

## CITES SUSTAINABLE USERS' GROUP (CSUG) MEETING

2pm-4pm, 19 November 2020, via MS Teams

### MINUTES

#### Attendees:

Lydia Andrews (APHA)	Martin Jones (Martin Jones Falconry)
Deborah Annetts (ISM)	Sarah Jones (Defra)
Peter Beare (Beare Violins)	Kirk Leach (EARA)
Jon Bielby (British Herpetological Society)	Alison Littlewood (JNCC)
Elizabeth Biott (Defra)	Kim McDonald (Guild of Taxidermists)
Kristopher Blake (Defra - chair)	Holly Mennell (Defra)
Robb Brown (NCA)	Sam Miller (Burberry)
Nichola Burnett (JNCC)	Maya Moss (Defra)
Guy Clarke (Border Force)	Nicky Needham (BIAZA)
Jim Collins (SUN)	Chris Newman (REPTA)
Caroline Daisley (Defra)	Graeme Osborn (Defra)
Jenny Daly (ABO)	Emily Penry (APHA)
Mark Dodgson (BADA)	Dave Perry (Peregrine Livefoods)
Sam Evans (Defra)	Rob Quest (Heathrow ARC)
Matthew Ford (Specialist Wildlife Services)	Jamie Rendell (Defra)
Lee Gunton (Defra)	Alan Robinson (IOA)
Coralie Harouni (Defra)	Jack Tilbury (Defra)
Rhiannon Hudson-Jones (Defra)	David Webster (Musicians' Union)
Stacey Hughes (Defra)	David Whitehead (RBG, Kew)
Graham Irving (Hawk Board)	Dominic Whitmee (OATA)
	Kathryn Williams (Researcher)
	Simon Woods (APHA)

#### **Agree minutes of previous meeting and action point update:**

1. The Chair welcomed new joiners to the Group and explained that the focus of this meeting was the end of the UK Transition Period (TP). The minutes of the meeting on 3 September 2020 were agreed. Defra gave an update on action points:

**AP1 22/7/19:** Traders are invited to send any relevant information to Defra regarding trade shows, particularly where a Defra presence would be beneficial, by emailing [EUExitCITES@defra.gov.uk](mailto:EUExitCITES@defra.gov.uk). Information about NI movements are also of particular interest. **[Ongoing.]**

**AP3 5/2/20:** CSUG members to send Defra ([EUExitCITES@defra.gov.uk](mailto:EUExitCITES@defra.gov.uk)) information on foreseeable challenges faced by traders in CITES specimens after the transition period and possible solutions. **[Ongoing.]**

**AP4 5/2/20:** Defra to circulate an agreed interpretation of 10kg per shipment to CSUG members. Defra/APHA also to consider the issue of composite items and whether advice can be provided to support interpretation. **[Ongoing.]**

**AP8 5/2/20:** REPTA to approach the Star tortoise breeder so that they can start discussions with APHA about applying to register as a commercial, captive-breeding facility. [**Update:** *No application yet received, so considered complete for the time being.*]

**AP4 3/9/20:** Defra to direct the Cyclamen Society's query about phytosanitary certificates to the relevant team for response. [*Defra's CITES team has put the Cyclamen Society in contact with the relevant team for advice.* **Completed.**]

**AP5 3/9/20:** BADA to email Defra for an update on a commitment given to consult on non-legislative aspects of the Ivory Act eg 10% ivory composition and criteria for identifying items of outstanding artistic value and importance. [**Completed.**]

**AP7 3/9/20:** CSUG members should send ideas for working group subject areas to [CITES.UKMA@defra.gov.uk](mailto:CITES.UKMA@defra.gov.uk). [**Completed.**]

**AP8 3/9/20:** CSUG members to send any specific examples of what they considered to be excessive questions asked as part of the application process to [wildlife.licensing@apha.gov.uk](mailto:wildlife.licensing@apha.gov.uk) (copied to [CITES.UKMA@defra.gov.uk](mailto:CITES.UKMA@defra.gov.uk)) so that team development can be improved. [**Ongoing.**]

