 2307/97 of 18 November 1997 amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (CoP 10 Harare; amendments to the annexes)  
L 325 of 27 November 1997, page 1

Commission Regulation (EC) No 2551/97 of 15 December 1997, suspending the introduction into the Community of specimens of certain species of fauna and flora  
L 349 of 19 December 1997, page 4

Commission Regulation (EC) No 767/98 of 7 April 1998 amending Regulation (EC) No 939/97 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (CoP 10 Harare; articles 1, 24, 26, 27 and 28, replacement of Annex VI)

L 109 of 8 April 1998, page 7

Commission Regulation (EC) No 1006/98 of 14 May 1998 amending Regulation (EC) No 939/97 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora (CoP 10 Harare; articles 27 and 28)

L 145 of 15 May 1998, page 3

Commission regulation (EC) No 2214/98 of 15 October 1998 amending Regulation (EC) No 338/97 on the protection of wild fauna and flora by regulating trade therein (annotation *Swietenia macrophylla*/Brazil)

L 279 of 16 October 1998, page 3

Commission Regulation (EC) No 2473/98 of 16 November 1998 amending Regulation (EC) 2551/97 suspending the introduction into the Community of specimens of certain species of wild fauna and flora

L 308 of 18 November 1998, page 18

Commission Regulation (EC) No 250/1999 of 2 February 1999 amending Regulation (EC) No 2473/98 suspending the introduction into the Community of specimens of certain species of wild fauna and flora

L 29 of 3 February 1999, page 5

Corrigendum to Commission Regulation (EC) No 2473/98 of 16 November 1998 suspending the introduction into the Community of specimens of certain species of wild fauna and flora (OJ L 308 of 18.11.1998) ; different corrigenda for all linguistic versions.

L 59 of 6 March 1999, page 35

Commission Regulation (EC) No 1476/1999 of 7 July 1999 amending Council Regulation (EC) 338/97 on the protection of species of wild fauna and flora by regulating trade therein (annotation *Swietenia macrophylla*/Mexico)

L 171 of 7 July 1999, p. 15

Commission Regulation (EC) No 1968/1999 of 10 September 1999 amending Regulation (EC) No 2473/98 suspending the introduction into the Community of specimens of certain species of wild fauna and flora

L 244 of 16 September 1999, p. 22

## Enforcement/Regulatory Measures

### Number of meetings under the new Regulations:

	1997	1998	1999
Committee on trade in wildlife	6	4	4
Scientific Working Group	6	4	5
Enforcement Group	1	2	1
CITES Regional Meeting		1	

Establishment of the EC Annual Report to CITES 1995, 1996 and 1997 and analysis of these reports, prepared under contract by WCMC.

### Administrative measures

The Commission informed Member States of specific reports on seizures and infringements in and outside the EC.

### Other initiatives/contributions to enhance the effectiveness of the Community Regulations and CITES

#### Funding

After COP10 the Commission funded the CITES elephant co-ordinator and contributed to the costs of the Arusha meeting of elephant range states.

Other financial contributions :

TRAFFIC : Monitoring of wildlife trade in the EU

WCMC : Wildlife Trade Support Services

UNEP : Review of international trade in the orchid genus *Dendrobium*  
Management of *Tayassu tajacu* and *Tayassu pecari* in Peruvian Amazon  
Assessment of 3 parrot species of Mozambique : *Agapornis lilianae*,  
*Poicephalus cryptoxanthus* and *Poicephalus meyeri*

IUCN : Enhancing Management of Wildlife in Trade  
Assessment of Status and sustainability of trade in the Common Rat  
Snake *Ptyas mucosus* in Java, Indonesia

#### Training

A CITES workshop was organized by the Technical Assistance Information Exchange Office (TAIEX) in Prague, Czech Republic in November 1998, with participants from 11 different accession and pre-accession countries.

In the framework of the Mattheus Program (DG TAXUD) a seminar was conducted in Munster (Germany) in May 1997.

### CITES COMMUNICATIONS

**Names and addresses of the Management and Scientific Authorities** designated by the Member States in accordance with Article IX (1) of the Convention on **International Trade in Endangered Species of Wild Fauna and Flora** and referred to in article 13 (1) of Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein  
C 356 of 8 December 1999, p. 1

**Places of introduction and export** designated by Member States for trade with third countries in accordance with Article VIII(3) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora and referred to in Article 12 of Council Regulation (EC) No 338/97 of 9 December 1996, on the protection of species of wild fauna and flora by regulating trade therein  
C 356 of 8 december 1999, p. 37

### **Public awareness**

In 1997 and 1998 the European Commission, WWF and TRAFFIC Europe organised a very comprehensive pan-**European Wildlife Trade Information Campaign** in close collaboration with the fifteen Member States. All Member States actively participated in this campaign, which was specifically targeting travellers and wildlife traders, and focused on airports and other border crossing points. Materials included leaflets, posters, exhibits and a **Reference Guide** explaining the mechanisms of the new regulations.

Austria



# **ÖSTERREICH**

***Zweijahresbericht 1997 und 1998***

## TEIL I

### LEGISTISCHE MASSNAHMEN 1997 - 1998

- 1.) Landesgesetz vom 4. März 1997 über Naturschutz und Landschaftsentwicklung im Land Vorarlberg (LGBl. Nr. 22/1997).
- 2.) Verordnung der Niederösterreichischen Landesregierung vom 26. März 1997 betreffend die Wildtierarten, deren Haltung beschränkt ist (LGBl.Nr. 4610/3-0/97).
- 3.) Verordnung der Vorarlberger Landesregierung vom 15. Jänner 1998 zur Durchführung des Gesetzes über Naturschutz und Landschaftsentwicklung (Naturschutzverordnung), (LGBl. Nr. 8/1998).
- 4.) Bundesgesetz vom 30. Jänner 1998, betreffend die Überwachung des Handels mit Exemplaren wildlebender Tier- und Pflanzenarten (Artenhandelsgesetz – ArtHG.)
- 5.) (BGBl. I Nr. 33/1998).
- 6.) Kundmachung des Bundeskanzlers vom 5. Februar 1998, BGBl. Nr. 14/1998, betreffend den Geltungsbereich des Übereinkommens über den internationalen Handel mit gefährdeten Arten freilebender Tiere und Pflanzen.
- 7.) Landesgesetz vom 28.08.1998 betreffend begleitende Regelungen über den Handel mit Exemplaren gefährdeter Tier- und Pflanzenarten (Wiener Artenhandelsbegleitgesetz-Wr.ArthbG) (LGBl. für Wien Nr. 43/1998).
- 8.) Verordnung des Bundesministers für wirtschaftliche Angelegenheiten vom 16. September 1998 betreffend die Kennzeichnung von Arten (Arten-Kennzeichnungsverordnung) (BGBl. Nr. 321/1998).

## Teil II

Anzahl der ausgestellten Dokumente:

1997

Einfuhrgenehmigungen: 1662

Aus- u. Wiederausfuhrgenehmigungen: 2741

CITES-Bescheinigungen: 841

1998

Einfuhrgenehmigungen: 2069

Aus- u. Wiederausfuhrgenehmigungen: 1846

CITES-Bescheinigungen: 1786

Beschlagnahmen		des Jahres 1997 /Seizures of the year 1997		
Art/ Species	Anhang/ Appendix	Menge/ Quantity	Mengeneinheit/ Unit of Quantity	Ursprungsland/ Country of Origin
Eretmochelys imbricata	I/A		1 BODY	XX
Tubiporidae spp.	II/B		1 CORAL	INDONESIA
Scleractinia spp.	II/B		5 CORALS	INDONESIA
Cactaceae	I/A II/B		25 FLOWER POTS	CZECH REPUBLIC
Orchidaceae	II/B		2 FLOWER POTS	UNITED STATES
Aquila chrysaetos	II/A		1 LIVE	KAZAKHSTAN
Testudo hermanni	I/A		1 LIVE	AUSTRIA
Rollulus rouloul	III/C		1 LIVE	NETHERLANDS
Tauraco	II/B		1 LIVE	NETHERLANDS
Gracula religiosa	III/C		1 LIVE	NETHERLANDS
Cacatua moluccensis	I/A		1 LIVE	INDONESIA
Orchidaceae	II/B		2 LIVES	UNITED STATES
Testudo marginata (10) u. hermanni (426)	II/A	436	LIVES	GREECE
Trachemys scripta elegans	II/B		2 LIVES	CHINA
Cactaceae	I/A		2 LIVES	CZECH REPUBLIC
Cyclura cornuta	I/A		10 LIVES	HAITI
Boidae spp.	II/B		14 LIVES	HAITI
Caiman crocodilus	II/B		2 LIVES	CZECH REPUBLIC
Testudinidae	II/B		2 LIVES	CROATIA
Testudo horsfieldii	II/B		2 LIVES	TURKMENISTAN
Trachemys scripta elegans	II/B		2 LIVES	CHINA
Ursus arctos	II/A		2 LIVES	HUNGARY
Testudo hermanni	II/A		99 LIVES	YUGOSLAVIA
Iguana iguana	I/A		4 LIVES	GERMANY
Psittaciformes spp.	II/B		163 LIVES	NETHERLANDS
Chamaeleo	II/B		82 LIVES	XX
Loxodonta africana	I/A		1 LPS	NIGERIA
			MASK MADE	
Loxodonta africana	I/A		1 OF IVORY	SOUTH AFRICA
Ursus americanus	II/B		2 SKINS	CANADA
Loxodonta africana	I/A		1 TUSK	ZIMBABWE
Elephas maximus	I/A		21 TUSKS	INDIA
Elephas maximus	I/A		8 TUSKS	INDIA

## Beschagnahmen des Jahres 1998 /Seizures of the year 1998

Art/ Species	Anhang/ Appendix	Menge/ Quantity	Mengeneinheit/ Unit of Quantity	Ursprungsland/ Country of Origin
Testudinidae	II/B		2 BODIES	MEXICO
Pemis apivorus	II/A		1 BODY	POLAND
Elephantidae	I/A		1 CARVING	XX
Loxodonta africana	I/A		1 CARVING	XX
Loxodonta africana oder				
Elephas maximus	I/A		1 CARVING	XX
Elephantidae	I/A		2 CARVINGS	SOUTH AFRICA
Panthera leo	II/B		1 CLAW	SOUTH AFRICA
			CLAW OF A LION IN	
Panthera leo	II/B		1 GOLD	NAMIBIA
Ursus americanus	II/B		5 CLAWS	CANADA
Coenothecalia	II/B		1 CORAL	ITALY
Scleractinia spp.	II/B		1 CORAL	MAURITIUS
Scleractinia spp.	II/B		2 CORALS	UNITED STATES
Scleractinia spp.	II/B		6 CORALS	INDONESIA
Heliopora coerulea	II/B		6 CORALS	CROATIA
Scleractinia	II/B	2,4 kg	CORALS	CROATIA
Scleractinia spp.	II/B		3 CORALS	EGYPT
Cactaceae spp.	II/B		291 DRIED PLANTS	MEXICO
Acipenseriformes spp.	II/B	600 g	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	2,034 kg	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	1,921 kg	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	452 g	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	1,582 g	EGGS	RUSSIAN FEDERATION UNITED ARAB
Acipenseriformes spp.	II/B	1 kg	EGGS	EMIRATES
Acipenseriformes spp.	II/B	1,017 kg	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	1,34 kg	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	678 g	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	677 g	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	452 g	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	631 g	EGGS	IRAN
Acipenser sturio	I/A	904 g	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	500 g	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	1,13 kg	EGGS	RUSSIAN FEDERATION
Acipenser sturio	I/A	58 g	EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	925 g	EGGS	RUSSIAN FEDERATION

Arten.xls

Acipenseriformes spp.	II/B	800 g EGGS	UNITED ARAB EMIRATES
Acipenseriformes	II/B	700 g EGGS	IRAN
Acipenser sturio	I/A	9 kg EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	2,3 kg EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	746,7 g EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	880 g EGGS	RUSSIAN FEDERATION
Acipenseriformes spp.	II/B	339 g EGGS	UNITED ARAB EMIRATES
Acipenseriformes spp.	II/B	700 g EGGS	RUSSIAN FEDERATION
Loxodonta africana	II/B	3 IVORY PIECES	NAMIBIA
Loxodonta africana	II/B	5 IVORY PIECES	NAMIBIA
Loxodonta africana	I/A	2 IVORY PIECES	XX
Boidae spp.	II/B	1 LEATHER BOOTS	UNITED STATES
Crocodylus cataphractus	I/A	1 LEATHER CASE	NIGERIA
		LEATHER JACKET WITH	
Boidae spp.	II/B	1 PART OF SNAKES	UNITED STATES
Boidae	II/B	1 LEATHER PRODUCT	MALAYSIA
Python sebae	II/B	1 LEATHER PRODUCT	NIGERIA
Psittacula Rosiata	II/B	1 LIVE	HUNGARY
Boa constrictor	II/B	1 LIVE	HUNGARY
Testudo graeca	I/A	1 LIVE	HUNGARY
Testudo hermanni	I/A	1 LIVE	AUSTRIA
Psittacula krameri	III/C	1 LIVE	TURKEY
Boa constrictor	II/B	1 LIVE	XX
Psittacus enthacus	II/B	1 LIVE	TOGO
Lutra lutra	I/A	1 LIVE	CZECH REPUBLIC
Eclectus roratus	II/B	1 LIVE	SLOVENIA
Strix aluco	II/A	1 LIVE	CROATIA
Falco cherrug hendersoni	A/I	1 LIVE	AUSTRIA
Falco cherrug hendersoni	I/A	1 LIVE	AUSTRIA
Naja naja	II/B	1 LIVE	VIETNAM
Lophura swinhoii	I/A	1 LIVE	NETHERLANDS
Falco peregrinus peregrinus	I/A	1 LIVE	AUSTRIA
Falco rusticolis x falco cherrug	I/A	1 LIVE	AUSTRIA
Brachyteles arachnoides	I/A	1 LIVE	XX
AVES	A/B/C	944 LIVES	NETHERLANDS
Iguana iguana/Boa constrictor	II/B	4 LIVES	XX
Cactaceae	II/B	15 LIVES	NETHERLANDS
Testudinata	II/B	2000 LIVES	UNITED STATES
Trachemys scripta elegans	II/B	4179 LIVES	UNITED STATES
AVES	A/B/C	944 LIVES	XX
Falco cherrug hendersoni	I/A	11 LIVES	AUSTRIA
Cyclopsitta spp.	II/B	2 LIVES	TURKEY
Orchidaceae	II/B	2 LIVES	THAILAND
Testudo graeca	I/A	2 LIVES	HUNGARY
Cactaceae	II/B	108 LIVES	POLAND
Chinchillidae	I/A	45 LIVES	SLOVENIA
Trachemys scripta elegans	II/A	1950 LIVES	UNITED STATES
Testudo hermanni	II/A	5 LIVES	AUSTRIA

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Falco pregrinus pealei	I/A	2 LIVES	POLAND
Iguana iguana	II/B	4 LIVES	GERMANY
Cactaceae	I/A	127 LIVES	PERU
Boas	II/B	14 LIVES	HAITI
Testudo hermanni hermanni	II/A	30 LIVES	GREECE
		LARGE LEATHER	
Osteolamus tetraspis	I/A	2 PRODCUTS	NIGERIA
		LARGE LEATHER	
Crocodylus cataphractus	I/A	2 PRODCUTS	NIGERIA
		LARGE LEATHER	
Crocodylus cataphractus	I/A	1 PRODCUTS	MAURITIUS
		LARGE LEATHER	
Varanus spp.	I/A	2 PRODCUTS	NIGERIA
		SMALL LEATHER	
Boidae	II/B	2 PRODUCTS	UNITED STATES
		SMALL LEATHER	
Python reticulatus	II/B	2 PRODUCTS	INDONESIA
		SMALL LEATHER	
Boidae	II/B	8 PRODUCTS	THAILAND
		SMALL LEATHER	
Boidae	II/B	2 PRODUCTS	NIGERIA
Macaca rhesus	II/B	1 MEDICINE	UNITED STATES
Loxodonta africana	I/A	55 NETSUKES	XX
Tridacnidae spp.	II/B	3 SHELLS	EGYPT
Boidae	II/B	1 SKIN	PERU
Canis lupus	I/A	1 SKIN	RUSSIAN FEDERATION
Panthera onca	I/A	1 SKIN	BOLIVIA
Varanus spp.	I/A	5 SKINS	INDIA
Ursus arctos	II/A	2 SKINS	ROMANIA
Chinchikkidae	I/A	234 SKINS	SLOVENIA
Alligator mississippiensis	II/B	1 SKULL	UNITED STATES
Alligator mississippiensis	II/B	1 SKULL	UNITED STATES
Pavianschädel	II/C	1 SKULL	ZIMBABWE
Ursus arctos	II/A	1 SKULL	ROMANIA
Alligator mississippiensis	II/B	3 SKULLS	UNITED STATES
Crocodylus niloticus	II/B	2 SKULLS	SOUTH AFRICA
Ursus arctos	II/B	2 SKULLS/SKINS	ROMANIA
		TAMBORINS WITH	
Varanus spp.	II/B	2 LIZARD LEATHER	INDIA
Hippopotamus amphibius	II/B	12 TEETH	XX
Ursus americanus	II/B	1 TROPHY	CANADA
Ursus arctos	II/A	1 TROPHY	SLOVAKIA
Papio ursinus	II/B	5 1 x SKULL, 4 x FEET	SOUTH AFRICA

Belgium





## MINISTÈRE DES CLASSES MOYENNES ET DE L'AGRICULTURE

ADMINISTRATION DE LA SANTÉ ANIMALE  
ET DE LA QUALITÉ DES PRODUITS ANIMAUX

SERVICES VÉTÉRINAIRES

### RAPPORT NATIONAL BELGE BISANNUEL 1997 - 1998

Article VIII, 7 b) de la CITES

REGLEMENT 338/97 ARTICLE 15.4 (c)

#### 1. Mesures législatives

Adaptation de l'Arrêté Royal du 20.12.1983 relatif à l'application de la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction (CITES), et ses modifications, en fonction des dispositions du Règlement (CE) N° 338/97 du Conseil du 9 décembre 1996 relatif à la protection des espèces de faune et de flore sauvage par le contrôle de leur commerce et des dispositions du Règlement (CE) N° 939/97 de la Commission du 26 mai 1997 y portant modalités d'application.

Fin 1998 cette adaptation est toujours en cours.

La liste des experts figurant à l'article 2 de l'Arrêté ministériel du 30 avril 1987 portant reconnaissance d'experts dans le cadre de l'application de la CITES a été réexaminée en vue d'une mise à jour. Cette liste a été finalisée début 1999 et l'arrêté signé par le Ministre le 10 mai 1999 a été publié au Moniteur belge du 14 octobre 99.

#### 2. Mesures réglementaires

Suite à l'adoption des nouveaux règlements CE, l'Administration des Douanes et Accises a revu l'entièreté de ses instructions en matière de CITES. L'instruction "Mesures de Protection - Faune et Flores sauvages" DD. 114.233 du 27.2.98 est le document de base destiné à tous les douaniers chargés des contrôles aux postes frontaliers. Cette instruction a été modifiée et/ou complétée à deux reprises (21.8.98 et 28.8.98).

La technique du contrôle est exposée dans un Module du Manuel de contrôles (CD 950.10). Il s'agit du Module III "Contrôles en matière de CITES" D.C.F. 166.577 du 17.9.98 modifié le 20.11.98.

### 3. Mesures administratives

#### 3.1. Informatisation

Au courant de la seconde partie de 1997 et de la première partie de 1998, l'Organe de Gestion belge a été l'organisateur de plusieurs réunions regroupant certains pays membres de la Communauté Européenne intéressés par une utilisation conjointe du programme informatique CITES italien qui s'était avéré très performant et prometteur. Bien qu'au départ l'intérêt fut grand, il est apparu assez vite que des problèmes d'ordre pratique empêcheraient un démarrage rapide de cette initiative. Quand à la longue la France et la Belgique sont restés seuls candidats pour se joindre aux italiens, le projet fut reporté indéfiniment.

Dès qu'il fut clair que l'utilisation par la Belgique du programme italien devenait hypothétique, des contacts ont été établis avec l'Organe de Gestion néerlandais en vue d'une utilisation de leur programme. Un accord de principe a été obtenu des autorités des Pays-Bas pour obtenir ce programme et ceci à titre gratuit. L'installation de ce programme fut prévue pour début 1999, après acquisition du matériel informatique nécessaire.

#### 3.2. Information

150 exemplaires du rapport annuel 1996 ont été distribués le 4.6.1998. Le même nombre d'exemplaires du rapport annuel 1997 a été distribué le 3.5.1999. Afin de limiter l'envoi du rapport 1998 aux seuls destinataires vraiment intéressés, une note a été incluse dans cette dernière expédition priant les intéressés de retourner à l'Organe de Gestion le talon réponse au cas où ils voudraient toujours recevoir dans l'avenir ce rapport. Seulement 7 réponses positives ont été reçues!

Afin d'expliquer les nouveaux règlements de la Communauté Européenne, une réunion fut organisée fin 1997 réunissant les membres de l'association Andibel, regroupant plus de 90% des commerçants d'animaux de Belgique.

Une circulaire avec le même objectif a été préparée et largement diffusée à plus de 200 destinataires.

En vue d'améliorer la connaissance des obligations dans le cadre des différentes réglementations et dispositions d'application, plusieurs circulaires ont été distribuées, s'agissant p.ex. des demandes de certificats et permis, de l'utilisation des étiquettes lors de l'échange de matériel scientifique, du marquage des spécimens de tortues de l'annexe A...

#### 3.3. Documents délivrés

En 1997, pour la partie FAUNA au total 3796 permis/certificats furent délivrés et utilisés. Pour 1998 ce chiffre est de 2355. Ces chiffres sont de 112, respectivement 168 pour 1997 et 1998 pour la partie FLORA

Ils se répartissent de la façon suivante:

Type de document	1997		1998	
	Animau x	Plantes	Animaux	Plantes
Permis d'importation	1020	88	828	137
Permis d'exportation	445	18	266	25
Certificats de ré-exportation	251	--	183	--
Certificats CE	2080	6	1078	1
<b>Totaux</b>	<b>3796</b>	<b>112</b>	<b>2355</b>	<b>163</b>

### 3.4. Comité scientifique

Ce Comité a été créé en application de l'article 24 de l'Arrêté Royal du 20 décembre 1983. Il s'est réuni 5 fois en 1997 et 4 fois en 1998.

Une tâche importante de ce Comité consiste à rendre des avis lors des demandes d'importation de spécimens d'origine sauvage. En 1997 des avis ont été demandés à 11 reprises tandis qu'en 1998 le Comité a dû se pencher sur 123 demandes.

Ces avis se subdivisent par section de la façon suivante:

Section	Nombre d'Avis		Avis positifs		Avis négatifs	
	1997	1998	1997	1998	1997	1998
Mammifères	1	4	0	3	1	1
Oiseaux	1	30	1	19	0	11
Reptiles e.a. Vertébrés	9	80	8	73	1	7
Invertébrés	0	9	0	9	0	0
Plantes	0	0	0	0	0	0

### 3.5. Saisies

Au total 56 saisies ont été recensées en 1997 et 67 en 1998 pour la section FAUNA. Pour ce qui concerne les plantes, ces chiffres sont de 1 en 1997 et 14 en 1998.

Embranchement / Classe	Description	Nombre de saisies en 1997	Nombre de saisies en 1998
Mammalia	animaux vivants ivoire ( <i>Loxodonta africana</i> ) autres produits	1183	2106
Aves	animaux vivants	6	5
Reptilia	animaux vivants produits	1512	2017
Amphibia	animaux vivants	-	1
Pisces	produits	-	1
Arthropoda	animaux vivants	-	1
Mollusca	coquillage	-	1
Cnidaria	corail vivant	1	3
Flora	plantes vivantes plantes séchées	-1	68

Denmark

# **Biennial Report 1999**

**Regulation 338/97 Article 15.4(c)**

**DENMARK**

### **Legislative measures:**

The Danish Statutory Order (Miljø- og Energiministeriets bekendtgørelse nr. 499 af 27. maj 1997 om beskyttelse af vilde dyr og planter ved kontrol af handelen hermed (Washingtonkonvention/CITES)) regulating Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein, in Denmark entered into force 19 June 1997.

An amended version of the statutory order is expected by the end of this year.

### **Regulatory measures:**

The physical control at the border is carried out by the customs in co-operation with the National Forest and Nature Agency and inspectors from the Plant-Directorate.

The National Forest and Nature Agency carry out the internal control with trade and possession in co-operation with the police.

Annex I & II gives an overview of rejections of applications, seizures and fines in the period 1993-1998.

### **Administrative measures:**

The Plant-Directorate is responsible for the daily administration of live plants.

The National Forest and Nature Agency are responsible for the daily administration of the fauna and parts and products from flora.

### **Staff:**

The staffing is 5-6 persons:

2 biologists

1 inspector

1 secretary

½ legal advisor

4 biology-students from the university = 1 fulltime employee.

### **Permits issued (covers only animals and timber):**

1997:

Import: 601

Export: 98

Re-export: 99

Certificates: 303

1998:

Import: 339

Export: 114

Re-export: 251

Certificates: 348

## **Annex I**

Seizures and fines from the period 1997-1998 (plants not included).



Date	Transtype	Country	Genus	Species	Subsp	Danish name	App	EU-Annex	Origin	Number	Type	Purpose	Comments
19930308	sale	Denmark	Amazona	tucumana		Tucumanamazone	I	A	C	2	live	commercial	refused
19930317	import	Indonesia	Psittacula	longicauda		Langhalet parakit	II	B	W	1	live	personal	refused
19930903	Import	Philippines	Tridacna	crocea		Art af kæmpemusling	II	B	W	200	live	commercial	refused
19930922	import	Zaire	Psittacus	erithacus		Grå jako	II	B	W	1	live	private	refused
19931102	import	Egypt	Uromastyx	acanthinurus		Art af bæltehale	II	B	W	50	live	commercial	refused
19931102	import	Egypt	Uromastyx	aegypticus		Art af bæltehale	II	B	W	50	live	commercial	refused
19931102	import	Egypt	Eryx	colubrinus		Kenyansk sandboa	II	B	W	50	live	commercial	refused
19931102	import	Egypt	Eryx	jaculus		Europæisk sandboa	II	A	W	50	live	commercial	refused
19931102	import	Egypt	Testudo	kleinmanni		Ægyptisk landskildpadde	I	A	W	50	live	commercial	refused
19939420	import	Russia	Testudo	horsfieldii		Russisk landskildpadde	II	B	W	500	live	commercial	refused
19940209	import	U	Pan	troglodytes		Chimpanze	I	A	W	1	live	private	refused
19940217	import	Indonesia	Morelia	boeleni		Sort pyton	II	C	W	2	live	private	refused
19940422	import	U	Pan	troglodytes		Chimpanze	I	A	W	5	live	private	refused
19941003	import	Iraq	Naja	naja		Brillekobra	II	B	W	1	live	private	refused
19941003	exhibition	U	Cacatua	goffini		Goffins kakadue	I	A	W	1	live	private	refused
19941003	exhibition	Denmark	Cacatua	goffini		Goffins kakadue	I	A	W	2	live	private	refused
19941115	export	France	Phanthera	pardus		Leopard	I	A	W	1	skin	private	refused
19941115	sale	U	Falconiformes	sp.		Art af Rovfugl	II	B	W	3	stuffed birds	private	refused
19950104	import	Columbia	Caiman	crocodilus	fuscus	Brun Kaiman	I	A	W	1	watch strap	commercial	refused
19950105	import	Colombia	Caiman	crocodillus	fuscus	Brun Kaiman	I	A	W	6	watch strap	commercial	refused
19950126	import	Guinea	Tauraco	persa		Guinea Turaco	II	B	W	1	live	commercial	refused
19950410	import	Schweiz	Caiman	crocodillus	fuscus	Brun kaimankrokodille	I	A	W	45	watch strap	commercial	refused
19950418	import	Greenland	Balaenoptera	physalus		Finhval	I	A	W	1	thoracic vertebra	private	refused
19950419	import	Greenland	Canis	lupus		Ulv	I	A	W	1	skin	private	refused
19950501	import	Egypt	Fennecus	zerda		Ørkenræv	II	B	W	20	live	commercial	refused
19950502	import	Egypt	Uromastyx	aegypticus		Art af tornhaleagame	II	B	W	50	live	commercial	refused
19950502	import	Egypt	Uromastyx	occelatus		Art af tornhaleagame	II	B	W	50	live	commercial	refused
19950502	import	Egypt	Uromastyx	ornatus		Art af tornhaleagame	II	B	W	50	live	commercial	refused
19950505	import	Benin	Varanus	exanthematicus		Steppevaran	II	B	W	50	live	commercial	refused
19950505	import	Benin	Python	regius		Kongepython	II	B	W	50	live	commercial	refused
19950509	import	Kina	Ovis	ammon	karalini	Argali	II	B	W	1	live	private	refused
19950509	import	Tadjikistan	Ovis	ammon	polli	Argali	II	B	W	1	live	private	refused
19950522	import	USA	Varanus	exanthematicus		Steppevaran	II	B	W	1	live	commercial	refused
19950602	import	USA	Varanus	exanthematicus		Steppevaran	II	B	W	25	live	commercial	refused
19950719	import	Uganda	Geochelone	pardalis		Leopardskildpadde	II	B	W	125	live	commercial	refused
19950719	import	Uganda	Malacochersus	torneri		Pandekageskildpadde	II	A	W	25	live	commercial	refused
19950726	import	USA	Python	regius		Kongepyton	II	B	W	30	live	commercial	refused
19950726	import	USA	Varanus	exanthematicus		Steppevaran	II	B	W	50	live	commercial	refused
19950726	import	USA	Python	curtus		Blodpyton	II	B	W	12	live	commercial	refused
19950726	import	USA	Python	reticulatus		Netpyton	II	B	W	15	live	commercial	refused
19950814	import	Benin	Python	regius		Kongepyton	II	B	W	100	live	commercial	refused
19950814	import	Benin	Varanus	niloticus		Art af varan	II	B	W	100	live	commercial	refused
19950814	import	Benin	Varanus	exanthematicus		Steppevaran	II	B	W	100	live	commercial	refused

