

**Convention on International Trade  
in Endangered Species  
of Wild Fauna and Flora**

**Biennial Report  
of the  
Federal Republic of Germany**

**(2007 - 2008)**



**Cover design:** Drawings of CITES protected wildlife by Josie Addis (8), Lina Günter (11) and Lena Hupperich (10); layout and graphical design of an African steppe by Frank Rogalla, Federal Agency for Nature Conservation (FANC).

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**Biennial Report  
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Federal Republic of Germany**

**PART 1 – CITES Questions**

**Note:** Part 1 is composed exclusively of the questions included in the CITES Biennial Report format, approved at the 13<sup>th</sup> meeting of the Conference of the Parties to CITES, October 2004

### A. General information

Party	<b>Federal Republic of Germany</b>
Period covered in this report: 1 January 2007 to 31 December 2008	
Details of agency preparing this report	<b>Federal Agency for Nature Conservation</b> Konstantinstraße 110 D – 53179 Bonn Germany
Contributing agencies, organizations or individuals	1. <b>Federal Ministry for Environment, Nature Conservation and Nuclear Safety</b> Robert-Schuman-Platz 3 D – 53175 Bonn Germany  2. <b>The Federal States ‘Laender’</b> of the Federal Republic of Germany

## B. Legislative and regulatory measures

1	<p>Has information on CITES-relevant legislation already been provided under the CITES National Legislation Project? If yes, ignore questions 2, 3 and 4.</p>	<p>Yes (fully) <input checked="" type="checkbox"/></p> <p>Yes (partly) <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>No information/unknown <input type="checkbox"/></p>
2	<p>If your country has planned, drafted or enacted any CITES-relevant legislation, please provide the following details:</p> <p><b>European Union (EU) law: EC Wildlife Trade Regulations (WTR)</b></p> <p>Since 1984, the European Union has been implementing the provisions of CITES, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, through common regulations. The most recent of these are the basic Regulation, currently <i>Council Regulation (EC) No 338/97 on the Protection of the Species of Wild Fauna and Flora by Regulating Trade Therein</i> (entry into force: 1<sup>st</sup> June 1997) and its successive implementing Regulation, currently <i>Commission Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97</i> (entry into force: 9<sup>th</sup> July 2006). These two regulations must be read together to understand the European Community wildlife trade law.</p> <p>Regulation No 338/97 has four Annexes of which A, B and C largely correspond to the first three appendices of the Convention. However these Annexes do also include some non-CITES listed species protected under EU internal legislation. The Annexes are revised according to the CITES appendices and were lastly amended through Commission Regulation (EC) No 318/2008 implementing the decisions at CITES CoP 14 (entry into force: 11<sup>th</sup> April 2008).</p> <p>The implementing Regulation (Commission Regulation (EC) 865/2006) was amended by Commission Regulation (EC) 100/2008 (entry into force: 25<sup>th</sup> April 2008) which incorporates Resolutions and Decisions adopted at CoP 13 and CoP 14, e.g. standard nomenclature, pre-Convention status, personal effects exemptions (caviar, seahorses, giant clam shells), restrictions for trade in caviar, sample collections covered by ATA carnets, retrospective issuance of documents or the new CITES Biennial Report format.</p> <p>In addition, there are EC Trade Suspension Regulations, currently Commission Regulation (EC) No 811/2008 suspending the introduction into the European Community of certain wild fauna and flora. All regulations are available through www under <a href="http://ec.europa.eu/environment/cites/home_en.htm">http://ec.europa.eu/environment/cites/home_en.htm</a>.</p> <p>Places of introduction and export designated by EU Member States for Trade with third countries were revised and newly published (Official Journal of the EU, C 72, p. 52 ff., see also <a href="http://ec.europa.eu/environment/cites/pdf/list_points_of_entry.pdf">http://ec.europa.eu/environment/cites/pdf/list_points_of_entry.pdf</a>) as well as names and addresses of the EU Management and Scientific Authorities (Official Journal of the EU, C 72, p. 1 ff, see also <a href="http://ec.europa.eu/environment/cites/pdf/list_authorities.pdf">http://ec.europa.eu/environment/cites/pdf/list_authorities.pdf</a>).</p> <p><b>National German Law</b></p> <p>The Federal Nature Conservation Act &lt;BNatSchG&gt; has been in force since 4<sup>th</sup> April 2002. Further revisions in 2007 and 2008 have not altered regulations which implement CITES or EC Wildlife Trade Regulations. Part Five of the Federal Nature Conservation Act is dealing with the protection of wild fauna and flora. The Federal Nature Conservation Act also grants powers to impose further more detailed rules which are laid down in the Federal Ordinance on the Conservation of Species (&lt;BArtSchV&gt;, Federal Law Gazette I, p. 258). The national instruments of protection ensure effective enforcement of the international and European rules on the conservation of species. Both, directives and international conventions of relevance to species conservation are implemented. As far as transposition of the EC Birds Directive (removal, possession, keeping) is concerned, the Federal Game Conservation Ordinance &lt;BWildSchV&gt; (Federal Law Gazette I, 1985, p. 2040) contains provisions in respect of the species governed by German hunting law (Annex 1 to the Federal Game Conservation Ordinance).</p> <p>Specifically, the Federal Nature Conservation Act comprises the following provisions:</p> <ul style="list-style-type: none"> <li>• The legal protection of species listed in Annex A and Annex B of the EC Regulation on species conservation as so-called specially protected species under national law;</li> </ul>	

	<ul style="list-style-type: none"> <li>• Information and access rights (Art. 50 of the Federal Nature Conservation Act);</li> <li>• The legal protection of species listed in Annex IV of the Habitat Directive 92/43/EEC and those European bird species protected under the Bird Directive 79/409/EEC;</li> <li>• The legal protection of indigenous species (Annex 1 of the Federal Ordinance on the Conservation of Species);</li> <li>• General protection of all wild species occurring in Germany (Art. 41 of the Federal Nature Conservation Act: prohibition of removal, access and disturbance; introduction);</li> <li>• Prohibition of possession of specially protected species (Art. 42 para. 2 no. 1 of the Federal Nature Conservation Act);</li> <li>• National prohibition on the marketing of species not covered by the EC Regulation (Art. 42 para. 2 no. 2 of the Federal Nature Conservation Act);</li> <li>• Duty to furnish evidence of legal acquisition (Art. 49 of the Federal Nature Conservation Act);</li> <li>• Prohibition on ownership (Art. 7 of the Federal Ordinance on the Conservation of Species &lt;BArtSchV&gt;, Art. 3 of the Federal Game Conservation Ordinance &lt;BWildSchV&gt;), and animal holding permits under <i>Länder</i> legislation;</li> <li>• Book-keeping and notification obligations (Art. 6 and Art. 7 para. 2 of the Federal Ordinance on the Conservation of Species);</li> <li>• Marking obligations (Art. 52 para. 7 no. 2 of the Federal Nature Conservation Act, Art. 12 ff. of the Federal Ordinance on the Conservation of Species);</li> <li>• Provisions to regulate and restrict the breeding, keeping and training in the wild of hybrids of birds of prey (Art. 8 ff. of the Federal Ordinance on the Conservation of Species);</li> <li>• Provisions to regulate and restrict the keeping, transfer and sale of live animals of certain alien invasive species (Art. 3 of the Federal Ordinance on the Conservation of Species).</li> </ul>																																																
3	<p>Is enacted legislation available in one of the working languages of the Convention?</p> <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>No information <input type="checkbox"/></p>																																																
4	<p>If yes, please attach a copy of the full legislative text or key legislative provisions that were gazetted.</p> <p>legislation attached <input type="checkbox"/></p> <p>provided previously <input checked="" type="checkbox"/></p> <p>not available, will send later <input type="checkbox"/></p>																																																
5	<p>Which of the following issues are addressed by any stricter domestic measures that your country has adopted for CITES-listed species (in accordance with Article XIV of the Convention)? Tick all applicable</p> <table border="1"> <thead> <tr> <th rowspan="2">Issue</th> <th colspan="3">The conditions for:</th> <th colspan="3">The complete prohibition of:</th> </tr> <tr> <th>Yes</th> <th>No</th> <th>No information</th> <th>Yes</th> <th>No</th> <th>No information</th> </tr> </thead> <tbody> <tr> <td>Trade</td> <td><input checked="" type="checkbox"/>1)</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Taking</td> <td><input checked="" type="checkbox"/>2)</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Possession</td> <td><input checked="" type="checkbox"/>2)</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Transport</td> <td><input checked="" type="checkbox"/>1)</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Other (specify)</td> <td><input checked="" type="checkbox"/>2)</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table> <p>Additional comments</p> <p>1) EU regulation (EC) No. 338/97 provides for stricter measures for the trade in endangered species; conditions for intra-community trade and transport are also harmonized by that regulation.</p> <p>2) National law provides for regulations regarding taking, possession and other restrictions as explained under B 2.</p>	Issue	The conditions for:			The complete prohibition of:			Yes	No	No information	Yes	No	No information	Trade	<input checked="" type="checkbox"/> 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Taking	<input checked="" type="checkbox"/> 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Possession	<input checked="" type="checkbox"/> 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Transport	<input checked="" type="checkbox"/> 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)	<input checked="" type="checkbox"/> 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issue	The conditions for:			The complete prohibition of:																																													
	Yes	No	No information	Yes	No	No information																																											
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Taking	<input checked="" type="checkbox"/> 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																											
Possession	<input checked="" type="checkbox"/> 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																											
Transport	<input checked="" type="checkbox"/> 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																											
Other (specify)	<input checked="" type="checkbox"/> 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																											



6	What were the results of any review or assessment of the effectiveness of CITES legislation, with regard to the following items?				Tick all applicable	
	Item	Adequate	Partially Inadequate	Inadequate	No information	
	Powers of CITES authorities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Clarity of legal obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Control over CITES trade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Consistency with existing policy on wildlife management and use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Coverage of law for all types of offences	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Coverage of law for all types of penalties	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Implementing regulations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Coherence within legislation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other (please specify):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<p>The EU Wildlife Trade Regulations (Council Regulation (EC) 338/97 and its successive implementing Regulations, currently Commission Regulation (EC) 865/2006), have now been in place for over 10 years. The EU Commission decided to launch a study on the effectiveness of the Regulations, which was carried out by TRAFFIC and IUCN and completed in December 2007. The purpose of the study was to assess the effectiveness of the current EC Wildlife Trade Regulations in relation to the objectives of CITES to ensure that trade in species of wild fauna and flora does not threaten their survival. The study provided also options on how to address the issues and shortcomings identified. The Study can be downloaded from the following website:  <a href="http://ec.europa.eu/environment/cites/pdf/studies/effectiveness_study.pdf">http://ec.europa.eu/environment/cites/pdf/studies/effectiveness_study.pdf</a></p> <p>The Study concludes that by and large the basic Regulation (Council Regulation (EC) No. 338/97) is effective in achieving the objective of CITES to ensure that trade in species is sustainable. Hence, at this stage a full revision is not necessary. However, there is considerable scope for rendering the Regulatory system more efficient and effective by revising the implementing Regulation (Commission Regulation (EC) 865/2006) or by developing guidelines for the implementation of both Regulations.</p>						
7	If no review or assessment has taken place, is one planned for the next reporting period?			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
Please provide details if available: The follow-up process of the 'Effectiveness Study' (see B 6) will be continued and probably finalized in 2010 by amending the implementing Regulation (Commission Regulation (EC) 865/2006) and/or adopting guidelines.						
8	Has there been any review of legislation on the following subjects in relation to implementation of the Convention?				Tick all applicable	
	Subject	Yes	No	No information		
	Access to or ownership of natural resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Harvesting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Transporting of live specimens	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Handling and housing of live specimens <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>						
Please provide details if available:						
9	Please provide details of any additional measures taken:					

### C. Compliance and enforcement measures

		Yes	No	No information
1	Have any of the following compliance monitoring operations been undertaken?			
	Review of reports and other information provided by traders and producers:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inspections of traders, producers, markets	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>see Attachment 1</b>
	Border controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify) (regular checks of trade through the world wide web)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Have any administrative measures (e.g., fines, bans, suspensions) been imposed for CITES-related violations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	If Yes, please indicate how many and for what types of violations? If available, please attach details as Annex.			<b>see Attachment 2</b>
4	Have any significant seizures, confiscations and forfeitures of CITES specimens been made?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	If information available: <input checked="" type="checkbox"/> Significant seizures/confiscations <input checked="" type="checkbox"/> Total seizures/confiscations If possible, please specify per group of species or attach details on annex.	Number <b>see Attachment 3</b>		
6	Have there been any criminal prosecutions of significant CITES-related violations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	If Yes, how many and for what types of violations? If available, please attach details as Annex.			<b>see Attachment 4</b>
8	Have there been any other court actions of CITES-related violations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	If Yes, what were the violations involved and what were the results? Please attach details as Annex.			<b>see Attachment 5</b>
10	How were the confiscated specimens generally disposed of?	Tick if applicable		
	– Return to country of export			<input type="checkbox"/>
	– Public zoos or botanical gardens			<input checked="" type="checkbox"/>
	– Designated rescue centres			<input checked="" type="checkbox"/>
	– Approved, private facilities			<input checked="" type="checkbox"/>
	– Euthanasia			<input type="checkbox"/>
	– Other (specify)			<input type="checkbox"/>
	Comments:			
11	Has your country provided to the Secretariat detailed information on significant cases of illegal trade (e.g. through an ECOMESSAGE or other means), or information on convicted illegal traders and persistent offenders?	Yes	No	<input checked="" type="checkbox"/>
		Not applicable		<input type="checkbox"/>
		No information		<input type="checkbox"/>
	Comments: ECOMESSAGE only used by police to inform Interpol			