**AP10 3/9/20:** CSUG members to forward any research on the use of mini-microchips in tortoises or other reptile specimens to [wildlife.licensing@apha.gov.uk](mailto:wildlife.licensing@apha.gov.uk). [**Ongoing.**]

**AP11 3/9/20:** APHA to review current policy on the size of tortoise requiring microchips for commercial use. [**Ongoing.**]

**AP12 3/9/20:** SUN and Defra to discuss SA referrals separately. [**Carried forward.**]

#### **Corporate update:**

2. Defra reported on a number of staff moves. [**Update:** *Richard Thompson's successor, Dornford Rugg, joined the CITES Policy team on 23 November.*] A Divisional re-structuring has brought together international biodiversity teams. The duration of the Government Spending Review (SR) had been confirmed as one year. Defra's SR settlement for 2020/1 has been confirmed. While less than Defra sought, there is some positive news including a good allocation for repatriated functions that will be brought back to Defra Group at the end of the transition period. Defra Group is currently undertaking a business planning round to confirm local budgets for 2021/2.

3. Kew thanked CSUG members for their participation in the survey for traders which had provided a useful insight into plant trade with the EU. Kew had recruited two staff members starting in December, providing additional capacity for the New Year.

#### **Policy updates:**

**EU Exit -**

4. A summary of the discussion on controls at the end of the UK Transition Period and resulting actions is inserted below.



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follow up questions.d

### **APHA staffing and turnaround times -**

5. Further to the service level update circulated on 16 November, APHA clarified that they were working to return to the 15-day turnaround. They had 490 pieces of work and needed to reduce this to 200. They were working on applications received in early November. [**Update:** *APHA is now allocating work to officers received on 8 December, within the 15 working day target.*] APHA outlined the measures being taken to tackle the backlog, ranging from recruiting 28 additional members of staff, to dividing teams to work on specific sectors in order to develop expertise. They will also introduce regular stakeholder consultation sessions to share best practice. Any concerns or problems with the service provided should be raised with APHA's Operations Manager: [Emily.Penry@apha.gov.uk](mailto:Emily.Penry@apha.gov.uk).

### **UK Ivory Act 2018:**

6. Defra's Ivory Team had published a [summary of responses](#) to the call for evidence on trade in non-elephant ivory and were considering next steps. They were working on implementation of the Ivory Act and planned to go out to public consultation by the end of the year. There was no proposed date for the Act to enter into force but it would take time to analyse and publish the consultation results and lay a Statutory Instrument.

### **Role of CITES in the global response to Covid-19:**

7. There had been pressure from civil society organisations for CITES to take account of the risk of zoonoses transmission. The UK has developed a proposal, submitted to the Secretariat and SC Chair, to establish a Standing Committee (SC) Intersessional Working Group to facilitate a structured, Party-led discussion. Defra will keep CSUG members updated on developments.

### **Operational issues:**

#### **Petition to increase the size of App I/Annex A tortoises needing microchips -**

8. APHA agreed at the last meeting to review its decision to reduce the plastron length from 100mm to 60mm of tortoises to be microchipped on the basis of available evidence and veterinary advice. APHA's review is ongoing. The two actions from the last meeting (APs10 and 11) are carried forward with a view to revisiting this at the next meeting.

### **Scientific Authority referrals -**

9. Defra has received some examples from traders of where they are being asked for detailed information in support of applications. APHA and Defra are happy to receive specific examples of what CSUG members consider to be excessive questions (AP8 3/9/20) with a view to discussing this again at the next meeting.

10. OATA suggested a review of APHA's [Live Animals Accommodation and Care questionnaire](#) as it refers to the largely out of date Pet Animals Act 1951 and the questions asked need further consideration. JNCC might be making decisions contrary to animal welfare legislation overseen by Local Authorities.