Date	Transtype	Country	Genus	Species	Subsp	Danish name	App	EU-Annex	Origin	Number	Type	Purpose	Comments
19950814	import	Switzerland	Acrantophis	dumrili		Dumrils boa	I	A	W	7	live	commercial	refused
19950904	import	USA	Python	regius		Kongepyton	II	B	W	25	live	commercial	refused
19950927	import	Greenland	Elephas	maximus		Indisk elefant	I	A	W	3	various effects	private	refused
19951004	import	Norway	Accipter	gentilis		Duehøg	II	B	W	1	dead	private	refused
19951026	export	Hungary	Falco	peregrinus		Vandrefalk	I	A	W	1	live	private	refused
19951121	import	Egypt	Eryx	jaculus		Europæisk sandboa	II	A	W	30	live	commercial	refused
19951121	import	Egypt	Uromastyx	aegypticus		Art af tornhaleagame	II	B	W	30	live	commercial	refused
19951121	import	Egypt	Uromastyx	ornatus		Art af tornhaleagame	II	B	W	30	live	commercial	refused
19951121	import	Egypt	Uromastyx	occelatus		Art af tornhaleagame	II	B	W	30	live	commercial	refused
19951212	import	Malaysia	Python	reticulatus		Netpyton	II	B	W	1	live	commercial	refused
19951212	import	Malaysia	Varanus	salvator		Vandvaran	II	B	W	1	live	commercial	refused
19951212	import	Malaysia	Ophiophagus	hannah		Kongekobra	II	B	W	1	live	commercial	refused
19951212	import	Malaysia	Indotestudo	elongata		Art af landskildpadde	II	B	W	1	live	commercial	refused
19951212	import	Madagaskar	Phelsuma	lineata	chlorocelis	Art af daggekko	II	B	W	1	live	commercial	refused
19951212	import	Madagaskar	Phelsuma	lineata	leiogaster	Art af daggekko	II	B	W	1	live	commercial	refused
19960109	import	Colombia	Caiman	crocodilus	fuscus	Brun Kaimankrokodille	I	A	W	30	watch straps	commercial	refused
19960207	import	USA	Iguana	iguana		Grøn leguan	II	B	W	400	live	commercial	refused
19960216	import	Cameroun	Loxodonta	africana		Afrikansk elefant	I	A	W	1	trophy	private	refused
19960225	import	Cameroun	Loxodonta	africana		Afrikansk elefant	I	A	W	1	trophy	private	refused
19960305	import	Benin	Kinixys	belliana		Art af hængselskildpadde	II	B	W	200	live	commercial	refused
19960305	import	Cameroun	Kinixys	belliana		Art af hængselskildpadde	II	B	W	?	live	commercial	refused
19960305	import	Cameroun	Chamaeleo	sp.		Art af kameleon	II	B	W	20	live	commercial	refused
19960305	import	Cameroun	Kinixys	sp.		Art af skildpadde	II	B	W	80	live	commercial	refused
19960305	import	Cameroun	Kinixys	sp.		Art af skildpadde	II	B	W	88	live	commercial	refused
19960307	import	Ghana	Kinixys	homeana		Art af hængselskildpadde	II	B	W	4	live	commercial	refused
19960307	import	Ghana	Kinixys	belliana		Art af hængselskildpadde	II	B	W	3	live	commercial	refused
19960307	import	Madagascar	Chamaeleo	sp.		Art af kameleon	II	B	W	1	live	commercial	refused
19960307	import	Madagascar	Phelsuma	lineata	pusilla	Art af gekko	II	B	W	1	live	commercial	refused
19960312	import	Madagascar	Agapornis	cana	cana	Gråhovedet dværgpapegøje	II	B	W	200	live	commercial	refused
19960312	import	Ghana	Cercopithecus	petaurista		Art af marekat	II	B	W	1	live	commercial	refused
19960312	import	Ghana	Cercopithecus	mona		Art af marekat	II	B	W	1	live	commercial	refused
19960312	import	Ghana	Erythrocebus	patas		Art af primat	II	B	W	1	live	commercial	refused
19960318	import	Cameroun	Chamaeleo	cristatus		Art af kameleon	II	B	W	20	live	commercial	refused
19960318	import	Cameroun	Chamaeleo	oweni		Art af kameleon	II	B	W	20	live	commercial	refused
19960318	import	Cameroun	Chamaeleo	montium		Art af kameleon	II	B	W	60	live	commercial	refused
19960318	import	Cameroun	Chamaeleo	quadicornus		Art af kameleon	II	B	W	12	live	commercial	refused
19960318	import	Cameroun	Chamaeleo	wiedeersheimi		Art af kameleon	II	B	W	20	live	commercial	refused
19960318	import	Cameroun	Kinixys	homeana		Art af hængselskildpadde	II	B	W	80	live	commercial	refused
19960326	import	Egypt	Chamaeleo	chamaeleo		Europæisk kamæleon	II	A	W	100	live	commercial	refused
19960326	import	Egypt	Uromastyx	eagyptius		Art af tornhaleagame	II	B	W	100	live	commercial	refused
19960327	import	Lativa	Strix	aluco		Natugle	II	A	W	1	dead	private	refused
19960403	import	Egypt	Eryx	colubrinus		Art af sandboa	II	B	W	100	live	commercial	refused
19960412	sale	Greenland	Physeter	macrocephalus		Kaskelot	I	A	W	50	jewellery	commercial	refused

Date	Transtype	Country	Genus	Species	Subsp	Danish name	App	EU-Annex	Origin	Number	Type	Purpose	Comments
19960429	import	Colombia	Iguana	iguana		Grøn leguan	II	B	W	1000	live	commercial	refused
19960429	import	Colombia	Boa	constrictor		Kongeboa	I/II	A	W	100	live	commercial	refused
19960430	import	Tanzania	Phelsumia	dubia		Art af daggekko	II	B	W	1	live	commercial	refused
19960501	import	Ghana	Python	regius		Kongepython	II	B	W	130	live	commercial	refused
19960510	import	Ghana	Python	regius		Kongepython	II	B	W	150	live	commercial	refused
19960611	import	Russia	Testudo	horsfieldii		Russisk landskildpadde	II	B	W	500	live	commercial	refused
19960613	import	Tanzania	Rhampoleon	kerstenii		Pygmækamæleon	II	B	W	32	live	commercial	refused
19960717	import	USSR	Testudo	horsfieldii		Russiske landskildpadder	II	B	W	100	live	commercial	refused
19960725	import	China	Manouria	impressa		Art af skildpadde	II	B	W	25	live	commercial	refused
19960925	exhibition		Python	molurus	molurus	Tigerpyton	I	A		1	live	private	refused
19961009	import	Estonia	Canis	lupus		Ulv	II	B	W	1	skin	private	refused
19961014	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	stuffed	private	confiscated
19961016	import	Greenland	Physeter	cotodon		Kaskelot	I	A	W	1	tooth	private	refused
19961028	sale		Loxodonta	africana		Afrikansk elefant	I	A	W	1	tusk	private	refused
19961217	import	Cameroun	Geochelone	pardalis		Leopardskildpadde	II	B	W	200	live	commercial	refused
19960822	sale		Cacatua	goffini		Goffins kakadue	I	A		1	live	private	refused
19970113	import	China	Indotestudo	elongata		Art af skildpadde	II	B	W	150	live	commercial	refused
19970114	import	El Salvador	Iguana	iguana		Grøn leguan	II	B	W	1000	live	commercial	refused
19970819	import	USA	Python	regius		Kongepyton	II	B	W	50	live	commercial	refused
19970923	import	USA	Geochelone	pardalis		Leopardskildpadde	II	B	W	10	live	commercial	refused
19970923	import	USA	Geochelone	sulcata		Art af landskildpadde	II	B	W	10	live	commercial	refused
19970923	import	USA	Kinixys	bellina		Art af landskildpadde	II	B	W	20	live	commercial	refused
19971013	import	Tanzania	Agapornis	fischeri		Rødhovedet dværgpapegøje	II	B	W	2	live	private	refused
19971111	import	Malaysia	Manouria	emys		Art af skildpadde	II	B	W	5	live	commercial	refused
19971111	import	Malaysia	Manouria	impressa		Art af skildpadde	II	B	W	30	live	commercial	refused
19971112	import	Tanzania	Phelsuma	dubia		Art af daggekko	II	B	W	50	live	commercial	refused
19971124	import	Tanzania	Geochelone	pardalis		Leopardskildpadder	II	B	W	100	live	commercial	refused
19971217	import	Mozambique	Geochelone	pardalis		Leopardskildpadde	II	B	W	150	live	commercial	refused
19971222	import	USA	Paleosuchus	trigonatus		Art af kaiman	II	B	W	2	live	commercial	refused
19970521	import	USA	Python	regius		Kongepyton	II	B	W	300	live	commercial	refused
19980109	import	Norway	Aves	sp.		Arter af fugle		A	W		stuffed	commercial	refused
19980126	import	Switzerland	Caiman	crocodyllus	fuscus	Brun kaiman	I	A	W	85	watch straps	commercial	refused
19980204	sale		Elephantidae	sp.		Art af elefant	I	A	W	2	carving	private	refused
19980209	import	USA	Geochelone	pardalis		Leopardskildpadde	II	B	W	2	live	commercial	refused
19980219	import	Switzerland	Caiman	crocodyllus	fuscus	Brun kaiman	I	A	W	16	watch straps	commercial	refused
19980224	import	Greenland	Monodon	monoceros		Narhval	II	A	W		meat	commercial	refused
19980224	import	Greenland	Balaenoptera	acutorostrata		Vågehval	I	A	W		meat	commercial	refused
19980224	import	Greenland	Globicephala	melaena		Grindegval	II	A	W		meat	commercial	refused
19980224	import	Czechia	Crocodylius	rhombifer		Cubakrokkodille	I	A	W	4	live	commercial	refused
19980224	import	Czechia	Tomistoma	schlegelli		Sudangavial	I	A	W	1	live	commercial	refused
19980225	import	Greenland	Monodon	monoceros		Narhval	II	A	W	1	tooth	private	refused
19980225	import	Zambia	Cordylus	cordylus		Bæltehale sp.	II	B	W	40	live	commercial	refused
19980226	import	Ghana	Uromastix	maliensis		Tornhaleagame	II	B	W	100	live	commercial	refused

Date	Transtype	Country	Genus	Species	Subsp	Danish name	App	EU-Annex	Origin	Number	Type	Purpose	Comments
19980227	import	Switzerland	Caiman	crocodyllus	fuscus	Brun kaiman	I	A	W	90	watch straps	commercial	refused
19980501	import	Benin	Pyton	regius		Kongepyton	II	B	W	150	live	commercial	refused
19980501	import	Benin	Kinixys	belliana		Art af skildpadde	II	B	W	30	live	commercial	refused
19980501	import	Benin	Kinixys	homeana		Art af skildpadde	II	B	W	30	live	commercial	refused
19980501	import	Benin	Varanus	exanthematicus		Steppevaran	II	B	W	100	live	commercial	refused
19980501	import	Benin	Varanus	niloticus		Art af varan	II	B	W	30	live	commercial	refused
19980701	import	Czechia	Crocodylius	rhombifer		Cubakrokkodille	I	A	W	4	live	commercial	refused
19980713	import	Nederlands	Osteolaemus	tetraspis		Dværgkrokkodille	I	A	W	3	live	commercial	refused
19980727	import	Venezuela	Caiman	crocodilus	crocodilus	Brillekaiman	II	B	W	3	watch straps	commercial	refused
19980729	import	Greenland	Physeter	catodon		Kaskelot	I	A	W	1	carved tooth	private	refused
19980729	import	Greenland	Physeter	catodon		Kaskelot	I	A	W	1	carved tooth	private	refused

**Annex II:**

Refusals of applications in the period 1997-1998 (plants not included).

Date	Transtype	Country	Genus	Species	Subsp	Danish name	App	EU-Annex	Origin	Number	Type	Purpose	Comments
19930108	import	Thailand	Cirripathes	anguina		Sort koral	II	B	W	1	necklace	commercial	confiscated
19930114	import	U	Leopardus	pardalis		Ocelot	I	A	W	5	skin vest + 4 hats	commercial	confiscated, fine 5.000 kr
19930114	import	U	Panthera	pardus		Leopard	I	A	W	2	skin hats	commercial	confiscated, fine 5.000 kr
19930129	import	Sri Lanka	Psittacula	krameri	manillensis	Lille alexanderparakit	III	C	W	6	live	commercial	confiscated, fine 5000 kr
19930218	import	Thailand	Orchidaceae	sp.		Art af orkide	II	B	W	?	live plants	personal	confiscated
19930305	import	USA	Ara	chloroptera		Mørkerød ara	II	B	W		feathers	commercial	confiscated
19930310	import	U	Cacatua	moluccensis		Molukkadue	I	A		1	live	personal	confiscated
19930324	import	U	Brotogeris	pyrrhopterus		Ildvinget parakit	II	B	W	2	live	personal	confiscated
19930324	import	U	Brotogeris	pyrrhopterus		Ildvinget parakit	II	B	W	1	live	personal	confiscated
19930329	import	Egypt	Eretmochelys	imbricata		Art af havskildpadde	I	A	W	1	stuffed	personal	confiscated
19930426	export	Norway	Lagonosticta	sp.		Art af amaran	III	C	W	1	live	commercial	fine 3.500 kr.
19930426	export	Norway	Lonchura	sp.		Art af skadefinke	III	C	W	3	live	commercial	fine 3.500 kr.
19930426	export	Norway	Estrilda	melpoda		Orangekindet astrild	III	C	W	3	live	commercial	fine 3.500 kr.
19930426	export	Norway	Estrilda	astrild		Helena astrild	III	C	W	7	live	commercial	fine 3.500 kr.
19930426	export	Norway	Estrilda	troglydyes		Grå astrild	III	C	W	5	live	commercial	fine 3.500 kr.
19930426	export	Norway	Ortygospiza	atricollis		Agerhøneastrild	III	C	W	3	live	commercial	fine 3.500 kr.
19930426	export	Norway	Poicephalus	senegalus		Senegal papegøje	II	B	W	2	live	commercial	fine 3.500 kr.
19930426	export	Norway	Alisterus	sp		Kongeparakit	II	B	W	1	live	commercial	fine 3.500 kr.
19930506	import	U	Crotalus	durissus		Tropisk klapperslange	III	C	W	3	bag/belt/skin	personal	confiscated
19930606	sale	Denmark	Cacatua	molluccensis		Mollukkakkadue	I	A	W	1	live	commercial	fine: 1000 kr.
19930726	import	Iceland	Falco	rusticolus		Jagtfalk	I	A	W	2	live	commercial	confiscated, fine 200.000 isl kr.
19930804	import	U	Testudinidae	sp.		Art af landskildpadde	II	B	W	108	live	commercial	confiscated, fine:8000 kr
19930818	import	Botswana	Geochelone	pardalis		Leopardskildpadde	II	B	W	2	shields	personal	confiscated
19930830	import	Indonesia	Cerberus	rhynchops		Hundehovedet vandsnog	III	C	W	8	skin belts	commercial	confiscated
19930830	import	Thailand	Pyton	reticulatus		Netpython	II	B	W	1	skinbelts	personal	confiscated
19930830	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	skin	personal	confiscated
19930830	import	Japan	Naja	naja		Brillekobra	II	B	W	1	skin shoes	personal	confiscated
19930830	import	New Zealand	Pyton	reticulatus		Netpython	II	B	W	1	skin bag	personal	confiscated
19930830	import	U	Caiman	crocodilus	crocodilus	Brillekaiman	II	B	W	1	stuffed	U	confiscated
19931018	import	Vietnam	Naja	naja		Brillekobra	II	B	W	1	dead (in glass)	personal	confiscated
19931018	import	Indonesia	Cerberus	rhynchops		Hundehovedet Vandsnog	III	C	W	1	skin purse	personal	confiscated
19931018	import	Marokko	Scleractinia	sp.		Art af stenkoral	II	B	W	14 kilos	dead	personal	confiscated
19931018	import	Marokko	Gastropoda	sp.		Art af havsnegl	II	B	W	6	dead	personal	confiscated
19931105	import	Poland	Testudo	horsfieldii		Russisk landskildpadde	II	B	W	30	live	commercial	confiscated
19931116	import	U	Hylobatidae	sp.		Art af gibbon	I	A	W	1	live	personal	confiscated, fine 2000 kr.
19931117	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	stuffed	personal	confiscated
19931117	import	U	Alligatoridae	sp.		Art af alligator	II	B	W	2	skin belts	commercial	confiscated
19931117	sale	U	Panthera	pardus		Leopard	I	A	W	1	skin	personal	confiscated
19931117	import	U	Loxodonta	africana		Afrikansk elefant	I	A	W	2	tusks	lost property	
19931208	sale	Denmark	Athene	noctua		Kirkeugle	II	A	W	4	eggs	commercial	confiscated
19931221	import	Peru	Orchidaceae	sp.		Orkide	III	C	W	9	live plants	personal	confiscated
19940103	import	U	Agapornis	roseicollis		Rosenhovedet dværgpapegøje	II	B	W	1	live	commercial	fine: 6000 kr

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19940103	import	U	Pyrrhura	molinae		Grønkindet conure	II	B	W	2	live	commercial	fine: 6000 kr
19940104	import	U	Scleractinia	sp.		Art af stenkorale	II	B	W	1	dead		confiscated
19940104	import	U	Tridacnidae	sp.		Art af kæmpemusling	II	B	W	1	dead		confiscated
19940104	import	China	Paphiopedilum	armeniaceum		Orkide	I	A		15	live plants	commercial	confiscated
19940104	import	China	Paphiopedilum	melipoense		Orkide	I	A		5	live plants	commercial	confiscated
19940104	import	China	Paphiopedilum	micranthum		Orkide	I	A		40	live plants	commercial	confiscated
19940104	import	China	Paphiopedilum	philippinense		Orkide	I	A		8	live plants	commercial	confiscated
19940104	import	China	Paphiopedilum	purpuratum		Orkide	I	A		8	live plants	commercial	confiscated
19940104	import	China	Paphiopedilum	wardi		Orkide	I	A		10	live plants	commercial	confiscated
19940111	import	U	Arctocephalus	pusillus		Pelssæl	II	B	W	4	skins	personal	confiscated
19940117	import	U	Elephantidae	sp.		Art af elefant	I	A	W	4,117	worked ivory	commercial	confiscated
19940118	import	U	Poicephalus	senegalus		Senegalpapegøje	II	B	W	2	live	personal	confiscated, fine 1.200 kr
19940118	import	U	Psittacus	erithacus	timneh	Brunhalet jako	II	B	W	2	live	personal	confiscated, fine 6.000 kr
19940121	import	Thailand	Naja	naja		Brillekobra	II	B	W	7	whatch straps	personal	confiscated
19940121	import	U	Naja	naja		Brillekobra	II	B	W	1	pair of boots	personal	confiscated
19940123	import	Nigeria	Crocodylus	niloticus		Nilkrokodille	I	A	W	1	skinbag	personal	confiscated
19940125	import	Pakistan	Naja	naja		Brillekobra	II	B	W	5	Purse + bags	personal	confiscated
19940131	Import/sale	Egypt	Python	sp.		Art af python	II	B	W	1079	belts	commercial	confiscated, fine 120.000 kr
19940204	import	Libanon	Psittacus	erithacus	erithacus	Rødhalet grå jako	II	B	W	2	live	personal	confiscated, fine 8.000 kr
19940204	import	Libanon	Psittacus	erithacus	timneh	Brunhalet grå jako	II	B	W	2	live	personal	confiscated
19940204	import	Libanon	Poicephalus	senegalus		Senegalpapegøje	II	B	W	2	live	personal	confiscated
19940204	sale	Denmark	Amazone	leucocephala		Cubaamazone	I	A	W	1	live	commercial	fine 10.000 kr
19940207	import	U	Loxodonta	africana		Afrikansk elefant	I	A	W	1	skin purse	personal	confiscated
19940213	import	Malaysia	Scleractinia	sp.		Art af stenkorale	II	B	W	4	dead	personal	confiscated
19940324	import	Sweden	Serpentes	sp.		Art af slange	II	B	W	15	live	commercial	confiscated
19940329	import	U	Eretmochelys	imbricata		Karetteskildpadde	I	A	W	1	stuffed	personal	confiscated
19940511	import/sale	China	Pytas	mucosus		Indisk rottssnog	II	B	W	278	ladies shoes	commercial	confiscated, fine 50.000 kr.
19940517	import	USA	Felis	rufus		Bobkat	II	B	W	2	skins	personal	confiscated
19940518	import	U	Malayemys	subtrijuga		Landskildpadde	II	B	W	3	live	U	confiscated
19940603	sale	Denmark	Felis	pardalis		Ocelot	I	A	W	1	skin	commercial	confiscated, fine 5.000 kr
19940603	sale	Denmark	Felis	tigrina		Sydamerikansk tigerkat	I	A	W	1	skin	commercial	confiscated, fine 5.000 kr
19940603	import	Botswana	Panthera	pardus		Leopard	I	A	W	1	skin	personal	confiscated
19940627	import	Germany	Psittacus	erithacus		Rødhalet grå jako	II	B	W	12	live	commercial	confiscated, fine 6000 kr
19940628	import	Nigeria	Loxodonta	africana		Afrikansk elefant	I	B	W	3	carved ivory	personal	confiscated
19940718	import	Philippines	Pitheophaga	jefferyi		Philippinsk abeørn	I	A	W	1	stuffed	personal	confiscated, fine 5.000 kr.
19940726	import	Ivorycoast	Python	sp.		Art af Python	II	C	W	1	pair of boots	personal	confiscated
19940816	import	Pakistan	Naja	naja		Brillekobra	II	B	W	10	shoes, bags and puseses	personal	confiscated
19940821	import	Somalia	Panthera	tigris		Tiger	I	A	W	1	skin	personal	confiscated
19940826	import	Czechoslovakia	Orchidaceae	sp.		Art af orkide	II	B	C	6	live plants	personal	confiscated
19940905	import	Greenland	Monodon	monoceros		Narhval	II	B	W	2	tusk	personal	confiscated, fine 500 kr
19940905	import	Greenland	Obobenus	rosmarus		Hvalros	III	B	W	1	tooth	personal	confiscated, fine 500 kr
19940924	import	Thailand	Monomeria	sp.		Art af orkide	II	B	W	1	live plant	personal	confiscated

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19941003	import	Tonga	Chelonia	mydas		Suppeskildpadde	I	A	W	1	shield	personal	confiscated
19941021	import	Vietnam	Orchidaceae	sp.		Art af orkide	II	B	W	60	live plants	commercial	confiscated
19941118	sale	Denmark	Haliaeetus	albicilla		Havørn	I	A	W	1	stuffed	personal	confiscated, fine 1.000 kr
19941205	import	Peru	Iguana	iguana		Grøn Leguan	II	B	W	2	live	commercial	confiscated
19941213	import	Iceland	Asio	otus		Skovhornugle	II	A	W	1	live	personal	confiscated, fine 1.000 kr
1994??	import	India	Loxodonta	africana		Afrikansk elefant	I	A	W	12	carvings	personal	confiscated
1994??	import	Liberia	Loxodonta	africana		Afrikansk elefant	I	A	W	2	carvings	personal	confiscated
1994??	import	U	Loxodonta	africana		Afrikansk elefant	I	A	W	?	parts of large figure	personal	confiscated
1994??	import	U	Scleractinia	sp.		Art af stenkorall	II	B	W	6	dead	personal	confiscated
1994??	import	U	Tridacnidae	sp.		Art af kæmpemusling	II	B	W	10	dead	personal	confiscated
19950114	import	Sierre Leone	Eretmochelys	imbricata		Karetteskildpadde	I	A	W	1	shield	personal	confiscated
19950118	import	Indonesia	Hippopus	hippopus		Art af kæmpemusling	II	B	W	3	dead	personal	confiscated
19950118	import	Indonesia	Tridacna	crocea		Art af kæmpemusling	II	B	W	1	dead	personal	confiscated
19950118	import	Indonesia	Scleractinia	sp.		Art af stenkorall	II	B	W	28	dead	personal	confiscated
19950118	import	Indonesia	Scleractinia	sp.		Art af stenkorall	II	B	W	4	dead	personal	confiscated
19950123	import	Argentina	Coscoroba	coscoroba		Koscorobasvane	II	B	W	1	skin	personal	confiscated, fine 30.000 kr
19950123	import	Argentina	Buteo	magnirostris		"Roadside Hawk"	II	B	W	1	skin	personal	confiscated, fine 30.000 kr
19950123	import	Argentina	Strigiformes	sp.		"Prærieugle"	II	B	W	2	skin	personal	confiscated, fine 30.000 kr
19950123	import	Argentina	Rostrhamus	sociabilis		Snegleglente	II	B	W	1	skin	personal	confiscated, fine 30.000 kr
19950123	import	Argentina	Circus	buffoni		"Long-winged Harrier"	II	B	W	1	skin	personal	confiscated, fine 30.000 kr
19950123	import	Argentina	Myiopsitta	monachus		Munkeparakit	II	B	W	1	skin	personal	confiscated, fine 30.000 kr
19950123	import	Norway	Mustela	erminea		Lækat	III	C	W	1	live	personal	confiscated, fine 30.000 kr
19950124	sale	U	Loxodonta	africana		Afrikansk elefant	I	A	W	70	worked ivory	commercial	confiscated
19950124	import	Russia	Obobenus	rosmarus		Hvalros	III	B	W	1	carved tusk	personal	confiscated
19950124	import	Togo	Pyton	regius		Kongepyton	II	B	W	2	dead in glass	personal	confiscated
19950124	import	Ghana	Loxodonta	africana		Afrikansk elefant	I	A	W	2	tusk necklaces	personal	confiscated
19950124	import	Mali	Python	sebae		Klippepyton	II	B	W	6	belts, bag and purse	personal	confiscated
19950124	import	Mali	Python	regius		Kongepyton	II	B	W	15	belts	personal	confiscated
19950124	import	Mali	Varanus	sp.		Art af varan	II	B	W	2	belts	personal	confiscated
19950124	import	Mali	Crocodylus	niloticus		Nilkrokodille	I	A	W	1	skin shoes	personal	confiscated
19950124		Denmark	Phytseter	macrocephalus		Kasketot	I	A	W	2	teeth	personal	confiscated
19950124	import	U	Loxodonta	africana		Afrikansk elefant	I	A	W	1	tusk	personal	confiscated
19950124	import	Ghana	Python	sebae		Klippepyton	II	B	W	1	skin	personal	confiscated
19950124	import	USA	Scleractinia	sp.		Art af stenkorall	II	B	W	1	dead	personal	confiscated
19950124	import	Argentina	Balenoptera	acutorostrata		Art af bardehval	I	A	W	1	baleen	personal	confiscated
19950124	import	Argentina	Cetacea	sp.		Art af bardehval	I	A	W	1	thoracic vertebra	personal	confiscated
19950124	import	U	Trioides	minos		Art af sommerfugl	II	B	W	1	dead	personal	confiscated
19950124	import	U	Tayasso	sp.		Art af navlesvin	II	B	W	1	tooth	personal	confiscated
19950124	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	stuffed	personal	confiscated
19950124	import	Pakistan	Accipter	nisus		Spurvehøg	II	B	W	1	stuffed	personal	confiscated
19950124	import	U	Alligator	mimipiensis		Art af alligator	II	B	W	2	skinpurse + keyring	personal	confiscated
19950124	import	Jugoslavia	Python	sp.		Art af pyton	II	B	W	1	skinbelt	personal	confiscated



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19950124	import	Jugoslavia	Naja	naja		Brillekobra	II	B	W	1	skinbag	personal	confiscated
19950124	import	Phillipines	Chelonia	mydas		Karetteskildpadde	I	A	W	1	shield	personal	confiscated
19950124	import	Cameroun	Eretmychelys	imbricata		Karetteskildpadde	I	A	W	1	shield	personal	confiscated
19950124	import	Tanzania	Scleractinia	sp.		Art af stenkorale	II	B	W	8	dead	personal	confiscated
19950124	import	Tonga	Chelonia	mydas		Supeschildpadde	I	A	W	1	shield	personal	confiscated
19950124	import	U	Tubipora	musica		Art af rødkoral	II	B	W	1	dead	U	confiscated
19950124	import	U	Scleractinia	sp.		Art af stenkorale	II	B	W	1	dead	personal	confiscated
19950124	import	Ghana	Loxodonta	africana		Afrikansk elefant	I	A	W	2	ivory neclaces	personal	confiscated
19950124	import	Indonesia	Hippopus	hippopus		Art af kæmpemusling	II	B	W	2	shells	personal	confiscated
19950124	import	Malaysia	Hylobates	sp.		Gibbon	I	A	W	1	cranium	personal	confiscated
19950130	import	Phillippines	Tridacna	crocae		Art af kæmpemusling	II	B	W	18	live	personal	confiscated
19950202	import	Marokko	Uromastix	acanthinurus		Art af tornhaleagame	II	B	W	33	live	commercial	confiscated, fine 45.000 kr
19950320	transfer	Denmark	Psittacus	erithacus	timneh	Brunhalet grå jako	II	B	W	16	live	commercial	
19950323	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	dead	personal	confiscated
19950511	import	U	Loxodonta	africana		Afrikansk elefant	I	A	W	5,1 kg	ivory	commercial	confiscated, fine 28.000 kr
19950515	import	Egypt	Porphyrio	porphyrio		Sultanhøne		79/409/EØF	W	2	live	personal	confiscated
19950515	import	Egypt	Gallinula	chloropus		Grønbenet rørhøne		79/409/EØF	W	8	live	personal	confiscated
19950524	import	Ivory coast	Euphorbia	nivulia		Kaktus - planter	II	B	W	12	live plants	personal	confiscated
19950524	import	Greenland	Cetacae	sp.		Art af hval	I	A	W	?	bones	personal	confiscated/destroyed
19950724	import	Tanzania	Tridacna	crocae		Art af kæmpemusling	II	B	W	1	shell	personal	confiscated
19950724	import	Indonesia	Scleractinia	sp.		Art af stenkorale	II	B	W	3	dead	personal	confiscated
19950724	import	Indonesia	Tridacna	crocae		Art af kæmpemusling	II	B	W	1	shell	personal	confiscated
19950724	import	Indonesia	Hippopus	hippopus		Art af kæmpemusling	II	B	W	3	shells	personal	confiscated
19950727			Andrias	sp.		Art af kæmpesalamander	I	A	W	2	live	personal	confiscated
19950811	import	Guinea	Python	regius		Kongepyton	II	B	W	27	live	commercial	confiscated
19950816	import	U	Python	sebae		Klippepyton	II	B	W	1407	bags/straps	commercial	confiscated
19950902	import	Phillippines	Macaca	sp.		Art af makak	I	A	W	1	bone necklace	personal	confiscated
19950914	export	Australia	Boa	constricta		Kongeboa	I	A	W	4	live	commercial	confiscated, fine 12.000 kr
19950914	import	Australia	Morelia	spilota	spilotus	Diamantpytoner	II	B	W	3	live	commercial	confiscated, fine 12.000 kr
19950914	import	Australia	Testudo	horsfieldii		Russisk landskildpadde	II	B	W	1	live	commercial	confiscated, fine 12.000 kr
19950914	import	Australia	Anguis	fragilis		Ståorm			W	1	live	commercial	confiscated, fine 12.000 kr
19951009	import	Tanzania	Hippotamus	amphibius		Flodhest	II	B	W	1	skull	personal	confiscated
19951010	import	Nigeria	Naja	naja		Brillekobra	II	B	W	2	skin	personal	confiscated
19951010	import	Nigeria	Ophiophagus	hannah		Art af slange	II	B	W	1	skin	personal	confiscated
19951010	import	Nigeria	Python	sebae		Klippepyton	II	B	W	1	skin	personal	confiscated
19951010	import	Libanon	Python	sebae		Klippepyton	II	B	W	1	skin	personal	confiscated
19951010	import	Libanon	Crocodylia	sp.		Art af krokodille	II	B	W	1	skinbag	personal	confiscated
19951010	import	U	Gallus	sonneratii		Sonnerats junglehøne	II	B	W	20	napeskins	personal	confiscated
19951010	import	Tanzania	Hippopotamus	amphibius		Flodhest	II	B	W	1	tooth	commercial	confiscated, fine 48.500 kr
19951010	import	Tanzania	Panthera	pardus		Leopard	I	A	W	1	skin	commercial	confiscated, fine 48.500 kr
19951010	import	Tanzania	Loxodonta	africana		Afrikansk elefant	I	A	W	20	ivory arm rings	commercial	confiscated, fine 48.500 kr
19951010	import	Gambia	Civettis	civetta		Civet	II	B	W	1	skin	personal	confiscated