12	Has your country been involved in cooperative enforcement activities with other countries (e.g. exchange of intelligence, technical support, investigative assistance, joint operation, etc.)?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
13	<p>If Yes, please give a brief description:</p> <p><b>Cooperation with institutions</b></p> <p>During the reporting period significant preparatory input and cooperation was provided to the CITES Enforcement Working Group of the European Union, the Interpol Wildlife Crime Working Group and the WCO Working Group on CITES issues.</p> <p><b>Bilateral cooperation</b></p> <p>During the reporting period numerous exchanges of intelligence with different countries occurred such as with:</p> <ul style="list-style-type: none"> <li>- Belgium, Luxemburg and Poland on several cases on illegal shipments of caviar;</li> <li>- Belgium, Netherlands, France, United Kingdom, the Czech Republic, Slovenia and Croatia on several cases on illegal trade in live reptiles, in particular tortoises;</li> <li>- Brazil and the Czech Republic on illegal transaction of parrots;</li> <li>- South Africa, Cameroon and the USA on illegal offers of parrots;</li> <li>- South Africa on illegal offer of reptiles, in particular tortoises.</li> </ul>		
14	Has your country offered any incentives to local communities to assist in the enforcement of CITES legislation, e.g. leading to the arrest and conviction of offenders?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
15	If Yes, please describe:		
16	Has there been any review or assessment of CITES-related enforcement?	Yes No Not applicable No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>Comments:</p> <p>Regular review by the CITES Management Authority and the Customs Investigations Agency</p>			

17 Please provide details of any additional measures taken:

**Enhancement of German customs enforcement in international trade in caviar**

The German Customs Criminal Agency (ZKA) had issued on 9<sup>th</sup> January 2007 a circular to all Customs Frontier Clearance Offices, to all Customs Investigation Services and all Main Customs Offices about fraud possibilities when releasing caviar for free circulation, into a customs warehousing procedure or in a transit procedure. According to internal investigations German customs found out that from in 2003 researched caviar containers up to 33% had been wrongly declared. For example containers had been declared as 'Osietra' (i.e. caviar from *Acipenser gueldenstaedtii*) whereas the tins actually contained 'Beluga' (i.e. Caviar from *Huso huso*) in order to reduce fiscal taxes. However the investigations revealed also declarations the other way round. The regional finance office at Hamburg did establish readily available molecular research methods to determine exactly the species from which the caviar originated. The circular issued by the ZKA encourages all customs authorities to send chilled samples of not more than 10 grams of shipments larger than 15 kilograms for respective investigations to the regional finance office in Hamburg.

**Risk List of CITES protected Appendix II/ EU Council Regulation No 338/97 Annex B species**

Within the European Community discussions on the establishment of list of animal and plant species listed in CITES Annex II and in Annex B of the EU Council Regulation which require special attention by officials from CITES enforcement authorities had already been established a few years ago. During the reporting period the CITES Management Authority (MA) of the Federal Agency for Nature Conservation (FANC) had for national purposes only reviewed and amended this EU-list which the EU Enforcement Working Group had set up based on following criteria:

- The species is highly in demand and in particular by specialists;
- The species is hardly or rather difficult to breed or artificially to propagate in captivity;
- There have been EU import restrictions established or there is a negative opinion by the Scientific Working group for the respective species;
- The species has been regularly monitored in illegal trade; and
- There is no information available on legal trade for the respective species.

The risk list is not a closed list but constantly under review. It is considered to assist all enforcement agencies within Germany to apply specific and more intensified enforcement efforts in particular with regard to the legality of the species included in the list when these are detected within trade. The amended list was submitted by the CITES MA of the FANC to the Federal States CITES authorities in November 2007.

**Enhancement of enforcement in international trade in CITES protected timber**

In late 2007 the 'Standing Committee on Species and Biotope Conservation' of the *Bund/Länder* working group for Nature Conservation (BLANA) agreed at its 52<sup>nd</sup> meeting on the establishment of a CITES timber enforcement subcommittee under the chairmanship of the FANC. During the reporting period the subcommittee met twice. Major objectives of its work are to identify areas where controls of CITES protected timber species needs to be enhanced and intensified (i.e. builders yards, toy industry, music instrumental industries), how to handle stocks of CITES protected timber which had been acquired before CITES conservation legislation came into effect and finally to develop standardized guidelines for internal controls to be conducted by Federal State Authorities

**Implementation of EU Commission Recommendation C (2007) 2551 of 13<sup>th</sup> June 2007**

With regard to the implementation of the EU Enforcement Action Plan the 'Standing Committee on Species and Biotope Conservation' of the *Bund/Länder* working group for Nature Conservation (BLANA) agreed at its 53<sup>rd</sup> meeting in May 2008 on two main focus areas in CITES enforcement in 2008 and 2009, i.e. international trade in caviar and in live turtles and tortoises. With regard to caviar an enforcement strategy paper had been approved with clear targets and deadlines including country wide standardized controls of the caviar trade in close co-operation with federal (customs investigations agencies) and regional authorities which were carried out between 1<sup>st</sup> November and 15<sup>th</sup> December 2008.

## D. Administrative measures

### D1 Management Authority (MA)

1	Have there been any changes in the designation of or contact information for the MA(s) in your country which are not yet reflected in the CITES Directory?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No information <input type="checkbox"/>
2	If Yes, please use the opportunity to provide those changes here.	
3	If there is more than one MA in your country, has a lead MA been designated?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
4	<p>If Yes, please name that MA and indicate whether it is identified as the lead MA in the CITES Directory.</p> <p>The leading CITES Management Authority as identified in the CITES Directory is the Federal Ministry for Environment, Nature Conservation and Nuclear Safety Robert-Schumann-Platz 3 D – 53175 Bonn Germany</p>	
5	How many staff works in each MA?	At the Federal Agency for Nature Conservation 26 persons
6	Can you estimate the percentage of time they spend on CITES related matters?  If yes, please give estimation	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No information <input type="checkbox"/>
7	What are the skills/expertise of staff within the MA(s)?	Tick if applicable
	– Administration	<input checked="" type="checkbox"/>
	– Biology	<input checked="" type="checkbox"/>
	– Economics/trade	<input type="checkbox"/>
	– Law/policy	<input checked="" type="checkbox"/>
	– Other (specify) Veterinary	<input checked="" type="checkbox"/>
	– No information	<input type="checkbox"/>
8	Have the MA(s) undertaken or supported any research activities in relation to CITES species or technical issues (e.g. labelling, tagging, species identification) not covered in D2(8) and D2(9)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
9	<p>If Yes, please give the species name and provide details of the kind of research involved.</p> <p><b>Examination of the declaration of origin for timber by means of distribution of isotopes</b> Germany's Federal Foundation for the Environment ('Deutsche Bundesstiftung Umwelt') had funded during the reporting period a research project (project No. AZ 238957/312) undertaken by WWF Germany to develop a method by use of stable isotopes in order to determine the specific origin of timber. The principle objectives of the research project were to test the application of stable isotopes among different timber and to develop practical tools for enforcement purposes to allow detecting timber from illegal origin. The use of stable isotopes had proven to be rather successful examine trade in food items to detect their correct origin. The project which was undertaken on timber samples from Northern Europe and from SE Asia had proven that the applied method can be used. However the amount of samples researched will not allow to properly detecting country specific origins. More research is required. The 98 pages report was submitted in June 2008.</p> <p><b>Sustainable caviar production without the necessity of killing any sturgeons</b> Already in 2005 Germany's CITES Management Authority had motivated and encouraged the 'Alfred-Wegener-Institut für Polar- und Meeresforschung (AWI)', which is a German Federal Government funded polar and ocean research institute established nearly thirties years ago as a foundation of public law, to continue it's research on developing non-lethal methods to produce high quality caviar from sturgeons raised in aquaculture.</p>	

	<p>Since the protection under CITES of all sturgeon species worldwide the production of caviar from wild caught sturgeons has dramatically decreased. Irrespective of this development the demand in caviar worldwide remains high. This development has provided great incentives to develop both 'in-situ' and 'ex-situ' aquaculture for various sturgeon species including hybrids.</p> <p>Although growing fast in aquaculture, sturgeons need 5 to 8 years to mature until caviar can be harvested for the first time. In view of fish meal prizes which have doubled within the past 20 years and high operation costs of the culture plant, it is not efficient if the animals can be harvested for caviar only once in their lives. Until now, the caviar production from ripe ovulated eggs without killing the fish implicated a number of major problems. Contact to water during the washing process converts the outer layer of the ripe egg into a jelly mass, sticking together. Subsequent adding of salt let the soft eggs explode and the result is a slimy mass. Only unripe eggs harvested by opening the fish's body cavity were stable enough to sustain the procedure of making caviar. Caesarean sections to harvest immature caviar generally result in reduced fertility or often in death.</p> <p>By analyzing natural processes during egg fertilization, a new technique for caviar production from ovulated stripped sturgeon eggs was developed and patented by the AWI in 2008 at the German Patent and Trade Mark Office (DPMA) where the publication can be accessed in a searchable database (<a href="http://depatisnet.dpma.de/DepatisNet/depatisnet?window=1&amp;space=main&amp;content=recherche&amp;action=einsteiger&amp;session=c23b66f230dd48c72faf313941828207a1892d5c2163&amp;stamp=11534">http://depatisnet.dpma.de/DepatisNet/depatisnet?window=1&amp;space=main&amp;content=recherche&amp;action=einsteiger&amp;session=c23b66f230dd48c72faf313941828207a1892d5c2163&amp;stamp=11534</a>) under publication number DE 102005050723. The advantages of the new technology are obvious: No denaturising and quality loss of a high value luxury delicacy as eggs remain in their native state. According to the positive response of star cooks and caviar traders, the result is a highly tasty caviar meeting the expectations of a spoiled gourmet. Harvesting of eggs is harmless for the fish and can be repeated over many production cycles. Further information on the research findings can also be accessed under following website:  <a href="http://www.awi.de/de/institut/allgemeine_dienste/technologietransfer/marine_biotechnologies/sustainable_production_of_caviar/">http://www.awi.de/de/institut/allgemeine_dienste/technologietransfer/marine_biotechnologies/sustainable_production_of_caviar/</a></p>
10	Please provide details of any additional measures taken:

## D2 Scientific Authority (SA)

1	Have there been any changes in the designation of or contact information for the SA(s) in your country which are not yet reflected in the CITES Directory?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>				
2	If Yes, please use the opportunity to provide those changes here.						
3	Has your country designated a Scientific Authority independent from the Management Authority?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
4	What is the structure of the SA(s) in your country? – Government institution – Academic or research institution – Permanent committee – Pool of individuals with certain expertise – Other (specify)	Tick if applicable <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
5	How many staff work in each SA on CITES issues?  There are totally 8 persons in both Scientific Authorities involved and working on CITES issues.						
6	Can you estimate the percentage of time they spend on CITES related matters? If yes, please give estimation	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
The percentage of time the 8 persons mentioned under paragraph 5 invest in CITES issues would correspond to roughly 3,5 full time posts							
7	What are the skills/expertise of staff within the SA(s)? – Botany – Ecology – Fisheries – Forestry – Welfare – Zoology – Other (specify) Geography – No information	Tick if applicable <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>					
8	Have any research activities been undertaken by the SA(s) in relation to CITES species?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
9	If Yes, please give the species name and provide details of the kind of research involved.						
	Species name	Populations	Distribution	Off take	Legal trade	Illegal trade	Other (specify)
	1						
	2						
	3						
	etc.						
	If Yes, please give the species name and provide details of the kind of research involved.					No information	<input type="checkbox"/>
<p><b>Update and translation of the computer based identification tool <a href="#">CITESwoodID</a> into all official CITES languages</b></p> <p>A new version of the CITES timber identification programme CITESwoodID has been developed between September 2007 and August 2008. The programme is now available in an English, French and Spanish version. The new versions also include now the newly at CITES CoP 14 listed species <i>Bulnesia sarmientoi</i>, <i>Dalbergia retusa</i>, <i>Dalbergia stevensonii</i> and <i>Caesalpinia echinata</i>. In total, the programme comprises 12 trade relevant CITES timber species and 45 non-CITES look-alike-taxa with similar appearance. The CD should serve as a practical and quick approach for all persons and institutions involved in controlling import as well as export of wood and wood products of</p>							

CITES listed timber species. The primary objective of using the CD-ROM is to exclude timbers that are definitely not regulated under CITES and to provide a scientific basis for a simple risk analysis for any enforcement officials.

**Study on utilization, trade and conservation of *Hoodia gordonii* in Southern Africa**

In 2007 a study was carried out to investigate the population status, harvesting and trade of the CITES listed succulent species *Hoodia gordonii* in Southern Africa. Due to its use as an appetite suppressant, *Hoodia* raw material and products are significantly represented in international trade which is a matter of conservation concern. The study indicated that almost all traded material originated from the wild but that cultivated material will be provided now in large amounts.