<p><b>Action Point 1:</b> OATA to outline the areas of concern in an email to <a href="mailto:CITES.UKMA@defra.gov.uk">CITES.UKMA@defra.gov.uk</a> for sharing with JNCC. <b>[Completed.]</b></p>
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### **Review of CITES permit fees -**

11. The review of fees and consolidation of the fee structure are part of a wider project looking at APHA fees and charges. Any changes are likely to come into force in April 2022. Traders would be given an opportunity to engage in a consultation. CSUG members remained concerned about an increase in fees, particularly when businesses were already under pressure from Covid-19 and the impact of EU Exit. OATA asked whether charges could be waived for a period to support businesses at the end of the TP.

<p><b>Action Point 2:</b> Defra to take away this suggestion for consideration under next year's Spending Review round.</p>
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### **Cost of a change of address on TSCs -**

12. The Guild of Taxidermists explained that the issue had been resolved and that a change of address incurred a one-off fee of £1.50, not the full cost of a permit.

### ***Dalbergia nigra* -**

13. The group discussed implementation challenges in respect of *Dalbergia nigra* (listed in Appendix I/Annex A) and the other rosewood species more recently added to Appendix II/Annex B. The Guild of Taxidermists highlighted the difficulty in finding an expert to identify rosewood species and suggested that the split listing could lead to people saying a specimen is not *D. nigra* to avoid needing CITES documentation, or conversely applying for unnecessary Article 10 certificates. UK policy is that a trader should apply for an Article 10 certificate where there is reason to believe an item is *D. nigra*. An item's provenance is sometimes requested but it can be difficult to obtain. The Guild of Taxidermists suggested that specimen-specific certificates (SSCs) be issued for vintage guitars made from *D. nigra* permanently marked with a unique identification number.

**Action Point 3:** APHA and Defra to discuss whether SSCs would be appropriate for vintage guitars made from *Dalbergia nigra* with musical instrument sector representatives at their meeting on 26 November.

#### **UK Working Groups:**

14. Defra thanked CSUG members for their suggestions and outlined a preference to set up two CSUG working groups initially, starting in the New Year, on: (i) guidance eg looking at COTES civil sanctions, and identification; and (ii) Wildlife Trade Regulations and possible UK legislative changes to EU retained law.

#### **COTES – update on civil sanctions guidance:**

15. Defra has re-started work on the draft guidance. This will be picked up by the Guidance Working Group.

#### **EU and international CITES meetings – review and forward look:**

16. Defra advised that there was no update on the 90<sup>th</sup> Management Committee meeting that took place on 22 September. [**Update:** *The summary of conclusions have subsequently been published on the [EU Commission website](#).*]

17. Following the postponement of the 31<sup>st</sup> Animals Committee and 25<sup>th</sup> Plants Committee meetings, working groups are being set up to take forward work intersessionally. The UK has requested representation on a number of these.

**Action Point 4:** Defra to circulate a list of UK membership of AC and PC working groups. [**Completed.** See doc at para 4.]

#### **Ukrainian Appendix III proposals:**

18. Defra advised that Ukraine was consulting the UK on potential proposals to list a number of song birds and the European pond turtle on Appendix III. Although consulting range states, this was ultimately a matter for Ukraine who could act unilaterally in adding the species to Appendix III in order to monitor trade in its own populations. Such listings would not affect domestic UK trade. SUN noted that the UK does not import these species from Ukraine; however, there would be an administrative burden for those taking UK-bred birds to the EU to show.

**Action Point 5:** Defra to circulate a summary of Appendix III controls. [**Completed.** See doc at para 4.]

#### **AOB and next meeting:**

#### **Marine Ornamental Workshop –**

19. OATA stated that the industry continues to reach out to the Secretariat with suggestions and offers to help but have received no response.

**Action Point 6:** Defra to include the marine ornamental workshop in its list of issues to raise with the Secretariat.

**Notifications -**

20. Recently-published [CITES Notifications](#) included one requesting comments on five intersessional Standing Committee documents, specimens produced through biotechnology, and Appendix III listings for Japan and Sri Lanka of 14 reptile species which enter into force on 14 February 2021.

**Next meeting –**

21. The next meeting will be in late January. [**Update:** *the meeting will take place on 28 January 2021.*]