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19951010	import	Tanzania	Panthera	pardus		Leopard	I	A	W	1	skinbelt	personal	confiscated
19951010	import	Egypt	Naja	naja		Brillekobra	II	B	W	3	slinshoes + skinbag	personal	confiscated
19951010	import	Russia	Ursus	arctos		Brun bjørn	II	A	W	1	skin	personal	confiscated
19951010	import	Ghana	Python	sebae		Klippepyton	II	B	W	2	skins	personal	confiscated
19951010	import	Brasil	Strombus	gigas		Kæmpekonkyllie	II	B	W	1	shell	personal	confiscated
19951013	import	Kuwait	Psittacula	krameri		Lille alexanderparakit	III	C	W	2	live	personal	confiscated
19951013	import	Kuwait	Agapornis	roseicollis		Rosenhovedet dværgpapageje	II	B	W	2	live	personal	confiscated
19951013	Import	U	Motacilla	flava		Gul vipstjert		79/409/EØF	W	2	live	commercial	confiscated
19951013	Import	U	Motacilla	alba		Hvid vipstjert		79/409/EØF	W	7	live	commercial	confiscated
19951016	import	Uganda	Varanus	sp.		Art af varan	II	B	W	1	drum	personal	confiscated
19951016	import	Pakistan	Naja	naja		Brillekobra	II	B	W	1	pair of shoes	personal	confiscated
19951016	import	Pakistan	Naja	naja		Brillekobra	II	B	W	3	Shoes/bag/purse	personal	confiscated
19951016	transfer		Tridacnidae	sp.		Art af kæmpemusling	II	B	W	6	shells		
19951016	transfer		Scleractinia	sp.		Art af stenkorall	II	B	W	7	dead		
19951016	import	Tanzania	Hippopotamus	amphibius		Flodhest	II	B	W	3	teeth	personal	confiscated
19951016	import	Indonesia	Hippopus	hippopus		Art af kæmpemusling	II	B	W	2	shells	personal	confiscated
19951016	import	Guyana	Caiman	crocodilus		Brillekaiman	II	B	W	2	stuffed	personal	confiscated
19951016	import	Greenland	Ursus	maritimus		Isbjørn	I	A	W	1	skin	personal	confiscated
19951016	import	Indonesia	Hippopus	hippopus		Art af kæmpemusling	II	B	W	1	shells	personal	confiscated
19951016	import	Indonesia	Tridacna	maxima		Art af kæmpemusling	II	B	W	2	shells	personal	confiscated
19951016	import	Indonesia	Tridacnidae	sp.		Art af kæmpemusling	II	B	W	6	shells	personal	confiscated
19951016	import	Indonesia	Scleractinia	sp.		Art af stenkorall	II	B	W	6	dead	personal	confiscated
19951016	import	Peru	Geochelone	sp.		Skovskildpadde	II	B	W	1	live	personal	confiscated
19951016	import	Malaysia	Scleractinia	sp.		Art af stenkorall	II	B	W	3	dead	personal	confiscated
19951016	import	Pakistan	Psittacula	krameri		Lille Alexanderparekit	II	B	W	2	stuffed	personal	confiscated
19951016	import	Ghana	Python	sp.		Art af pyton	II	B	W	1	skin	personal	confiscated
19951016	import	Australia	Naja	naja		Brillekobra	II	B	W	8	belts/bags	personal	confiscated
19951016	import	Uganda	Varanus	sp.		Art af varan	II	B	W	1	d+L241rum made of skin	personal	confiscated
19951016	import	Indonesia	Tubipora	musica		Orgelpibekorall	II	B	W	1	dead	personal	confiscated
19951016	import	Malaysia	Tridacna	squamosa		Art af kæmpemusling	II	B	W	4	shells	personal	confiscated
19951106	import	U	Python	regius		Kongepyton	II	B	W	27	live	commercial	confiscated
19951107	sale	Denmark	Python	molurus	bivittatus	Tigerpyton	II	B	W	1	live	personal	confiscated, fine 1.500 kr
19951130	import	Czechia	Uromastyx	sp.		Art af tornhaleagame	II	B	W	9	live	commercial	confiscated
19951130	import	Czechia	Uromastyx	hardwickii		Art af tornhaleagame	II	B	W	8	live	commercial	confiscated
19951130	import	Czechia	Eumeces	sneider		Berberskink	II	B	W	3	live	commercial	confiscated
19951130	import	Czechia	Eunectes	notaeus		Gul anakonda	II	B	W	3	live	commercial	confiscated
19951130	import	Czechia	Chamaeleo	calypttratus		Yemenkameleoner	II	B	W	7	live	commercial	confiscated
19951130	import	Czechia	Crocodylus	sp.			II	B	W	1	live	commercial	confiscated
19951130	import	Czechia	Testudo	hermanni		Græsk landskildpadde	II	B	W	20	live	commercial	confiscated
19960125	import	Thailand	Loriculus	phillippensis		Flagermuspapageje	II	B	W	1	live	personal	confiscated
19960129	import	Thailand	Loriculus	phillippensis		Flagermuspapageje	II	B	W	1	live	personal	confiscated
19960222	import	U	Naja	sp.		Art af pyton	II	B	W	1	stuffed	personal	confiscated

Date	Transtype	Country	Genus	Species	Subsp	Danish name	App	EU-Annex	Origin	Number	Type	Purpose	Comments
19960222	import	U	Scleractina	sp.		Art af stenkorale	II	B	W	26	dead	personal	confiscated
19960222	import	Malaysia	Hippopus	hippopus		Art af kæmpemusling	II	B	W	2	shells	personal	confiscated
19960222	import	Indonesia	Scleractinia	sp.		Art af stenkorale	II	B	W	3	dead	personal	confiscated
19960222	import	Indonesia	Tridacna	crocae		Art af kæmpemusling	II	B	W	6	shells	personal	confiscated
19960222	import	Indonesia	Tridacna	squamosa		Art af kæmpemusling	II	B	W	4	shells	personal	confiscated
19960222	import	Japan	Scleractinia	sp.		Art af stenkorale	II	B	W	3	dead	personal	confiscated
19960222	import	Malaysia	Macaca	sp.		Art af makak-abe	I	A	W	3	skulls	personal	confiscated
19960222	import	Malaysia	Python	molurus	bivittatus	Klippepython	II	B	W	3	skinpurses	personal	confiscated
19960222	import	Indonesia	Tridacnidae	sp.		Art af kæmpemusling	II	B	W	2	shells	personal	confiscated
19960222	import	Indonesia	Scleractinia	sp.		Art af stenkorale	II	B	W	1	shells	personal	confiscated
19960222	import	Malaysia	Scleractinia	sp.		art af stenkorale	II	B	W	1	shells	personal	confiscated
19960222	import	Malaysia	Naja	naja		Brillekobra	II	B	W	1	skinbag	personal	confiscated
19960222	import	Zimbabwe	Loxodonta	africana		Afrikansk elefant	I	A	W	2	pairs of ear rings	personal	confiscated
19960222	import	Poland	Buteo	lagopus		Fjeldvåge	II	b	W	1	stuffed	personal	confiscated
19960304	import	Nigeria	Naja	naja		Kobra	II	B	W	4	skinbags	personal	confiscated
19960307	sale	Denmark	Geochelone	radiata		Stråleskildpadde	I	A	W	5	live	commercial	confiscated, fine 15.000 kr
19960307	import	Mozambique	Python	Sebae		Klippepython	II	B	W	3	skin	personal	confiscated
19960313	import	Pakistan	Aquila	nipalensis		Steppeørn	I	A	W	1	stuffed	personal	confiscated
19960507	import	Thailand	Naja	naja		Brillekobra	II	B	W	3	stuffed	personal	confiscated
19960507	import	Australia	Crocodylus	porosus		Saltvandskrokodille	I	A	W	2	Hats decorated with teeth	personal	confiscated
19960507	import	Pakistan	Herpestes	edwardsi		Art af desmerdyr	III	C	W	1	stuffed	personal	confiscated
19960514	import	Venezuela	Boa	constrictor		Kongeboa	I	A	W	2	skins	personal	confiscated
19960523	import	Thailand	Naja	naja		Brillekobra	II	B	W	36	skin	commercial	confiscated
19960606	import	Israel	Tridacna	sp.		Art af kæmpemusling	II	B	W	5	shells	personal	confiscated
19960606	import	Indonesia	Tridacna	sp.		Art af kæmpemusling	II	B	W	3	shells	personal	confiscated
19960606	import	Peru	Eunectes	murinus		Art af anakonda	II	B	W	1	skin	personal	confiscated
19960606	import	Malaysia	Scleractinia	sp.		Art af stenkorale	II	B	W	13	dead	personal	confiscated
19960619	sale		Cacatua	goffini		Goffins kakadue	I	A	W	1	live	commercial	earnings (3.000 kr) confiscated
19960619	exhibition		Amazona	tucumana		Tukumanamazonne	I	A	W	2	live	commercial	fine 5.000 kr
19960702	import	U	Geochelone	denticulata		Gulfodet skovskildpadde	II	B	W	1	live	personal	confiscated
19960705	import	Namibia	Acinonyx	jubatus		Gepard	I	A	W	1	skin	personal	confiscated
19960716	import	Zimbabwe	Crocodylus	niloticus		Nilkrokodille	I	A	W	2	heads	personal	confiscated
19960917	import	Madagaska	Eulemur	fulvus	albifrons	Brun lemur	I	A	W	i	live	personal	confiscated
19961001	import	Tonga	Tubipora	sp.		Art af rødkorale	II	B	W	1	dead	personal	confiscated
19961001	import	Tonga	Tridacna	sp.		Art af kæmpemusling	II	B	W	4	shells	personal	confiscated
19961014	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	stuffed	personal	confiscated
19961107	import	Greenland	Monodon	monoceros		Narhval	II	B	W	1	carved tooth	personal	confiscated
19961127	import	U	Crocodylos	porosus		Saltvandskrokodille	I	A	W	1	stuffed	personal	confiscated
19961127	import	Serbia	Naja	naja		Brillekobra	II	B	W	2	skinshoes	personal	confiscated
19961127	import	Serbia	Vipera	russelli		Russels hugorm	II	B	W	1	skinbag	personal	confiscated
19961129	sale		Testudo	hermanni		Græsk landskildpadde	II	A	W	3	live	commercial	fine 5.000 kr
19960606	import	Malaysia	Tridacna	crocea		Art af kæmpemusling	II	B	W	2	shells	personal	confiscated

Date	Transtype	Country	Genus	Species	Subsp	Danish name	App	EU-Annex	Origin	Number	Type	Purpose	Comments
19970203	sale		Cacatua	molukkensis		Molukkakadue	I	A	W	2	live	commercial	fine 10.000 kr.
19970203	sale		Bubo	bubo		Stor hornugle	II	A	W	4	live	commercial	fine 10.000 kr.
19970203	sale		Pteropus	tonganus		Art af flyvende hund	I	A	W	U	live	commercial	fine 10.000 kr.
19970203	sale		Pteropus	samoensis		Art af flyvende hund	I	A	W	U	live	commercial	fine 10.000 kr.
19970203	sale		Egretta	garzetta		Silkehejre	III	A	W	U	live	commercial	fine 10.000 kr.
19970203	sale		Bubulcus	ibis		Kohejre	III	A	W	U	live	commercial	fine 10.000 kr.
19970203	sale		Dyscophus	anthongilii		Tomatfrø	I	A	W	U	live	commercial	fine 10.000 kr.
19970225	import	Indonesia	Varanus	salvator		Båndvaran	II	B	W	2	live	personal	confiscated
19970225	import	Indonesia	Leiopython	albertisi		Hvidlæbet pyton	II	B	W	2	live	personal	confiscated
19970225	import	Nigeria	Chlorocebus	aetiops		Grøn marekat	I	A	W	1	live	personal	confiscated
19970306	import	U	Crocodylia	sp		Art af krokodille	II	B	W	1	skin	personal	confiscated
19970403	import	Ecuador	Orchidaceae	sp.		Orkideer	II	B	W	197	live plants	commercial	confiscated
19970421	sale		U	U		U	U	U	U	U	live	commercial	Fine 2.000 kr
19970428	import	India	Orchidaceae	sp.		Orkide	II	B	W	553	live plants	commercial	confiscated
19970515	import	China	Ophiophagus	hannah		Kongekobra	II	B	W	3	dead - in alkohol	personal	confiscated
19970520	import	U	Python	reticulatis		Netpyton	II	B	W	1	skinbag	personal	confiscated
19970612	import	USA	Crocodylus	sp.		Art af krokodille	II	B	W	1	head	personal	confiscated
19970630	import	U	Orchidaceae	sp.		Orkide	II	B	W	1	live plant	personal	confiscated
19970703	import	Indonesia	Scleractinia	sp.		art af stenkorale	II	B	W	1	dead	personal	confiscated
19970703	import	Indonesia	Tridacna	sp.		Art af kæmpemusling	II	B	W	13	shells	personal	confiscated
19970703	import	Philippines	Python	reticulatus		Netpyton	II	B	W	2	skins	personal	confiscated
19970703	import	Indonesia	Scleractinia	sp.		Art af stenkorale	II	B	W	1	dead	personal	confiscated
19970703	import	Thailand	Loxodonta	africana		Afrikansk elefant	I	A	W	2	arm bracelets	personal	confiscated
19970703	import	U	Troides	sp.		Art af Fuglevingesommerfugl	II	B	W	1	dead	personal	confiscated
19970708	import	Indonesia	Scleractinia	sp.		Art af stenkorale	II	B	W	5	dead	personal	confiscated
19970708	import	Indonesia	Tridacna	sp.		Art af kæmpemusling	II	B	W	2	shells	personal	confiscated
19970708	import	Indonesia	Scleractinia	sp.		Art af stenkorale	II	B	W	1	dead	personal	confiscated
19970708	import	Sweden	Pyxiz	arachnoides		Edderkoppeskildpadde	II	B	W	7	live	commercial	confiscated
19970709	import	U	Orchidaceae	sp.		Orkide	II	B	W	U	live plants	personal	confiscated
19970826	import	U	Tayassuidae	sp.		Art af halsbåndssvin	II	B	W	1	head	personal	confiscated
19970919	import	Fiji	Scleractinia	sp.		Art af stenkorale	II	B	W	U	dead	personal	confiscated
19970919	import	Fiji	Tridacna	sp.		Art af kæmpemusling	II	B	W	U	shells	personal	confiscated
19970926	import	Russia	Ursus	arctos		Brun bjørn	I/II	B	W	1	skin	personal	confiscated
19971118	import	Gibreltar	Brachypelma	sp.		Art af tarantel	II	B	W	1	dead	personal	confiscated
19980209	import	USA	Geochelone	carbonaria		Rødbenet skovskildpadde	II	B	W	3	live	commercial	confiscated
19980211	import	Mosambique	Crocodyliidae	sp.		Art af krokodille	II	B	W	1	skull	personal	confiscated
19980220	sale		Testudo	hermanni		Græsk landskildpadde	II	A	W	1	live	personal	confiscated
19980304	possession		Loxodonta	africana		Afrikansk elefant	I	A	W	2	tusks	personal	confiscated
19980304	import	Thailand	Tridacna	sp.		Art af kæmpemusling	II	B	W	1	shells	personal	confiscated
19980304	import	Sudan	Loxodonta	africana		Afrikansk elefant	I	A	W	2	carved ivory	personal	confiscated
19980304	import	Sudan	Hippopotamus	amphibius		Flodhest	II	B	W	1	carved tooth	personal	confiscated
19980304	import	Thailand	Crocodylia	noveaguineae		Art af krokodille	I	A	W	1	stuffed	personal	confiscated

Date	Transtype	Country	Genus	Species	Subsp	Danish name	App	EU-Annex	Origin	Number	Type	Purpose	Comments
19980304	import	India	Loxodonta	sp.		Art af elefant	I	A	W	1	ivory statue	personal	confiscated
19980304	import	Singapore	Panthera	tigris		Tiger	I	A	W	1	jewel with claws	personal	confiscated
19980304	import	Thailand	Sclecractinia	sp		Art af stenkoral	II	B	W	6	dead	personal	confiscated
19980304	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	skin	personal	confiscated
19980304	import	Gambia	Python	sebae		Klippepython	II	B	W	3	skins	personal	confiscated
19980326	import	Fiji	Tridacna	sp.		Art af kæmpemusling	II	B	W	14	shells	personal	confiscated
19980326	import	Fiji	Scleractinia	sp		Art af stenkoral	II	B	W	fragments	dead	personal	confiscated
19980403	import	Zimbabwe	Loxodonta	africana		Afrikansk elefant	I	A	W	4	bracelets + earrings	personal	confiscated
19980407	import	Vietnam	Naja	naja		Brillekobra	II	B	W	1	dead	personal	confiscated
19980416	exhibition		Panthera	pardus		Leopard	I	A	W	15	skin pieces + teeth	commercial	confiscated
19980416	exhibition		Adlinonyx	jubatus		Geopard	I	A	W	4	skin pieces	commercial	confiscated
19980416	exhibition		Panthera/Felis	leo/serval		Løve/Serval	II	B	W	33	skin pieces + teeth	commercial	confiscated
19980416	exhibition		Loxodonta	africana		Afrikansk elefant	I	A	W	73	bracelets made of tailhair	commercial	confiscated
19980416	exhibition		Panthera/Panthera	leo/pardus		Løve/Leopard	II/I	B/A	W	8	teeth	commercial	confiscated
19980428	import	U	Bulbophyllum	sp.		Orkide	II	B	W	1	live plant	personal	confiscated
19980522	import	Venezuela	Crocodylia	sp.		Art af krokodille	II	B	W	15	teeth	personal	confiscated
19980528	import	Yugoslavia	Testudo	hermanni		Græsk landskildpadde	II	A	W	1	live	personal	confiscated
19980529	import	India	Naja	naja		Brillekobra	II	B	W	1	dead	personal	confiscated
19980624	import	U	Loxodonta	africana		Afrikansk elefant	I	A	W		ivory	personal	confiscated
19980709	import	U	Tridacna	sp.		Art af kæmpemusling	II	B	W	1	shell	personal	confiscated
19980710	import	U	Tridacna	sp.		Art af kæmpemusling	II	B	W	1	shells	personal	confiscated
19980710	import	Indonesia	Tridacna	sp.		Art af kæmpemusling	II	B	W	12	dead	personal	confiscated
19980710	import	U	Tridacna	sp.		Art af kæmpemusling	II	B	W	1	shell	personal	confiscated
19980804	import	Indonesia	Crocodylidae	sp.		Art af krokodille	II	B	W	5.8 kg	jewellery wiht teeth	commercial	confiscated
19980804	import	Thailand	Python	reticulatus		Netpyton	II	B	W	5	skinwallets	personal	confiscated
19980806	import	U	Loxodonta	africana		Afrikansk elefant	I	A	W	382	"tubes"	commercial	confiscated
19980806	import	U	Physeter	catodon		Kastklot	I	A	W	104	"tubes"	commercial	confiscated
19980814	import	Benin	Loxodonta	africana		Afrikansk elefant	I	A	W	6	rings and bracetets	personal	confiscated
19980814	import	Benin	Crocodylidae	sp.		Art af krokodille	II	B	W	1	skinbag	personal	confiscated
19980814	import	Benin	Varanus	sp.		Art af varan	II	B	W	1	skinbag	personal	confiscated
19980901	import	Iran	Naja	naja		Brillekobra	II	B	W	1	skinbag	personal	confiscated
19980910	import	Philippines	Tridacna	sp.		Art af kæmpemusling	II	B	W	U	shells	personal	confiscated
19980910	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	dead	personal	confiscated
19980910	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	dead	personal	confiscated
19980922	import	Greenland	Ursus	maritimus		Isbjørn	II	B	W	1	skull	personal	confiscated
19980930	import	Thailand	Naja	naja		Brillekobra	II	B	W	1	skinbelt	personal	confiscated
19980930	import	Libanon	Falconiformes	ssp.		Art af rovfugl	II	B	W	1	stuffed	personal	confiscated
19981014	import	U	Serpentes	sp.		Art af slange	II	B	W	1	dead	personal	confiscated
19981014	import	Dubai	Loxodonta	africana		Afrikansk elefant	I	A	W	12.5 kg.	tusks	personal	confiscated
19981104	import	Elfenbenskysten	Hystrix	cristata		Hulepindsvin	III	A	W	1	smoked	personal	confiscated
19981119	import	U	Scleractinia	sp.		Art af stenkoral	II	B	W	1	dead	personal	confiscated
19981120	import	USA	Crocodylidae	sp.		Art af krokodille	II	B	W	1	head	personal	confiscated
19981124	export	Thailand	Elephantidae	sp.		Art af elefant	I	A	W	3	2 tusks + figure	personal	confiscated
19981124	import	Quatar	Balaenopteridae	sp.		Art af bardehval	I	A	W	2	ribs	personal	confiscated
19981126	import	Greenland	Physeter	catodon		Kaskelot	I	A	W	16	carved teeth	personal	confiscated

Finland

# **BIENNIAL REPORT OF FINLAND**

## on the protection of endangered species of wild fauna and flora by regulating their trade.

Finland has taken in 1997 - 1998 following legislative, regulatory and administrative measures to enforce the provisions of the Council Regulation (EC) No 338/97.

### **Legislative measures**

The Nature Conservation Act came into force on 1 January 1997. Section 44 of this Act deals with "International Trade in Endangered Species": What is provided in Council Regulation (EC) No. 338/97 on the Protection of Species of Wild Flora and Fauna by regulating trade therein shall apply to the import, export, re-export and transit transporting, sale, offering for sale, keeping for commercial purposes, display to the public for commercial purposes and transporting for sale of the animal and plant specimens, or parts or derivatives thereof, referred to in said Regulation.

The Ministry of the Environment was designated as the administrative authority under the European Community Regulation referred to in paragraph 1. The Finnish Environment Institute, however, was designated as the competent authority referred to in the regulation in all matters concerning the issue of permits and certificates. The Finnish Museum for Natural History of the University of Helsinki was designated as the scientific authority referred to in said Regulation.

The Ministry of the Environment shall, as necessary, issue more detailed provisions on the implementation of the European Community Regulation referred to in paragraph 1. The Ministry may assign to the Finnish Museum of Natural History expert duties related to the implementation of said Regulation.

It is the duty of Customs to enforce Community Regulations on importation, exportation, re-exportation and transit transport.

The amendment of Section 44 dealing with "Designated Customs Offices" (according to Article 12 of Council Regulation 338/97) took effect on 4 June 1998. The decree naming designated customs offices for import and export of animals and plants took effect on 15 October 1998.

The decision of the Ministry of the Environment on the action plan on the importation and exportation of endangered species of fauna and flora is under preparation.

**Regulatory measures:**

Customs and police have each prepared their own internal regulations for the implementation and enforcement of the Council Regulation.

**Administrative measures:**

Contact persons in every Regional Environment Centre and Customs District Office have been assigned to assist in the implementation of the Council Regulation. Training seminars are arranged annually by Customs and the Ministry of the Environment. Also, border veterinarians and phyto-sanitary inspectors belong to the contact network.

Local game management associations in the implementation of the Council regulation in the relation to the trade of legally hunted specimens, parts and derivatives thereof of brown bear, lynx and wolf.

Finland took part in the European Union CITES Information campaign from May 1997 to May 1998 directed to the general public, traders, police, customs and administration in accordance with the Council Regulation Article 15.1.

National information has been prepared by the Management Authority of Finland and Customs and made available to the public in accordance with Article 12.5 of the Council Regulation.



France

## **REGLEMENT CE 338/97 ARTICLE 15.4 c**

### **RAPPORT NATIONAL FRANÇAIS BIENNAL 1997-1998**

#### **1- Mesures réglementaires**

L'arrêté du 1<sup>er</sup> mars 1993 fixant les modalités d'application de la convention sur le commerce international des espèces de faune et de flore sauvage menacées d'extinction a été abrogé et remplacé par l'arrêté du 30 juin 1998 fixant les modalités d'application de la convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction et des règlements (CE) n° 338/97 du Conseil européen et (CE) n°939/97 de la Commission européenne.

Un arrêté interministériel relatif aux prêts, dons et échanges à des fins non commerciales entre des scientifiques ou institutions scientifiques, est en cours d'élaboration: il vise à appliquer l'article 7.4 du règlement (CE) 338/97.

#### **2- Mesures administratives**

##### **2.1 Informatisation**

Au cours des années 1997 et 1998, l'Organe de gestion français a assisté à plusieurs réunions organisées par l'Organe de gestion belge, en compagnie d'autres Etats membres de l'Union européenne intéressés par une utilisation conjointe du programme informatique CITES italien, qui s'avérait performant. Divers problèmes pratiques, particulièrement d'ordre financier, se sont rapidement posés et ont freiné cette initiative. La France et la Belgique restant finalement les seuls Etats membres adhérant à cette idée, celle-ci n'a pu aboutir à ce jour.

Une solution alternative est à l'étude en liaison avec les Douanes.

##### **2.2 Actions de formation**

En 1997 et en 1998 un séminaire de formation approfondie d'une semaine sur la CITES et sur les règlements (CE) n°338/97 et (CE) n°939/97 a été organisé par l'Organe de gestion français: ces formations, destinées aux agents de contrôle (Douanes, Services Vétérinaires, Office National de la Chasse), sont suivies par 60 personnes chaque année.

Environ 10 formations d'une demi-journée à une journée, portant sur le même sujet, ont également été dispensées par l'Organe de gestion à des agents de contrôle débutants.

### 2.3 Informations

En 1997, plusieurs milliers de plaquettes d'information ont été mises à disposition du public. Plusieurs centaines d'affiches ont été diffusées dans les aéroports, les Directions des Services Vétérinaires et les cabinets vétérinaires.

En 1998, un guide à l'usage des professionnels du tourisme a été élaboré par WWF France et TRAFFIC Europe avec le concours financier du Ministère de l'aménagement du territoire et de l'environnement, et distribué aux principales agences de voyage.

### 2.4 Délivrance de documents

En 1997, environ 17000 permis et certificats ont été délivrés; en 1998, ce chiffre est monté à 23000.

Germany

# 1 Gesetzgeberische Maßnahmen / *Legislative Measures*

## 1.1 1997

### 1.1.1 Dritte Verordnung zur Änderung der Bundesartenschutzverordnung vom 6. Juni 1997

Durch die Dritte Verordnung zur Änderung der Bundesartenschutzverordnung (BArtschV) erfolgte eine Anpassung an die zum 1.6.1997 in Kraft getretene Verordnung Nr. 338/97 des Rates vom 9. Dezember 1996 über den Schutz von Exemplaren wildlebender Tier- und Pflanzenarten. Durch diese Regelung wurden insbesondere nationale Ein- und Ausfuhrregelungen, die mit dem neuen EG-Recht nicht mehr vereinbar waren, aufgehoben und die Arten der Anhänge A und B der neuen EG-Artenschutzverordnung zu besonders geschützten Arten nach dem Bundesnaturschutzgesetz (BNatSchG) erklärt.

Im Einzelnen erfolgten folgende Änderungen:

- Unterschutzstellung der in Anhang a und B der EG-Artenschutzverordnung aufgeführten Arten als besonders geschützte Arten nach nationalem Recht;
- Aufhebung der zusätzlichen Ein- und Ausfuhr genehmigungspflichten sowie der Vermarktungsregelung für die der EG-Verordnung unterliegenden Arten;
- Streichung der nationalen Ein- und Ausfuhr genehmigungspflicht für nicht-europäische Arten (einschließlich Streichung der Anlage 2 BArtschV);
- Aufhebung der nationalen Ein- und Ausfuhrvorschriften für die durch die Bundesartenschutzverordnung geschützten Tiere und Pflanzen gegenüber EU-Mitgliedstaaten, die eine Vermarktung der Art zulassen;
- Unterschutzstellung der Arten des Anhangs IV der FFH-Richtlinie;
- Anpassung der Listen an die Anhänge der neuen EG-Artenschutzverordnung;

Diese Änderungen dienten als Übergangsregelung bis zum Inkrafttreten des Entwurfs einer Novelle des Bundesnaturschutzgesetzes, die bereits alle notwendigen Regelungen zur Anpassung an die EG-Artenschutzverordnung enthielt.

## 1.2 1998

### 1.2.1 Zweite Änderung des BNatSchG vom 08. Mai 1998

Das Bundesnaturschutzgesetz (BNatSchG) in der Fassung der Bekanntmachung vom 12.3.1987 (BGBl. I S. 889), enthält neben strikten Zugriffsverboten insbesondere Verbote für den Besitz und das Inverkehrbringen von besonders und streng geschützten Tier- und Pflanzenarten.

Durch das 2. Gesetz zur Änderung des BNatSchG vom 8.5.1999 erfolgte sowohl die überfällige Umsetzung der FFH-Richtlinie, sowie eine endgültige Anpassung des 5. Abschnittes des Bundesnaturschutzgesetzes an die novellierte EG-Artenschutzverordnung Nr. 338/97:

- Streichung nationaler Ein- und Ausfuhrvorschriften im Hinblick auf die abschließende Regelung im EG-Recht;
- Beschränkung der Vermarktungsregelungen auf nicht der EG-Artenschutzverordnung unterliegende Arten, da auch hier eine abschließende Regelung für Verordnungsarten im EG-Recht normiert ist;
- Änderung der Zuständigkeitenregelung (Zuständigkeiten des BfN für Bescheinigungserteilung im Zusammenhang mit der Einfuhr);
- Anpassung der Ordnungswidrigkeiten- und Strafvorschriften.

### 1.2.2 Kostenverordnung vom 1. April 1998

Die im April 1998 in Kraft getretene Kostenverordnung zum Bundesnaturschutzgesetz (BNatSchG) regelt die Erhebung von Gebühren im Vollzug der Artenschutzgesetze und -verordnungen. Die Gebührenhöhe richtet sich nach den einzelnen Gebührentatbeständen und ist der nachstehenden Tabelle auszugsweise zu entnehmen:

<b>Lebende Exemplare</b>	<b>Gebühr</b>
Einfuhrgenehmigung	79,- DM
Ausfuhrgenehmigung	41,- DM
Wiederausfuhrbescheinigung	48,- DM
Eigentümerbescheinigung/kombinierte Genehmigung	57,- DM
<b>Tote Exemplare, Teile und Erzeugnisse</b>	
Einfuhrgenehmigung	30,- DM
Ausfuhrgenehmigung	22,- DM
Wiederausfuhrbescheinigung	22,- DM
Eigentümerbescheinigung/Kombinierte Genehmigung	
<b>Negativbescheinigung</b>	<b>25,- DM</b>
<b>Blankette</b>	<b>25,- DM</b>

In besonderen Fällen, kann eine Gebührenbefreiung gewährt werden, nämlich bei Ein-, Aus- oder Wiederausfuhren von Exemplaren für Zwecke der wissenschaftlichen Forschung und Lehre, insbesondere wenn diese zur Erhaltung der betreffenden Art beiträgt, und um solche Exemplare, die für wissenschaftliche Arterhaltungszuchtprogramme ein- oder ausgeführt werden. Der Antrag auf Gebührenbefreiung ist grundsätzlich formlos zu stellen. Der Nachweis für das Vorliegen der Voraussetzungen der Kostenbefreiung ist vom Kostenschuldner zu erbringen. Hierzu kann vom Kostenschuldner eine Bescheinigung einer anerkannten wissenschaftlichen Einrichtung verlangt werden, aus der hervorgeht, daß die Exemplare zu den oben genannten Zwecken verwendet werden. Eine Gebührenermäßigung wird außerdem gewährt, wenn die fällige Gebühr den Warenwert um mehr als 30 Prozent übersteigt. Die Mindestgebühr beträgt 10,- DM. Für die Ausfuhr künstlich vermehrter Pflanzenexemplare bis zu einem Warenwert von 100,- DM wird keine Gebühr erhoben.