**Development of a proposal for CoP 14 to amend annotations for medicinal plant species**

At the request of the CITES Plants Committee Germany's Scientific Authority for plants chaired a working group to review the existing annotations for CITES-listed medicinal plants species and developed in 2007 a proposal to amend annotations for several medicinal plant taxa. This initiative was necessary as the existing annotations did not adequately reflect the commodities in trade and included some ambiguous terms which led to confusion in trade reporting.

**Development of principles, criteria and indicators for making non-detriment findings for wild specimens of medicinal plants.**

Since the 17<sup>th</sup> meeting of the CITES Plants Committee in 2008 Germany has been chairing a working group to develop principles, criteria and indicators for the making of non-detriment findings for wild specimens of medicinal plants. The group has been working intersessionally. It has provided significant input to the 'International Expert Workshop on CITES Non-detriment Findings' held in November 2008 in Cancun, Mexico.

**Trade in and conservation of two shark species, Porbeagle (*Lamna nasus*) and Spiny Dogfish (*Squalus acanthias*)**

Since the 14<sup>th</sup> CITES Conference of the Parties (CoP) Germany's Scientific Authority did continuously collect new information on trade and conservation of the two shark species mentioned above in order to comprehensively revise and update the listing proposals presented at CITES CoP14 as Germany is considering to resubmit these proposals at the 15<sup>th</sup> CoP of CITES again.

10	Have any project proposals for scientific research been submitted to the Secretariat under Resolution Conf. 12.2?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No information <input type="checkbox"/>
11	Please provide details of any additional measures taken:	



### D3 Enforcement Authorities

1	To date has your country advised the Secretariat of any enforcement authorities that have been designated for the receipt of confidential enforcement information related to CITES?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
2	If No, please designate them here (with address, phone, fax and email).	
3	Has your country established a specialized unit responsible for CITES-related enforcement (e.g. within the wildlife department, Customs, the police, public prosecutor's office)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Under consideration <input type="checkbox"/> No information <input type="checkbox"/>
4	If Yes, please state which is the lead agency for enforcement:  Federal Agency for Nature Conservation (FANC) Division Z 3.3 "Legal Affairs and Enforcement" Konstantinstrasse 110 D – 53179 Bonn Germany	
5	Please provide details of any additional measures taken:  The CITES Management Authority (MA) of the Federal Agency for Nature Conservation had taken note of the EU Enforcement Action Plan, published on 20 <sup>th</sup> June 2007 in the official journal of the EU No. L 159/07 (Document 2007/425/EC) and began after the 14 <sup>th</sup> CoP to CITES to nationally implement the recommendations contained in the action plan on which the Community had agreed upon unanimously.  Since September 2007 the CITES MA started several initiatives on a national level to develop a national enforcement action plan in accordance with the provisions of CITES Resolution Conf 11.3 (Rev. CoP 14).  Some of the actions recommended in the national action plan had already been implemented in Germany such as the rapid exchange of important information by electronic means through an electronic CITES newsletter, public awareness campaigns, training of enforcement officers or strong working relations among German officials in the different authorities and enforcement agencies. Such working relations are backed up both by formalized but also not formalized agreements and strong government support.  In addition to these activities Germany had nationally started a process to implement further actions recommended in the EU Enforcement Action Plan. All relevant enforcement and management authorities involved in the implementation of CITES have been invited to collaborate on the creation and implementation of a national action plan. To meet these objectives an Interagency National Action Plan Working Group (IANAP-WG) was established at the Federal Agency for Nature Conservation. The IANAP-WG met already twice, i.e. in September 2007 and in February 2008. The IANAP-WG includes representatives from German customs services, the police, national and local CITES Management Authorities and other enforcement bodies. The main objectives and targets of this group are: <ul style="list-style-type: none"> <li>- to improve overall inter-agency cooperation;</li> <li>- to collect and distribute relevant information;</li> <li>- to identify enforcement priorities;</li> <li>- to coordinate public relation activities; and</li> <li>- to control and coordinate adequate training activities.</li> </ul>	

**D4 Communication, information management and exchange**

1	To what extent is CITES information in your country computerized? <span style="float: right;">Tick if applicable</span>						
	– Monitoring and reporting of data on legal trade <span style="float: right;"><input checked="" type="checkbox"/></span>						
	– Monitoring and reporting of data on illegal trade <span style="float: right;"><input checked="" type="checkbox"/></span>						
	– Permit issuance <span style="float: right;"><input checked="" type="checkbox"/></span>						
	– Not at all <span style="float: right;"><input type="checkbox"/></span>						
– Other (specify) <span style="float: right;"><input type="checkbox"/></span>							
2	Do the following authorities have access to the Internet? <span style="float: right;">Tick if applicable</span>						
	Authority	Yes, continuous and unrestricted access	Yes, but only through a dial-up connection	Yes, but only through a different office	Some offices only	Not at all	Please provide details where appropriate
	Management Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Scientific Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Enforcement Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3	Do you have an electronic information system providing information on CITES species?					Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>	
4	If Yes, does it provide information on: <span style="float: right;">Tick if applicable</span>						
	– Legislation (national, regional or international)? <span style="float: right;"><input checked="" type="checkbox"/></span>						
	– Conservation status (national, regional, international)? <span style="float: right;"><input checked="" type="checkbox"/></span>						
	– Other (please specify)? <span style="float: right;"><input checked="" type="checkbox"/></span>						
	Import restrictions, trade statistics, permit application procedures etc.						
	<b>Trade statistics:</b>						
	<a href="http://www.bfn.de/0305_statistik+M5054de7a952.html">http://www.bfn.de/0305_statistik+M5054de7a952.html</a>						
	<b>Permit application procedures:</b>						
	<a href="http://www.bfn.de/0305_antragstellung+M5054de7a952.html">http://www.bfn.de/0305_antragstellung+M5054de7a952.html</a>						
	<b>Import of hunting trophies:</b>						
<a href="http://www.bfn.de/0305_jagd+M5054de7a952.html">http://www.bfn.de/0305_jagd+M5054de7a952.html</a>							
<b>Personal effects:</b>							
<a href="http://www.bfn.de/0305_pers_gebrauch+M5054de7a952.html">http://www.bfn.de/0305_pers_gebrauch+M5054de7a952.html</a>							
<b>Costs ordinance:</b>							
<a href="http://www.bfn.de/0305_kosten_vo+M5054de7a952.html">http://www.bfn.de/0305_kosten_vo+M5054de7a952.html</a>							

5	<p>Is it available through the Internet:</p> <p>Please provide URL:</p> <p><a href="http://www.cites.bfn.de">www.cites.bfn.de</a></p> <p>General information both in German and in English on CITES and relevant regulations including information on permit applications including associated fees and specific provisions for tourist souvenirs, personal effects and hunting trophies. The internet site had been significantly updated and amended during the reporting period and provides now among others original text of all relevant CITES legislation on the international, EU- and national level.</p> <p><a href="http://www.bmu.de">www.bmu.de</a></p> <p>General and up-to-date political information on CITES such as Conferences of the Parties their major agenda items and outcomes as well as information on other relevant multilateral environmental agreements.</p> <p><a href="http://www.wisia.de">www.wisia.de</a></p> <p>The internet data bank WISIA-online provides information on CITES protected animals and plants not only for professional conservationists but also for the general public. Whoever intends to acquire an exotic souvenir, which often has been manufactured by means of protected species can find through WISIA-online besides information on the protection status many further useful hints, including the relevant date since when a respective species has become a CITES protected specimen.</p> <p><a href="http://www.artenschutz-online.de">www.artenschutz-online.de</a></p> <p>An internet based information forum established as a common project between German customs and the CITES Management Authority of the FANC which specifically is targeted for tourists by providing information on protected species in the relevant tourist regions of the world.</p> <p><a href="http://www.cites-online.de">www.cites-online.de</a></p> <p>Online platform for internet based applications for an electronically submission of CITES permits including qualified electronic signature.</p> <p><a href="http://www.zeet.de">www.zeet.de</a></p> <p>Information platform provided by Germany's Scientific Authorities of the FANC on all decisions taken by the European Union on import restrictions and other stricter domestic measures regarding international trade in CITES species.</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Not applicable <input type="checkbox"/></p> <p>No information <input type="checkbox"/></p>																				
6	<p>Do the following authorities have access to the following publications?</p> <table border="1"> <thead> <tr> <th data-bbox="248 1675 810 1749">Publication</th> <th data-bbox="810 1675 1027 1749">Management Authority</th> <th data-bbox="1027 1675 1198 1749">Scientific Authority</th> <th data-bbox="1198 1675 1447 1749">Enforcement Authority</th> </tr> </thead> <tbody> <tr> <td data-bbox="248 1749 810 1823"><i>2005 Checklist of CITES Species</i> (book and CD-ROM)</td> <td data-bbox="810 1749 1027 1823" style="text-align: center;"><input checked="" type="checkbox"/></td> <td data-bbox="1027 1749 1198 1823" style="text-align: center;"><input checked="" type="checkbox"/></td> <td data-bbox="1198 1749 1447 1823" style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td data-bbox="248 1823 810 1921"><i>2008 Checklist of CITES Species and Annotated Appendices and reservations</i> (CD-ROM)</td> <td data-bbox="810 1823 1027 1921" style="text-align: center;"><input checked="" type="checkbox"/></td> <td data-bbox="1027 1823 1198 1921" style="text-align: center;"><input checked="" type="checkbox"/></td> <td data-bbox="1198 1823 1447 1921" style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td data-bbox="248 1921 810 1973"><i>Identification Manual</i></td> <td data-bbox="810 1921 1027 1973" style="text-align: center;"><input checked="" type="checkbox"/></td> <td data-bbox="1027 1921 1198 1973" style="text-align: center;"><input checked="" type="checkbox"/></td> <td data-bbox="1198 1921 1447 1973" style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td data-bbox="248 1973 810 2016"><i>CITES Handbook</i></td> <td data-bbox="810 1973 1027 2016" style="text-align: center;"><input checked="" type="checkbox"/></td> <td data-bbox="1027 1973 1198 2016" style="text-align: center;"><input checked="" type="checkbox"/></td> <td data-bbox="1198 1973 1447 2016" style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </tbody> </table>	Publication	Management Authority	Scientific Authority	Enforcement Authority	<i>2005 Checklist of CITES Species</i> (book and CD-ROM)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<i>2008 Checklist of CITES Species and Annotated Appendices and reservations</i> (CD-ROM)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Identification Manual</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<i>CITES Handbook</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Tick if applicable</p>
Publication	Management Authority	Scientific Authority	Enforcement Authority																			
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<i>CITES Handbook</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>																			

7	If not, what problems have been encountered to access to the mentioned information?	
8	Have enforcement authorities reported to the Management Authority on:	Tick if applicable
	– Mortality in transport?	<input checked="" type="checkbox"/>
	– Seizures and confiscations?	<input checked="" type="checkbox"/>
	– Discrepancy in number of items in permit and number of items actually traded?	<input checked="" type="checkbox"/>
	Comments:	
9	Is there a government website with information on CITES and its requirements?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	If Yes, please give the URL: <a href="http://www.cites.bfn.de">www.cites.bfn.de</a>	
10	Have CITES authorities been involved in any of the following activities to bring about better accessibility to and understanding of the Convention's requirements to the wider public?	Tick if applicable
	– Press releases/conferences	<input checked="" type="checkbox"/>
	– Newspaper articles, radio/television appearances	<input checked="" type="checkbox"/>
	– Brochures, leaflets	<input checked="" type="checkbox"/>
	– Presentations	<input checked="" type="checkbox"/>
	– Displays	<input checked="" type="checkbox"/>
	– Information at border crossing points	<input checked="" type="checkbox"/>
	– Telephone hotline	<input type="checkbox"/>
	– Other (specify)	<input checked="" type="checkbox"/>
	<p>- On 16<sup>th</sup> February 2007 the Federal Agency for Nature Conservation (FANC) together with TRAFFIC, WWF and IUCN launched during a press conference in Nürnberg, Germany the 'International Standards for Sustainable Wild Collections of Medicinal and Aromatic Plants (ISSC-MAP)' which include a set of criteria to be used to ensure that any wild collection of Medicinal and aromatic plants is conducted in a sustainable manner. In many poor countries worldwide the collection in the wild of medicinal and aromatic plants forms the basis for general health care. Furthermore such collection provides for an important additional income in poor families to overall improve their livelihoods. (<a href="http://www.bfn.de/1850.html?&amp;cHash=e113d89a4e&amp;tx_ttnews[backPid]=1849&amp;tx_ttnews[tt_news]=283">http://www.bfn.de/1850.html?&amp;cHash=e113d89a4e&amp;tx_ttnews[backPid]=1849&amp;tx_ttnews[tt_news]=283</a>)</p> <p>- The ongoing illegal trade in caviar from CITES protected sturgeon species in and through Germany triggered on 22. May 2007 a media campaign by the FANC. The campaign addressed in particular the persisting problem of slack penalizing in caviar court cases through general attorneys and judges.</p> <p>- The run-up of the 14<sup>th</sup> Conference of the Parties (CoP) of CITES which was convened quite close to summer holiday season was used by the FANC between the 22. - 24. May for raising awareness through several newspaper articles in the 'Frankfurter Rundschau', the 'Luxemburger Wort' an international in German issued daily journal from Luxemburg and other journals both on the objectives of the Convention in general and on the major political issues to be discussed at the 14<sup>th</sup> CoP such as conservation of timber and marine species as well as improvement of CITES enforcement and compliance.</p> <p>- Germany's Ministry for Environment, Nature Conservation and Nuclear Safety issued a press release following an official visit of the Director for Nature Conservation to China in October 2007 by announcing closer collaboration with China among others on CITES enforcement issues. (<a href="http://www.bmu.de/pressemitteilungen/aktuelle_pressemitteilungen/pm/40223.php">http://www.bmu.de/pressemitteilungen/aktuelle_pressemitteilungen/pm/40223.php</a>)</p> <p>- The offer of rare and extremely valuable live CITES protected species through the internet such as hyacinth macaws, rare young primates, tortoises or chameleons initiated at the Federal Agency for Nature Conservation (FANC) on 29.11.2007 and on 8.12.2008 press campaigns. In</p>	

all cases one West African country had always been declared as being the country of origin of most of the animals offered. People interested in acquiring the rare CITES-protected species had always in advance to pay as a lump sum several thousand dollars for transport and for the respective shipment. There was no indication that the respective animals did ever exist in reality.