## 2 Regulatorische Maßnahmen / Regulatory Measures

### 2.1 Übersicht zur Umsetzung der Verordnung (EG) Nr. 338/97 durch das Bundesnaturschutzgesetz (BNatSchG) / Implementation of EC regulation No. 338/97 by Federal Nature Conservation Act

#### 2.1.1 Ordnungswidrigkeiten, Geldbußen/ Administrative offences and fines

Vorschrift	Verstoß	Sanktion
§ 30 Abs. 2 a BNatSchG	Verstoß gegen die Verordnung (EG) Nr. 338/97 <i>infringement of the regulation No 338/97</i>	
§ 30 Abs. 2 a Nr. 1 BNatSchG	entgegen Art. 4 Abs.1 S. 1 oder Abs. 2 S.1 oder Art. 5 Abs. 1 oder Abs. 4 S. 1 der Verordnung <i>contravenes Art. 4 para.1 S. 1 oder para 2 S.1 or Art. 5 Abs. 1 or para 4 S. 1 of the Regulation</i>	
§ 30 Abs. 2 a Nr. 3 BNatSchG	entgegen Art. 8 Abs. 1 oder Abs. 5 der Verordnung <i>contravenes Art. 8 para. 1 or para. 5 of the regulation</i>	Geldbuße bis zu / <i>fine up to</i> DM 100.000,- ( § 30 Abs. 3 BNatSchG)
§ 30 Abs. 2 a Nr. 2 BNatSchG	entgegen Art. 4 Abs. 3 oder Abs. 4 (Einfuhrmeldung); <i>contravenes Art. 4 para 3 or para 4 (import notification)</i>	Geldbuße bis zu / <i>fine up to</i> DM 20.000,- ( § 30 Abs. 3 BNatSchG)
§ 30 Abs. 2 a Nr. 4 BNatSchG	entgegen einer vollziehbaren Auflage nach Art. 11 Abs. 3; <i>contravenes an enforceable obligation according to Art. 11 para 3</i>	

#### 2.1.2 Straftaten / penal sanctions

Vorschrift	Verstoß	Sanktion
§ 30a Abs. 1 und § 30 Abs. 2a Nr. 1, Nr. 3 BNatSchG	gewerbs- oder gewohnheitsmäßige Begehungsweise <i>for commercial purposes or habitually committed</i>	Freiheitsstrafe bis zu drei Jahren oder Geldstrafe/ <i>imprisonment up to three years or fine</i>
§ 30a Abs. 2 und § 30 Abs. 2a Nr. 1, Nr. 3 BNatSchG	Bezug: streng geschützte Arten (zuvor vom Aussterben bedrohte Arten (A-Arten)) <i>affect strictly protected species (previously species threatened with extinction (A-species))</i>	Freiheitsstrafe bis zu fünf Jahren oder Geldstrafe/ <i>imprisonment up to five years or fine</i>
§ 30a Abs. 3, Abs. 2 BNatSchG	streng geschützte Art; gewerbs- oder gewohnheitsmäßige Begehungsweise <i>strictly protected species; habitually committed</i>	Freiheitsstrafe von drei Monaten bis zu fünf Jahren/ <i>imprisonment of at least three months but not exceeding five years</i>

### 2.1.3 Beschlagnahmen und Einziehungen / *Seizures and confiscations*

Vorschrift	Voraussetzungen	Maßnahme	Zuständigkeit
§ 21f BNatSchG  § 30bBNatSchG	Bei Fehlen der erforderlichen Dokumente unabhängig vom Verschulden des Beteiligten <i>specimens not accompanied by the documents required, fault of the importer not necessary</i>	<u>Stufe 1</u> <b>Beschlagnahme:</b> vorläufige Maßnahme mit der Möglichkeit, die erforderlichen Dokumente innerhalb eines Monats nachzureichen, Frist verlängerbar bis zu sechs Monaten; in der Regel Wegnahme des Exemplares, Ausnahme: Überlassung an den Verfügungsberechtigten unter Auferlegung einer Verfügungsverbot <b>Seizure:</b> <i>provisional action with the opportunity to submit the required documents within one month, extension may grant up to six month; regularly specimens are taken away, exemption: specimens will be left in the custody of their holders on condition that they do not dispose of them.</i> <u>Stufe 2</u> <b>Einziehung:</b> endgültige Maßnahme: Eigentum geht auf den Staat über/ <b>confiscation:</b> <i>final action: state becomes owner of the specimen</i>	Zollbehörden <i>Customs authorities</i>
§ 22 BNatSchG	Bei fehlendem Nachweis des rechtmäßigen Besitzes <i>lack of proof of legal possession</i>		Länderbehörden <i>Länder-Authorities</i>

#### Definitionen/ *definitions*

- **besonders geschützte Arten** / *species under (special) protection* (§ 20a Abs. 1 Nr. 7 BNatSchG): Anhang/Annex A und B
- - **streng geschützte Arten** (zuvor: vom Aussterben bedrohte) / *species under strict protection (previous: threatened with extinction)* (§ 20a Abs. 1 Nr. 8 BNatSchG): Anhang/ Annex A, teilweise Anhang B, wenn die Art in einer Rechtsverordnung als solche aufgeführt wird/ *part of Annex B, if the species is designated as such in a statutory order (decree)*



## 2.2 Ergänzende Regelungen / *Additional national regulations*

### 2.2.1 Besitzverbote und Ausnahmen / *prohibitions on possession and exemptions*

Nach § 20f Abs. 2 Nr. 1 BNatSchG ist es verboten, Tiere und Pflanzen der besonders geschützten Arten in Besitz oder Gewahrsam zu nehmen, in Besitz oder Gewahrsam zu haben oder zu be- oder verarbeiten (Besitzverbote).

Die Verbote gelten nicht nur für alle nach § 20a Abs. 1 Nr. 7 BNatSchG **besonders geschützten Arten**, sondern nach § 20f Abs. 2a BNatSchG auch für folgende **nicht besonders geschützten** Tier- und Pflanzenarten:

1. für Felle der Sattel- und der Mützenrobbe sowie der daraus hergestellten Waren, die entgegen Art. 1 und 3 der Richtlinie 83/129/EWG des Rates vom 28. März 1983 nach dem 30. September 1983 eingeführt wurden - ausgenommen sind Waren, die von der traditionellen Jagd der Inuits (Eskimos) herrühren - und
2. für Tiere und Pflanzen, die durch eine Rechtsverordnung nach § 26 Abs. 3a BNatSchG bestimmt sind (d.h. nicht heimische, nicht besonders geschützte Arten, für die Besitz- und Vermarktungsverbote wegen der Gefahr einer Verfälschung der heimischen Tier- und Pflanzenwelt oder der Gefährdung des Bestands oder der Verbreitung heimischer wildlebender Arten oder von Population solcher Arten erforderlich sind).

Ausnahmen gelten - soweit sich aus einer Rechtsverordnung nach § 26 Abs. 2 BNatSchG nichts anderes ergibt - für Tiere und Pflanzen der besonders geschützten Arten, wenn sie entweder **rechtmäßig**

- in der Gemeinschaft **gezüchtet** wurden und nicht herrenlos geworden sind, oder
- durch **künstliche Vermehrung** gewonnen oder
- **der Natur entnommen** wurden

oder im Einzelfall eine Ausnahme nach § 20 g Abs. 6 BNatSchG gewährt wurde.

### 2.2.2 Melde- und Buchführungspflichten/ *obligation to report and to book-keeping*

Wer gewerbsmäßig - auf Gewinnerzielung ausgerichtet - Tiere oder Pflanzen besonders geschützter Arten erwirbt, be- oder verarbeitet oder in den Verkehr bringt, muß grundsätzlich hierüber Buch führen (§ 8 BArtSchV). Im Einzelfall können von der zuständigen Behörde Ausnahmen gewährt werden, wenn auf andere Weise eine ausreichende Überwachung sichergestellt ist.

### 3 Verwaltungsmaßnahmen/ *Administrative Measures*

#### 3.1 Ein- und Ausfuhrdokumente sowie Bescheinigungen/ *Documents*

##### 3.1.1 Bundesmaßnahmen / *Measures on federal level*

##### 3.1.1.1 Gegenüberstellung der zwischen dem 1.6.1997 und dem 31.12.1998 vom Bundesamt für Naturschutz erteilten Ein- und Ausfuhrdokumente sowie Bescheinigungen gemäß VO (EG) Nr. 338/97 / *Import- and exportdocuments granted by the German MA from 1 June 1997 - 31. December 1998*

	1997 (01.06.-31.12.)	1998
Einfuhrgenehmigungen	3056	5613
dav. für Anhang A-Exemplare	397	648
dav. für Anhang B-Exemplare	2659	4965
Ausfuhrgenehmigungen	842	924
Wiederausfuhrbescheinigungen	1700	3174
kombinierte Genehmigungen	246	404
andere Einfuhrdokumente*	724	1478
Bescheinigungen gem. Art. 8 der VO (EG) Nr. 338/97	0	12
Ausnahmegenehmigungen gem. FFH- und Vogelschutzrichtlinie	0	34
Summe der Dokumente	6568	11639

\* Einfuhrmeldungen für Exemplare der Anhänge C und D sowie Einfuhrgenehmigungen unter den erleichterten Bedingungen für persönliche Gebrauchsgegenstände nach Art. 27 Abs. 2 VO (EG) Nr. 939/97

**3.1.1.2 Gegenüberstellung vom Bundesamt für Naturschutz erteilter Dokumente von 1984 bis 1997 / Documents granted by the Federal Agency for Nature Conservation in 1984 - 1997**

	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997*
Einfuhrgenehmigungen für Anhang-I-Exemplare	102	208	143	159	201	183	250	263	242	282	362	448	524	140
Einfuhrgenehmigungen für Anhang C Teil 1-Exemplare (seit 01.01.1984 erforderlich gem. EG-VO Nr. 3626/82)	63	81	159	127	183	162	112	161	127	233	269	182	255	78
Einfuhrgenehmigungen für Anhang C Teil 2-Exemplare (seit 01.01.1984 erforderlich gem. EG-VO Nr. 3626/82)	2139	2075	2116	2055	2563	2363	2023	1945	2657	1823	2134	2210	2597	978
Wiederausfuhrbescheinigungen (einschließlich Innerdeutscher Handel bis 1990)	4701	3863	3838	3746	3800	3846	2837	2182	2714	2221	2480	2483	2860	994
Ausfuhrgenehmigungen	751	386	304	317	273	378	363	363	521	492	618	704	851	210
Zur Einfuhrabfertigung in die BRD (einschließlich Innerdeutscher Handel bis 1990) vorgelegte und überprüfte Ausfuhrdokumente	3418	3787	3653	5281	3882	3901	3737	3584	4576	4259	4609	4824	5188	2158
Ausfuhr/Einfuhr- bzw. Einfuhr/-Ausfuhrgenehmigungen (z.B. für Beizjagd)			160	261	419	489	400	460	601	639	507	363	399	123
Summe der bearbeiteten Dokumente	11174	10400	10373	11946	11321	11322	9722	8958	11438	9949	10979	11214	12674	4681

\* bis 31.05.1997

**3.1.1.3 Übersicht der Einfuhren nach dem WA geschützter lebender Tiere und Pflanzen von 1993 bis 1998 / imports of live animals and plants protected by the Convention in 1993 - 1998**

Arten	WA-Anhang	1993	1994	1995	1996	1997	1998
Säugetiere	Anhang I	56	42	56	28	53	33
	Anhang II	420	558	618	723	812	848
	Anhang III	10	13	2	7	1	1
	Gesamt	486	613	676	758	866	882
Vögel	Anhang I	40	84	112	93	92	93
	Anhang II	15865	13716	12695	8026	7574	12400
	Anhang III	58919	55237	46095	62772	62697	64029
	Gesamt	74824	69037	58902	70891	70363	76522
Reptilien	Anhang I	19		10	1	6	
	Anhang II	29134	29088	27765	27820	25478	42052
	Anhang III	121	343		411	12	85
	Gesamt	29274	29431	27775	28232	25496	42137
Amphibien	Anhang I	6	1				
	Anhang II	354	269	1280	1330	1680	2029
	Anhang III						
	Gesamt	360	270	1280	1330	1680	2029
Wirbellose Tiere	Anhang I		11	3		1	
	Anhang II	128493	421957	448793	404059	167213	181386
	Anhang III						
	Gesamt	128493	421968	448796	404059	167214	181386
Pflanzen	Anhang I	6059	42299	33283	42430	23709	17602
	Anhang II	566632	1396157	485981	466179	387617	350759
	Anhang III						
	Gesamt	572691	1438456	519264	508609	411326	368361

**3.1.1.4 Ein- und Ausfuhren nach dem WA geschützter lebender Wirbeltiere und Pflanzen in 1997 / Im- and exports of live vertebrates and plants protected by the Convention in 1997**

Arten	WA-Anhang CITES	Einfuhr	Herkunft A, C, D	Zweck G,S,Z,	Zweck T, P, ?	Ausfuhr	Herkunft A, C, D	Zweck G,S,Z,	Zweck T, P, ?
Säugetiere	Anhang I	53	50	28	25	123	118	75	48
	Anhang II	812	802	781	31	200	199	108	92
	Anhang III	1	1	1		1	1	1	
	Gesamt	882	857	816	56	324	318	184	140
Vögel	Anhang I	92	90	10	82	594	583	9	585
	Anhang II	7.581	906	25	7.556	545	430	43	502
	Anhang III	62.697	9	8	62.689	779	69	2	777
	Gesamt	70.370	1.005	43	70.337	1.918	1.082	54	1.864
Reptilien	Anhang I	6	4	2	4	20	20	4	16
	Anhang II	25.478	12.393	41	25.437	489	458	18	471
	Anhang III	12	12		12				
	Gesamt	25.496	12.409	43	25.453	509	478	22	487
Amphibien	Anhang I								
	Anhang II	1.680	700	700	980	1.302	1.302		1.302
	Anhang III								
	Gesamt	1.680	700	700	980	1.302	1.302		1.302
Pflanzen	Anhang I	23.709	23.659		23.659	22.329	22.329		22.329
	Anhang II	387.617	386.524	270	387.347	4.474	4.469		4.474
	Anhang III								
	Gesamt	411.326	410.183	270	410.006	26.803*	26.798		26.803

\* Nicht berücksichtigt wurden die mit Pflanzengesundheitszeugnis ausgeführten künstlich vermehrten Pflanzen und die im Wissenschaftsaustausch per Etikett verbrachten Pflanzen.

Codes Herkunft: A=künstlich vermehrt, C/D = zu nicht-kommerziellen/kommerziellen Zwecken gezüchtet

Codes Zweck: G = Botanischer Garten, S = Wissenschaft, Z = Zoo; T = Handel, P = persönliche Gegenstände, ? = andere Zwecke

**3.1.1.5 Ein- und Ausfuhren nach dem WA geschützter lebender Wirbeltiere und Pflanzen in 1998 / Im- and exports of live vertebrates and plants protected by the Convention in 1998**

Arten	WA-Anhang CITES	Einfuhr	Herkunft A, C, D	Zweck G,S,Z,	Zweck T, P, ?	Ausfuhr	Herkunft A, C, D	Zweck G,S,Z,	Zweck T, P, ?
Säugetiere	Anhang I	33	31	18	15	114	98	72	42
	Anhang II	848	825	797	51	87	85	51	36
	Anhang III	1	1	1		4	3	4	
	Gesamt	882	857	816	66	205	186	127	78
Vögel	Anhang I	93	92	4	89	695	691	19	676
	Anhang II	12.400	1.095	16	12.384	1.293	689	20	1.273
	Anhang III	64.029	7	1	64.022	2.350	55	19	2.331
	Gesamt	76.522	1.194	21	76.495	4.338	1.435	58	4.280
Reptilien	Anhang I					14	14		14
	Anhang II	42.052	16.089	30	42.022	417	383		383
	Anhang III	85	15		85	16	16		16
	Gesamt	42.137	17.004	30	42.107	444	413		413
Amphibien	Anhang I					30	30	30	
	Anhang II	2.029	969	960	1.069	1.014	1.012		1.014
	Anhang III								
	Gesamt	2.029	969	960	1.069	1.044	1.042	30	1.014
Pflanzen	Anhang I	17.602	17.602		17.602	5.260	5.260		5.260
	Anhang II	350.759	350.033	88	350.671	1.824	1.824		1.824
	Anhang III								
	Gesamt	368.361	367.635	88	368.273	7.084*	7.048		7.048

\* Nicht berücksichtigt wurden die mit Pflanzengesundheitszeugnis ausgeführten künstlich vermehrten Pflanzen und die im Wissenschaftsaustausch per Etikett verbrachten Pflanzen.

Codes Herkunft: A=künstlich vermehrt, C/D = zu nicht-kommerziellen/kommerziellen Zwecken gezüchtet

Codes Zweck: G = Botanischer Garten, S = Wissenschaft, Z = Zoo; T = Handel, P = persönliche Gegenstände, ? = andere Zwecke

### 3.1.2 Ländermaßnahmen / Measures on Länder level

#### 3.1.2.1 Anzahl der von den Ländern der Bundesrepublik Deutschland 1997 und 1998 ausgestellten Bescheinigungen nach Art. 10 der VO Nr. 338/97 / Documents granted by Länder Authorities in 1997 and 1998

Land	1997	1998
Baden-Württemberg	11938	4166
Bayern	keine Angaben	keine Angaben
Berlin	1264	537
Brandenburg	keine Angaben	704
Bremen	keine Angaben	79
Hamburg	2280	325
Hessen	12772	3240
Mecklenburg-Vorpommern	179	keine Angaben
Niedersachsen	3400	1860
Nordrhein-Westfalen	21638	4632
Rheinland-Pfalz	3735	2179
Saarland	465*	930*
Sachsen	2367	940
Sachsen-Anhalt	keine Angaben	441
Schleswig-Holstein	833	469
Thüringen	437*	876*

\* Die angegebene Summe für 1997 und 1998 Saarland 1395 und Thüringen 1313 wurde im Verhältnis 1:2 auf die Jahre 97 und 98 verteilt.

### 3.2 Beschlagnahmen, Verwarnungen, Bußgelder und Straftaten / *confiscations, cautions, fines and penal sanctions*

#### 3.2.1 Bundesmaßnahmen / *Measures on federal level*

Das Bundesamt für Naturschutz (BfN) hat im Jahre 1996 insgesamt 1951 Verfahren, im Jahre 1997 insgesamt 2588 Verfahren registriert, die wegen Verstoßes gegen das Bundesnaturschutzgesetz von Bundesbehörden eingeleitet wurden. Im wesentlichen handelt es sich dabei um Aufgriffe an den Außengrenzen Deutschlands, insbesondere auf den Flughäfen Frankfurt am Main, München, Berlin und Düsseldorf. Wenn geschützte Tiere oder Pflanzen, oder deren Teile und Erzeugnisse ohne die erforderliche Dokumente ein- bzw. ausgeführt werden, werden diese von den Zollstellen beschlagnahmt, in der Regel den Beteiligten weggenommen und einem Dritten überlassen. Darüber hinaus werden Verfahren aufgeführt, die von Bundesbehörden erst im Inland ermittelt wurden und nicht auf einer Beschlagnahme durch den Zoll an den Außengrenzen beruhen ( 1996: 67; 1997: 57 Verfahren). Auf die Beschlagnahme folgt spätestens nach sechs Monaten die Einziehung, d.h. der Eigentumsübergang des Exemplars auf den Bund, es sei denn, die Beschlagnahme ist wegen rückwirkender Erteilung der erforderlichen Dokumente oder aus anderen Gründen aufzuheben. Parallel zu dem Beschlagnahme- und Einziehungsverfahren laufen Ermittlungen wegen des Verdachts einer Straftat oder einer Ordnungswidrigkeit, die von den jeweils zuständigen Stellen abgeschlossen werden. Bei Ordnungswidrigkeiten verjährt die Tat in drei, bei Straftaten in fünf Jahren. Bußgelder bis zu DM 100.000,- und Strafen bis zu einem Freiheitsentzug von fünf Jahren bilden den gesetzlichen Rahmen (§§ 30,30a BNatSchG).

#### 3.2.1.1 Verfahrensstand bzgl. der in 1996 und 1997 ausgesprochenen Beschlagnahmen und Ordnungswidrigkeitenverfahren (Stand: 07.06.1999) / *follow up on confiscations and administrative procedures of 1997/98 (7.6.1999)*

Verfahrensstand	1996	1997
offene Verfahren	11	95
Einstellung durch das BfN	1448	2097
Verwarnungen	92	96
Bußgeldbescheide	283	233
<i>davon beim BfN in der Vollstreckung</i>	(27)	(12)
<i>davon im Einspruchsverfahren</i>	(7)	(3)
Abgabe an die Staatsanwaltschaft wegen Straftatverdachts	9	- - -
laufende Ermittlungen wegen Straftatverdachts	14	19
Einstellungen durch die Staatsanwaltschaften	55	29
<i>davon gegen Zahlung eines Geldbetrages (§ 153a StPO)</i>	(38)	(16)
Strafbefehle und Urteile	39	19
Gesamtverfahren	1951	2588

Die Verfahren aus 1998 werden zu diesem Zeitpunkt nicht wiedergegeben, da sie noch nicht hinreichend aussagekräftig sind.



### 3.2.1.2 Verstöße im einzelnen / *special cases*

Folgende gravierende Verstöße wurden festgestellt und geahndet:

#### **Lebende Vögel:**

- Aus Südamerika wurde über mehrere Jahre hinweg insgesamt weit über 100 lebende Kolibris und sollten hier an Liebhaber verkauft werden. Der Schmuggler wurde zu einer Freiheitsstrafe von einem Jahr auf Bewährung verurteilt.
- Wegen des ungenehmigten Anbietens von vom Aussterben bedrohter Arten wurde ein Tierversmittler zu einer Freiheitsstrafe von sechs Monaten auf Bewährung und einer Geldbuße in Höhe von DM 4.000,- verurteilt.
- Ein tschechischer Staatsbürger wurde zu einem Jahr auf Bewährung wegen gewerbsmäßiger Vermarktung von Graupapageien mit Ursprung Zaire verurteilt. Eine Durchfuhr im T 1 - Versandverfahren von Belgien in die Tschechische Republik wurde vorgespiegelt.
- Sieben Monate auf Bewährung erhielt ein französischer Staatsbürger, der 1998 vier in Plastikröhren eingezwängte Rabenkakadus aus Thailand einschmuggelte.
- Wegen des Einfuhrschmuggels von 2 Hyazintharas aus Paraguay wurde ein Strafbefehl von DM 4.800,- DM ausgesprochen. Mit Hilfe des Koordinators des Europäischen Erhaltungszuchtprogramms (EEP) für diese Art konnten beide Tiere umgehend im Rahmen des EEP vermittelt werden. Beide Tiere befinden sich bei guter Gesundheit.

#### **Lebende Reptilien:**

- Deutsche, die den internationalen Reptilienschmuggel im Zeitraum von 1995 bis 1996 aus Madagaskar, Südafrika und USA mit vom Aussterben bedrohten Arten (Anhang A: z. B. *Sanzinia madagascariensis*, *Acrotrophis* spp., *Geochelone radiata*) im Wert von über DM 800.000,- organisierten, konnten verhaftet werden. Aufgrund der notwendigen Rechtsanpassung an das geänderte EU-Artenschutzrecht wurde leider nur ein Strafbefehl über DM 30.000,- rechtskräftig. Ein Mittäter wurde in den USA zu einer Freiheitsstrafe von 40 Monaten verurteilt.
- 7 Monate auf Bewährung wurden ausgesprochen wegen illegaler Reptilieneinfuhren zu gewerbsmäßigen Zwecken. 97 Grüne Baumpython (*Chondropython viridis*), 5 weitere Riesenschlangen sowie 20 Warane verschiedener Arten (*Varanus* spp.) waren in einem Fahrzeug versteckt; der Täter hatte die Exemplare auf dem Luftweg aus Indonesien in die Tschechische Republik transportiert und anschließend versucht, sie im Pkw versteckt, auf der Landstraße nach Deutschland einzuschmuggeln.
- Weiterhin auffällig sind die Schmuggelversuche aus Osteuropa, insbesondere Polen, Tschechische Republik und Slowakei, aber auch aus Jugoslawien. Erschreckend ist dabei die hohe Anzahl der geschmuggelten lebenden Reptilien, z.T. auch Papageien und Affen, und ihr tierschutzwidriger Transport. Folgende gravierende Verstöße wurden in 1996 festgestellt:
  1. 424 Reptilien aus der Slowakei: Geldstrafe: DM 8.000,- ;
  2. 328 Schildkröten aus Serbien, insgesamt über mehrere Jahre hinweg: Geldstarfe über 3.000;
  3. 3.377 Reptilien, darunter über 2.000 Rotwangenschmuckschildkröten, aus Polen;
  4. 757 Reptilien (475 Landschildkröten) aus der Tschechischen Republik;
  5. 144 Landschildkröten und 212 Papageien, u.a. Goffini-, Palm- und Molukkenkakadu aus der Tschechischen Republik, Geldstrafe: 11.000,-;

6. ca. 100 Reptilien und 22 Äffchen, die sich in zwei Koffern verpackt im Transit in die Tschechische Republik befanden. Aufgrund der extremen Transportbedingungen verendeten 50 % der Affen trotz sofortiger fachkundiger Betreuung.

Der Hauptbeteiligte im 2. Verfahren wurde zu zwei Jahren auf Bewährung verurteilt, die Hauptbeteiligten im 3. und 4. Verfahren zu einem Jahr und zehn Monaten ohne Bewährung bzw. die Mittäter jeweils zu einem Jahr auf Bewährung.

Da es sich in einigen Verfahren, z.B. im 6. Verfahren um osteuropäische Staatsbürger handelt, die zum Teil auch als Kuriere eingesetzt werden, besteht die Gefahr, daß sie sich der deutschen Gerichtsbarkeit entziehen. Nur in wenigen Fällen werden sie sofort inhaftiert, so daß sich die Strafe oft auf die vom Zoll einbehaltene Sicherheitsleistung beschränkt.

#### **Dendrobatenschmuggel:**

Immer wieder werden organisierte Schmuggelversuche aufgedeckt, bei denen scheinbar ahnungslose Privatpersonen als Kuriere eingesetzt werden, um Pfeilgiftfrösche/Dendrobaten aus Costa Rica dem Liebhabermarkt in Deutschland und der EU zuzuführen. Zum Transport werden vorbereitete Reisetaschen mit doppeltem Boden verwendet. Bislang konnten Bußgelder von DM 800,- bis DM 5.000,- (365 Dendrobaten) durchgesetzt werden.

#### **Kakteenschmuggel:**

Darüber hinaus wurden zahlreiche Verstöße durch Kakteenliebhaber festgestellt. Die Kakteen werden in Mexiko illegal der Natur entnommen und nach Deutschland eingeschmuggelt. Zahlreiche Ermittlungsverfahren wurden durch Zollfahndungsämter geführt. Verurteilungen bis zu einer Geldstrafe in Höhe von DM 18.000,- wurden ausgesprochen. In weniger gravierenden Fällen hat die Staatsanwaltschaft Verfahren gegen Zahlung einer Geldbuße, z.B. in Höhe von DM 2.500,- eingestellt.

#### **Teile und Erzeugnisse:**

Im Bereich der **Teile und Erzeugnisse** werden insbesondere **Elfenbein** und Elfenbeischnitzereien vom asiatischen und afrikanischen Elefanten ungenehmigt eingeführt; je nach Umfang wurden Strafen von DM 500,- bis DM 5.400,- ausgesprochen. Im Vergleich zu den Vorjahren wurden Produkte der **Meeresschildkröte** vermehrt geschmuggelt. Strafen von DM 200,- bis über DM 1.000,- wurden verhängt.

Zu einem Jahr auf Bewährung und einer Geldstrafe in Höhe von DM 9.000,- wurde ein Präparator bestraft wegen des unerlaubten Handels mit gefrorenen zur Präparation bestimmten Exemplaren, insbesondere von Greif- und Eulenvögeln, im Wert von DM 80.000,-.

Ansonsten wurden je nach Menge folgende Strafen ausgesprochen:

- Greifvogel- und Eulenpräparate: Strafen von DM 1.000,- bis DM 2.600,-
- Reptilien (Krokodil, Waran, Schlangen): Strafen von DM 300 bis DM 3.000,- als Tasche, Börse, etc.
- Großkatzen: Strafen von DM 450,- bis 900,-
- Bären: Strafen von DM 400,- bis 600,-

### 3.2.1.3 Bußgeldeinnahmen 1995 bis 1998 / revenues from fines in 1995 - 1998

Neben den Strafen durch Staatsanwaltschaften und Gerichte erteilt das Bundesamt für Naturschutz Bußgelder wegen ungenehmigter Ein- oder Ausfuhren. Einen Überblick über die seit 1995 bis 1998 eingegangenen Buß- und Verwarnungsgelder kann die folgende Tabelle geben.

	<b>Annahmeanordnungen</b>	<b>Einnahmen aus Buß- oder Verwarnungsgeldern</b>
<b>1995</b>	388	ca. 68.500 DM
<b>1996</b>	649	ca. 91.500 DM
<b>1997</b>	671	ca.115.500 DM
<b>1998</b>	591	ca. 149.000 DM

Bezogen auf lebende Tiere handelt es sich bei den Verstößen im wesentlichen um ungenehmigte Einfuhren von Papageien aus der Türkei oder Landschildkröten aus Polen. Bei den präparierten Exemplaren handelt es sich um Greifvögel, Eulen und Kobras insbesondere aus Polen und der Tschechischen Republik, bei den Ledererzeugnissen um Python und Waran, gelegentlich Krokodil, bei den Häuten um Wolf, Bär und zum Teil Großkatzen.