[http://www.bfn.de/1850.html?&cHash=e1028cd4dc&tx\\_ttnews\[backPid\]=1849&tx\\_ttnews\[tt\\_news\]=969](http://www.bfn.de/1850.html?&cHash=e1028cd4dc&tx_ttnews[backPid]=1849&tx_ttnews[tt_news]=969) )

- Both Germany's CITES Management Authority and its Scientific Authorities presented some selected key areas of their work through radio interviews before and during the 9<sup>th</sup> Conference of the Parties to the Convention on Biological Diversity (Bonn, 19<sup>th</sup> – 30<sup>th</sup> May 2008) - <http://www.dradio.de/dlf/sendungen/verbrauchertipp/791595>. Presentations and posters were provided to the public on problematic areas in CITES enforcement from Germany's perspective, exemplary confiscations, medicinal plants, non-detriment finding process and capacity building tools such as the computer based identification tool for tropical timber species called "**CITESwoodID**".

- On 11. July 2008 in the middle of the holiday and travel season and associated with the opening of a CITES exhibition a press conference with the President of the FANC, Prof. Beate Jessel had been organized together with the customs administration at München Airport. The event which mainly targeted at tourists travelling to exotic destinations did receive considerable media presence from major newspapers as well as local and national TV- and Radio stations. During this event also newly trained sniffer dogs used by customs to detect protected wildlife shipments were shown to the public and media representatives. ([http://www.bfn.de/3955.html?&cHash=cdf6b17776&tx\\_ttnews\[backPid\]=3954&tx\\_ttnews\[tt\\_news\]=1173](http://www.bfn.de/3955.html?&cHash=cdf6b17776&tx_ttnews[backPid]=3954&tx_ttnews[tt_news]=1173) )

Please attach copies of any items as Annex.

11

Please provide details of any additional measures taken:

**D5 Permitting and registration procedures**

1	Have any changes in permit format or the designation and signatures of officials empowered to sign CITES permits/certificates been reported previously to the Secretariat?		Yes	<input checked="" type="checkbox"/>		
			No	<input type="checkbox"/>		
			Not applicable	<input type="checkbox"/>		
If no, please provide details of any:		No information <input type="checkbox"/>				
<b>Changes in permit format:</b>						
Since February 2007 and in accordance with the provisions of Article 2 paragraph 3 & 4 of the Commission Regulation 865/2006 the CITES Management Authority of the FANC has provided to the general public forms for a Traveling Exhibition Certificate. Sample forms have been transmitted to the CITES Secretariat for inclusion in the respective forum database.						
<b>Changes in designation or signatures of relevant officials:</b>						
Within the reporting period 4 changes referring to persons competent to sign CITES documents for Germany were reported to the Secretariat (2.1.2007, 2.2.2007, 10.7.2008 and 4.11.2008). Three new executive officers were authorized to sign documents. One officer left the authority. Her authorization was therefore withdrawn and her name was deleted from the list. All changes had been notified immediately and original samples of the respective new signatures were provided to the Secretariat.						
2	To date, has your country developed written permit procedures for any of the following?			Tick if applicable		
		Yes	No	No information		
	Permit issuance/acceptance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Registration of traders	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Registration of producers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3	Please indicate how many CITES documents were issued or denied in the two year period? (Note that actual trade is normally reported in the Annual Report by Parties. This question refers to issued documents).					
	<b>2007 Year 1</b>	Import or introduction from the sea	Export	Re-export	Other	Comments
	How many documents were issued?	6,080	896	8,988	1,109	see Attachment 6
	How many applications were denied because of severe omissions or miss-information?					no information
	<b>2008 Year 2</b>					
	How many documents were issued?	7,573	1,432	10,808	1,138	see Attachment 6
	How many applications were denied because of severe omissions or miss-information?					no information
4	Were any CITES documents that were issued later cancelled and replaced because of severe omissions or miss-information?			Yes	<input type="checkbox"/>	
				No	<input checked="" type="checkbox"/>	
				No information	<input type="checkbox"/>	
5	If Yes, please give the reasons for this.					

6	Please give the reasons for rejection of CITES documents from other countries.			Tick if applicable		
	Reason			Yes	No	No information
	Technical violations			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Suspected fraud			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Insufficient basis for finding of non-detriment			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Insufficient basis for finding of legal acquisition			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7	Are harvest and/or export quotas used as a management tool in the procedure for issuance of permits?			Yes	<input type="checkbox"/>	
				No	<input checked="" type="checkbox"/>	
				No information	<input type="checkbox"/>	
Comments:						
Germany has had no exports of wild taken specimen. However as a major importing country Germany has a special responsibility in thoroughly checking export documents of non-EC-Parties if these refer to export quotas.						
8	How many times has the Scientific Authority been requested to provide opinions?					
Germany is mainly an importing country. Exports took only place regarding specimen which were either bred in captivity or artificially propagated. In such cases the Scientific Authorities are requested to provide advice whether the conditions for artificial propagation or breeding in captivity have been met. Referring to imports of CITES Appendix II species import permits are necessary in accordance with the EU regulations. To optimise and harmonize the application procedure the CITES Scientific Review Group (SRG) of the EU discusses regularly special import cases and concludes on basic scientific statements which either results in a positive opinion to allow imports or comes to a negative opinion which leads to the restriction of respective imports. Since 1997 the number of single decisions taken on this level has increased considerably. By now these decisions account for already about 60 % of all import applications. Other applications are referred to Germany's Scientific Authorities for evaluation of their scientific aspects.						
9	Has the MA charged fees for permit issuance, registration or related CITES activities?			Tick if applicable		
– Issuance of CITES documents:				<input checked="" type="checkbox"/>		
– Licensing or registration of operations that produce CITES species:				<input checked="" type="checkbox"/>		
– Harvesting of CITES-listed species :				<input type="checkbox"/>		
– Use of CITES-listed species:				<input checked="" type="checkbox"/>		
– Assignment of quotas for CITES-listed species:				<input type="checkbox"/>		
– Importing of CITES-listed species:				<input type="checkbox"/>		
– Other (specify):				<b>See Attachment 7</b>	<input checked="" type="checkbox"/>	
10	If Yes, please provide the amounts of such fees.			<b>See Attachment 7</b>		
11	Have revenues from fees been used for the implementation of CITES or wildlife conservation?			Tick if applicable		
– Entirely:				<input type="checkbox"/>		
– Partly:				<input type="checkbox"/>		
– Not at all:				<input type="checkbox"/>		
– Not relevant:				<input checked="" type="checkbox"/>		
Comments:						
centralized budget; annual budget of CITES authorities is fixed more than one year in advance based on applications as occasion demands						
12	Please provide details of any additional measures taken:					

**D6 Capacity building**

1	Have any of the following activities been undertaken to enhance effectiveness of CITES implementation at the national level?					Tick if applicable	
	Increased budget for activities	<input type="checkbox"/>	Improvement of national networks	<input checked="" type="checkbox"/>			
	Hiring of more staff	<input checked="" type="checkbox"/>	Purchase of technical equipment for monitoring/enforcement	<input type="checkbox"/>			
	Development of implementation tools	<input checked="" type="checkbox"/>	Computerisation	<input checked="" type="checkbox"/>			
– Other (specify) <input type="checkbox"/> During the reporting period in 2007 and 2008 Germany's CITES Management and Scientific Authorities participated regularly as lecturers in four advanced CITES training seminars each year for already in CITES issues specialized German customs officers.							
2	Have the CITES authorities in your country been the <i>recipient</i> of any of the following capacity building activities provided by external sources?						
	Please tick boxes to indicate which target group and which activity.	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	What were the external sources?
		Target group					
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3	Have the CITES authorities in your country been the <i>providers</i> of any of the following capacity building activities?						
	Please tick boxes to indicate which target group and which activity.	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	Details
		Target group					
	Staff of Management Authority	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Staff of enforcement authorities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Traders	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Public	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Other parties/International meetings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Review of wildlife trade legislation	
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		



4 Please provide details of any additional measures taken:

1. The Polish government had organized from **18<sup>th</sup> – 20<sup>th</sup> June 2007** a CITES training seminar as part of an EU funded Twinning-project. Veterinarians were the major target group of the 3 days capacity building meeting on EU-wildlife trade regulations. A representative of the CITES Management Authority of the FANC participated as a lecturer at this meeting.

2. Within the scope of an EU-Commission funded Twinning-project with a CITES implementation component one official from Germany's CITES Management Authority (MA) from the FANC had contributed as lecturer to a CITES training seminar for national customs officers from **23<sup>rd</sup> -27<sup>th</sup> July 2007** in Bucharest, Romania.

3. From **10<sup>th</sup> - 11<sup>th</sup> October 2007** two representatives from Germany's Federal Agency for Nature Conservation CITES Management and Scientific Authority attended together with representatives from the CITES Secretariat, the European Commission, Spain and Belgium as lecturers at a CITES seminar in Chisinau, Moldova funded by the EU TAIEX programme. The principal subject dealt with during the meeting was implementation of CITES through national and international cooperation. Target groups trained during the meeting were representatives from the Management and Scientific Authority, customs agencies and other enforcement bodies.

4. The Slovakian CITES Management Authority (MA) had invited representatives from Germany's CITES Management Authority to participate actively as a trainer at CITES training seminars for customs officers held from **16<sup>th</sup> - 18<sup>th</sup> October 2007** and for environment inspection service and police held from **8<sup>th</sup> - 10<sup>th</sup> April** in Slovakia. Both seminars were funded by the EU TAIEX programme.

5. In **November 2007**, Germany's Scientific Authority for Plants together with the Institute for Wood Biology and Wood Protection of the German Federal Research Centre for Forestry and Forest Products (BFH) held a training workshop on the identification of CITES timber species. About 40 participants from 13 countries (Belgium, Canada, Czech Republic, Finland, Germany, Greece, Indonesia, Italy, Latvia, Netherlands, Poland, Slovakia and UK) as well as a representative from the CITES Secretariat attended the workshop. Lectures and practical instructions were given by wood anatomists Dr. G. Koch and Dr. H.G Richter, (BFH, University of Hamburg). During the workshop all participants were trained on how to use the CD-Rom "**CITESwoodID**" as an identification aid for CITES listed timber species and how to exclude timbers that are definitely not regulated under CITES. Participants agreed that such training should be repeated to assist in building more capacity among CITES enforcement officials and to further the application of risk analysis of timber shipments

6. On **9<sup>th</sup> April 2008** the 'International Centre for Ivory Research (INCENTIVS)' held its 5<sup>th</sup> annual meeting at the University of Mainz. The objective of the meeting to which the CITES MA of the FANC contributed actively with a presentation on trade in ivory was to provide to stakeholders up-to-date information on trade in ivory, on advances in developing modern research methods on ivory authenticity and ageing or on ivory use in ancient cultures. The results of this workshop and previous ones held between 2004 and 2008 have been published mostly in English in 2008 in the FANC periodical 'BfN-Skripten' No. 288 – 'Ivory and Species Conservation' which is available in the world wide web as follows: <http://www.bfn.de/fileadmin/MDb/documents/service/skript228.pdf> .

7. From **5<sup>th</sup> - 7<sup>th</sup> May 2008** staff of Germany's CITES Management Authority participated in Bucharest as a trainer in an EU TAIEX Seminar for customs officials of Romania focusing on CITES enforcement matters.

8. On **8<sup>th</sup> May 2008** a Chinese delegation comprising five representatives from China's State Forestry Administration (CITES Management Authority) visited for two days Germany CITES authorities. During the discussions held with various representatives from Germany's CITES Management Authority agreement was reached to establish closer co-operation on general CITES enforcement issues such as on illegal trade in ivory, establishing a bilateral agreement on controlled deliveries and on better conservation of the significantly traded and non-CITES listed tropical timber species Merbau (*Intsia* spp.).

9. The CITES MA of the FANC had on **17<sup>th</sup> June 2008** organized a capacity building seminar for stakeholders in trade in medicinal and aromatic plants which was attended by representatives from 10 major companies involved in processing and trading in medicinal and aromatic plants.

10. Since 2004 Germany's CITES Management Authority of the Federal Agency for Nature Conservation (FANC) issues rather regularly an electronic CITES Newsletter ('Artenschutz-Info des BfN') which (provides information on recent developments in CITES relevant legislation, on infraction cases and development in illegal trade, on court cases or on any other issues of relevance to CITES implementation and enforcement government agencies within Germany. The overall well received and widely acknowledges newsletter is sent by e-mail to all regional CITES management, enforcement and implementation authorities of the 'Länder', to customs and criminal investigation agencies and to the CITES Scientific Authorities. During the reporting period three newsletters were issued in 2007 and four in total in 2008.

11. During the reporting period Germany contributed actively to the work of the European Union's Enforcement working group to develop common training materials for customs authorities or law enforcement officials at the various levels. Germany had been asked to take the lead of a subgroup which had been charged to prepare such common training materials for the Member States of the European Union.

12. Germany's Scientific and Management Authorities are using a scientific information system for international species conservation, 'WISIA' ([www.wisia.de](http://www.wisia.de)), which has been developed by the Scientific Authority of the FANC as an important reference system for dealing with scientific and management related aspects of species conservation. The Oracle based system which is accessible online both in German and in English contains comprehensive information such as on taxonomy, legal protection status and its history as well as on the distribution of the protected plant or animal species. Currently the internet database contains 30.000 scientific names, about 50.000 synonyms and 13.000 common names of protected animal and plant species. Furthermore the system provides searchable data sets on the conservation status and the distribution of its taxa. About 400 users per day, mostly from customs and regional CITES authorities, Ministries, Nature Conservation Organisations, traders or private individuals, contact free of costs WISIA-online. Any user can either choose between a synoptic overview and an individual species specific information set. Since 2006 WISIA-online can also be searched for strictly protected native non-CITES species. The legal relevance of the online information system is assured through continuous up-dates by Germany's Scientific and Management Authorities which were particularly labour-intensive after the 14<sup>th</sup> Conference of the Parties due to the many adopted nomenclatural changes of the species listed in the CITES Appendices.

13. Germany's Scientific Authority has developed the database 'ZEET' ([www.zeet.de](http://www.zeet.de)), with a complete collection of all individual decisions adopted at EU level on the import of protected species of fauna (under Annex A and B of the EU Wildlife Trade Regulation) from certain countries of origin, for internal and external use. Due to the complexity of EU legislation there is a considerable need of information in the public regarding the provisions on the import of protected animal species such as parrots, chameleons or brown bear hunting trophies. Although import permits are issued on a national basis a large number of decisions taken at EU level must also be taken into account. ZEET offers a direct overview of those protected species that may or may not be imported into the EU member states. ZEET contains 1,387 import decisions for 744 animal species (data as of 28<sup>th</sup> January 2009), supplemented by export quotas as officially reported by countries of origin for some 716 species/country of origin combinations. The data base of ZEET provides for a synopsis of all individual decisions and annual export quotas currently in force for respective species which are listed in alphabetical order by their scientific name. The German version is available via internet as a PDF-file ([www.zeet.de](http://www.zeet.de)). The ZEET information system targets at animal traders and importers, nature and species conservation authorities, breeders, journalists or media and private individuals interested in nature conservation. The legal relevance of the online information is assured by continuous up-dates by Germany's Scientific Authority.

14. From **5th - 7th May 2008** the government of Rumania had invited to a CITES training seminar funded through the EU TAIEX programme. A representative of Germany's CITES Management Authority of the FANC participated as a lecturer at this meeting.

15. The CITES Management Authority of Slovakia had organized a CITES training seminar for local CITES management and enforcement authorities from **10<sup>th</sup> - 11<sup>th</sup> September 2008**. The meeting was also attended on special invitation by a representative of Germany's CITES Management Authority of the FANC who provided as a teacher specific input to the outcomes of the meeting which mainly focused on the European wildlife trade regulations.

**D7 Collaboration/co-operative initiatives**

1	Is there an inter-agency or inter-sectoral committee on CITES?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>			
2	<p>If Yes, which agencies are represented and how often does it meet?</p> <p><b>Species Conservation Advisory Committee for the implementation of CITES</b></p> <p>A new advisory committee on "Conservation of Species in International Trade" was set up at the Federal Agency for Nature Conservation (FANC) in May 1995 (Federal Gazette No. 94, amended on 29<sup>th</sup> March 1999, Federal Gazette No. 67). Its task is to advise the FANC on the implementation of species conservation provisions, and also to advise the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety &lt;BMU&gt; on the development of species conservation legislation relating to imports and exports. The advisory committee is composed of a total of 14 representatives drawn from the scientific community, nature conservation organisations and representatives from the industry, trade or consumer associations. The committee meets at least once a year. Both its day-to-day business and its working groups are managed by the Federal Agency for Nature Conservation. In 2003 the committee was constituted again for its 3<sup>rd</sup> term which is for four years. During the reporting period 2007/2008 the Species Conservation Advisory Committee met only once. The major focus of his work during the respective time period was on the preparation of the 14<sup>th</sup> Conference of the Parties of CITES, held in June 2007 in The Hague, Netherlands.</p>						
3	If No, please indicated the frequency of meetings or consultancies used by the MA to ensure co-ordination among CITES authorities (e.g. other MAs, SA(s), Customs, police, others):						
	Daily	Weekly	Monthly	Annually	None	No information	Other (specify)
	Meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Consultations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4	At the national level have there been any efforts to collaborate with:	Tick if applicable		Details if available			
	Agencies for development and trade	<input checked="" type="checkbox"/>					
	Provincial, state or territorial authorities	<input checked="" type="checkbox"/>					
	Local authorities or communities	<input checked="" type="checkbox"/>					
	Indigenous peoples	<input type="checkbox"/>					
	Trade or other private sector associations	<input checked="" type="checkbox"/>					
	NGOs	<input checked="" type="checkbox"/>					
	Other (specify)	<input type="checkbox"/>					
5	To date, have any Memoranda of Understanding or other formal arrangements for institutional cooperation related to CITES been agreed between the MA and the following agencies?	Tick if applicable					
	SA	<input type="checkbox"/>					
	Customs	<input checked="" type="checkbox"/>					
	Police	<input type="checkbox"/>					
	Other border authorities (specify)	<input type="checkbox"/>					
	Other government agencies	<input type="checkbox"/>					
	Private sector bodies	<input type="checkbox"/>					
	NGOs	<input type="checkbox"/>					
	Other (specify)	<input type="checkbox"/>					
6	Has your country participated in any regional activities	Tick if applicable					

	related to CITES?		
	Workshops		<input checked="" type="checkbox"/>
	Meetings		<input checked="" type="checkbox"/>
	Other (specify)		<input type="checkbox"/>
	<p>1. From <b>7<sup>th</sup>- 9<sup>th</sup> October 2008</b> representatives from Germany's CITES Management and Scientific Authority participated at a regional CITES plants meeting for European parties held on the island of Lampedusa, Italy. One of the principal objectives of the meeting was to discuss and exchange information on several CITES plant species specific implementation, enforcement and capacity building issues. Furthermore current initiatives for CITES CoP 15 were introduced such as Germany's work on a draft discussion document on introducing timber certification and labelling for CITES listed timber species (<a href="http://www.cites.org/eng/com/PC/18/E-PC18-16-02-01.pdf">http://www.cites.org/eng/com/PC/18/E-PC18-16-02-01.pdf</a>).</p> <p>2. The head of Germany's Scientific Authority for plants participated actively at the International Expert Workshop on CITES Non-detriment Findings held from <b>17<sup>th</sup> – 22<sup>nd</sup> November 2008</b> in Cancun, Mexico. The presentation he gave on a comparison between non-detriment criteria in the IUCN checklist, EU guidelines and the International Standard for Sustainable Wild Collection of Medicinal and Aromatic Plants (ISSC-MAP) was finally taken up by a taxon specific working group, which developed and refined it. The final version is included in the report which was presented to the 18<sup>th</sup> meeting of the CITES Plants Committee (<a href="http://www.cites.org/eng/com/PC/18/E-PC18-14-04.pdf">http://www.cites.org/eng/com/PC/18/E-PC18-14-04.pdf</a>).</p>		
7	Has your country encouraged any non-Party to accede to the Convention?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
8	If Yes, which one(s) and in what way?		
9	Has your country provided technical or financial assistance to another country in relation to CITES?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
10	If Yes, which country(-ies) and what kind of assistance was provided? <b>See answers given under question D 6 (4)</b>		
11	Has your country provided any data for inclusion in the CITES Identification Manual?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
12	If Yes, please give a brief description.		
13	Has your country taken measures to achieve co-ordination and reduce duplication of activities between the national authorities for CITES and other multilateral environmental agreements (e.g. the biodiversity-related Conventions)?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

14	<p>If Yes, please give a brief description.</p> <p><b>Sustainable Natural Resources Utilisation and Biodiversity Conservation in the Central Asian Region</b></p> <p>Germany's Agency for Technical Co-operation (Deutsche Gesellschaft für Technische Zusammenarbeit – GTZ) had been given the task to start in 2008 until 2013 a several years regional conservation project (project No. 2007.2184.5-001.00) on 'Sustainable Natural Resources Utilisation and Biodiversity Conservation in the Central Asian Region'. Target countries are Tajikistan and Kazakhstan which are home to several important CITES protected ungulates such as Argali (<i>Ovis ammon</i>), Urial (<i>Ovis vignei</i>), Markhor (<i>Capra falconeri</i>) or Saiga (<i>Saiga tatarica tatarica</i>).</p> <p>With regard to the Saiga antelope the project will among others assist some of the range states to implement respective CITES decisions adopted at the 14<sup>th</sup> Conference of the Parties (14.91, 14.93 and 14.96) but in particular the measures contained in the 'Medium Term International Work Programme for the Saiga Antelope (2007-2011)' which had been developed in support of the Memorandum of Understanding (MoU) under the Convention of Migratory Species (CMS) concerning the conservation, restoration and sustainable use of the Saiga Antelope.</p> <p>Concerning the Argali the project objectives is to establish among others privately controlled sustainable trophy hunting schemes with the involvement of local communities to better protect and control the local use of this still in the region economically important wild sheep.</p> <p><b>CITES/CBD synergy on development of an internationally recognized certificate of Origin/Source/Legal Provenance</b></p> <p>The CITES Management Authority of the FANC contributed actively to a CBD 'European Regional Meeting on an Internationally Recognized Certificate of Origin/Source/Legal Provenance' ( <a href="http://www.bfn.de/fileadmin/MDB/documents/service/vilmreport2.pdf">http://www.bfn.de/fileadmin/MDB/documents/service/vilmreport2.pdf</a> ) held at the FANC's International Academy for Nature Conservation on the Isle of Vilm, 24 – 29 Oktober 2006 . The CITES Management Authority's (MA) contribution focused on the permit and certificate system under CITES in order to provide the attendants from Europe and North America with a 'lesson-learned-overview' to the Access and Benefits discussion under the Convention on Biological Diversity from a CITES MA perspective.</p>
15	Please provide details of any additional measures taken:

**D8 Areas for future work**

1	Are any of the following activities needed to enhance effectiveness of CITES implementation at the national level and what is the respective level of priority?			
	Activity	High	Medium	Low
	Increased budget for activities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Hiring of more staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Development of implementation tools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Improvement of national networks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Purchase of new technical equipment for monitoring and enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Computerisation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In particular for both <b>Scientific Authorities</b> hiring of more staff and the increase in financial resources is a burning issue. These two constraints have impeded the performance of both authorities in the past few years.				
2	Has your country encountered any difficulties in implementing specific Resolutions or Decisions adopted by the Conference of the Parties?	Yes		<input checked="" type="checkbox"/>
		No		<input type="checkbox"/>
		No information		<input type="checkbox"/>
3	If Yes, which one(s) and what is the main difficulty?	Germany has encountered problems referring to the implementation of the requirements laid down in Res. Conf. 12.10 (rev. CoP 13) on 'Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes'. In general within Germany there are many hundreds of operations which breed animals in a commercial way. However only a few of them have applied for a CITES registration and were either registered or even rejected for registration. Furthermore as an importing country Germany is very often confronted with animals which originate from commercial operations not included in the register of the CITES Secretariat. Therefore the MA of Germany has been supporting since years any initiative on reviewing and streamlining the current registration guidelines. During the reporting period again two operations had been deleted from the register which currently (as of 31.12.2008) leaves Germany with only two operations to be included on the register of captive breeding operations that breed Appendix-I animal species for commercial purposes.		
	4	Have any constraints to implementation of the Convention arisen in your country requiring attention or assistance?	Yes	<input type="checkbox"/>
4		No		<input checked="" type="checkbox"/>
		No information		<input type="checkbox"/>
		5	If Yes, please describe the constraint and the type of attention or assistance that is required.	
6	Has your country identified any measures, procedures or mechanisms within the Convention that would benefit from review and/or simplification?	Yes		<input type="checkbox"/>
		No		<input checked="" type="checkbox"/>
		No information		<input type="checkbox"/>
7	If Yes, please give a brief description.			
8	Please provide details of any additional measures taken:			

### E. General feedback

Please provide any additional comments you would like to make, including comments on this format.