In folgenden exemplarischen Fällen wurden Bußgelder von DM 1.000 und mehr ausgesprochen:

- Schlangen, darunter vier Baumpythonen, aus Thailand, Buße: 3.000,- DM
- ca. 200 Orchideen aus Brasilien, Buße: 3.000,- DM
- Schmuggel von 10 Graupapageien aus der Niederlande, Buße: 2.500,- DM
- verschiedene Schlangen- und Krokoderprodukte aus dem Senegal: 2.000,- DM
- vier griechische Landschildkröten aus Polen, Buße: 1.500,- DM
- fünf Schildkrötenpanzer aus Namibia, Buße: 1.600,- DM
- 1 Affe aus der Türkei, drei Landschildkröten aus Griechenland bzw. fünf aus der Türkei, vorsätzliche ungenehmigte Einfuhr einer Riesenschlange aus der Tschechischen Republik, 40 Waran-Häute aus dem Senegal, Waran- und Katzenhäute aus Nigeria, über 700 Kakteen aus Mexiko, Affenfleisch aus Zaire, jeweils Buße: 1.000,- DM

Auf den folgenden Seiten werden die Beschlagnahmen und Einziehungen der deutschen Zollbehörden dargestellt:

**3.2.1.4 Beschlagnahmen und Einziehung durch Bundesbehörden in 1997 / Confiscations and seizures by federal authorities in 1997**

Code	Warenbeschreibung Description	Beschlagnahme		aufgehoben		Einziehung	
		Seizure		cancelled		Confiscation	
		Verfahren Procedure	Exemplare Specimen	Verfahren Procedure	Exemplare Specimen	Verfahren Procedure	Exemplare Specimen
LIA	lebendes Tier	190	3.006	45	1.291	135	1.622
	live animal						
LIP	lebende Pflanze	117	99.596	32	64.117	77	35.183
	live plant						
TUS	Stoßzahn	9	12	0	0	8	11
	tusk						
IVP, IVC	Elfenbein-Schnitzerei, - Stück	59	440	8	12	44	335
	carving-ivory, piece- ivory						
LPL, LPS	Lederprodukt (klein u. groß)	235	1.072	49	277	154	667
	leather product (small a. large)						
TRO,CLA, FOO SKU, TAI, TEE	Trophäenteil, Klaue, Fuß	145	537	68	360	54	123
	Schädel, Schwanz, Zahn						
	trophy part, claw, foot skull, tail, tooth						
BOD	präpariertes Exemplar	130	314	13	108	101	144
	stuffed specimen						
CAP	Schildkrötenpanzer (Calipash)	18	25	1	1	15	21
	calipee						
SKI, SKP	Haut, Hautstück	91	5.148	29	5.039	45	61
	skin, skin piece						
COR	Koralle	541	Stk. 4.496 kg 63,4	32	Stk. 866 kg 12,48	498	Stk. 3.550 kg 50,92
	coral						
SHE	Muschel, Schnecke	795	2.358	33	247	738	2.077
	shell						

MED, SPE	Arznei, Blutprobe medicine; blood, tissue	14	Stk. 177 kg 19,52 ml 1	4	Stk. 1 kg 15	10	Stk. 176 kg 4,52 ml 1
FEA	Feder feather	13	214	0	0	12	105
BON, BOP	Knochen, Knochenstück bone, piece-bone	6	15	2	9	2	2
HOC, HOR	Horn-Schnitzerei, Horn (Geweih) carving-horn, horn	10	25	3	11	6	9
EGG	Ei egg	2	3	0	0	1	2
MEA	Fleisch meat	2	Stk. 8 kg 1	0	0	2	Stk. 8 kg 1
GAR	Kleidungsstück garment	11	17	2	3	7	12
HAI	Haare hair	7	272	1	9	3	7
DPL	getrocknete Pflanze dried plant	3	Stk. 386 kg 40	0	0	0	0
TIM	Kakteen-Regenstock cacti-rainstick	250	1.752	40	1.410	169	287
	<b>Grundsumme</b> <b>sum-total</b>	2.648	Stk. 119.874 kg 123,92 ml 1	359	Stk. 73.761 kg 27,48	2.081	Stk. 44.402 kg 56,44 ml 1

Confiscation - final action: state is owner of the specimen

Stand: 05.1998

**Bemerkungen zu den Beschlagnahmen 1997 / notes to the seizures:**

Folgende Taxa (nicht vollständig) und Exemplare sind betroffen/ *Following taxa (not complete) and specimens are concerned:*

- LIA Primates spp. (9), Falconiformes spp. (8), Psittaciformes spp. (226), Leiothrix spp. (120), Testudinidae spp. (102), Boidae spp. (96), Iguana spp. (731), Chameleo spp. (88), Dendrobatidae spp. (648), Ornithoptera spp. (384);
- LIP Tillandsia spp. (4.807), Cactaceae spp. (2.157), Cycadeae spp. (32.638), Euphorbia spp. (50.000); Orchidaceae spp. (8.452), Cyclamen spp. (1,500);
- TUS Elephantidae spp. (9), Hippopotamus amphibius, Odobenus rosmarus;
- IVP(C) Elephantidae spp. (420), Odobenus rosmarus (20);
- LPL(S) Reptilia spp. (1.036); Struthio camelus, Elephantidae spp., Felidae spp., Equus zebra hermanni;
- BOD Aves spp. (52), Reptilia spp. (83) (Serpentes spp. 50), Papilionidae spp. (153);
- SKI(P) Ursidae spp. (27), Felidae spp. (27), Canis lupus (9), Mustelinae spp. (5.001), Reptilia spp. (57);
- SHE Tridacnidae spp. (1.183), Strombus gigas (1.146), Hippopus hippopus (29);
- FEA Psittaciformes spp. (131), Falconiformes spp. (28);
- EGG Struthio camelus
- MEA Primates spp. (8); Ceratotherium simum simum (1 kg);
- GAR Reptilia spp. (14);
- HAI Hystrix cristata (262), Loxodonta africana (10);
- DPL Aloe spp. (346); Nepenthes spp. (40);

**3.2.1.5 Beschlagnahmen und Einziehungen durch Bundesbehörden 1998 / Confiscations and Seizures by federal authorities in 1998**

Code	Warenbeschreibung Description	Beschlagnahme Seizure		aufgehoben cancelled		Einziehung Confiscation	
		Verfahren Procedure	Exemplare Specimen	Verfahren Procedure	Exemplare Specimen	Verfahren Procedure	Exemplare Specimen
		LIA	lebendes Tier live animal	217	No. 3.178 kg 50	26	No. 2.466 kg 50
LIP,SEE	lebende Pflanze, Samen live plant, seed	106	No. 63.660 kg 220	15	56.339	30	No. 631 kg 220
TUS	Stoßzahn tusk	14	22	3	3	3	6
IVP, IVC	Elfenbein-Schnitzerei, -Stück carving-ivory, piece-ivory	59	428	12	67	32	272
LPL, LPS	Lederprodukt (klein u. groß) leather product (small a. large)	280	1.893	56	1.082	183	677
TRO,CLA, FOO SKU, TAI, TEE	Trophäenteil, Klaue, Fuß Schädel, Schwanz, Zahn trophy part, claw, foot skull, tail, tooth	138	507	67	366	53	112
BOD	präpariertes Exemplar stuffed specimen	148	9.269	20	8.005	113	1.226
CAP	Schildkrötenpanzer (Calipash) calipee	21	28	1	1	16	17
SKI, SKP	Haut, Hautstück skin, skin piece	99	6.831	49	6.761	38	58
COR,COM	Koralle, auch bearbeitete coral, also manufactured	716	No. 5.588 kg 1.511,35	52	No. 1.671 kg 1.500	551	No. 3.519 kg 10,66
SHE	Muschel, Schnecke shell	884	2.163	14	243	728	1.522

MED, SPE	Arznei, Blutprobe medicine; blood, tissue	21	No. 318 kg 130 ml 1.307,81	8	No. 139 kg 114	5	No. 19 ml 1.294
FEA	Feder feather	12	167	0	0	9	128
BON, BOC	Knochen, Knochenschnitzerei bone, carving-bone	5	9	1	3	2	4
HOC, HOR	Horn-Schnitzerei, Horn (Geweih) carving-horn, horn	6	10	1	3	3	3
EGG	Ei, einschließlich Kaviar egg, including caviar	141	No. 66 kg. 1.042,9	8	No. 224 kg 416,5	90	No. 9 kg 197,8
MEA	Fleisch meat	6	No. 8 kg 25,9	0	0	6	No. 8 kg 25,9
GAR, PLA	Kleidungsstück, Pelzplatten garment, plate of furskins	11	124	4	187	5	33
HAI	Haare hair	11	180	3	53	7	77
EXT, ROO	Pflanzen-Extrakte, Wurzeln plant extracts, root	5	No. 11 kg 10.214,4	1	kg 10.189	3	No. 11 kg 0,4
TIM	Kakteen-Regenstock cacti-rainstick	244	3.039	34	2.427	184	513
	<b>Grundsumme</b> <b>sum-total</b>	3.144	No. 95.606 kg 13.194,55 ml 1.307,81	375	No. 80.040 kg 12.269,5	2.190	No. 7.759 kg 454.76 ml 1.294

Confiscation - final action: state is owner of the specimen

Stand: 21.5.1999



**Bemerkungen zu den Beschlagnahmen in 1998/ notes to the seizures:**

Folgende Taxa (nicht vollständig) und Exemplare (Anzahl/kg) sind betroffen/ *Following taxa (not complete) and specimens (no. / kg) are concerned* (Exemplare in Klammern/ specimens in brackets: cancelled / Beschlagnahme aufgehoben):

- LIA Primates spp. (55, 52 cancelled), Falco spp. (7), Psittaciformes spp. (115), Testudinidae spp. (425), Trachemys scripta elegans (56), Boidae spp. (27), Phelsuma spp. (214), Uromastix spp (209), Chamaeleonidae spp. (245), Iguana spp. (117), Cordylus spp. (25), Varanus spp. (29), Mantella spp. (30), Acipenseriformes spp. (1.514, cancelled), Pandinus spp. (21), Brachypelma spp. (14) Hirudo medicinalis (50 kg)
- LIP Tillandsia spp. (4.429, cancelled), Cactaceae spp. (1.340), Cycas revoluta (2.000), Euphorbia spp. (1.400, cancelled), Aloe spp. (1.011), Orchidaceae spp. (2.307 PC, Orchis mascula - 220 kg), Zamiaceae spp. (51.209, cancelled);
- TUS Elephantidae spp. (16), Hippopotamus amphibius (3), Odobenus rosmarus (2);
- IVP(C) Elephantidae spp. (426), Odobenus rosmarus (2);
- TRO/... Canis lupus (TRO-10, SKU-2), Ursidae spp. (TRO-25, CLA-241, SKU-8, TEE-13), Felidae spp.(TRO-10, SKU-19), Crocodylia spp. (TRO-6, FOO-4, SKU-62), Primates spp. (SKU-29), Hippopotamus amphibius (TEE-41)
- LPL(S) Crocodylia spp. (1.236: 271+965), Serpentes spp. (482: 228+254), Varanus spp. (162: 36+126), Struthio camelus (7), Elephantidae spp. (2), Felidae spp. (3);
- BOD Aves spp. (74- Falconiformes spp.-51, Strigiformes spp.-11), Reptilia spp. (85 -Serpentes spp. 36), Ambystoma mexicanum (200), Papilionidae spp. (1.359), Pandinus imperator (7.093), Brachypelma spp. (442);
- CAP Cheloniidae spp. (6), Testudinidae spp. (20);
- SKI(P) Ursidae spp. (24), Felidae spp. (800- Panthera pardus -781 cancelled), Canidae spp. (16), Crocodylia spp. (68), Boidae spp. (775 - Python molurus molurus -750 cancelled), Ptyas mucosus (5.000 cancelled);
- SHE Tridacnidae spp. (820), Strombus gigas (1.332), Hippopus hippopus (6 );
- FEA Psittaciformes spp. (139), Falconiformes spp. (10), Phasianidae spp. (18);
- HOC(R) Ovis ammon (5), Cheloniidae spp. (3), Testudinidae spp. (2);
- EGG Struthio camelus (57), Acipenseriformes spp. (1042,9 kg);
- MEA Acipenseriformes spp. (13,9 kg), Crocodylia spp. (8 PC, 12 kg);
- GAR/PLA Crocodylus porosus (36-cancelled), Mustela sibirica (77);
- HAI Hystrix cristata (176), Loxodonta africana (4);
- EXT Aloe spp. (10.189 kg, 8 PC); ROO Picrorhiza kurrooa (25,94 kg)

### 3.2.2 Ländermaßnahmen / Measures on Länder level

#### 3.2.2.1 Anzahl der von den Ländern der Bundesrepublik Deutschland beschlagnahmten und eingezogenen Exemplare / Confiscations by Länder authorities in 1997/98

Land	Jahr	lebende Tiere		lebende Pflanzen		Tote Tiere, Teile, Erzeugnisse	
		Anh. A	Anh. B	Anh. A	Anh. B	Anh. A	Anh. B
Baden-Württemberg	1997	40	29	0	0	69	13
	1998	22	15	0	515	7	11
Bayern	1997	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
	1998	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
Berlin	1997	2	45	0	0	7	72
	1998	2	40	0	0	2	23
Brandenburg	1997	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
	1998	14	48	0	0	2	27
Bremen	1997	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
	1998	3	4	0	0	0	0
Hamburg	1997	3	2	0	0	2	3
	1998	5	5	0	0	0	0
Hessen	1997	15	24	0	0	161	54
	1998	449	9	0	0	116	1278

Mecklenburg-Vorpommern	1997	0	15	0	0	0	0
	1998	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
Nieder-sachsen	1997	31	111	13	26	4	63
	1998	64	187	18	20	4	7
Nordrhein-Westfalen	1997	3	72	0	146	22	134
	1998	9	306	0	41	68	14
Rheinland-Pfalz	1997	1	0	0	0	50	56
	1998	10	6	0	0	1	0
Saarland	Summe 1998/99	1	0	0	0	0	0
Sachsen	1997	1	16	0	0	2	41
	1998	4	13	0	0	1	1
Sachsen-Anhalt	1997	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
	1998	3	11	0	0	7	0
Schleswig-Holstein	1997	11	12	0	0	3	54
	1998	6	12	0	0	0	2
Thüringen	Summe 1997/98	4	4	0	0	2	0

**3.2.2.2 Anzahl der in den Ländern der Bundesrepublik Deutschland durchgeführten Ordnungswidrigkeitenverfahren / administrative offences sanctioned by Länder authorities**

Land	Jahr	eingeleitete Verfahren	eingestellte Verfahren	laufende Verfahren	rechtskräftige Verwarnungen	Summe Buß-/ Verwarnungsgeld
Baden-Württemberg	1997	55	17	18	12	DM 18.572,00
	1998	39	11	13	11	DM 14.437,00
Bayern	1997	keine Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
	1998	keine Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
Berlin	1997	43	7	23	28	DM 5.685,00
	1998	36	13	10	17	DM 5.698,50
Brandenburg	1997	keine Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
	1998	11	0	6	5	DM 2.450,00
Bremen	1997	keine Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
	1998	10	3	4	3	DM 850,00

Hamburg	1997	12	2	2	3	DM 4.250,00
	1998	14	2	2	3	DM 4.300,00
Hessen	1997	50	3	22	25	DM 30.041,00
	1998	13	2	7	24	DM 5.374,00
Mecklenburg- Vorpommern	1997	4	2	2	8	DM 138,00
	1998	keine Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
Niedersachsen	1997	21	10	4	3	DM 6.553,00
	1998	20	1	15	4	DM 6.980,00
Nordrhein- Westfalen	1997	95	36	8	62	DM 7.924,00
	1998	171	52	53	76	DM 19.452,00
Rheinland- Pfalz	1997	24	15	9	17	DM 750,00
	1998*	...	...	...	6 Verfahren	DM 405,00
Saarland	Summe 1998/99	7	2	5	2	DM 736,00
Sachsen	1997	2	0	9	6	DM 5.300,00
	1998	6	2	2	7	DM 40,00

Sachsen- Anhalt	1997	keine Angaben	k. Angaben	k. Angaben	k. Angaben	k. Angaben
	1998	4	0	0	21	DM 843,00
Schleswig- Holstein	1997	8	2	11	6	DM 456,00
	1998	0	3	3	0	DM 0,00
Thüringen	Summe 1997/98 *	...	...	...	2 Verfahren	DM 7.507,00

\* nur noch Angaben über abgeschlossene Verfahren

**3.2.2.3 Anzahl der in den Ländern der Bundesrepublik 1997 und 1998 durchgeführten Strafverfahren / Court cases carried out by Länder authorities**

<b>Land</b>	<b>Jahr</b>	<b>eingeleitete Verfahren</b>	<b>eingestellte Verfahren</b>	<b>laufende Verfahren</b>	<b>abgeschlossene Verfahren</b>
Baden-Württemberg	1997	9	3	7	5
	1998	3	1	0	1
Bayern	1997	keine Angaben	keine Angaben	keine Angaben	keine Angaben
	1998	keine Angaben	keine Angaben	keine Angaben	keine Angaben
Berlin	1997	44	23	7	5
	1998	13	11	1	1
Brandenburg	1997	keine Angaben	keine Angaben	keine Angaben	keine Angaben
	1998	12	3	11	2
Bremen	1997	keine Angaben	keine Angaben	keine Angaben	keine Angaben
	1998	0	0	0	0
Hamburg	1997	0	0	0	0
	1998	0	0	0	0

Hessen	1997	6	7	3	0
	1998	5	0	4	0
Mecklenburg- Vorpommern	1997	0	0	1	0
	1998	keine Angaben	keine Angaben	keine Angaben	keine Angaben
Niedersachsen	1997	5	4	1	0
	1998	5	4	2	1
Nordrhein- Westfalen	1997	5	5	1	1
	1998	6	2	4	0
Rheinland- Pfalz	1997	4	1	2	2
	1998*	...	1	...	1
Saarland	Summe 1998/99	0	0	0	0
Sachsen	1997	1	1	2	0
	1998	3	2	2	0
Sachsen- Anhalt	1997	keine Angaben	keine Angaben	keine Angaben	keine Angaben



	1998	2	1	2	2
Schleswig-Holstein	1997	0	0	2	5
	1998	0	0	0	3
Thüringen	Summe 1997/98*	...	2	...	5

\* nur noch Angaben über abgeschlossene Verfahren

### 3.3 Verwertung durch Bundesbehörden / *disposal of confiscates specimens by federal authorities*

#### 3.3.1 Allgemeines / *general remarks*

Die von den Hauptzollämtern beschlagnahmten und rechtskräftig eingezogenen Exemplare werden auf der Grundlage von erlassenen Richtlinien verwertet. Die Regelungen stellen sicher, daß eingezogene Exemplare entsprechend den Vorschriften des Übereinkommens ( Art VIII Abs. 4 WA i.V.m. Res. Conf. 10.7) und der Gemeinschaft (Art. 16 Abs. 3 VO (EG) Nr. 338/97 verwertet werden.

Für die Unterbringung lebender Tiere und Pflanzen, die rechtskräftig durch Bundesbehörden eingezogen wurden, ist das Bundesamt für Naturschutz (BfN) zuständig. Darüber hinaus leistet das BfN Amtshilfe für Landesbehörden wie den Staatsanwaltschaften. Bereits bei der Wegnahme durch den Zoll ist es erforderlich, daß kurzfristig eine Unterbringungseinrichtung ermittelt wird, damit die Mitgeschöpfe artgerecht gehalten werden. Oft sind tierärztliche Maßnahmen notwendig, um die Folge der teilweise tierquälerischen Transportbedingungen und des Transportstresses zu beheben.

Die Verwertung von **Teilen und Erzeugnissen** wird, abhängig vom Schutzstatus der jeweiligen Art, durch das Bundesamt für Naturschutz oder die Zollverwaltung selbst durchgeführt. Solche Exemplare werden vor allem an interessierte wissenschaftliche Einrichtungen und Museen, aber auch an Schulen zu Lehr- und Ausstellungszwecken als Dauerleihgabe abgegeben.

Nach der rechtskräftigen Einziehung der beschlagnahmten Exemplare entscheidet das BfN über die weitere, endgültige Verwendung. Als Unterbringungseinrichtung kommen Zoologische Gärten, Vogelparks, Aquarien, Botanische Gärten und auch sachkundige private Halter und Züchter in Frage.

Die Abnehmer der lebenden Exemplare verpflichten sich in einem Überlassungsvertrag, für die Gesundheit und das Wohlbefinden der Exemplare Sorge zu tragen. Das Eigentum an diesen Exemplaren bleibt bei der Bundesrepublik Deutschland. Der Empfänger hat Veränderungen anzuzeigen und darf die überlassenen Tiere und Pflanzen nur nach Zustimmung des BfN abgeben.

An den Nachzuchten erhält der Verwahrer Eigentum.

In einzelnen Fällen werden lebende Tiere auch in ihre Ursprungsländer zurückgeführt oder nach einer Aufzuchtphase mit Unterstützung von Naturschutzverbänden und anderen Behörden in geeigneten Biotopen wieder ausgewildert.

1997 und 1998 wurden für ca. 1300 lebende Tiere und ca. 1300 lebende Pflanzen geeignete Unterbringungseinrichtungen gefunden. Schwerpunkt bei den Tieren war der Bereich der Reptilien mit 724 Exemplaren, der Dendrobatiden mit 374 sowie der Bereich der Papageien mit 131 Tieren. Bei den Pflanzen lag der Schwerpunkt im Bereich der Kakteen. Insgesamt wurden 317 Überlassungsverträge (1997: 173; 1998: 144) geschlossen.

Folgende Verwertungsfälle sind wegen ihres Umfangs oder ihrer Spezialität herauszustellen:

#### 3.3.2 Besondere Verwertungsfälle in 1997 / *special cases in 1997*

- Mit Unterstützung einer Landesbehörde konnten 55 lebende **griechische Landschildkröten** (*Testudo hermanni*), die auf dem Landweg aus der Tschechischen Republik eingeschmuggelt wurden, artgerecht untergebracht werden. Die Tiere waren im Reisegepäck in einem Bus versteckt, eine Zuordnung des Gepäcks zu einer oder mehreren Personen war nicht möglich.

- Im Auftrag der Staatsanwaltschaft wurden 97 **Grüne Baumpython** (*Chondropython viridis*), 5 weitere **Riesenschlangen** sowie 20 **Warane** verschiedener Arten (*Varanus spp.*) in geeigneten Haltungen, vor allem Zoologischen Gärten, untergebracht.
- Auf einem großen deutschen Flughafen wurden bei der Einreisekontrolle im Gepäck einer Person insgesamt mehr als 330 **Pfeilgiftfrösche** (*Dendrobates spp.*) entdeckt. Der Schmuggler hatte die Tiere in Kunststoffboxen verpackt und unter dem doppelten Boden einer Sporttasche versteckt. Aufgrund der sehr schlechten Transportbedingungen verendeten mehr als 50 % der Tiere, für die übrigen konnte eine artgerechte Unterbringung gefunden werden.
- In einem zweiten Fall eingeschmuggelter Pfeilgiftfrösche wurden 190 Tiere durch ein Zollamt beschlagnahmt. Auch diese Tiere konnten artgerecht untergebracht werden.
- Ebenfalls im Auftrag der Staatsanwaltschaft wurden insgesamt 53 lebende **Graupapageien** (*Psittacus erithacus*) in geeigneten Haltungen untergebracht.

### 3.3.3 **Besondere Verwertungsfälle in 1998** / *special cases in 1998*

- Insgesamt 18 **Kolibris** (*Trochilidae spp.*) wurden im Auftrag einer Staatsanwaltschaft artgerecht in einem Zoologischen Garten untergebracht. Die Tiere waren durch einen deutschen Staatsbürger illegal aus Südamerika nach Deutschland gebracht worden und sollten hier an Liebhaber verkauft werden.
- Insgesamt 576 höchstgeschützte **Kakteen** wurden im Rahmen eines Ermittlungsverfahrens beschlagnahmt und konnten in geeignete Einrichtungen vermittelt werden. Die Pflanzen waren durch die Beteiligten illegal aus Mittel- und Südamerika importiert worden.
- 190 lebende griechische **Landschildkröten** (*Testudo hermanni*), die illegal aus Südosteuropa eingeschmuggelt worden waren, konnten im Auftrag einer Staatsanwaltschaft in geeigneten Haltungen untergebracht werden. Weitere 45 Tiere, die an der deutsch-polnischen Grenze beschlagnahmt wurden, wurden ebenfalls artgerecht untergebracht.

### 3.3.4 **Übersicht über Verwertungen des BfN 1997 und 1998** / *disposals in 1997 and 1998*

1997 und 1998 wurden vom BfN 134 Überlassungsverträge abgeschlossen, durch die ca. 1.300 Exemplare aus den Asservatenkammern an interessierte Einrichtungen gegeben wurden. Darüber hinaus werden zu wissenschaftlichen oder zu Ausstellungszwecken, mit dem Ziel die Öffentlichkeit auf das Washingtoner Artenschutzübereinkommen hinzuweisen und darüber zu informieren, Exponate leihweise zur Verfügung gestellt.

Einen Gesamtüberblick über die insgesamt 451 Überlassungsverträge zu den nach dem Übereinkommen geschützten Arten gibt folgende Tabelle:

<b>Übersicht über die Verwertungen des BfN in 1997 und 1998</b>			
	<i>Exemplaranzahl: Anhang I WA, C Teil 1 VO 3626/82, Anhang A VO 338/97</i>	<i>Exemplaranzahl: Anhang II WA, C Teil 2 VO 3626/82, Anhang B VO 338/97</i>	<i>Exemplaranzahl: Anhang III WA, Anhang C VO 338/97</i>
<b><i>Lebende</i></b>			
Säugetiere	---	---	
Papageien	8	118	5
andere Vögel (Kolibris)	---	20	
Schildkröten	336	159	
andere Reptilien	---	229	
Dendrobaten	---	374	
Skorpione	---	10	
Störe	---	14	
Orchideen	---	271	
Kakteen	---	1.014	
andere Pflanzen	---	7	
<b><i>Teile und Erzeugnisse</i></b>			
Elfenbein	825	---	
präp. Schildkröten, Schildpatt	51	---	
Nashornhorn	18	---	
präp. Greifvögel	65	---	
präp. Krokodile	---	42	
Reptilhäute	---	21	
Bär- und Katzenfelle	1	48	
Rainsticks aus Kakteenholz	---	150	
sonstige Teile, z.B.Zähne	---	87	

insgesamt 451 Überlassungsverträge (Lebend: 317 ; Teile und Erzeugnisse: 134)  
in 1997: 245 Verträge (Lebend: 173 ; Teile und Erzeugnisse: 72)  
in 1998: 206 Verträge (Lebend: 144 ; Teile und Erzeugnisse: 62)

**3.4 Anzahl der von den Ländern der Bundesrepublik Deutschland 1997 und 1998 durchgeführten Kontrollen / Controls carried out by Länder authorities in 1997 and 1998**

<b>Land</b>	<b>1997</b>	<b>1998</b>
Baden-Württemberg	221	191
Bayern	keine Angaben	keine Angaben
Berlin	796	762
Brandenburg	keine Angaben	37
Bremen	keine Angaben	53
Hamburg	83	76
Hessen	260	267
Mecklenburg-Vorpommern	267	keine Angaben
Niedersachsen	574	539
Nordrhein-Westfalen	1520	1423
Rheinland-Pfalz	527	568
Saarland		78*
Sachsen	359	242
Sachsen-Anhalt	keine Angaben	474
Schleswig-Holstein	166	239
Thüringen		1424*

\* Summe 1997 und 1998

Greece

# B I E N N I A L R E P O R T

1997 - 1998

## ON CITES IMPLEMENTATION IN GREECE

**Regulation 338/1997 Article 15. 4 (e)**

### 1. INTRODUCTION

The International Convention for the Trade of Endangered Species was ratified by the Hellenic Parliament in 1992 (Law 2055 / 1992). However, Greece has been implementing CITES since its creation complied with relative articles based on the National legislation and especially on the Law No 86 / 1969 and since 1982 through the EC regulation 3626/1982. Immediately upon signing the Greek Authorities started the actual implementation while the ratification provided a further impetus for improvement. In July 1998, the Parliament approved three Articles (57,58,59) in the Law 2637/92 determining in detail the way of complete implementation.

### 2. THE LAW 2637/1998

Two specific Articles included in this Law in order to amend existing legislation or introduce new measures on wild life trade and exploitation as well as the establishment of scientific and administrative authorities for their implementation.

#### 2.1. Article 57

**a.** Prohibits any import, export, re-exports, re-imports, re-trade, sale, purchase, advertising, rendering, commercial exploitation, possession, exposition and transportation without a license of any samples of wild fauna and flora and their part processed or not.

- b.** Determines the conditions and species of wild fauna and flora under which a license may be obtained.
- c.** Provides for the payments required for obtaining a license.
- d.** Establishes a special registry for the professional trader of wild fauna and flora.
- e.** Sets up a scientific Committee of Trading Wild Fauna and Flora composed of prominent scientists.
- f.** Enforces the procedures for the authorities entitle to receive and take care of the living samples of wild fauna.
- g.** Calls for the preparation of special research and management projects on wild fauna and flora and their habitats.
- h.** Endows programs for the public awareness on items related to the protection of wild fauna and flora and their habitats.
- i.** Sets up programs for receiving guard and care fore species of wild fauna.
- h.** Provides for the expenses for transporting, receiving, care and sending back to their origin the species of wild fauna imported illegally.
- k.** Established penalties for any violation of the determined rules.

## **2.2. Article 58**

- a.** Protects, oversees and controls the wild life habitats
- b.** Provides for the illegitimate imports, transportation and placing in the market of all the protected species living, non-living or processed.



- c. Determines the legal actions against the violations against the illegitimate processions, transportation, collection and marketing of protected species.
- d. States the procedure for controlling the movement of people within or close to protected areas and the actions against violations.

### **2.3. Article 59**

- a. Calls for the procedure for prohibiting the movement in the forest road network in order to protect the wild flora and fauna.
- b. Determines the specific fines against the violations of the above.

## **3. MINISTERIAL DECISIONS**

Furthermore, we issue the following Ministerial Decisions for Specific items like:

- 3.1.** Ministerial Decision No. 373986/ 24.12.1998 for setting up the “Scientific Authority of CITES” composed of prominent scientist related to our issue.
- 3.2.** Ministerial Document No. 475/121/A0019/16.10.1998 for the reduction of the ports of entry of CITES species and products.

Beyond the above we issue:

- 3.3.** Ministerial Decision on “Trade of Wild Fauna and Flora” it arranges the details for implementing the Convention. (No. 331794/ 12.3.99)
- 3.4.** Ministerial Decision on the “Registry of Traders of Wild Fauna and Flora. (No. 331739/ 26.2.99)

## **4. OTHER ACTIONS**

- 4.1.** Establishment of the exclusive CITES Office of the Directorate General of Forests and Natural Environment.

Despite the personnel shortage a Special Office was created within our service with exclusive mission, the CITES implementation. The office was manned by experienced, personnel competent in foreign languages and equipped with all required materiel for completing their duties.

#### **4.2. Informative actions**

In order to make the Regional Services (Forestry, Custom, Veterinary) on the full legal procedures of CITES implementation and their scientific and technical background, we have arranged for personnel training conducts. For your information two seminars are settled up in the nearest future (21 – 24 of September 1999 in Thessaloniki and 5 – 8 of October 1999 in Athens). The CITES Secretariat and the European Commission will be invited to participate with experienced officers in the first one.

#### **4.3. Legal Actions**

With the help of Regional Services we have launch a campaign for localizing and confiscating illegal specimens and arranging for their repatriation. We have also exercise now more severe control on specimens legally imported to avoid possible illegitimate trade or exploitation

Ireland

**COUNCIL REGULATION (EC) No. 338/97 of 9<sup>th</sup> DECEMBER 1996 ON THE PROTECTION OF PECIES OF WILD FAUNA AND FLORA BY REGULATING TRADE THEREIN**

**BIENNIAL REPORT FOR IRELAND UNDER ARTICLE 15(4) C**

**PERIOD : JUNE 1997 to MAY 1999**

The Convention on International Trade in Endangered Species (CITES) has been signed by Ireland but cannot be ratified under current wildlife legislation. The Minister for Arts, Heritage Gaeltacht and the Islands, who has responsibility in the area, has published on 29<sup>th</sup> June 1999 the Wildlife (Amendment) Bill, 1999. This substantial legislative proposal for the protection and conservation of wild life and their habitats provides inter.alia. the necessary provisions to enable ratification of the Convention on International Trade in Endangered Species (CITES) by Ireland. A copy of the Bill and the accompanying Explanatory Memorandum is enclosed for information.

The Convention on International Trade in Endangered Species (CITES) is directly implemented in Ireland under the provisions of Council Regulation (EC) No. 338/97 and Commission Regulation (EC) No. 393/97 of 26<sup>th</sup> May 1997, as amended. These Regulations were implemented in Ireland with effect from the 1<sup>st</sup> June 1997 and was accompanied by a countrywide publicity programme which drew substantially on the material and assistance provided by the Commission for this purpose. Publicity material was made available to NGO's and other interested parties and notices regarding the restrictions placed on trade in endangered species placed in the main international airport.

**Enforcement and Training**

Additional Conservation Rangers recruited to assist in the implementation of the Wildlife Act, 1997 and EU conservation and wildlife related Directives will also assist in the enforcement of the CITES provisions. Training programmes commencing in September 1999 for new and existing staff will feature CITES related modules dealing with regulatory and administrative provisions. Preliminary discussions in relation to developing co-operation in training and enforcement programmes with the Customs authorities are continuing.

Green Parrot Programme: Customs Investigation Bureau have bought three and intend buying additional units to assist in identification and enforcement purposes. National parks and Wildlife are also considering purchase of this programme.

The National Parks and Wildlife Division of Dúchas – The Heritage Service acts as the Management and Scientific Authorities for the implementation of the Regulations.