Thank you for completing the form. Please remember to include relevant attachments, referred to in the report. For convenience these are listed again below:

Question	Item		
C1	Inspections of traders, producers, markets <b>see ATTACHMENT 1</b>	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C3	Details of violations and administrative measures imposed <b>see ATTACHMENT 2</b>	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C5	Details of specimens seized, confiscated or forfeited <b>see ATTACHMENT 3</b>	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C7	Details of violations and results of prosecutions <b>see ATTACHMENT 4</b>	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C9	Details of violations and results of court actions <b>see ATTACHMENT 5</b>	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
D5 (3)	CITES documents issued <b>see ATTACHMENT 6</b>	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
D5 (10)	Charges for the issuance of CITES documents <b>see ATTACHMENT 7</b>	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
D4(10)	Details of nationally produced brochures or leaflets on CITES produced for educational or public awareness purposes, <b>see ATTACHMENT 8</b>	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>

### Comments on the reporting format

In principle the biennial report format as adopted at CITES CoP 13 has proven to be adequate and relatively easy to complete. Amendments, if necessary, shall be considered on a case by case basis and only in the scope of new decisions or resolutions adopted at a Conference of the Parties.

However the information value in relation to questions D1-5&6 and D2-5&6 referring to staff numbers and time spent on work in CITES Management Authorities and Scientific Authorities remains highly questionable as there are instances where such staff is not only working on CITES matters but likely also on other conservation or non-conservation issues. Hence it is extremely difficult and time consuming to evaluate precisely the time and work input on CITES issues only.





# **ATTACHMENT 1**

(Referring to question C 1)

***Details on inspections of traders,  
producers and markets carried out  
by Germany's "Laender" Authorities  
and other authorities  
in 2007 – 2008***

## Number of controls carried out in 2007 and 2008

Federal States	2007			2008		
	1)	2)	Σ	1)	2)	Σ
<b>Baden-Württemberg</b>	61	79	140	70	79	149
<b>Bavaria</b>	587	122	709	3)	3)	3)
<b>Berlin</b>	918	62	980	952	48	1,000
<b>Brandenburg</b>	11	13	24	3)	3)	3)
<b>Bremen</b>	78	14	92	49	12	61
<b>Hamburg</b>	3)	3)	3)	3)	3)	3)
<b>Hesse</b>	420	75	495	421	124	545
<b>Mecklenburg- Western Pomerania</b>	264	22	286	272	20	292
<b>Lower Saxony</b>	274	96	370	282	94	376
<b>North-Rhine/ Westphalia</b>	1,081	324	1,405	3)	3)	3)
<b>Rhineland-Palatinate</b>	3)	3)	3)	3)	3)	3)
<b>Saarland</b>	168	31	199	3)	3)	3)
<b>Saxony</b>	254	90	344	3)	3)	3)
<b>Saxony-Anhalt</b>	346	112	458	3)	3)	3)
<b>Schleswig-Holstein</b>	51	9	60	3)	3)	3)
<b>Thuringia</b>	214	31	245	328	46	374

1) Regular controls

2) Controls based on tip-offs

3) No data

In addition to the controls conducted by the Federal States the Federal Agency for Nature Conservation had also undertaken on its own initiative and in its capacity as the CITES Management Authority a few exemplary inspections at traders premises during the reporting period as follows:

- On 7. March 2008 a major commercial parrot holding and trading facility at Bochum was inspected which still regularly imports mostly captive bred parrots for commercial purposes. At the time of the visit there were more than 200 well cared birds in good holding facilities.

- On 16. June 2008 one of the largest herpetofauna traders in Europe near Freiburg i. Breisgau was inspected together with the regional CITES Authority. The company which had recently moved to totally new built facilities imports mostly non-CITES protected species but also CITES protected species such as monitor lizards, iguanas, tortoises, boas and pythons in significant numbers. The operation was found to be run in an extremely professional way with properly cared animals in clean cages.

- On 25. August 2008 specifically one major caviar CITES registered importing re-packing company in Berlin was inspected together with the local CITES authorities. This inspection was part of a general inspection procedure foreseen for all CITES registered caviar operations one year after their registration had been notified to the CITES Secretariat. Major objective of the inspection was the checking of the bookkeeping procedures as well as the repacking and how the requirements of the universal labelling system as outlined in CITES Resolution Conf. 12.7 (rev. CoP 14) are accomplished by the respective trading company. No significant shortcomings were found during the inspection visit.



# **ATTACHMENT 2**

(Referring to question C 3)

***Administrative and criminal offence proceedings  
sanctioned by Germany's "Laender" Authorities  
in 2007 – 2008***

Number of administrative offence proceedings and criminal offence

Proceedings sanctioned by "Laender" Authorities in Germany in 2007/2008

Concluded administrative proceedings				Concluded criminal proceedings		
Federal States	Year	Number	Total fines	Number	Discontinued	Total fines
Baden-Württemberg	2007	5	550 €	0	0	0 €
	2008	6	705 €	0	0	0 €
Bavaria	2007	33	3,823 €	7	2	0 €
	2008	1)	1)	1)	1)	1)
Berlin	2007	32	1,455 €	72	70	0 €
	2008	29	1,050 €	37	36	0 €
Brandenburg	2007	0	0 €	1	0	0 €
	2008	1)	1)	1)	1)	1)
Bremen	2007	0	0 €	0	0	0 €
	2008	0	0 €	0	0	0 €
Hamburg	2007	1)	1)	1)	1)	1)
	2008	1)	1)	1)	1)	1)
Hesse	2007	17	995 €	10	10	0 €
	2008	13	125 €	6	6	0 €
Mecklenburg-Western Pomerania	2007	2	100 €	0	0	0 €
	2008	0	0 €	0	0	0 €
Lower Saxony	2007	4	185 €	2	0	850 €
	2008	4	415 €	0	0	0 €
North-Rhine/ Westphalia	2007	39	4,383 €	9	7	5,650 €
	2008	1)	1)	1)	1)	1)
Rhineland-Palatinate	2007	1)	1)	1)	1)	1)
	2008	1)	1)	1)	1)	1)
Saarland	2007	0	0 €	0	0	0 €
	2008	1)	1)	1)	1)	1)
Saxony	2007	0	0 €	0	0	0 €
	2008	1)	1)	1)	1)	1)
Saxony-Anhalt	2007	5	875 €	1	1	0 €
	2008	1)	1)	1)	1)	1)
Schleswig-Holstein	2007	1	100 €	0	0	0 €
	2008	1)	1)	1)	1)	1)
Thuringia	2007	0	0 €	0	0	0 €
	2008	3	280 €	1	0	<sup>2)</sup> 0 €

1) no data

2) sentenced to two years imprisonment on probation (condition: 150 hours social work)

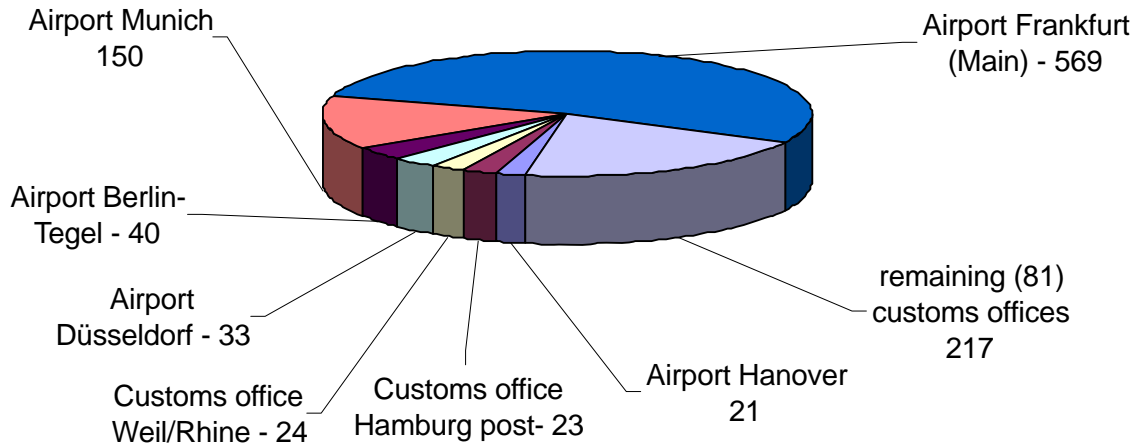
# **ATTACHMENT 3**

(Referring to question C 5)

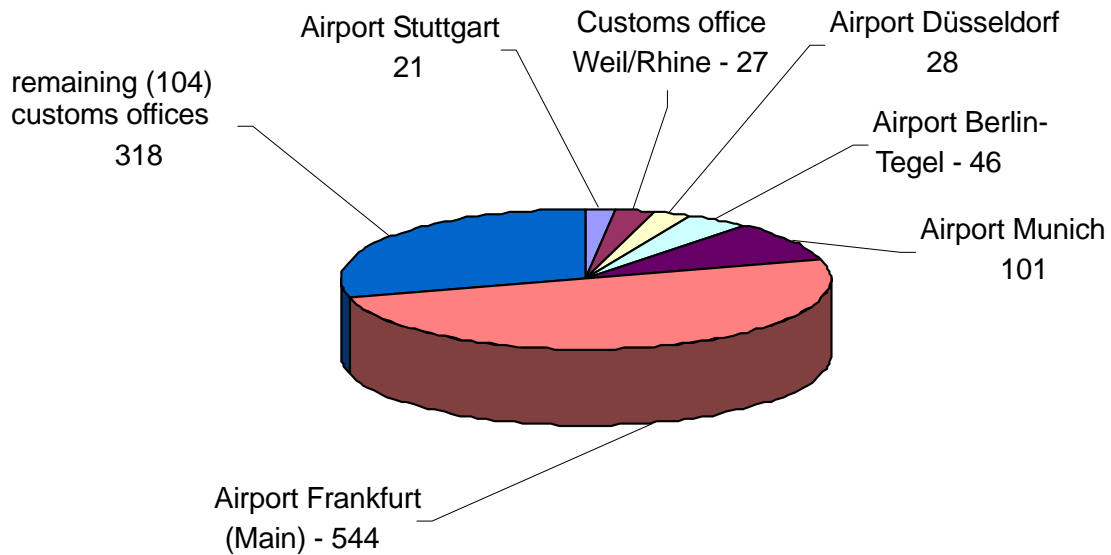
***Details of specimens seized,  
confiscated or forfeited  
in 2007 - 2008***

**Attachment 3.1 Number of confiscations at major German ports of entry in 2007/2008**

**2007- total 88 customs offices involved**



**2008 - total 110 customs offices involved**





Code	Description	Seizure			Cancelled			Confiscation		
		Procedure	no.	kg	Procedure	no.	kg	Procedure	no.	kg
LJA	Live animals	63	2.895		19	2.662		38	144	
LIP, FLO	Live plants, flowers	99	102.118	2,7	21	100.781		69	1.171	
TUS	Tusks	25	29	6,0	4	8		20	20	6,0
IVC, IVP, IVK	Ivory: carving-, piece-ivory, key-board ivory	51	169	2,3	11	20		35	135	2,3
LPL, LPS	Leather products (small/large)	250	1.320		84	788		145	309	
TRO, CLA, FOO, SKU, TAL, TEE,	Trophies and parts of trophies	67	272		23	70		39	184	
BOD	Stuffed specimens	104	3.523		5	186		88	3.311	
CAL, CAP,	calipce, carapaces	9	10	0,1	3	4		5	5	0,1
SKL, SKP	Skins, skin pieces	53	124		32	93		17	27	
COR, COM	Corals, also manufactured	197	1.705	502,5	11	625		176	1.040	2,5
SHE	Shells	76	8.908		10	8.259		60	637	
MED, SPE, EXT, OIL	Medicine; blood tissues, extracts, oil	46	9.935	67,2	11	680	60,00	34	9.255	7,2
EGG	Eggs	1	1					1	1	
FEA	Feathers	10	125					9	123	
BON, BOC	Bones, carved bones,	5	5		1	1		4	4	
CAV	Caviar	41		31,5	11		6,2	28		23,3
GAL	Gall	3	14	0,08				2	4	0,08
MEA	Meat	4	4	11,2				3	1	11,2
GAR	Garments	33	44		16	23		12	14	
HAI	Hairs	6	60					6	60	
ROO, DPL, COS, DER	Roots, dried plants, cosmetics, derivatives	31	424	10,8	5	343	0,6	23	64	7,5
TIM	Cacti-rainstieks, timber	4	503					4	503	
Total	Specimens	1.178	132.188	634,3	267	114.543	66,2	818	17.012	60,1
				5,9			2,1			2,6

## Notes on the confiscations in 2007:

Following taxa (data not complete) and specimens were confiscated. Information on seizures which were cancelled is indicated in italic letters.

LIA	Psittaciformes spp. (4), Testudinidae spp. (73, incl 56 <i>Trachemys scripta elegans</i> ), <i>Dendrobates pumilio</i> (10); <i>Rousettus egyptiacus</i> (55, Habitats directive) <b>cancelled:</b> <i>Psittaciformes</i> spp. (4), <i>Boidae</i> spp. (66), <i>Chamaeleo</i> spp. (18), <i>Chelonoides</i> spp. (10), <i>Cordylus tropidosternum</i> (110), <i>Iguana iguana</i> (150), <i>Ocadia sinensis</i> (500), <i>Python regius</i> (500), <i>Phelsuma</i> spp. (68), <i>Pandinus imperator</i> (800), <i>Scleropagus formosus</i> (27), <i>Tridacna gigas</i> (77);
LIP	Cactaceae spp. (430), Orchidaceae spp. (708), <i>Ravenea rivularis</i> (28), <i>Tillandsia</i> spp. (11); <b>cancelled:</b> <i>Cactaceae</i> spp. (2,059), <i>Cycas revoluta</i> (30), <i>Orchidaceae</i> spp. (98,692) also as FLO;
TUS	<i>Loxodonta africana</i> (20, 6 kg); <b>cancelled:</b> <i>Elephantidae</i> spp. (6), <i>Monodon monocerus</i> (2);
IVC, IVP, IVK	<i>Loxodonta africana</i> (111+2,3 kg; 11; IVP:1), <i>Elephas maximus</i> (6, 3), <i>Hippopotamus amphibius</i> (11); <b>cancelled:</b> <i>IVK-Elephantidae</i> spp. (1), <i>IVK-Elephantidae</i> spp. (19);
LPL, LPS	<i>Crocodylia</i> spp. (LPL-34, LPS-52; <b>cancelled:</b> <i>LPL-81</i> , <i>LPS-563</i> ), <i>Serpentes</i> spp. (LPL-101, 80, LPS-57, 57), <i>Varanus</i> spp. (LPL-26, 4, LPS-22, 131), <i>Tupinambis</i> (LPL-6, 10, LPS-7, 6);
TRO/...	<i>Tursiops truncatus</i> (TEE-102), <i>Odobenus rosmarus</i> (TEE-2, 11), <i>Tayassuidae</i> spp. (TEE-9), <i>Primates</i> spp. (SKU-7, TEE-12), <i>Canis lupus</i> (SKU-1), <i>Felidae</i> spp. (CLA-3; SKU-2), <i>Ursidae</i> (SKU-1, TEE-1), <i>Crocodylia</i> spp. (CLA-2; SKU-18, incl <i>C. siamensis</i> , TEE-12), <i>Podocnemis</i> spp. (TRO-2); <b>cancelled:</b> <i>Loxodonta africana</i> (EAR-4, FOO-8, SKU-2, TAI-2), <i>Primates</i> spp. (SKU-5, TRO-1), <i>Ursidae</i> spp. (SKU-4; TRO-1), <i>Felidae</i> spp. (SKU-3), <i>Oryx dammah</i> (TRO-3), <i>Odobenus rosmarus</i> (TEE-11), <i>Crocodylia</i> spp. (TEE-21);
BOD	<i>Cheloniidae</i> spp. (5), <i>Falconiformes</i> spp. (2), <i>Reptilia</i> spp. (22, <i>Naja naja</i> -66), <i>Ornithoptera</i> spp. (10, <b>cancelled:</b> 184), <i>Hippocampus</i> spp. (3,195), <i>Phelsuma</i> (6), <i>Pandinus imperator</i> (6);
CAP	<i>Cheloniidae</i> spp. (CAP-2; CAL-1), <i>Testudinidae</i> spp. (CAP-2, 4), <i>Cuora</i> spp. (CAP-0.1 kg);
SKI, SKP	<i>Felidae</i> spp. (SKI-4, SKP-4), <i>Canis lupus</i> (SKI-2, SKP-6), <i>Equus zebra hartmannae</i> (SKP-1), <i>Crocodylia</i> spp. (SKI-2, SKP-1), <i>Serpentes</i> spp. (SKI-3, SKP-4); <b>cancelled:</b> <i>Canidae</i> spp. (SKI-16, SKP-35), <i>Felidae</i> spp. (SKI-5, SKP-1), <i>Ursidae</i> spp. (SKI-5), <i>Primates</i> spp. (SKI-4), <i>Equus zebra hartmannae</i> (SKI-14), <i>Loxodonta africana</i> (SKI-4, SKP-4);
SHE	<i>Tridacnidae</i> spp. (483, <b>cancelled:</b> 2,100), <i>Strombus gigas</i> (152); <b>cancelled:</b> <i>Pinna nobilis</i> (6,159; Habitats directive)
MED, EXT, SPE, OIL	<i>Panthera pardus</i> (MED-108), <i>Primates</i> spp. (SPE-54ml), <i>Ursidae</i> spp. (MED-35, OIL-11), <i>Moschus</i> spp. (MED-1,040), <i>Hippocampus</i> spp. (MED-480), <i>Saussurea costus</i> (MED-3,000; 520), <i>Dionea muscipula</i> (MED-400), <i>Hoodia</i> spp. (MED-4,089, -50kg, EXT-4), <i>Prunus africana</i> (MED-84), <i>Cactaceae</i> spp. (MED-7,2 kg); <b>cancelled:</b> <i>Opuntia</i> spp. (EXT: 10 kg);
FEA	<i>Psittaciformes</i> spp. (122), <i>Ramphastos vitellinus</i> (1)
BON, BOC	<i>Cetacea</i> spp. (BOC-1, BON-2), <i>Loxodonta africana</i> (BON-1);
CAV	<i>Acipenseriformes</i> spp. (23.3 kg, <b>cancelled:</b> 6.2kg);
GAL	<i>Ursidae</i> spp. (8 g); <b>seized:</b> <i>Ursus thibetanus</i> (4 ampuls)
MEA	<i>Cetacea</i> spp. (0.4 kg), <i>Chaetophractus nationi</i> (1); <i>Alligator</i> spp. (10,8 kg), <i>Primates</i> spp. (3)
GAR	<i>Canidae</i> spp. (7, 19); <i>Felidae</i> spp. (5, 1), <i>Pythonidae</i> spp. (1);
HAI	<i>Loxodonta africana</i> (60)
ROO, DPL, COS, DER	<i>Panax quinquefolius</i> (ROO-14PC + 20.6 kg), <i>Rauvolfia serpentina</i> (ROO-0.2 kg), <i>Acipenseriformes</i> spp. (COS-1 kg + 60 ml), <i>Aloe ferox</i> (DER-6, -COS: 0.5 l, <b>cancelled:</b> 37 + 1.8l), <i>Cactaceae</i> spp. (COS-5), <i>Orchidaceae</i> spp. (ROO-37); <b>cancelled:</b> <i>Cervus elaphus</i> (DER-240), <i>Panax ginseng</i> (ROO-81);
TIM	<i>Cactaceae</i> spp. (503 cacti rainsticks)

Code	Description	Seizure			Cancelled			Confiscation		
		Procedure	no.	kg	Procedure	no.	kg	Procedure	no.	kg
LIA	Live animals	64	2.360		19	2.086		24	187	
LIP, SEE	Live plants	150	36.045	3,00	18	31.173		107	1.662	3,0
TUS	Tusks	12	15	8,61	1	2		2	1	1,5
IVC	Ivory- carving	29	183	0,42	5	16		9	46	
LPL, LPS	Leather products (small/ large)	232	1.298		56	732		107	298	
TRO, FOO, SKU, TEE, CLA	Trophies and parts of trophies	43	83		9	19		21	36	
BOD	Stuffed specimens	86	486	3,60	5	64		58	259	
CAP, SCA	carapaces, scales	7	24		1	2		3	3	
SKI, SKP	Skins, skin pieces	54	127		31	88		9	14	
COR, COM	Corals, also manufactured	169	2.604	1.425,50	11	905	1.421,0	123	768	3,0
SHE	Shells	52	4.289		7	4.000		36	269	
MED, SPE, EXT, OIL	Medicine; blood tissues, extracts, oil	98	24.889	19,20	13	1.150	16,70	53	15.296	2,5 0,4
EGG	Eggs	1	40					1	40	
FEA	Feathers	8	406		1	14		5	284	
BON	Bones	7	265		1	257		4	5	
CAV	Caviar	41		36,10				26		17,2
MEA	Meat	5	6	44,94				3	6	0,2
GAR	Garments	35	50		17	27		6	7	
HAI	Hairs	10	2.196					6	2.123	
DER	Derivates	1	150		1	150				
ROO, DPL, COS, POW	Roots, dried plants, cosmetics, powder	37	40.150	356,20	8	35.379	344,2	11	229	2,2 0,6
TIM, SAW	Cacti-rainsticks, timber, sawn wood	2	206		1	202		1	4	
Total	Specimens	1.143	115.872	1.897,57	205	76.266	1.781,9	615	21.537	29,5 1,0

**Notes on the confiscations in 2008:**

Following taxa (data not complete) and specimens were confiscated. Information on seizures which were cancelled is indicated in italic letters.

LIA	Aves spp. (4), Testudinidae spp. (31, incl. 14 <i>Trachemys scripta elegans</i> ); EU Habitats directive: <i>Bufo viridis</i> (25), <i>Chalcides ocellatus</i> (75), <i>Vormela peregusna</i> (2); <b>cancelled:</b> <i>Psittaciformes spp.</i> (9), <i>Serpentes spp.</i> (20; <i>Python regius</i> -574), <i>Chamaeleonidae spp.</i> (56), <i>Iguana iguana</i> (900), <i>Phelsuma dubia</i> (20);
LIP, SEE	Cactaceae spp. (970), Orchidaceae spp. (577 + 3kg), <i>Tillandsia</i> spp. (24), <i>Encephalartos</i> spp. (52), <i>Cycadaceae</i> spp. (14); <b>cancelled:</b> <i>Cactaceae spp.</i> (132), <i>Orchidaceae spp.</i> (938), <i>Sarracenia spp.</i> (SEE: 30,000), <i>Tillandsia xerographica</i> (100);
TUS	<i>Loxodonta africana</i> (1 + 1(= 1.45 kg), <b>cancelled:</b> (2); <b>seized:</b> 8.6 kg = 6 tusks (thereof 1 tusk = 0.6kg of <i>Elephas maximus</i> );
IVC	<i>Elephantidae</i> spp. (16), <i>Loxodonta africana</i> (25), <i>Elephas maximus</i> (3, 2), <i>Hippopotamus amphibius</i> (2); <b>cancelled:</b> <i>Odobenus rosmarus</i> (13), <i>Cetaceae spp.</i> (1); <b>seized:</b> <i>Elephantidae spp.</i> (167 + 0.4kg)
LPL, LPS	<i>Elephas maximus</i> (LPS-3), <i>Crocodylia</i> spp. (LPL-11, LPS-64; <b>cancelled:</b> LPL-122, LPS-208), <i>Serpentes</i> spp. (LPL-72, 56, LPS-127, 57), <i>Varanus</i> spp. (LPL-7, 2, LPS-18, 267), <i>Tupinambis</i> (LPL-8, 21, LPS-16, 1);
TRO, TEE, SKU, CLA, FOO	<i>Carcharodon carcharias</i> (TEE-2), <i>Primates</i> spp. (TEE-5), <i>Canis lupus</i> (SKU-1), <i>Felidae</i> spp. (CLA-3; SKU-2; TEE-1), <i>Falconiformes</i> spp. (FOO-1, SKU-1), <i>Crocodylia</i> spp. (CLA-1; SKU-8; TEE-6, FOO-1); <b>cancelled:</b> <i>Primates spp.</i> (SKU-2), <i>Ursidae spp.</i> (SKU-2), <i>Felidae spp.</i> (SKU-1), <i>Paradisaeidae spp.</i> (SKU-1), <i>Crocodylia spp.</i> (SKU-2, TEE-11);
BOD	<i>Ursus arctos</i> (1), <i>Falconiformes</i> spp. (2), <i>Strigiformes</i> spp. (Annex A: 2), <i>Crocodylia</i> spp. (2), <i>Varanus griseus</i> (1), <i>Naja naja</i> (66), <i>Ptyas mucosus</i> (6), <i>Phelsuma</i> spp. (2), <i>Pandinus imperator</i> (1), <i>Lepidoptera</i> spp. (19, <b>cancelled:</b> 16), <i>Hippocampus</i> spp.(156);
CAP, SCA	<i>Testudinidae</i> spp. (CAP-2), <i>Emydidae</i> spp. (CAP-1), <i>Arapaima gigas</i> (SCA-1); <b>seized:</b> <i>Cheloniidae spp.</i> (SCA-18);
SKI, SKP	<i>Felidae</i> spp. (SKI-1), <i>Canis lupus</i> (SKP-1), <i>Alopex lagopus</i> (5), <i>Equus zebra hartmannae</i> (SKI-1), <i>Crocodylia</i> spp. (SKI-2, SKP-2), <i>Serpentes</i> spp. (SKP-1); <b>cancelled:</b> <i>Canis lupus</i> (SKI-34), <i>Felidae spp.</i> (SKI-1), <i>Ursidae spp.</i> (SKI-11), <i>Equus zebra hartmannae</i> (SKI-19), <i>Crocodylus niloticus</i> (SKI-20);
SHE	<i>Tridacnidae</i> spp. (146, <b>cancelled:</b> 4,017), <i>Strombus gigas</i> (122), <i>Hippopus hippopus</i> (1);
MED, EXT, SPE, OIL	<i>Panthera pardus</i> (MED-20), <i>Primates</i> spp. (SPE-1), <i>Boidae</i> spp. (OIL-11), <i>Hippocampus</i> spp. (MED-4), <i>Saussurea costus</i> (MED-6,300), <i>Hoodia</i> spp. (MED-8,070), <i>Prunus africana</i> (MED-600), <i>Cactaceae</i> spp. (MED-1,75 kg; <b>canc.-EXT:</b> 3,5l), <i>Aloe ferox</i> (MED-300, EXT-0,4 l); <b>cancelled:</b> <i>Primates spp.</i> (SPE: 1,047+ 1kg), <i>Phalaenopsis spp.</i> (EXT: 15,7 kg);
EGG	<i>Cheloniidae</i> spp. (40);
FEA	<i>Psittaciformes</i> spp. (284); <b>seized:</b> <i>Falconiformes spp.</i> (122);
BON	<i>Cetacea</i> spp.(2), <i>Odobenus rosmarus</i> (1), <i>Ursus arctos</i> (1), <b>cancelled:</b> <i>Panthera pardus</i> (257);
CAV	<i>Acipenseriformes</i> spp. (17.2 kg);
MEA	<i>Ursus thibetanus</i> (0.2 kg), <i>Primates</i> spp. (bushmeat - 1), <i>Acipenseriformes</i> spp. (smoked - 5); <b>seized:</b> <i>Antelope spp.</i> (10 kg), <i>Crocodylia spp.</i> (34.7 kg);
GAR	<i>Canidae</i> spp. (1, 14 mostly <i>Alopex lagopus</i> ), <i>Felidae</i> spp. (1, 2), <i>Pythonidae</i> spp. (2);
HAI	<i>Loxodonta africana</i> (7); EU Habitats directive: <i>Hystrix cristata</i> (2.116);
DER	<b>cancelled:</b> <i>Trachemys scripta elegans</i> (DER-150) - not protected -;
COS, DPL, POW, ROO	<i>Hirudo medicinalis</i> (COS-100), <i>Panax quinquefolius</i> (ROO-9 PC + 2 kg), <i>Acipenseriformes</i> spp. (COS-234 ml), <i>Aloe ferox</i> (COS: 0.35 l), <i>Euphorbia</i> spp. (COS-120); <b>cancelled:</b> <i>Orchidaceae spp.</i> (DPL-100), <i>Cactaceae spp.</i> (POW-0.3 kg), <i>Phalaenopsis spp.</i> (COS-30,000), <i>Euphorbia spp.</i> (COS-5,287), <i>Acipenseriformes spp.</i> (COS-343.9 kg);
SAW, TIM	<i>Swietenia mahagoni</i> (SAW-4), <b>cancelled:</b> <i>Eulychina acida</i> (TIM-202 cacti rainsticks);