The number of Permits and Certificates issued under Regulations (EC) No. 338/97 and (EC) No. 939/97 during the period under report are as follows:

	Import Permits	Export Permits	Certificates	Re-export Permits
1997	15	4	11	0
1998	11	8	8	0
1999	3	4	1	1

Italy

**MINISTRY OF THE ENVIRONMENT**  
**Conservation and Nature Department**

*Reg. (EC) 338/97 Council on December 9<sup>th</sup>, 1996, concerning the protection of wild fauna and flora through the control of trade*

**Biennial Report in accordance with art. 15, par. 4, lett. C**  
**June 1<sup>st</sup>, 1997 – May 30<sup>th</sup>, 1999**

**ITALY**

## **1. INTRODUCTION**

*This report has been prepared by the Italian CITES Service of Corpo Forestale dello Stato (CFS), structure functionally depending on Minister of Environment – Conservation and Nature Department.*

The Italian ratification of CITES took place in 1975 through Law nr.874/75. The Convention of Washington - CITES has been implemented in Italy since December 31<sup>st</sup>, 1979 by decree of the Minister for Foreign Commerce in agreement with the Minister of Agriculture and Forests and with the Minister of Finance, later on substituted by decree on December 31<sup>st</sup>, 1983 to grant the provisions of Reg. EC 3626/82. to apply CITES over the European Community.

In order to enforce the CITES in our Country, Law nr.150/92 was issued, integrated and modified by the Law nr.59/93. This provides specific sanctions to prosecute any breaches of the CITES and it also provides specific rules to control the ownership and the trade of animals and plants in our country. To enforce Law nr.150/92 many interdepartmental decrees have been issued. Through the mentioned decrees specific Customs Operative Teams, manned with personnel from the National CFS were established. Some modification were introduced to the Law 150/92 by the Law nr.426/98 called "New actions for the environment".

Since June 1997 the European Community has decided to protect the biological diversity of animals and plants in more resolute way by Reg.(EC) 338/97. This Regulation has abrogated the former Reg. (EC) 3626/82, widening control over autochthonous species. The following Reg.939/97 has set up new specific inspections and certificates. In Italy, the entire subject is in the hands of Governmental Authorities.

### **1.1. Law 150/92 concerning "Rules and regulations to control the International trade of endangered species of animals and plants"**

As expounded above, in Italy the enforcement of Convention of Washington - CITES is charged by Law 150/92, partly modified by Law 59/93 and Law 426/98.

This law provides:

- to sanction any breaches provided by the EC Regulation;
- to oblige the notification of detention of specimens of flora and fauna species listed on Annex I°-CITES and to the enclosed C, part 1, Reg. EC 3626/82;
- to oblige the notification of captivity birth of animal species listed in Appendix I° and II° of CITES;
- the temporary and final arrangement for the specimens distrained;
- to designate the Ministry of Environment as Management Authority;
- to establish a new National Scientific Authority;
- to establish special Operative Teams composed of CFS personnel specialised on fauna and flora species controls;
- the monitoring of mortality for specimens during international transit;
- the establishment of Scientific Register provided by CITES, art.VII par.6;
- to define a specific "payment" for CITES certifications charged to applicants;
- to assign a specific budget in the State balance to face any cost concerning the management of CITES provision; into this budget flow all payments made for the certifications mentioned above;
- to issue specific rules to manage and hold dangerous specimens.

## **2. LEGAL MEASURES FOR NATIONAL ENFORCEMENT OF EC 338/97 REGULATION**

It is common knowledge that European Community Regulation are directly and obligatory applicable in each Member State. It is avoid from the normative authority of Reg. (EC) 338/97 the penalties determination for breaches content in art. 16 of the mentioned Regulation.

Law 150/92 is still enforceable and represents the only one normative reference to establish, if an action is illegal or behaveurs are classifiable as crimes, as well as the penalties are concerned. There are only some breaches provided in art.16 of Reg. (EC) 338/97 that are excluded from penalties system of Law 150/92, like omitted or false notification at the importation, concerning specimens of species included on Annex D (art.16 par. 1 lett. e), and comunication of rejection of a permit or certificate application.

In Italy the CITES and European Regulation 3626/82 have been implemented by Law n. 150/92 and subsequent amendments, Laws nr.59/93 and nr. 426/98; this legislation has introduced other sanctions and stronger penalties for contravention concerning the sale and the movement of CITES species.

By promulgation of REG(EC)338/97 the EC 3626/82 has been abrogated and new breaches were introduced.

At national level no specific legislative action has been yet issued to enforce the 338/97 Reg. EC but a new bill, entirely covering the REG(EC)338/97, is under the examination of the Ministry of Justice for the final approval by the Government Authority.

## **3. MEASURES OF APPLICATION AND REGULATIONS**

### *The application in customs areas*

Since 1992, carrying out the Law 150/92, which deals with the Washington Convention (CITES) rules, special Operative Teams – composed of CFS personnel specialised on fauna and flora species controls- have been workin at Italian customs qualified for import and (re)export of CITES specimens (see list below).

This innovative territorial organisation allowed to enforce the REG(EC)338/97 Reg. from the beginning, as far as checking, customs formalities and specialised personnel are concerned.

Therefore, for Italy it is essential to maintain and develop an adequate control system for fauna and flora specimens and their derivatives imports and (re)exports. For this purpose an operation plan, involving all national qualified Administrations, has been settled, to draw up an operative manual for Customs personnel and CFS operative teams dealing with specific control procedures to be follow for CITES specimens, identification of possible illegal CITES actions in order to file the customs software network and to develop an effective co-operation among Customs personnel and CFS staff.



**List of customs qualified for import-(re)-export operations of specimens included in Reg. (EC) 338/97.**

Ancona  
Bari  
Bologna  
Bologna – Borgo Panigale  
Chiasso  
Genoa  
Genoa II (C.Colombo airport)  
la Spezia (only for timber)  
Milan  
Monfalcone (only for timber)  
Naples  
Naples II (Capodichino airport)  
Ortona a Mare (only for timber)  
Palermo  
Pisa (G. Galilei airport)  
Ponte Chiasso  
Ravenna (only for timber)  
Rome II (Fiumicino airport)  
Salerno (only for timber)  
Savona (only for timber)  
Segrate (Linate airport)  
Somma Lombardo (Malpensa airport)  
Tarvisio  
Turin  
Caselle Torinese  
Trieste  
Verona

*The application on national territory*

At national level Law 150/92 makes provisions for the obligation of declaring specimens bred in captivity listed in Annex A and B of Reg. (EC) 338/97.

In application of both Reg. (EC) 338/97 and Reg. (EC) 939/97, the Management Authority has checked and issued certificates for the following animal species listed in Annex A in application of art. 8 of Reg. (EC) 338/97. For the specimens bred in captivity, in application of Reg. 338/97 and national law n. 150/92, the Scientific Authority has started a control procedure with the application of DNA analysis in cooperation of the CITES Service of CFS.

Year 1997

SPECIES LATIN NAME	QUANTITY
<i>Varecia variegata</i>	1
<i>Ailurus fulgens</i>	1
<i>Aegolius funereus</i>	1
<i>Diceros bicornis</i>	1
<i>Panthera tigris</i>	5
<i>Lutra lutra</i>	2
<i>Panthera pardus</i>	1
<i>Strix nebulosa</i>	4

Year 1998

SPECIES LATIN NAME	QUANTITY
<i>Falco peregrinus</i>	3
<i>Elphas maximus</i>	7
<i>Panthera tigris</i>	20
<i>Nyctea scandiaca</i>	7
<i>Ara macao</i>	1
<i>Panthera onca</i>	2
<i>Panthera pardus</i>	3
<i>Varecia variegata</i>	2
<i>Ara ambigua</i>	1
<i>Haliaeetus albicilla</i>	1
<i>Cacatua goffini</i>	1
<i>Ailurus fulgens</i>	1
<i>Gyps fulvus</i>	3
<i>Falco tinniculus</i>	3
<i>Pan troglodytes</i>	3
<i>Aegypius monachus</i>	3
<i>Grus japonensis</i>	2
<i>Lutra lutra</i>	3
<i>Surnia ulula</i>	2
<i>Strix nebulosa</i>	4
<i>Ceratotherium simum</i>	3
<i>Glaucidium passerinum</i>	2

Regarding possession and sale of manufactured specimens, worked and acquired before the 1 of June 1947, since the application of art. 8.3 d) exemption of Reg(EC)338/97 was partially in contrast with national legislation, the competent legislative office was consulted to clarify this problem. It was stated the complete application of the above mentioned article provisions, so the information was provided to the interested Commercial Associations. To classify the specimens as "worked and acquired before the 1 of June 1947 (art. 2, lett.W Reg(EC)338/97) of the CITES Service of C.F.S. collaborate with Museum Institution and the National Monuments and Fine Arts Office.

### Results from control activity

Law 150/92 determines specific penalties to prosecute illegal trade of flora and fauna species, remitting any action of control to the National CFS.

During 1998 have been confiscated 21.016 specimens, of which 89% Mammals, 10% Reptiles and 1% amongst Birds, Invertebrates and Plants, as listed below:

<b>MAIN TYPOLOGIES</b>	<b>Nr.</b>
Alive animals	92
Derivatives	22465
Alive plants	7
<b>MAIN TAXA</b>	
Invertebrates	266
Mammals	19987
Plants	7
Reptiles	2212
Birds	44

The national legislation provides to send back alive specimens to the exporting country or to grant them public or private suitable and reliably facilities.

At this purpose it is under approval the construction of a Rescue Centre, at a structure of CFS, to take care of specimens confiscated in accordance with Reg. (EC)338/97.

For dead specimens, their parts or derivatives, the CFS – CITES Service –keep them for scientific purpose, entrusting them to the Universities, Museums, Environment and Nature Organisation or for use of the Ministry of Environment – Conservation and Nature Department and CFS – CITES Service, to train personnel employed to the inspections.

## **4. ADMINISTRATIVE MEASURES**

### Qualified Authorities

Up to June 1<sup>st</sup> 1997, when Reg. (CE)338/97 and Reg. (CE) 939/97 became operative, administrative and scientific authorities in accordance with Article IX of the Convention were:

- Ministry of Environment - Conservation and Nature Department is charged by Law 150/92 art.8 to manage the Convention of Washington by means of the CFS personnel and facilities;
- National Forest Corp(CFS) –CITES Service- for certifications and other controls in accordance with D.M.31.12.1983 and the L.R. N.150/92;
- Ministry for Foreign Trade - Import-Export Department , for the import-export permits issue in accordance with D.M. 31.12.1983;
- Scientific Commission for the application of CITES, in accordance with the article 4 of the L.R. N°150/92, and sited at the Ministry of Environment who constituted the Scientific Authority in accordance with art.1, subsection 1, letter f of the Convention.

With the abrogation of Reg. (CEE) 3626/83 by the Reg. (CE) 338/97, the provisions of D.M. 31.12.83 were no more enforceable. Waiting for a new administrative measure establishing the designation of Authorities for the issue of import-export permits, certificates of re-exporting and

certificates according to art.10 of Reg. (CE) 338/97, Ministry of Foreign Trade and CFS – CITES Service, kept on managing the matter.

Organisation and structure of CFS. CITES Service

Present CFS organisation, responsible for the issue of permits and inspections in accordance with the EC regulation, is composed of the following offices:

- N° 23 Offices (CITES Permits Service of CFS) distributed all over the Country. The duties of that personnel are the issuing of CITES certifications and inspections over the territorial jurisdiction. In the Italian Regions with political autonomy in certain matters, these duties are carried out by personnel of the Regional or Provincial Administrations delegated by Ministry of Agriculture;
- N° 15 Custom Operative Teams (CFS CITES Operative Teams) whose personnel check and verify import-export and re-export of vegetables and animals specimens and their derivatives; these teams are located at the pertinent Customs offices;
- N°1 Custody Office for non alive specimens and their derivatives confiscated by the Authorities. This office is located at the Multifunctional Centre of Civil Defence in Castelnuovo di Porto (Rome);
- N°1 Central Office for the National Co-ordination located in Rome (Direzione Generale delle Risorse Forestali , Montane e Idriche) with national and international tasks for inspections and issuing permits and co-ordination for all the CITES Service activities.

<i>CITES Permits Service</i>	CITES Operative Teams at Customs
Bari Bologna Civitanova Marche Firenze Forlì Genova Imperia Milano Modena Napoli Perugia Pescara Reggio Calabria Roma Torino Verona Vicenza	Ancona Bari Bologna Genova (Port) Segrate Somma Lombardo Napoli Pisa Ponte Chiasso Fiumicino Torino Caselle Verona
<b>ITALIAN REGIONS WITH POLITICAL AUTONOMY IN CERTAIN MATTERS</b>	
<i>CITES Permits Service</i>	CITES Operative Teams at Customs
Bolzano Cagliari Palermo Aosta Trieste	Palermo Tarvisio Trieste

#### Organisation of CITES Scientific Authority

The CITES Scientific Authority in Italy, established by the L. 150/92 for the enforcement of CITES, represents also the Scientific Authority by the article 13, par. 2 of Reg. (CE) 338/97. This Office, named CITES Scientific Commission, is located at the Ministry of Environment – Conservation and Nature Department and is led by a representative of the Ministry of Environment. The Commission is formed by 15 members nominated by decree of the Ministry of Environment, in accordance to the suggestions from Scientific and Environment Organisations. The Commission gives his opinion when required, in accordance with the EC regulations, on the issuing of import and (re)export permits submitted to the CITES Service of CFS and to the Ministry for Foreign Trade. While for the specimens of species included in Annex A, the opinion of the Scientific Commission is always required, for the specimens of species in Annex B, are considered valid the former opinion expressed for specific combination Species/Country of origin.

The Commission, in accordance with the articles 24 and 26 of Reg. (CE) 939/97 expresses opinions about the birth in captivity of animals and artificial reproduction of plants. Members of the Commission can join the personnel of CFS in controlling the breeding farm and, if necessary, draw blood samples for the genetic analysis to verify parental relationships.

The members of Scientific Commission participates to the Scientific Consulting Group in accordance with Reg. (CE) 338/97.

## **5. INFORMATION TO THE PUBLIC**

In June 1997, an information campaign started in Italy co-ordinated by TRAFFIC with two information points located at the most important Italian airports: Milan-Malpensa and Rome-Fiumicino. These information points include exhibit panels with important information about CITES and some relevant endangered species of wild fauna and flora. The campaign was presented by a conference with the Minister of Environment and the President of WWF Italy TRAFFIC Office. Similar information initiatives were carried out in some of the most important structures of the Italian scientific disclosure such as Genoa Aquarium, Rome Zoological Garden, Natural History Museum of Piombino, Zoology Museum of Rome, Natural Science Museum of Bergamo.

With regard to the information to commercial operators, it has been organized a Seminary about the new regolamentation, with the contribution of the Italian Leathers Associations, Furriers, Shoe Manufacturer, Tanners, Leather Wholesalers, and with the participation of C.F.S. CITES Service of Rome. Furthermore, information was guaranteed to commercial operators with diffusion of specific circular note about the provisions of new Comunitary Regolamentation. In particular, besides the above mentioned Associations, Italian Federation of Textiles Workers, Association of Industry of Woollen Manufacturer, National Federation Wood Dealers, Assocoral (producers of coral and cameos) Assoerbe (association of producers medical products and herbals), Italian Association of Fishes and Aquariums, General Federation of Italian Landowners, Unafior and Coldiretti (producers plants, etc.), collector Association that follow animal breeding or Cactaceae and succulent cultivation were informed as well.

Besides, the CITES Service of C.F.S. provided information by means of shows, with distribution of informative material and projection of films concerning CITES and the EC Regulations, inside national exhibition of naturalistic rilevation. Also it was realized an itinerant show by means of C.F.S. tir, inside of which a space to EC Regolamentations, with exposition of confiscated animals and plants was reserved.

## **6. OPERATIVE MEASURES**

### *Use of the forms required by Reg. (EC) 939/97*

Since September 1997 the new forms have been coming into use according to Reg. EC 939/97 and the informatic procedure for the issue of permits and certificates has been modified and integrated in order to agree with the new EC Regulation.

In Italy the issue of permits and certificates requests a payment of IL.20.000 per each. It is also possible to add an enclosed per each permit or certificate in case of dispatch of different species of animals or plants at maximum of three species per enclosed.

The Ministry of Environment – Conservation and Nature Dept. – carries out for printing of forms while the CFS – CITES Service and the Ministry for Foreign Commerce carry out for distribution among the commercial operators and users.

### Issue of permits and certificates for imports and (re)exports

The issue of permits and certificates is carried out by CFS and the Ministry of Foreign Commerce. CFS issues the following permits:

- Import permits for specimens of species listed in Annex A of the Reg.338/97;
- Import permits for non commercial trade in specimens of species listed in Annex B of the Reg.338/97 with no commercial aims;
- Import permits for commercial and non commercial purposes in potted plants listed in Annex B of the Reg.338/97 no commercial purposes;
- Export permits for non commercial purposes of species listed in Annex A,B,C of Reg.338/97.
- Re-Export permit for specimens of species listed in Annex A, B, C of Reg.338/97.

Moreover the CITES Operative Teams of CFS, receive, in accordance with art. 14 Reg. 939/97, import notification of specimen of species listed in Annex C, D Reg. 338/97.

During 1998 the CITES Service of CFS issued more than 16,000 certificates while in the first six months of 1999 it issued about 12,000.

Ministry of Exterior Trade issued the following certificates:

- Import permits for commercial use of specimens of animal specie born under captivity and for potted plants listed in Annex A of Reg. 338/97
- Import permits for commercial use of specimen of species listed in Annex B of Reg.338/97, excluded object with personal or domestic use (for live specimens is necessary a previous approval of the CFS)
- Export permits for commercial purposes of specimens of species listed in Annex A, B, C of Reg. (CE)338/97 (needs a previous OK of the CFS).

The only exception is represented by the necessary sanitary certificates for the exportation of potted plants of species listed in Annex B and C of Reg. (CE) 338/97. The National Phytosanitary Service issues these certificates.

### Issue of Certificates issue to enforce art. 10 Reg. (EC) 338/97

CFS issues certificates in accordance with Art. 5, Art.8 and Art.9 of Reg. (CE) 338/97 with previous consultation (if required) of the Italian CITES Scientific Authority.

### Use of genetic analysis to verify parental relationships

Since the Reg. (CE) 338/97 and 939/97 have entered into force, genetic analysis has been often used for determining the parental relationships (especially for Falconiforms, Psittaciforms and Primates). In 1997 the Ministry of Environment stipulated a convention with INFS (National Institute for Wild Fauna) for the use of specific methodologies for genetic analysis applicable to different species listed in Annex A ,B of Reg. (CE) 338/97. Moreover has been created a Computer Data Bank of the analysed samples. The Scientific Authority has implemented a report with all data concerning animals bred in captivity and their parental relationships and information about breeders.

### Marking of crocodilian (Order Crocodylia) skins

From 1<sup>st</sup> January 1999, Italy applied art. 35 and 36 of Reg. (CE)338/97 concerning the marking of Crocodile skins destined to re-exportation. CFS-CITES Service uses tags in accordance with Ris.Conf. 9.22 on which is written CITES-CFS-ITALIA followed by a progressive number of 7 cifre. The same number is also reported in the certificate accompanying the specimen.

### Marking of animal specimens listed in Annex A

To comply with the Art. 34 of Reg.(CE) 939/97 the Scientific Authority supported by CFS specialised personnel, carrying out controls and – where lacking in – to mark with microchips or irremovable rings all animals listed in Annex A, bred in captivity, before the issue of the CITES certification.

### Registry of Scientific Institutes

During 1998-1999 Italy provided to the definitely adjustment of the dispositions of art. VII, par.6 of CITES and Art.7, par.4 of Reg.(CE)338/97.

19 public museums, have been registered for exchanges, loans or donation of CITES in the Scientific Institutes Registry at the Ministry of Environment – Department of Conservation of Nature.

The references of these Institutes were transmitted to General CITES Secretariat and to the European Commission. At the same time, auto-adhesive labels were produced, according to the indications of All. IV of Reg. (EC)939/97, they were numbered and transmitted to the Scientific Institutions that were identified as qualified to use exemption of Art. 7.4 of Reg. (EC)338/97. These reports have been sent in electronic form, according to WCMC indication.

### Annual reports in application of art 15, par 4, lett a, Reg. 338/97

Annual reports with all the information about permits and certificates issued each year by the Italian Government to allow importation and re-exportations of CITES animal and plant specimens has been sent to the World Conservation Monitoring Centre of Cambridge (UK).

### Monitoring of mortality

Customs Personnel of CITES Operative Teams of CFS in collaboration with border veterinary offices monitor the mortality of specimens of species listed in Annex A e B during international transports. The mortality reports are sent every six months to the Ministry of Environment-Department of Conservation of Nature and from there to CITES Secretariat.

### Software procedure for permits and licences issue

The issue of permits and certificates is managed by a national computer system updated and integrated with an automatic filling procedure for import notification, at the 23 CITES Certification Service Offices of CFS and at the 15 CFS Operative Teams located at the Custom's Offices qualified for CITES controls.

### Training Courses and Updating

On May 1997 the CFS – CITES Service has built up a training course for all personnel of CITES Services and CFS CITES Operatives Teams. During the 1998 and 1999 further updating meetings took place in order to clarify and examine any new specific matter.



### Creation/Acquisition of materials to work for CITES Regulation

During 1998 the CFS – CITES Service has been implemented a CD – ROM managing the EC Regulation, the CITES instructions and provisions to allow the personnel involved to work easily. It has been also distributed materials and guides drawn up by Traffic Europe as requested from European Commission.

## **7. INITIATIVES AND CONTRIBUTIONS TO INCREASE THE EFFECTIVENESS OF CONVENTION OF WASHINGTON – CITES ABROAD**

### Participation to European and international meeting

Between 1997 and 1999 Italy actively participated, giving scientific and technical support, to the following European and International meeting concerning CITES and Community Regulation:

- June 1997: X Conference of the Parties, Zimbabwe. Italy, United Kingdom and Russia have been chosen to represent Europe in the CITES permanent Committee.
- November 1997: VIII Plant Committee (Chile); IX Meeting of the INTERPOL group concerning crimes versus Wild Fauna and Flora, Lion (France); II Meeting of the WCO/CITES Working group, Brussels (Belgium).
- May 1998: XIV Meeting of the Fauna Committee, Caracas (Venezuela).
- June 1998: Meeting on Medicinal Plants, London (England).
- October 1998: Meeting of the European Regional group on Flora, Desna (Czechoslovakia).

### Italian software for CITES activities

CFS – CITES Service has developed a software to issue permits and certificates and capable to manage all matters about flora and fauna trade enforceable all different European Countries.

At this purpose, Italy has offered the use of software to other Member States for free. As a result, many Countries (France, Belgium, Luxembourg, Austria, Spain, Sweden) expressed interest for, but after some meetings amongst interested States to define and analyse how to fit the software in each specific Country, the technical difficulties gone out and the consequent expensive cost to allow the procedure run, discouraged many of them. Only France and Belgium have been continued to be interested in the procedure, even if the final cost is really to expensive.

## **8. SCIENTIFIC ACTIVITY: CITES PROJECTS IMPLEMENTED AND FINANCED BY ITALY**

### Research of Aloe vera wild growth

Italian Ministry of Environment, in collaboration with United Kingdom and Morocco, thinks it opportune to elaborate a research project about the possible existence of wild population of *Aloe vera*, because Italy is one of the more important consumer of by-products of specimens of this species, principally used by the cosmetic industry. Such a project was totally financed by the Italian Ministry of Environment, and has the following goals:

- To estimate both the actual geographical distribution and wild population sizes;
- To develop an updated report about the extinction threats of *Aloe vera* in the likely countries of origin;
- To study the population genetic of its populations, both for the wild populations and for potted ones, using DNA analysis.

*Study on Genetic structure of some species of orchids*

The study has been implemented by University of Aquila covering the specie *Cypripedium calceolus*. It took place over four Italian sites plus one in Moravia (Czech Rep) and it has been shown a worrying genetic erosion that point up the need to investigate deeply the specie all over in Europe.

Luxembourg

## **GRAND-DUCHE DE Luxembourg**

### **RAPPORT prévu par le Règlement 338/97, article 15§4 c)**

#### Mesures législatives/réglementaires :

En 1997/98 la législation d'application au Luxembourg est la suivante :

- Loi du 19 février 1975 portant approbation de la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction, signée à Washington le 3 mars 1973 (Mém. A 1975, p. 518), modifiée par la loi du 21 avril 1989 (Mém. A 1989, p. 598); mise à jour des annexes (Mém. A 1981, p. 1934)
- Loi du 21 avril 1989
  - portant approbation des Amendements de Bonn du 22 juin 1979 et de Gaborone du 30 avril 1983 à la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction, signée à Washington, le 3 mars 1973
  - complétant la loi du 19 février 1975 portant approbation de la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction, signée à Washington le 3 mars 1973 (Mém. A 1989, p. 598)
- Règlement grand-ducal du 21 avril 1989 portant
  - application de la convention de Washington sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction;
  - exécution des règlements communautaires relatifs à l'application dans la Communauté de cette Convention (Mém. A 1989, p. 601), modifié par les règlements grand-ducaux du 20 juin 1990 (Mém. A 1990, p. 416), du 4 février 1993 (Mém. A 1993, p. 449), du 22 octobre 1993 (Mém. A 1993, p. 1601), du 26 juin 1995 (Mém. A 1995, p. 1377) et du 31 mars 1996 (Mém. A 1996, p. 864).
- Règlement grand-ducal du 1<sup>er</sup> décembre 1993 fixant certaines modalités d'application du règlement CEE N° 3264/91 du 4 novembre 1991 interdisant l'utilisation du piège à mâchoires dans la Communauté et l'introduction dans la communauté de fourrures et de produits manufacturés de certaines espèces animales sauvages provenant de pays qui utilisent pour leur capture le piège à mâchoires ou des méthodes non conformes aux normes internationales de piégeage sans cruauté (Mém. A 1993, p. 1751)

#### Mesures administratives :

- Etant donné l'envergure extrêmement réduite du commerce des espèces exotiques aux frontières luxembourgeoises, les organes de gestion se consultent avec la Commission en cas de doute lors de l'introduction/de l'exportation d'espèces annexées.
- Les travaux préparatifs pour la mise en place des dispositions de la nouvelle réglementation communautaire ont été entamés avec les organes de gestion et de contrôle. De légers changements, notamment au sein du comité de gestion luxembourgeois imposent une révision de la législation nationale, notamment de la loi du 21 avril 1989.
- L'Organisation mondiale des douanes ayant renforcée ses activités dans le domaine du

contrôle du Commerce CITES, l'année 1998 a connu une collaboration renforcée de l'Administration des Douanes, dont un agent représente dorénavant le Luxembourg au « comité d'application de la législation /EU enforcement group ».

- Un cours de formation CITES destiné aux administrations concernées eut lieu du 9 au 13 novembre 1998, à l'Administration des Douanes Luxembourgeoises, avec une trentaine de participants. Ce cours connut beaucoup de succès. Il fut tenu par la section 'Finances/Cites' de l'école Administrative de l'Allemagne (au prix de revient) et organisé en collaboration avec l'Institut de Formation Administrative et l'Administration des Douanes. Le cours visait à familiariser tous les agents concernés avec la nouvelle réglementation de 1997/98 et avec son application. Afin de garantir une formation continue, il est nécessaire de répéter régulièrement ces cours (base annuelle). Ce cours sera répété en 1999 (11.- 15. Octobre) et pour l'an 2000, aussi un cours d'identification additionnel est prévu. Le programme pédagogique 'ARCHE' développé par l'institut allemand fut mis à la disposition des intéressés.

# The Netherlands

## CONFISCATED GOODS in the Netherlands in 1997

species	description	amount	country of (re-)export	remarks
<b><u>MAMMALIA</u></b>				
<u>Manis javanica</u>	stuffed animal	1	Singapore	
<u>Ursidae</u>	capsules with beargall	25	China	
	skin, hunting trophy	1	Canada	
	skin, hunting trophy	1	Canada	
<u>Felidae</u>	bags with bones	1106	Singapore	
	Chinese medicines	12	-	
	bags with plasters with tigerbone	14	Vietnam	
	plasters with tigerbone	20	Vietnam	
	plasters with tigerbone	4	China	
<u>Panthera onca</u>	skin	1	Panama	
<u>Leptailurus serval</u>	skin	1	Nigeria	
<u>Leopardus pardalis</u>	skin	2	Panama	
<u>Puma concolor</u>	skin	1	Surinam	
<u>Elephantidae</u>	raw ivory	14	?	
	carved ivory: statues and jewelry; including one chess-game (32 pieces)	166	various	
	bag	5	Ghana	2 separate confiscations
	leather bag	1	United Arab Emirates	
	foot	1	South-Africa	
<u>Equus spp.</u>	skin	1	South Africa	
<u>Equus spp.</u>	skin	1	South Africa	
<u>Equus zebra hartmanni</u>	skin	1	South Africa	
<u>Hippopotahmus amphibius</u>	tooth	1	Zambia	
<u>Saiga tatarica</u>	horn	6	USA	2 separate confiscations
	horn	3	China	
<u>Rhinoceros spp.</u>	flasks with hornsubstance	2.91 liter		
<b><u>AVES</u></b>				
<u>Falconiformes</u>	stuffed animal	1	Syria	
<u>Falco peregrinus</u>	live animal	1	Turkey	
<u>Psittaciformes</u>	live birds	3	-	personal pets
	live birds	2	Egypt	
	live bird	1	Cape Verde Islands	
<u>Ara chloropterus</u>	live bird	1	Surinam	
<u>Cacatua moluccensis</u>	live bird	1	Turkey	
<u>Psittacula krameri</u>	live birds	3	-	personal pets
<u>Ramphastus toco</u>	live birds	2	-	

species	description	amount	country of (re)export	remarks
<b><u>REPTILIA</u></b>				
<u>Testudinidae</u>	not specified: live or dead	1	Indonesia	
	dead animal	1	Indonesia	
	not specified: live or dead	2	Guyana	
	carapace	3	Sierra Leone	
	carapace	1	Ecuador	
	carapace	1	Australia	
	eggs	10	Surinam	
	live animal	1	Surinam	
	live animal	1	Togo	
	live animal	1	Egypt	
	not specified: live or dead animal	1	French Guyana	
	live animals	2	-	
<u>Testudo graeca</u>	live animals	14	Morocco	separate confiscations
<u>Caretta caretta</u>	shields	2	Angola	
<u>Alligator mississippiensis</u>	not specified: live or dead animal	1	USA	
<u>Caiman crocodylus</u>	not specified: live or dead	1	Rumania	
	dead animals	2	Netherlands Antilles	
<u>Crocodylia</u>		1	Ukrania	
	stuffed heads	18	USA	separate confiscations
	stuffed paw	1	USA	
	stuffed head	1	Australia	
	stuffed head	1	-	
	stuffed head	4	Surinam	2 separate confiscations
	not specified: live or dead animal	1	Surinam	
	stuffed animal	12	Surinam	separate confiscations
	not specified: live or dead	2	Surinam	separate confiscations
	not specified: live or dead	1	Saudi Arabia	
	not specified: live or dead	1	Zimbabwe	
	skull	1	South-Africa	
	stuffed head	1	South-Africa	
	not specified: live or dead	2	South-Africa	separate confiscations
	can of meat	1	South-Africa	
	not specified: live or dead	6	USA	separate confiscations
	not specified: live or dead	2	Brazilia	
	not specified: live or dead	1	Jamaica	



species	description	amount	country of (re)-export	remarks
<u>Crocodylia</u>	purse	1	Sudan	
	ashtray	8	Sudan	
	hand bags	7	Nigeria	separate confiscations
	not specified: live or dead	1	Nigeria	
	hand bag	1	Taiwan	
	hand bag	1	Kenya	
	hand bag	1	Tchad	
	purse	2	Tchad	
	hand bag	1	Cameroun	
	not specified: live or dead	1	Guyana	
	stuffed animals	2	-	
	bag	1	Norway	
	belts and bags	84	Ghana	7 seperate confiscations
	not specified: live or dead	1	Costa Rica	
	bag	1	Russia	
<u>Crocodylus niloticus</u>	live animals	4	South-Africa	
<u>Osteolaemus tetraspia</u>	not specified: live or dead	1	India	
	dead animals	2	Africa (continent)	
<u>Caiman spp.</u>	hand bag	1	Australia	household
	stuffed animal	1	Australia	household
	stuffed animal	1	Costa Rica	
	stuffed animals	6	-	
<u>Chamaeleonidae</u>	live animals	2		
<u>Iguana iguana</u>	dead animals	7	Netherlands Antilles	
	meat	1 kg	Netherlands Antilles	
	live animals	2	Netherlands Antilles	
	live animal	1	Aruba	
	meat	1431 gr.	French Guyana	
	not specified: live or dead anima	1	USA	
	meat	2,4 kg	Surinam	
<u>Varanidae</u>	not specified: live or dead	1	South-Africa	
	bags	3	Ghana	
<u>Boidae</u>	belts, bag and purses	8	Cameroun	
	hand bag	1	Cameroun	
	pair of boots	1	Guatemala	
	pair of shoes	1	Egypt	
	hand bags	9	-	
	purse	1	Singapore	
	hand bag and ashtray	3	Sudan	

species	description	amount	country of (re-)export	remarks
<u>Boidae</u>	bag	1	Sudan	
	hand bag	1	Canary Islands	
	musical instrument	1	Uganda	
	musical instrument	1	China	
	prepared animals	3	Hong-Kong	
	hand bag	1	USA	
	pair of boots	1	USA	
	belt	1	USA	household
	purses	4	-	
	bag	1	Kuwait	
	bag	1	Nigeria	
	hand bag	1	Nigeria	
	bag and cushion	2	Nigeria	
	purse	4	Nigeria	
	hats	5	Nigeria	
	bag	3	Nigeria	
	bag and purse	2	Nigeria	
	not specified: live or dead animals	5	Nigeria	
	skin	3	-	
	bag	1	Ghana	
	bag	1	Ghana	
	hand bag	1	Ghana	
	bags and sandals	4	Ghana	
	watchstraps	2	Switzerland	
	watchstraps	3	Switzerland	
	whip and decoration	2	Sierra Leone	
<u>Python sebae</u>	purse	1	Australia	household
	pair of boots	2	USA	
	skin	1	Guinea	
<u>Python molurus</u>	hand bag	1	Australia	household
<u>Ptyas mucosus</u>	hand bag	1	Australia	household
<u>Varanidae</u>	stuffed animal	1	South-Africa	
	hand bag	1	Nigeria	
<u>Rana tigerina</u>	meat	19090 kg	Vietnam	
<b><u>MOLLUSCA</u></b>				
<u>Tridacnidae</u>	shells and parts thereof	836	various	separate confiscations: personal goods, souvenirs
<u>Strombus gigas</u>	meat	2,2 kg	Netherlands Antilles	
<b><u>CNIDARIA</u></b>				
	corals (not specified)	3785	various	separate confiscations: personal goods, souvenirs
<u>Scleractinia spp.</u>	corals	5640 kg.	Cuba	

species	description	amount	country of (re)-export	remarks
<b>FLORA</b>				
<u>Panax quinquefolius</u>	roots	29	USA	confiscated in small amounts, totally 4 confiscations
	not specified	23	USA	all confiscated in small amounts of small boxes
	boxes	2	Singapore	
	boxes	3	China	
	not specified	10	China	
	not specified	15	Hong Kong	all confiscated in small amounts of small boxes
<u>Ceropegia</u>	live plants	20	South-Africa	
<u>Tillandsia spp</u>	live plants	11	USA	
<u>Cactaceae</u>	live plants	11 47 23 50 2 1 10 1 2 1 2 1 3 5 2 1 5 1 1 1 1 2	Aruba Chile USA Peru Argentina Haiti Thailand Venezuela Iceland Hong-Kong Mexico Malawi Netherlands Antilles Costa Rica Namibia Switzerland Bolivia Canada Canary Islands Ecuador Sri Lanka Indonesia	all confiscated in small amounts, being souvenirs
<u>Cactaceae spp.</u>	rainstick	1 2	Chile USA	souvenir
<u>Cycas revoluta</u>	live plants	32	-	
<u>Liliaceae spp.</u>	live plant: <u>Aloe mitrifomis</u>	1	Egypt	
<u>Orchidaceae spp.</u>	live plants	2	Guatemala	
	live plants	24	Central African Republic	
	live plants	2	Vietnam	

## CONFISCATED GOODS in the Netherlands in 1998

species	description	amount	country of (re-)export	remarks
<b>FAUNA</b>				
<b><u>MAMMALIA</u></b>				
<u>Primates</u>	head	1	Togo	
	live animal	1	Peru	
	skull	1	Malawi	
	skull	1	Ivory Coast	
	animal, live or dead	1	Zaire	
	skulls	5	Philippines	
	skulls and skins	30 4	Zimbabwe	hunting trophies
<u>Priodontes maximus</u>	bag	1	Brazil	
<u>Ursidae</u>	heads with skin	2	Canada	
	skin	4	Canada	separate confiscations
	pills	1500	China	
	pills	900	China	
	pills containing beargall	1500	China	
	tubes with cream containing beargall	3	China	
	tubes with cream containing beargall	120	Hong-Kong	
	nails	4	USA	
<u>Enhydra lutris</u>	parts of animal	2	Greece	
<u>Lutra lutra</u>	part of dead animal	1	Greece	
<u>Felidae</u>	plasters	34	Japan	
	plasters	20	China	
	plasters	72	China	
	plasters	16	China	
	plasters	10	China	
	plasters	30	China	
	plasters	14	China	
	bottles with pills, containing tigerbone	2	China	
	pills, containing tigerbone	400	China	
	bag with medicine, containing tigerbone	59	China	separate confiscations
	plasters	20	Hong-Kong	
	plasters	19	Hong-Kong	
	small container with tigerbone pills	1	Vietnam	
	bags with plasters	101	Vietnam	
	pills	300	Thailand	
	pills	2400	Thailand	
	plasters	20	Chile	
	nails	16	Sri Lanka	

<b>species</b>	<b>description</b>	<b>amount</b>	<b>country of (re)export</b>	<b>remarks</b>
<u>Felidae</u>	tooth	1	Peru	
	tooth	1	Surinam	
	skin	1	Surinam	
	teeth	3	?	
	teeth	3	Kenia	
	plasters	10	China	
	plasters	20	China	
	plasters	10	China	
	bottle with bones	1	Hong-Kong	
	nails	3	India	
<u>Panthera pardus</u>	part of dead animal	7	Greece	
<u>Leopardus pardalis</u>	parts of dead animals	85	Greece	
<u>Felidae</u>	part of dead animal	1	Greece	
<u>Felis silvestris</u>	part of dead animal	9	Greece	
<u>Elephantidae</u>	carved objects	2	Thailand	all ivory, unless otherwise mentioned
	purses and belts	11	Thailand	
	bracelets	3	Thailand	
	carved objects	33	Zimbabwe	
	bracelets	7	Togo	
	bracelet	1	Togo	
	carved objects	67	?	
	bracelet and objects	3	Hong-Kong	
	jewelry	8	Hong-Kong	
	earring	1	Hong-Kong	
	carved object	1	Singapore	
	bracelet	2	Japan	separate confiscations
	bracelets	2	Malaysia	
	bracelets	59 gr	Bahrein	
	bracelets	34,9 gr.	Bahrein	
	carved object	1	Kenia	
	jewelry	0	Kenia	
	jewelry	3	Kenia	
	teeth	8	Kenia	
	teeth	2	South-Africa	
	carved objects	19		
	bracelet	1	South-Africa	
	leather wallet	1	South-Africa	
	jewelry	20	Ghana	
	objects	18	Ghana	
	carved object	1	Ghana	
	bracelets	4	Ghana	
	carved statues	4	Ghana	
	bracelets	6	Nigeria	
	carved objects	992 gr	Nigeria	
	tooth	1	Nigeria	
	carvings	2	Nigeria	

species	description	amount	country of (re-export)	remarks
<u>elephantidae</u>	bracelets	4	?	
	carved objects	87	China	
	carved statue	1	Israel	
	bracelets	2	Zambia	
	piece	1	India	
	bracelets	3	Ivory Coast	
	teeth	2	Ivory Coast	
<u>Equus zebra</u>	drums	1	South-Africa	
	skin	1	South-Africa	
<u>Hippopotamus amphibius</u>	teeth	2	South-Africa	
	part of dead animal	1	Zimbabwe	
<u>Saiga tatarica</u>	horns		China	
	horn	1	USA	
<b><u>AVES</u></b>				
<u>Eudocimus ruber</u>	live birds	10	NL -> China	export: no CITES-export permit issued
<u>Falconiformes</u>	live bird	1	Syria	
	live birds	3	Kuwait	
<u>Psittaciformes</u>	live bird	1	Turkey	
	live (?) bird	1	Turkey	
	live (?) birds	3	Netherlands Antilles	
	live (?) birds	3	Burkina Faso	
	live (?) birds	2	Nigeria	
<u>Alisterus scapularis</u>	live birds	155	Indonesia	violation IATA
<u>Psittacus erithacus</u>	live (?) birds	2	Laos	
<u>Pionus menstruus</u>	live birds	6	?	?
<u>Milvus migrans</u>	live bird	1	Syria	
<u>Amazona ochrocephala</u>	live bird	1	Netherlands Antilles	no CITES-permit
	livebirds	3	Venezuela (via Netherlands Antilles)	violation IATA
<u>Ara macao</u>	feathers	14	Brazil	
<u>Struthio camelus</u>	egg	1	Kenia	
<u>Padda oryzivora</u>	live bird	1	China	
<b><u>REPTILIA</u></b>				
?	watch straps	1800	Hong-Kong	EU-import permit not issued
<u>Testudinidae</u>	live animal	1	Morocco	
	live animal	1	Morocco	
	live animal	1	Morocco	
	live (?) animals	2	Ivory Coast	
	live (?) animal	1	Tanzania	
	live animal	1	Egypt	
	live animals	6	Zambia	
	animal, live or dead	1	Indonesia	

species	description	amount	country of (re-export)	remarks
<u>Testudinidae</u>	animal, live or dead	1	Israel	
	animal, live or dead	1	Cuba	
	animal, live or dead	1	Venezuela	
	eggs	17	Surinam	
	turtlecarapace	1	Kenia	
	live animal	1	Laos	
	belts	2	Niger	
	pieces of turtle carapace	6	Hong-Kong	
	pills containing Seaturtle	36	China	
	pills containing Seaturtle	24	China	
	pills containing Seaturtle	24	China	
	bags with medicine	32	China	4 separate confiscations
	turtle carapace	1	Syria	
<u>Testudo graeca</u>	live animal	1	Egypt	
	live animals	3	(Morocco)	confiscation in NL: illegal possession
<u>Geochelone denticulata</u>	live animals	34	Peru	violation IATA
<u>Geochelone radiata</u>	live animal	1	Mauritania	
<u>Caretta caretta</u>	animal, live or dead	1	Indonesia	
	stuffed animal	1	Ukrania	
<u>Pyxis arachnoides</u>	live animal	1	South-Africa	
<u>Caiman crocodylus</u>	animal, live or dead	2	USA	separate confiscations
	part of animal	1	Colombia	no import permit issued
	live animals	42	Peru	violation IATA
<u>Crocodylia</u>	bag	2	Thailand	separate confiscations
	bag	1	Niger	
	bag	1	Sri Lanka	
	bag	1	Laos	
	bag	3	Taiwan	
	bag	1	Nigeria	
	stuffed animals	10	USA	
	head	19	USA	separate confiscations
	animal, live or dead	2	Mexico	separate confiscations
	skulls	2	Papua New Guinea	
	skull	1	South-Africa	
	head	4	South-Africa	separate confiscations
	meat	1	South-Africa	
	jaw	1	Zimbabwe	
	head	2	Switzerland	
	meat	4 kg	Hong-Kong	

<b>species</b>	<b>description</b>	<b>amount</b>	<b>country of (re-export)</b>	<b>remarks</b>
<u>Crocodylia</u>	animal, live or dead	1	Indonesia	
	stuffed animal	1	Niger	
	stuffed animal	1	Gambia	
	stuffed animal	1	Guatemala	
	animal, live or dead	5	Surinam	
	animal, live or dead	2	Surinam	
	skin	1	Surinam	
	stuffed animals	2	Netherlands Antilles	
<u>Crocodylus niloticus</u>	skull	1	Gambia	
	dead animal	1	Kenya	
	part of dead animal	1	Kenya	
<u>Varanidae</u>	bags	2	Nigeria	
	bag	2	Nigeria	separate confiscations
	animals, live or dead	4	Niger	
	purse	1	Ghana	
<u>Serpentes</u>	live animals	?		
	skin	1	Egypt	
	animal, live or dead	1	Egypt	
	bottles with animal in it	3	Vietnam	
	skin	1	Nigeria	
	bags	4	Nigeria	
	skins	8	Surinam	
	skin	1	Surinam	
	bag	2	Sri Lanka	
	bag	2	Togo	separate confiscations
	bag	1	Senegal	
	bag	1	Malaysia	
	bag	1	Mexico	
	pair of boots and belt	3	Mexico	
	belts	2	Guinee	
	bags	4	Ghana	separate confiscations
	musical instrument	1	Tanzania	
	pair of shoes	1	Tanzania	
	coat	1	Hong-Kong	
	belts	2	Vietnam	
	bag	1	Egypt	
	pair of boots	1	USA	
	pair of shoes	1	Romania	
<u>Boa constrictor</u>	live animals	10	Quatar	
	live animals	23	Peru	violation IATA
	live animals	10	Ecuador	smuggling: no CITES-documents. fine: Dfl. 3500,--



species	description	amount	country of (re-export)	remarks
<u>Python reticulatus</u>	pair of boots	1	USA	
<u>Epicrates cenchria</u>	live animals	7	Peru	violation IATA
	live animal	1	Ecuador	smuggling: no CITES-documents: fine Dfl. 3500,--
<u>Naja naja</u>	live animal	1	Singapore	
	live animals	2	Thailand	
<u>Phelsuma dubia</u>	live animals	19	Tanzania	no import permit issued
<u>Phelsuma leiogaster</u>	dead animals	2	Madagascar	no import permit issued
	live animals	48	Madagascar	no import permit issued
<u>Iguana iguana</u>	meat	1,4 kg 4,5 kg 1.25 kg 2,35 kg 1,47 kg 2,74 kg	Netherlands Antilles	
	dead animals	2	Netherlands Antilles	
	animals, live or dead	8	Netherlands Antilles	separate confiscations
	animals, live or dead	4	Netherlands Antilles	
	meat	2 kg	Surinam	
<b>ANURA</b>	live animals	5	Panama	
	live animals	37	Panama	
	live animals	9	USA	
<u>Dendrobatidae</u>	live animals	4	Surinam	
<u>Rana tigerina</u>	Frog legs	1290	Vietnam	
<u>Acipenseriformes</u>	caviar	3 boxes	Russia	
	caviar	3 boxes	Russia	
	caviar	1136 gr	Russia	
	caviar	339 gr	Russia	
	caviar	4 (?)	Russia	
	caviar	904 gr	Azerbeidjan	
	caviar	339 gr	Azerbeidjan	
	caviar	1800 gr	Turkey	
	caviar	1130 gr	Turkey	
	caviar, tins	30	Moldavia	
	caviar, tin	1	Kazachstan	
	caviar	900 gr	Singapore	
	caviar, cans	45	Iran	
	caviar, 5 tins	2500 gr	Iran	
	caviar, 1 can	900 gr.	Iran	
	caviar	1000 gr	Iran	
	caviar	600 gr	Iran	
	caviar	1 (?)	Iran	

species	description	amount	country of (re-export)	remarks
<b>MOLLUSCA</b>				
Tridacnidae and Strombidae	shells and parts thereof	1549	several	several confiscations in small amounts
	meat	14,82 kg	several	several confiscations in small amounts
<b>CNIDARIA</b>				
<u>Scleractinia and unidentified corals</u>		3062	several	several confiscations
<b>FLORA</b>				
<u>Panax quinquefolius</u>	roots	1	Hong-Kong	
	roots (?)	900 gr	Hong-Kong	
	roots (?)	1340 gr	Hong-Kong	small confiscations
	roots (?)	3814 gr	China	several confiscations in small amounts (< 1000 gr)
	roots (?)	24 pieces	China	
	roots (?)	5400 gr	USA	several confiscations in small amounts (< 1000 gr)
	roots (?)	4000 gr	USA	
	roots	220	USA	
	roots	20	USA	several small confiscations
<u>Cactaceae</u>	live plant	1023 73 10 60 1 1 14 1 3 17 1 9 31 3 1 2 5 1 3	Uruguay Peru Mexico USA Thailand Aruba Argentina Ivory Coast Australia Chile Dominican Republic Venezuela Netherlands Antilles Quatar Brazil Egypt Bolivia Paraguay Ecuador	smuggling: penalty: Dfl. 3500,-

species	description	amount	country of (re-export)	remarks
<u>Cactaceae</u>	live plants	6	Canada	
	rainsticks	13 11 3 4  3 3 1	Peru USA Venezuela Netherlands Antilles Chile Argentina Canada	
<u>Saussurea costus</u>	pills	12	China	
	pills	15 x 12 capsules	China	
<u>Cyathea cooperi</u>	live plants	10	USA	
<u>Cycas revoluta</u>	live plants	395	Taiwan	no import permit issued
	parts of plants	220	Ecuador	no CITES-export or import permit issued
<u>Orchidaceae</u>	roots	7496	Japan	
	bags with medicine containing orchid substantials	200, each 3gr	China	
	live plants	1	Taiwan	
	orchid powder	100 gr	Taiwan	
	live plants	10	Thailand	
	live plants	19	Thailand	
	live plant	8	Thailand	separate confiscations
	live plants	6	Thailand	
	live plants	40	Indonesia	
	live plants	5	Philippines	
	live plants	98	Vietnam	
	live plants	17	Panama	
	live plants	26	Panama	
	live plants	13	USA	
	live plants	4	Venezuela	
	live plants	16	India	
	live plants	1	Netherlands Antilles	
	roots	3 kg.	Hong-Kong	
	parts of plants	340 gr	Hong-Kong	
	live plants	3	Hong-Kong	
	live plants	6	Sri Lanka	
	live plants	2	Argentina	
	live plants, Dendrobium spp.	50	Singapore	
	live plants, Dendrobium spp.	50	Singapore	
	live plants	1	Singapore	
<u>Habenaria radiata</u>	roots	5000	USA	no import permit issued
<u>Bletilla spp.</u>	live plants	15000 26000	USA	no import permit issued

**Legislative Measures**

As with Regulations (EEC) No 3628/82 and 3418/83 the Regulations are implemented in so far as the protection of species considered exotic in the Netherlands is concerned under the Endangered Exotic Animal and Plant Species Act. This Act has in its current form been in force since 1995. The regulations relating to the application of this Act include:

*Regeling aanwijzing beschermde uitheemse dier- en plantensoorten 1997*

(Regulation on the designation of protected exotic animal and plant species)

*Regeling vrijstelling beschermde uitheemse dier- en plantensoorten 1997*

(Regulation on the exemption of protected exotic animal and plant species)

*Regeling administratie van handel in uitheemse dier- en plantensoorten*

(Regulation on the administration of trade in exotic animal and plant species)

*Regeling aanwijzing douanekantoren Wet budep* (Regulation on the designation of customs offices for the Endangered Exotic Animal and Plant Species Act), and

*Besluit beschermde uitheemse diersoorten 1994* (Decree on protected exotic animal species).

Species other than the bird species listed in the Annex to Regulation (EC) No 338/97 that are considered exotic in the Netherlands are protected under the Nature Conservation Act. The regulations relating to the application of this Act include:

*Besluit beschermde inheemse dier- en plantensoorten* (Decree on protected native plant and animal species).

*Vrijstellingsregeling gekweekte beschermde plantensoorten* (Exemption scheme for cultivated protected plant species)

In so far as the bird species listed in the Annex belong to European bird species they are protected in the Netherlands under the 1936 Birds Act.

**Enforcement/regulatory matters**

Responsible for the enforcement of CITES in the Netherlands are the Customs, the General Inspection Service (of the Ministry of Agriculture, Nature Management and Fisheries) and the Police (including the Central Bureau of Criminal Investigations).

A CITES project group, comprised with representatives of these organisations and the Public Prosecutor Office, co-ordinates enforcement and training.

Details on seizures by in 1997 and 1998 of CITES specimens are submitted separately. The data have been compiled by the Dutch Customs Service, the General Inspection Service and the Central Bureau of Criminal Investigations of the Police/Interpol.

The majority of confiscations (especially by Customs) concern personal goods, many souvenirs.

**Procedures for disposal of confiscated animals**

The LASER-NW Service of the Ministry of Agriculture, Nature Management and Fisheries is responsible for holding of confiscated specimens. Live animals and plants are mostly cared for by zoos, rescue centres, birdparks, aquariums and botanical gardens.

**Administrative measures**

**Designated Authorities:**

The CITES Management Authorities are:

- Ministry of Agriculture, Nature Management and Fisheries, LASER-ZW, Dordrecht (permit section).
- Ministry of Agriculture, Nature Management and Fisheries, Department of Nature Management, The Hague (policy section)
- Ministry of Agriculture, Nature Management and Fisheries, Plant Protection Service (for phytosanitary certificates).

The CITES Scientific Authority is designated under article 9a of the Endangered Species Act as the " Commissie bedreigde dier- en plantensoorten" . It consists of 9 experts (with relation to several botanic and zoological gardens, research institutes and rescue centre). It's Secretariat is based in Leiden.

### Implementation measures

#### Documents

The number of documents issued are as follow:

	1997	1998
import		3390
export		3891
re-export		1239
certificates		1781
TOTAL	11.812	10.301

In 1998 preparations were made for introduction of a cost-covering fee-system. This system has started in January 1999 and has resulted in a small decline in the number of permits since then.

#### Other actions taken to enhance effectiveness of national implementation

##### **Training**

- Regular enforcement trainings are being organised by the General Inspection Service (with help of many experts involved) for Customs and Police officers.

##### **Oversees training**

- In December 1997 a combined training seminar (legislation, administrative measures, enforcement) was organised on Aruba with participants from the Netherlands, Netherlands Antilles, Aruba and the CITES secretariat. The training gave a new impulse to CITES implementation after Aruba joined CITES in 1995 and the Netherlands Antilles adopted legislation in beginning of 1998.

#### Other initiatives/contributions

##### **funding projects**

During 1997 and 1998 the Netherlands provided financial assistance to several CITES-related projects:

- report " Contribution to an evaluation of tree species using the new CITES listing criteria" by WCMC for CITES Plants Committee
  - Research on distribution and population of Mantella species in Madagascar
  - Identification sheets Bucerotidae
  - Exhibition on CITES and trees/plants in Hortus Botanicus Leiden
  - Participation in non-detrimental workshop
  - Workshop on sustainable use landtortoises Tanzania
- support for several delegations to meetings and seminars

Portugal

# BIENNIAL REPORT

## ON THE LEGISLATIVE, REGULATORY AND ADMINISTRATIVE MEASURES TAKEN TO ENFORCE THE PROVISIONS OF THE WASHINGTON CONVENTION (CITES)

1997 - 1999

- PORTUGAL -

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In accordance with Article VIII, paragraph 7(b) of the Washington Convention, each Management Authority must present a report, every two years, on the legislative, regulatory and administrative measures taken to enforce the provisions of CITES (Decree-Law No 50/80 of 23 July 1980).

To comply with the aforementioned Decree-Law, this report therefore gives details of the following:

Legislative measures - legal provisions currently in force in Portugal;

Regulatory measures - authorities competent to carry out the different CITES functions;

Administrative measures - steps taken by the National Management Authority to enforce the provisions of the Washington Convention.

## 1. LEGISLATIVE MEASURES

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### a) National legislation

The following Decree-Laws and Ordinances are currently in force in Portugal:

- Decree No 50/80 of 23 July 1980 approving, for ratification, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington in March 1973.
- Decree-Law No 114/90 of 5 April 1990 transposing Regulation No 3626/82 to national legislation. This Decree-Law stipulates, in particular, competent authorities, offences and ports of entry of specimens included in the Appendices to the Convention (see p. 7).
- Ordinance No 359/92 of 10 November 1992 prohibiting individuals from keeping species included in Appendix II to CITES: *Primates*, *Canidae*, *Ursidae*, *Felidae*, *Crocodylia*, *Boidae*, *Elapidae* and *Viperidae*.
- Ordinance No 117/98 of 2 March 1998 updating CITES documents and the list of permits, certificates and notifications.

### b) Community legislation

The following Regulations are in force at European Union level and directly applicable in Portugal:

- Council Regulation (EC) No 338/97 of 9 December 1997 on the protection of species of wild fauna and flora by regulating trade therein;
- Commission Regulation (EC) No 939/97 of 26 May 1997 laying down detailed rules concerning the implementation of Regulation (EC) No 338/97;
- Commission Regulation (EC) No 2307/97 of 18 November 1997 laying down the protected species included in each CITES and European Union Appendix;
- Commission Regulation (EC) No 767/98 of 7 April 1998 amending Regulation (EC) 939/97;



- Commission Regulation (EC) No 1006/98 of 14 May 1998 amending Regulation (EC) 939/97;
- Commission Regulation (EC) No 2214/98 of 15 October 1998 amending Regulation (EC) 338/97;
- Commission Regulation (EC) No 2473/98 of 16 November 1998 suspending the introduction into the Community of specimens of certain species of wild fauna and flora;
- Commission Regulation (EC) No 250/1999 of 2 February 1999 amending Regulation 2473/98.

## 2. REGULATORY MEASURES

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The authorities involved in enforcing CITES in Portugal are:

### 1. INSTITUTE FOR THE CONSERVATION OF NATURE - National Scientific Authority;

This authority is responsible, within the national territory, for issuing reports relating to:

- Imports, exports and re-exports of species protected by CITES;
- Facilities for accommodating specimens included in Appendix A to the Convention;
- Donations of confiscated specimens.

The Scientific Authority is also responsible for certifying that a given specimen was born and bred in captivity, or artificially propagated, for proposing amendments to Appendices B, C and D and for participating in the European Union Scientific Review Group.

### 2. INSTITUTE FOR THE CONSERVATION OF NATURE - National Management Authority:

- Lisbon office,
- Oporto office.

### 3. MADEIRA WILDLIFE PARK - Regional Management Authority for the Madeira Archipelago;

### 4. REGIONAL DIRECTORATE FOR THE ENVIRONMENT IN THE AZORES - Regional Management Authority for the Azores Archipelago;

These Management Authorities are responsible, within the national territory, for:

- Granting CITES permits;
- Supervising airports, seaports, importers, shops, zoos, etc.;
- Drawing up experts' reports;
- Inspecting facilities intended to accommodate live animals;
- Establishing partnerships and working in co-operation with other supervisory authorities, in particular, the Directorate-General for Customs, the Directorate-General for Forests, the Directorate-General for Economic Inspection, the

Directorate-General for Veterinary Medicine, the police and the Republican National Guard.

As well as these authorities, the INSTITUTE FOR THE CONSERVATION OF NATURE has a Legal Service which, insofar as CITES is concerned, is responsible, in particular, for investigating offences, imposing penalties and replacing and/or preparing legislation.

Table 1 - ISSUING LICENCES

	1997	1998
Import permits	984	1114
Export permits	8	20
Re-export certificates	26	21
Import notifications	-	233

Table 2 - SUPERVISION

	1997	1998
Experts' reports	318	282
Reports - ICN	15	72
Reports - other authorities	66	50

Table 3 - INVESTIGATING OFFENCES

	1997	1998
Filed	5	8
Confiscated	60	45
Returned	-	2
No final decision	16	67
<b>TOTAL</b>	<b>81</b>	<b>122</b>

### 3. ADMINISTRATIVE MEASURES

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Informing importers of new regulations - the main importers on the national register were sent details of the new CITES licensing rules, as stipulated by Community Regulations (EC) 338/97 and 939/97.

"Management of CITES Licensing" course, which took place in the Serras de Aire e Candeeiros Wildlife Park from 24 to 28 November 1997 and was aimed at countries from Portuguese-speaking Africa (PALOPs). Representatives from Angola, Mozambique, Guinea-Bissau, Cape Verde and São Tomé and Príncipe attended.

They were introduced to the Institute for the Conservation of Nature database and taught how to issue, display and amend import and export permits and re-export certificates, how to update databases and how to formulate queries for preparing reports.

The participants were given copies of this CITES database and each delegate was also presented with a suitable printer for issuing CITES licences.

Issuing new forms for import permits, certificates and notifications, in accordance with Regulation (EC) No 939/97.

Updating the CITES database, developed by the Institute for the Conservation of Nature (Application of Conventions and Information Technology Divisions): licensing import notifications and listing import notifications by computer; restructuring licensing procedures in accordance with the new permit and certificate forms, as stipulated by Regulation (EC) 939/97. Updating the lists of species in the CITES and EU Appendices; in particular, including species in Appendix D.

Revision of Decree-Law No 114/90 of 5 April 1990 - The National Management Authority, in cooperation with the Legal Service, revised the Decree-Law that currently regulates the enforcement of the Washington Convention in Portugal. This document was submitted for ministerial approval.

This revision will include amendments required following the approval of Regulation (EC) No 338/97, amendments to penalties and amendments to ports of entry. Attention must also be drawn to the following amendments:

- Enlargement of the supervisory body - the newly-created Directorate-General for the Environment was appointed Management Authority for supervision. It has about 50 supervisors, at national level, in the field of the environment;
- Possibility of making it a crime illegally to import or keep specimens of species included in Appendix A to the Regulation.

CITES exhibition at Lisbon and Oporto airports - CITES exhibitions were set up at these two airports. The exhibition at Oporto airport is permanent and contacts are now being made with the aim of setting up a permanent exhibition at Lisbon airport also, where a temporary

exhibition was held from 22 December 1997 until 30 September 1998 only (therefore including the whole period during which EXPO 98 was open to the public in Lisbon).

"Technical Meeting on Publicly Exhibiting Live Wild Animals", Vila Nova de Gaia Municipal Biological Park, 22 and 23 October 1998. This meeting was organised by the National Management Authority, in cooperation with the Directorate-General for Veterinary Medicine (Animal Welfare Division) and with the Directorate-General for Forests (responsible for species of game) with the aim of clarifying the situation of zoos, aquariums and other such institutions in Portugal, as well as that of national and international associations for breeders of wild birds.

Donation of confiscated specimens - in accordance with Article 16 (3) (a) of Regulation (EC) 338/97, any confiscated specimen shall be entrusted to a Management Authority which, following consultation with the relevant Scientific Authority, shall place or otherwise dispose of the specimen in conditions which it deems to be appropriate and consistent with the provisions of the Convention. The Management Authority has therefore been donating CITES specimens, in particular:

Live animals to relevant collections and, in certain cases, to international programmes for breeding in captivity - Jardim Zoológico de Lisboa e de Aclimação em Portugal, S.A., Maia Zoological Garden and Vila Nova de Gaia Municipal Biological Park;

Embalmed specimens for exhibition - Coimbra Zoological Museum;

Tortoise shells and raw ivory tusks to renew items in the National Museum of Ancient Art / José de Figueiredo Institute.

Lisbon, 14 July 1999

Spain

## **INFORME BIENAL CITES DE ESPAÑA PARA EL PERIODO 1997 - 1998**

El presente Informe consta de tres apartados.

En el primero de ellos, sobre medidas legislativas, se han incluido las disposiciones legales con rango de Ley Orgánica, aprobadas por las Cortes españolas, o equivalentes, como los Reglamentos Comunitarios, aprobados por el Consejo de la Unión Europea, que se incorporan al derecho interno español con rango de Ley Orgánica.

En el segundo apartado, sobre medidas reglamentarias, se han descrito las normas reglamentarias que constituyen actos del Gobierno, como los Reales Decretos, Ordenes Ministeriales y Resoluciones.

En el tercer apartado, sobre medidas administrativas, se contemplan las medidas e iniciativas de distinto carácter adoptadas y llevadas a cabo por las Autoridades CITES españolas para la mejor aplicación y difusión del Convenio.

### **1.- MEDIDAS LEGISLATIVAS:**

En el ámbito legislativo se han adoptado dos disposiciones de excepcional importancia:

- **Reglamento CE 338/97 del Consejo, de 9 de diciembre de 1996, relativo a la protección de especies de la fauna y flora silvestres mediante el control de su comercio. (Modificado por el Reglamento CE 2307/97 de la Comisión, de 18 de noviembre de 1977).**
- **Reglamento CE 939/97 de la Comisión, de 26 de mayo de 1997, por el que se establecen disposiciones de aplicación del Reglamento CE 338/97.**

Ambos reglamentos, que se incorporan al Derecho interno español de forma automática y son de directa aplicación, resultan una herramienta muy eficaz y completa para la aplicación del Convenio CITES de forma armonizada y homogénea en el ámbito del Mercado Único Europeo, y consigue objetivos de protección de las especies, a través de su regulación comercial, más exigentes que el propio Convenio, aumentando el número de especies objeto de protección así como su protección efectiva.

### **2.- MEDIDAS REGLAMENTARIAS:**

- **Real Decreto 1739/1997, de 20 de noviembre, sobre medidas de aplicación del Convenio CITES y del Reglamento (CE) 338/97 relativo a la protección de especies de la fauna y flora silvestres mediante el control de su comercio:** Ha sido dictado para adaptar el marco reglamentario español a la nueva legislación comunitaria, citada en el apartado anterior. Deroga de forma expresa el R.D. 1270/85, hasta entonces vigente. En dicho Real Decreto se designan las autoridades administrativas y científicas responsables de la aplicación del Convenio.

Las Autoridades Administrativas son dos: la Secretaría General de Comercio Exterior, que actuará como Autoridad administrativa principal, y el Departamento de Aduanas e Impuestos Especiales, que actuará como Autoridad administrativa adicional. Ambas Autoridades pertenecen al Ministerio de Economía y Hacienda.

Por su parte, la Dirección General de Conservación de la Naturaleza, del Ministerio de Medio Ambiente, actuará como Autoridad científica.

- **Resolución de 5 de mayo de 1998, de la Dirección General de Comercio Exterior, por la que se designan los Centros y Unidades de Asistencia Técnica e Inspección del Comercio Exterior (SOIVRE), habilitados para la emisión de los permisos y certificados contemplados en el Reglamento (CE) 338/97 y se establece el modelo de “documento de inspección de especies protegidas”.** Esta Resolución se dicta en desarrollo del Real Decreto 1739/1997.
- **Real Decreto 1649/98, de 24 de julio, que desarrolla el Título II de la Ley 12/95, relativo a las infracciones administrativas de contrabando.** Este real Decreto desarrolla el Título II de la Ley Orgánica 12/95 que regula las infracciones administrativas de contrabando, en particular, la determinación de las sanciones, la aplicación de los criterios de graduación y establece un procedimiento general para la imposición de las correspondientes sanciones. Por ello, este Real Decreto constituye la herramienta que desarrolla lo previsto en el Reglamento Europeo, especialmente en cuanto a sanciones y confiscación.

### **3.- MEDIDAS ADMINISTRATIVAS:**

- **Difusión de la nueva reglamentación entre los operadores comerciales y organismos de control.** Se ha editado un cuaderno que recopila los Reglamentos comunitarios con los anexos actualizados, así como las demás disposiciones reglamentarias que afectan al comercio de especímenes, con el fin de difundir y facilitar el cumplimiento de las nuevas disposiciones. Este cuaderno se ha distribuido ampliamente entre los importadores y exportadores de especies de fauna y flora y autoridades administrativas y policiales. Así mismo, se ha colaborado con la Comisión Europea en la traducción de la “Guía de Referencia; Normativa de la Comunidad Europea sobre comercio de fauna y flora silvestres” y se ha distribuido la misma ampliamente entre los sectores comerciales afectados, Organizaciones No Gubernamentales y Departamentos de la Administración.
- **Gestión del Control administrativo de la cría en cautividad de especies protegidas por el Convenio CITES y la normativa comunitaria.** Durante el año 1998 se ha puesto en marcha un sistema informático armonizado entre los doce Centros de Inspección de Comercio Exterior y la Subdirección General, que conforman la Autoridad administrativa, para registrar regularmente los criadores, las crías obtenidas, las marcas utilizadas, la documentación del plantel reproductor parental y cuantos datos son de interés para conjugar un control eficaz con una tramitación rápida que permite agilizar la obtención de la documentación CITES necesaria para el comercio con países terceros. Este sistema es igualmente aplicable a los viveros registrados.
- **Emisión de nuevos formularios de Permisos y Certificados CITES.** De acuerdo con los nuevos Reglamentos comunitarios adoptados, España ha emitido los nuevos modelos



de documentos y lo ha comunicado a la Secretaría CITES, para su transmisión a las Partes mediante Notificación, así como a todos los organismos de control y policiales españoles encargados de la vigilancia de la aplicación del Convenio CITES.

- **Elaboración de un archivo de imágenes CITES.** Durante 1998 se ha procedido a la adquisición de equipos fotográficos digitales en los Centros de Inspección de Comercio Exterior habilitados para el tráfico CITES, con el propósito de elaborar un archivo de imágenes de especímenes de especies protegidas por el Convenio y por la legislación comunitaria. El archivo se está llevando a cabo en forma digitalizada, lo que permite compartir las imágenes obtenidas a través de un sistema informático sencillo y aumentar progresivamente las imágenes que se van obteniendo y clasificando a través de las inspecciones rutinarias que se llevan a cabo antes del despacho aduanero.
- **Colaboración con la Secretaría CITES y otros organismos en la elaboración de Fichas de identificación de especies.**

Durante 1997, la Autoridad científica española ha desarrollado un importante trabajo básico para la elaboración de las “Fichas de identificación de especies maderables incluidas en CITES” que fue remitido a la Secretaria CITES. El trabajo fue coordinado por la Dra. Margarita Clemente Muñoz y en el colaboraron el Dr. Miguel A. Vales (Instituto de Biodiversidad, Cuba), Dr. Luis García Esteban Prof. Dr. Antonio Guindeo Casasús, Tec. Lidia García Esteban (Escuela Técnica Superior de Ingenieros de Montes de Madrid) y prestaron muestras de madera y/o información: Prof. Dr. P. Baas, Rijksherbarium/Hortus Botanicus, Leiden; Dr. A.M.W. Mennega, Utrecht University, Faculty of Biology, Herbarium Division; M. Sc. Josefina Barajas Morales, Instituto de Biología, Universidad Nacional Autónoma de México; Dr. J. Ilic, CSIRO Forestry and Forest Products, South Clayton MDC, Victoria; Jodrell Laboratory, Kew Botanical Gardens; Autoridad Administrativa de Costa Rica y Dora Mora de Retana, Jardín Botánico de Lankester, Costa Rica. En el trabajo se reúne información sobre los siguientes aspectos para **22 especies maderables** incluidas en CITES: familia a la que pertenece la especie; apéndice; nombre científico; sinónimos científicos; nombres comerciales (aquellos más utilizados en el comercio internacional); nombres comunes; partes que están bajo control CITES; características de comercialización; distribución geográfica; características macroscópicas de la madera; especies similares; utilización; características microscópicas de las maderas; características de los árboles; tabla comparativa de diferencia con las especies similares. Se enviaron así mismo diapositivas de las maderas a nivel macroscópico y a nivel microscópico (secciones longitudinal, transversal y tangencial). Además se prepararon dos anexos, el Anexo I incluye una relación de especialistas en anatomía de maderas y que podrían facilitar el trabajo de identificación a las autoridades CITES en caso de conflicto. El Anexo II recoge las principales especies maderables tropicales sujetas a comercio, para cada una de las cuales se incluye su nombre comercial, nombre científico y zona de origen.

Además, se ha recogido una completa colección de muestras de las especies maderables incluidas en CITES gracias a la colaboración de las Partes que son área de distribución de las mismas con las que se preparara en un futuro una colección de preparaciones microscópicas de referencia.

La Autoridad administrativa ha facilitado a la Secretaría CITES la colección de fotografías de **conchas y corales** que figuran en la publicación: “Guía de Identificación de Conchas y Corales” (V. Roncero, 1996), para su empleo en el Manual de Identificación.

Igualmente ha puesto a su disposición las fotografías y el texto de una Guía de Identificación de Mariposas, que incluye fotografías de mariposas de todas las especies incluidas en los apéndices del Convenio así como las más frecuentes en el comercio internacional, para su empleo en la elaboración del Manual de Identificación.

- **Primer Master en “Gestión, Conservación y Control de Especies Sometidas a Comercio Internacional”.** Se desarrolló en la Universidad Internacional de Andalucía (Baeza) del 13 de Abril al 4 de Julio de 1998. El objetivo del curso era proporcionar una formación universitaria en materia de control y conservación de especies comerciales de alto nivel, especialmente dirigida a postgraduados procedentes de Autoridades administrativas y científicas CITES así como ONG y otros sectores interesados. En él participaron veinticinco alumnos, procedentes de las Autoridades administrativas, científicas y organizaciones no gubernamentales de Brasil, Chile, Colombia, Costa Rica, Cuba, Ecuador, España, Guinea Ecuatorial, México, Paraguay, Perú, República Dominicana, Uruguay y Venezuela.

El curso fue impartido por 57 profesores procedentes de 14 países. Junto a las Autoridades españolas Científicas (Ministerio de Medio Ambiente) y Administrativas (Ministerio de Economía y Hacienda) participaron como profesores entre otros: personas procedentes de las Autoridades científicas o administrativas de Argentina, Austria, Paraguay, Suiza y Venezuela; de la Secretaría CITES, la Comisión Europea, la Secretaría de Recursos Fitogenéticos de la FAO, UICN, TRAFFIC, WCMC y Adena-WWF.

Los alumnos recibieron 400 horas de clases teóricas y prácticas que abarcaron todos los temas administrativos y científicos necesarios para una buena implementación de CITES. Parte de las prácticas fueron realizadas en el Jardín Botánico de Córdoba, Zoo de Barcelona, Zoo de Jerez, Aduana de Algeciras, Parque de Hornachuelos y los Villares, Parque Natural de Cazorla y Facultad de Farmacia de Granada. También se realizó una visita al Parque Nacional de Doñana. Todos los alumnos superaron los exámenes correspondientes y se encuentran desarrollando en sus respectivos países las Memorias correspondientes para acceder al título definitivo. Los trabajos propuestos están todos ellos relacionados con temas CITES y su desarrollo será una aportación interesante para los países de donde proceden los alumnos y para el propio Convenio.

El desarrollo del Master fue posible gracias a la Universidad Internacional que lo organizó, al generoso patrocinio del Ministerio de Medio Ambiente español y la colaboración del Ministerio de Economía y Hacienda de España (Dirección General de Comercio Exterior), la contribución de las Partes a través del Comité Permanente CITES, la Secretaría CITES, Unione Nazionale Industria Conciaria de Italia, Jardín Botánico de Córdoba/Universidad de Córdoba, Zoo de Barcelona, Fundación C&M, International World Conservation Trust. También hay que señalar la aportación de diversos materiales y bibliografía por parte de la Secretaría CITES, la Comisión Europea, las Autoridades científicas de Alemania, Canadá, Reino Unido y PROFEPA de México.

- **Cursos de formación.**

En 1997 se organizaron dos cursos de una semana de duración cada uno de “Actualización de conocimientos para inspectores de los Centros de Inspección de Comercio Exterior” cubriendo aspectos de legislación y procedimiento sancionador, identificación de especies, métodos de control de cría en cautividad y de viveros registrados. A estos cursos asistieron todos los Inspectores de los 30 Centros de Inspección que hay en España.

Durante 1997 y 1998, se han impartido 4 cursos de formación para Especialistas del Servicio de Protección de la Naturaleza de la Guardia Civil, organismo responsable de la vigilancia de la aplicación del Convenio. También se organizaron charlas informativas para la policía municipal de Madrid.

Madrid, 16 de Junio de 1999

Sweden

## **CITES Biennial report according to Regulation 338/97 Article 15.4 (c)**

As a result of our membership to the European Union there was a dramatic shift of legislation for implementation of the CITES Convention from 1<sup>st</sup> of January 1995. From that date Sweden implemented EU regulations 3626/82 of 31 December 1982 and 3418/83 of 28 November 1983 on the implementation of CITES in the Union. On 1<sup>st</sup> of June 1997 these regulations were replaced by Council Regulation (EC) No 338/97 and Commission regulation (EC) No 939/97.

The national legislation for the implementation of CITES and EU regulations in Sweden was to start with the Act regarding measures concerning Animals and Plants that belong to Protected Species of 1994 and the Statutory Order regarding measures concerning Animals and Plants that belong to Protected Species of 1994 which both came into force on the date of Sweden's entry into the European Union. In January 1<sup>st</sup> 1999 the Act regarding measures was replaced by the Environmental Code and on 1<sup>st</sup> July 1998 the Statutory Order regarding measures was replaced by a Statutory Order regarding Protection of Species. There also is a Swedish Board of Agriculture's Directive regarding Measures concerning Animals and Plants that belong to Protected Species. Furthermore there is a Swedish National Environmental Protection Agency's Directive regarding Protection of Species from the 21 of April 1999.

Besides implementation of CITES the new Swedish legislation is implementing parts of the Council directive of 2 April 1979 on the conservation of wild birds 79/409/EEC and the council directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. Other national legislation including legislation for enforcement of CITES are:

- Act regarding Transport, Storage and destruction of Import Regulated Goods (1973:980)
- Hunting Act (1987:259)
- Fishery Act (1993:787)
- Smuggling of Goods Penalty Act (1960:418)

Regulations concerning stricter national measures for reptiles and reexport in our former legislation have been abolished.

In the new legislation the National Environmental Protection Agency has been pointed out by the Government to be responsible for the central supervision of the CITES regulations and our County administration has the regional and local supervision. We hope that this will give a significant progress in the implementation of CITES regulations especially the control of commercial activities according to article 8.1 in the Council Regulation (EC) no 338/97. Details about seizures by police and customs can be found in our annual report. The police have expressed their concern about the costs that have arisen for seizures of live animals.

Since spring 1999 CITES questions are dealt with by the Animal Welfare Unit of the Board of Agriculture. The scientific authority- the Swedish Environmental Protection agency also have reorganized and CITES questions are dealt with by the Management of wildlife and protected areas unit.

There is a unique co-operation between NGO's and authorities in a contact group for CITES and flora- and fauna enforcement questions. The group that meets about four times a year consists of representatives from WWF and Birdguard Group from the Swedish Ornithological Society, representatives from the CITES management and scientific authorities (Swedish Board of Agriculture and Swedish Environmental Protection Agency) Swedish Museum of national History, Ministry of Environment, Board of Customs, Police and Office of the public prosecutor.

In November 1996 we arranged an European training seminar on implementation of CITES in Jönköping, Sweden. Circa 60 persons from authorities in Sweden as Customs, Plant Protection Service, Swedish Coast Guard, and regional police authorities including national criminal investigation department, office of the Public prosecutor, WWF, Identification experts, Swedish Association of Zoological parks, Environmental Information Centre, Swedish Museum of National History and Swedish Environmental Protection Agency. The seminarium was hold by the Management authority, Board of Agriculture. Participants from neighbouring countries as Norway, Denmark, Estonia and also more fare away countries as United Kingdom, Malta and Germany took part in the training seminar. Staff from the CITES Secretariat and the Commission were engaged in teaching.

In May 1999 we had two two-days training seminars mainly for teaching our county administration but also representatives from enforcement bodies such as customs, police and prosecutors our new Swedish implementing CITES legislation. We had one seminar in Stockholm with over 100 participants and one seminar in Jönköping with more than 60 participants. At these seminars the Central Customs Authority informed us that they have a tip telephone - a CITES free phone - where anonymously reports on suspected CITES crimes can be made.

Ernst Mehnert

United Kingdom

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN  
IRELAND**

**CONVENTION ON INTERNATIONAL TRADE IN  
ENDANGERED SPECIES OF WILD FAUNA AND FLORA  
(CITES)**



**1998  
UK IMPLEMENTATION REPORT**

**PREPARED BY THE DEPARTMENT OF THE  
ENVIRONMENT, TRANSPORT AND THE REGIONS,  
JUNE 1999**



## **1998 UK BIENNIAL REPORT ON THE IMPLEMENTATION OF THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES)**

This report has been produced in accordance with Article VIII, para 7(b) of the Convention and Article 15.4(c) of Council Regulation 338/97. It contains information on the legislative, regulatory and administrative measures taken by the UK to enforce the Convention. It covers the period from 1 January 1997 to 31 December 1998.

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### **LEGISLATIVE MEASURES**

CITES has been implemented in the UK since 31 October 1976. From 1 January 1984 until 31 May 1997 CITES was implemented throughout the European Union by EC Regulations 3626/82 and 3418/83 and a number of subsequent amending regulations.

New EC regulations, replacing 3626/82 and 3418/83 came into force on 1 June 1997. These strengthened and extended existing import and export controls. The new regulations are Council Regulation 338/97 and the implementing Commission regulation 939/97. A number of subsequent amending regulations have since been adopted, some of which have themselves been replaced. The regulations are listed below:-

#### **Council Regulation 338/97 (Main Wildlife Trade Regulation)**

amended by **938/97** (makes minor amendments and replaces Annex D)

amended by **2307/97** (replaces all the Annexes)

amended by **2214/98** (amends the entry for American mahogany)

#### **Commission Regulation 939/97 (Implementing Regulation)**

amended by **767/98** (makes various additions and amendments)

amended by **1006/98** (clarifies controls on personal effects)

#### **Commission Regulation 2551/97 (Stricter Domestic Measures)**

replaced by **2473/98** (replaces 2551/97)

amended by **250/99** (amends entries concerning certain tortoise species)

New national enforcement regulations also came into force on 1 June 1997. These are the Control of Trade in Endangered Species (Enforcement) Regulations 1997 (Statutory Instrument 1997 No 1372). These include stronger penalties for contravention of internal controls over the sale and movement of CITES species. They replace the Control of Trade in Endangered Species (Enforcement) Regulations 1985 (Statutory Instrument 1995 No 1155).

## ADMINISTRATIVE MEASURES

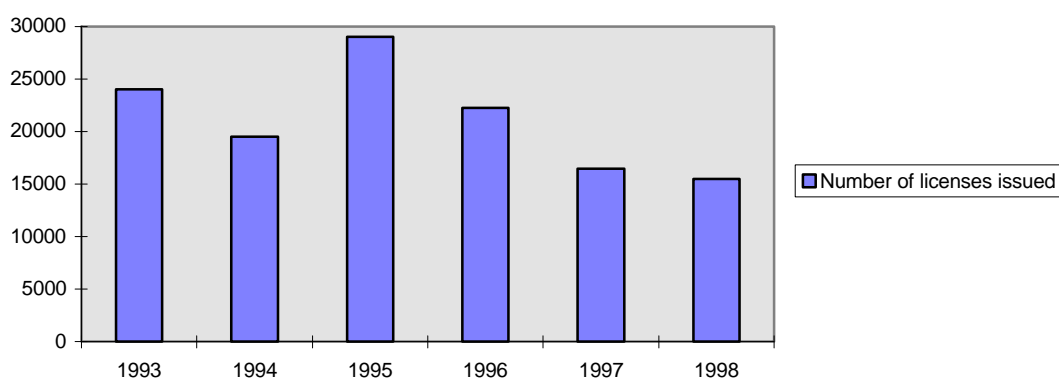
### Administration

The CITES Management Authorities in the United Kingdom are the Department of Agriculture for Northern Ireland (DANI) for Northern Ireland and the Department of the Environment, Transport and the Regions for the rest of the UK. The Scientific Authorities are the Joint Nature Conservation Committee (JNCC) for fauna and the Royal Botanic Gardens at Kew for flora. Contact details are listed in Annex B.

### Licensing

Licensing work is carried out by DETR staff in Bristol and DANI staff in Belfast. A restructuring of licensing will result in the Belfast work moving to Bristol by the year 2000. Over 90% of all licenses are issued from the Bristol office. The number of import, export and re-export licenses issued is dropping - 16,500 in 1997 and 15,500 in 1998 - see table A below.

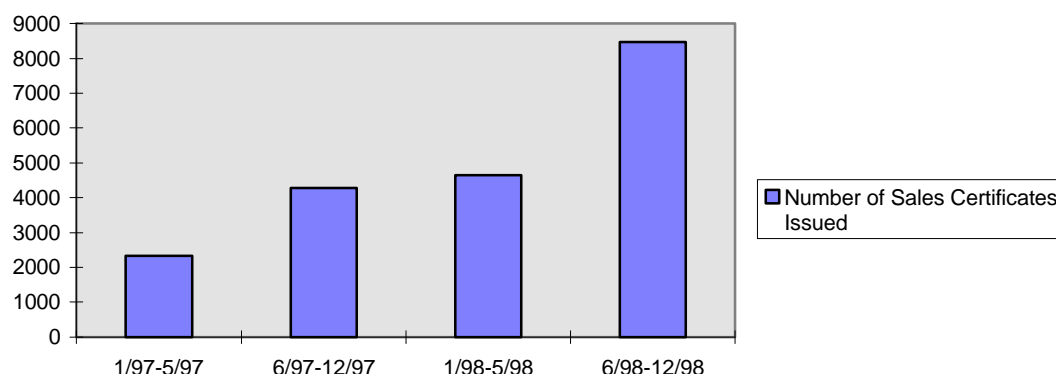
**Table A - Number of licenses issued - 1993 to 1998**



95% of the applications referred to the Scientific Authorities are returned within 3 days. Over 90% of all complete applications are processed within 3 weeks.

The movement of live Annex A specimens and commercial use including display of pre-Convention and captive-bred Annex A species requires certification from the Management Authority. Until June 1997 these were issued under article 6 of 3418/83, since then they have been issued under article 10 of 338/97. The numbers issued are shown on table B below. The growth is due to the registration of existing specimens under the new regulations.

**Table B - Number of Sales Certificates issued - 1997 to 1998**



A new computer system (UNICORN) was introduced in 1997 to coincide with the new European Regulation. UNICORN has a direct link with both scientific authorities and with the CITES enforcement team at Heathrow airport. This link enables the applications to be processed more quickly by the management and scientific authorities. UNICORN also enables the printing of permits and the charging for licences to be processed electronically.

### **UK Chairmanship of the CITES Standing Committee**

At the Tenth Conference of Parties, Zimbabwe, June 1997, the UK was elected to serve as Chair of the CITES Standing Committee until the next Conference of Parties.

### **Fortieth Meeting of the CITES Standing Committee**

The fortieth meeting of the CITES Standing Committee was hosted by the UK. The meeting was held in London from 3-6 February 1998 and marked the twenty-fifth anniversary of CITES.

### **Publicity**

The UK has continued with the successful CITES “Check it Out” campaign to raise awareness of CITES controls. The campaign is aimed at holiday makers and business travellers. Check it Out material is distributed by banks, travel companies, bureaux des changes and airport retailers with foreign currency, travellers cheques, aeroplane tickets and other goods. Campaign posters are displayed at major UK airports. A significant amount of funding for the Check it Out campaign was provided by private sector sponsorship.

The UK also produced a Check it Out radio advert which was distributed to approximately 250 UK radio stations.

## **Funding for Research Projects and Conservation Work**

During 1997 and 1998, the UK has provided financial assistance to a number of CITES-related research projects, conservation schemes and enforcement initiatives. CITES projects supported by the UK during the reporting period include the following:

- Support for IUCN elephant and rhino specialist groups
- Support for IUCN Sustainable Use Network
- Tiger conservation work through groups such as 21st Century Tiger and Global Tiger Forum
- Research on yellow and brown-headed tortoises in Malaysia
- Research collecting data on Andean cats
- Traditional Medicine study and seminar
- Support for Lusaka Agreement on co-operation on wildlife law enforcement in Africa
- Research by WWF Marine Medicinals Conservation Officer in Hong Kong on Seahorses
- Support for African elephant range state dialogue meeting in Arusha

In addition the UK has also provided financial support for delegates assistance, Customs secondment, technical support for the Tenth Conference of Parties and for the Fortieth Standing Committee meeting.

## **Training initiatives**

October 1997 : 9th annual Police Wildlife Liaison Officers Conference held at Dyfed Powys Police HQ, Carmarthen. Attended by 150 delegates, mainly drawn from police and other enforcement agencies, NGOs and other Government Departments.

November 1997: Wildlife Inspectors Seminar held in Birmingham to train the Department's part-time consultant Wildlife Inspectors.

January 1998: 1st annual Open Partnership for Action Against Wildlife Crime (PAW) Seminar attended by approximately 70 representatives of conservation NGOs, sustainable users wildlife groups, Wildlife Inspectors and PAW members.

March 1998: EU Wildlife Law Enforcement Workshop held in London as part of the UK's presidency of the EU. Attended by representatives from enforcement agencies, enforcement practitioners throughout Europe, NGOs, Wildlife Inspectors and other Government Departments.

June 1998: UK Caribbean Overseas Territories CITES Training Seminar held in Grand Cayman aimed at improving implementation of CITES in UK Overseas Territories in the region. Attended by the CITES Secretariat, HM Customs and Excise and UK Management and Scientific Authorities.

October 1998: 10th annual Police Wildlife Liaison Officers Conference, held at Ministry of Defence Police HQ in Wethersfield, Essex. Attended by 230 delegates drawn from enforcement agencies (as above).

In addition DETR has carried out a number of training presentations for the police, RSPCA and HM Customs and Excise as well as contributing to the National Police Training Course developed by Warwickshire Constabulary.

## **REGULATORY MEASURES**

### **Enforcement**

HM Customs and Excise (HMCE) enforce import and export controls at UK ports under the Customs and Excise Management Act 1979. HMCE are assisted by DETR's Wildlife Inspectorate on some cases. Annex A contains information from HMCE on the origin (tables 1 and 2) and type (table 3) of specimens confiscated during 1997 and 1998 .

DETR and WWF UK contribute to the costs of a TRAFFIC Enforcement Assistance Officer. This project has provided extra support and assistance for DETR as well as for the Police, HM Customs and Excise, and for other NGOs involved in supporting wildlife law enforcement.

### **Important cases**

#### **1. Conspiracy to sell rhino horn**

In February 1998 four people were convicted of conspiring to commit CITES offences by attempting to sell 240 kilos of raw rhino horn. The horns were seized from an antiques storage facility in London, and were valued at £2.8 million.

The owner of the horn was sentenced to 15 months imprisonment (to run concurrently with a sentence he was already serving), and the horn was forfeited. His accomplices received sentences of 9 months imprisonment, and 80 and 120 hours community service.

The principle defendant appealed against his sentence and the forfeiture of the horn. The Court of Appeal upheld the prison sentence, but ordered that the horn should be returned to its owner. Steps have been taken to minimise the risk of the horn subsequently finding its way onto the market, and to enable it to be identified if it does.

#### **2. Sale of illegally imported rare birds of prey**

In April 1997, one person was sentenced to eight months imprisonment for the illegal sale of Eleonora's falcons. These falcons are given greater protection by the EU Regulations which implement CITES, which prohibit the sale of the species unless permission has been obtained from the Management Authority.

It was found that the birds had been stolen as eggs, from cliffs in Majorca. Six birds were sold for £4,000 and were claimed to be bred in captivity; a further six birds were seized by the Police.

### 3. Sale of endangered animal products

Over 50 different species of endangered animals were seized in a raid on a taxidermy shop in London in March 1998. The Police warrants were executed following a tip-off from a member of the public.

The Metropolitan Police are continuing their investigations into this case.

### 4. Trade in endangered bird species

More than 100 endangered birds, including three Lears Macaws, were seized when HM Customs and Excise carried out a raid on premises in the north of England in June 1998.

Investigations into this case are continuing, but it is believed that there may be links with international dealers and collectors.

### 5. Shahtoosh shawls

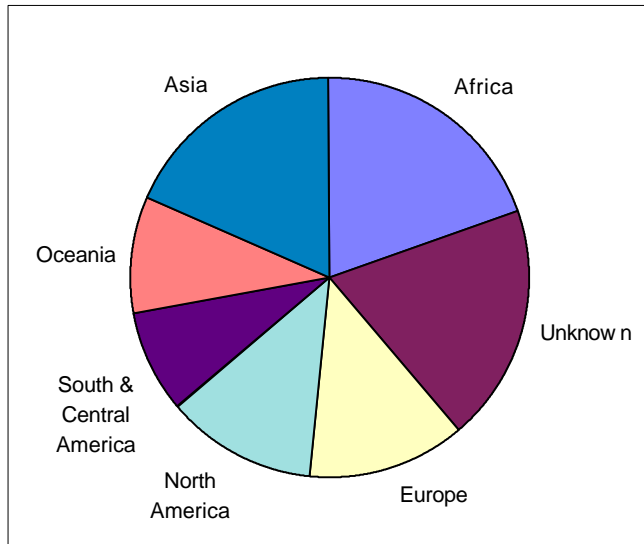
138 Shahtoosh shawls were seized in a raid on premises in London in February 1997. Their estimated value is £353,000. This case arose out of the Metropolitan Police's ongoing operation to crack down on the sale of traditional medicines containing endangered species derivatives.

Investigations into this case are continuing.

## Annex A - INFORMATION ON CITES SEIZURES

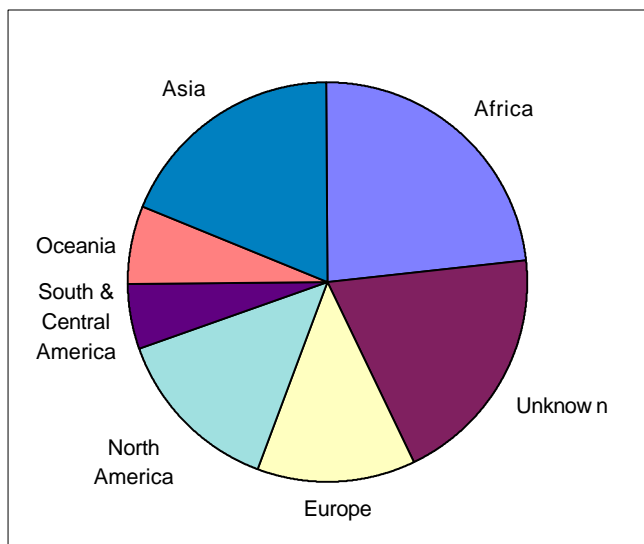
**Table 1. 1997 Origin of Seizures by CITES Region**

In 1997 the total number of seizures was 532.



**Table 2. 1998 Origin of Seizures by CITES Region**

In 1998 the total number of seizures was 489.





## **Annex B - CONTACT ADDRESSES**

### **UK CITES Management Authorities**

Department of the Environment, Transport and the Regions  
Global Wildlife Division  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ  
UK

Tel: (44 117) 987 8017  
Fax: (44 117) 987 8206

Department of Agriculture for Northern Ireland  
Wildlife Licensing Section  
Room 714  
Dundonald House  
Upper Newtownards Road  
Belfast BT4 3SB

Tel: (44 123) 252 4289  
Fax: (44 123) 252 4982

### **UK Scientific Authorities**

#### **Fauna:**

Joint Nature Conservation Committee  
Monkstone House  
City Road  
Peterborough PE1 1JY

Tel: (44 1733) 866 814  
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#### **Flora:**

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