Attachment 3.4 Seizures and confiscations by 'Laender' Authorities in Germany in 2007/2008

Number of specimens seized and confiscated by Federal Authorities in 2007 and 2008													
Federal States	Year	Living animals				Living plants				Dead specimens, parts and derivatives			
		Annex A		Annex B		Annex A		Annex B		Annex A		Annex B	
		1)	2)	1)	2)	1)	2)	1)	2)	1)	2)	1)	2)
Baden-Württemberg	2007	8	0	4	3	0	0	0	0	9	1	0	0
	2008	12	0	9	1	0	0	0	0	5	0	0	1
Bavaria	2007	55	46	136	16	0	0	0	0	16	2	32	34
	2008	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
Berlin	2007	31	27	159	148	0	0	0	0	21 <sup>4)</sup>	15 <sup>4)</sup>	546 <sup>5)</sup>	523 <sup>5)</sup>
	2008	34	49	54	152	0	0	0	0	64	0	23	4 <sup>6)</sup>
Brandenburg	2007	14	10	14	12	0	0	0	0	1	1	0	0
	2008	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
Bremen	2007	0	0	9	9	0	0	0	0	0	0	0	0
	2008	4	4	3	1	0	0	0	0	0	0	4,64 kg	0
Hamburg	2007	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
	2008	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
Hesse	2007	32	72	34	16	0	0	0	0	144	5	160 <sup>7)</sup>	43 <sup>8)</sup>
	2008	6	47	7	47	0	0	0	0	923	5	85 <sup>9)</sup>	81
Mecklenburg-Western Pomerania	2007	3	1	12	0	0	0	0	0	3	3	260	0
	2008	1	0	27	1	0	0	0	0	0	0	0	0
Lower Saxony	2007	11	2	164	13	0	0	0	0	25	54	121	0
	2008	5	8	43	7	0	0	44 <sup>10)</sup>	44 <sup>10)</sup>	4	4	518 <sup>11)</sup>	0
North-Rhine/Westphalia	2007	119	118	133	81	0	0	0	0	10	9	5 <sup>12)</sup>	5 <sup>12)</sup>
	2008	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
Rhineland-Palatinate	2007	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
	2008	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
Saarland	2007	0	0	0	0	0	0	0	0	0	0	0	0
	2008	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
Saxony	2007	3	11	17	24	0	0	0	0	0	0	0	7
	2008	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
Saxony-Anhalt	2007	8	3	31	18	0	0	0	0	0	0	1	1
	2008	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
Schleswig-Holstein	2007	6	6	2	1	0	0	0	0	0	0	0	0
	2008	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)	3)
Thuringia	2007	11	2	19	52	0	0	45	0	64	9	66	1
	2008	4	2	81	8	0	0	0	0	21	3	0	27

1) seized specimens,

2) confiscated specimens,

3) no data

4) additional 100 g drugs (TCM)

5) additional 1095 g drugs (TCM) and 294 Gonystylus spp. staffs

6) additional 1 m<sup>3</sup> Gonystylus spp. and 250 small packet Aquilaria spp.

7) additional 111,38 kg caviar

8) additional 108,55 kg caviar

9) additional 32,751 kg caviar

10) 44 packets à 10 onions, 11) 518 packets Hoodia-products, 12) additional 20 tins caviar,

# ATTACHMENT 4

(Referring to question C 7)

## Details of violations and results of prosecutions

Status of confiscations and administrative offence procedures initiated in 2006, 2007 and 2008, mainly resulting from seizures by German customs authorities

Status of procedures (15 <sup>th</sup> April 2009)	from 2006	from 2007	from 2008
Outstanding procedures	34	92	393
Discontinued by Federal Agency for Nature Conservation	908	632	452
Cautions, in some cases with cautionary fines	173	112	122
Administrative orders imposing a fine	371	221	130
<i>of which: currently being enforced by Federal Agency for Nature Conservation</i>	1	4	7
<i>of which: under appeal</i>	1	3	1
Ongoing investigations into suspected criminal offences	13	41	26
Discontinued by public prosecutors/courts	63	25	9
against payment of a fine (Art. 153a Code of Criminal Procedures)	43	9	7
Orders imposing punishments, sentences	22	11	2
<b>Total procedures</b>	<b>1,584</b>	<b>1,134</b>	<b>1,134</b>

In addition, there are procedures carried out by German 'Laender' (federal state authorities), see under **Attachment 2 and 3.4**

# **ATTACHMENT 5**

(Referring to question C 9)

***Details on violations and court actions***

## Details on violations and court actions

### 1. Violations in detail

Following significant infringements and legal measures including seizures, cautions, administrative fines and penal offences were noted within the reporting period:

#### - Ivory

Between March and July 2007 altogether 23 shipments of ivory were intercepted by German customs office at Frankfurt airport. The ivory carvings and tusks were all sent by post from Abidjan (Ivory Coast) destined for Shanghai (China). Information about that content of packages was not transparent. The name of the consignee was written in Chinese characters only whereas the name of the sender seems to be a Chinese name, for whom as address a P.O. Box was mentioned. In total 89 specimens have been seized and confiscated.

In April 2007 the customs office at Frankfurt airport also seized 9 postal shipments of ivory carvings from Burundi to different addresses in the USA. Each package contained pieces of jewellery made of ivory; in total 28 pieces.

The shipments in questions have been sent by postal services and were checked during transit controls at Frankfurt airport. According to the used transport mode by postal services the sender will have no influence on the shipping way because the packages will be collected by the local or national postal services and transported on the easiest or cheapest way.

In October 2008 customs officers at Stuttgart airport checked a shipment coming from Nigeria and destined for a private person in Germany. Within the package the officers found 24 pairs of earrings made of ivory. The case is still under investigation.

#### - Cacti

In August 2008 the German court sentenced two German citizens because of the illegal import of more than 500 Cacti most of them listed in CITES App. I. Both persons have been sentenced to fines.

In 2004 the persons in question had travelled to Mexico. During this trip the persons collected specimens of different rare cacti species. All the information regarding this collection trip has been noted very accurately. At the end of the trip the cacti were packed in the personal luggage of the travellers. The customs offices detected the illegal imported plants and instituted further investigations. Because of different claims made by the lawyer of the offender it had only been possible to settle the case in 2008; the surviving plants have been disposed of in a bona fide botanical garden in Germany.

#### - Turtles

In October 2008 customs officers at Frankfurt airport checked the luggage of the passengers travelling from Brazil into Germany. They were supported by a sniffer dog which was trained on the discovery of specimens of protected species. The dog detected a suitcase which seemed to be suspicious. When opening the suitcase the customs officers found 40 eggs of sea turtles (*Cheloniidae spp.*) hidden beneath used cloths and food. The owner of the suitcase could be identified. According to his boarding pass he had travelled from Asuncion in Paraguay via Sao Paulo, Brazil. The eggs were immediately given to the zoological garden but unfortunately could not be saved and brought to hatching.

#### - Internet trade

In 2008 the German court sentenced a German citizen and his African wife because of illegal trade in ivory carvings. In 2006 and 2007 the wife travelled to Rwanda and to the D.R. of Congo to buy ivory carvings and other 'objets d'art'. She made pictures of the carvings and sent the picture to her husband who offered the ivory carvings on an Internet auction platform. After somebody had shown interest in the carvings and had bought those the wife sent the ordered carvings by postal services from Rwanda to the purchaser. She never applied



for the required CITES documents. In total 189 such ivory carving shipments to different countries could be identified. Adequate information had been distributed to all other affected countries.

Both persons involved in this case were sentenced to 15 months imprisonment on probation and an additional fine of 8,691 € each; In one case the fine was replaced by 80 hours of social work.

#### **- Caviar**

Based on the EU Enforcement Action Plan the German enforcement authorities decided that trade in caviar should become a main focus area for enforcement in 2008. The caviar trade was chosen because of the high value, the critical conservation status of sturgeon populations worldwide and the huge demand on the market. In addition, adherence to the EU marking requirements for caviar tins was also included as an item of special attention during the special investigation period.

In total 59 repackaging or producing plants, traders, shops and restaurants were inspected. Nearly 48 kg of caviar were seized because proper evidence of legal acquisition or importation was not provided. Germany's customs investigation office initiated three further investigations which are still ongoing.

The German customs seized about 24 kg of Caviar at Cologne Airport on 25 January 2007. The illegally imported caviar was packed in plastic boxes and had been sent by postal mail from Marbella (Spain). The shipment arrived at Cologne airport. It had been the first time that caviar was seized on this transit route into the EU. The caviar did not meet the labeling requirements which have been established since CoP 13. Russia is supposed to be the origin of the caviar.

#### **- Orchids**

In November 2007 the customs officers at Frankfurt airport checked the luggage of a flight assistant coming from Vietnam and two cardboard boxes in the accompanying suitcase were discovered. On each box the address of a German citizen was mentioned. After checking the content each box orchids were found inside. In total 253 live orchids of the genus *Paphiopedilum* and *Dendrobium* were identified by experts of the Botanical Garden of Frankfurt. Obviously all the plants had been collected from the wild. During interrogations the flight assistant explained that she had been asked by a friend to carry boxes to Germany in order to mail those at the next post office in Germany to the addresses mentioned. This way carrying the consignment was chosen to save mailing costs.

#### **- Tourist souvenirs**

The predominant number of seizures still concern specimens of CITES protected animals and plants which had been transported by tourists. Each year there are more than 1000 seizures where specimens were imported as part of the tourist luggage. The German customs service detected live orchids or cacti, caviar, goods made from manufactured reptile leather, ivory carvings and stony corals. Also obscure tourist souvenirs are very popular; above all those from Vietnam and China, i.e. snakes and other reptiles which are preserved in alcohol, mounted scorpion placed in synthetic resin or dried seahorses. Finally tourist had also CITES protected live animals as accompanied luggage. The species list of such cases was foremost led by reptiles, especially tortoises from Northern Africa. Furthermore boide snakes or different kind of lizards are also loved by tourists and last but not least parrot species are still very popular. Fortunately the trend to smuggle live monkeys has been stopped.

As a more recent trend to smuggle CITES protected species German custom services have detected an increasing number of shipments sent by fast postal services containing specimens such as live orchids, cacti, manufactured products like shoes or bags made of reptile leather, medicine made from different CITES plant or animal species, sturgeon caviar and carved ivory pieces. All these specimens had been ordered via Internet worldwide and no proper CITES documents had accompanied the consignments.

- **Examples of fines imposed in other sectors:**

• Import of elephant ivory carvings	up to 1,200,- €
• Import of caviar	up to 5,000,- €
• Bear gall ( <i>Ursus thibetanus</i> ) from Vietnam	up to 3,000,- €
• One live <i>Testudo graeca</i> from Tunisia	1,250,- €
• One skull of <i>Panthera pardus</i> from USA, origin Zimbabwe	900,- €
• One stuffed <i>Caretta caretta</i> from Vietnam	1,000,- €
• 4 garments with wolf and one garment with Felidae, especially because of tax offence	4,200,- €
• 34 reptile leather goods from Egypt (Boidae, <i>Varanus</i> , <i>Crocodylus</i> )	1,200,- €
• 110 Cacti of Appendix A and 306 cacti of Appendix B species from Peru	2,520,-€
• Import of more than 2500 dead <i>Anthus pratensis</i> for consumption, protected under the EU Birds Directive, shipped from Romania via Munich (DE) to Italy, each of the 4 offenders:	1,300,- €

## 2. Administrative offence procedures

In addition to charges filed by public prosecutors and courts, the Federal Agency for Nature Conservation (BfN) is the responsible authority to initiate administrative offence procedures. Fines of up to €50,000.- may be imposed. The annual revenues from such fines of the Federal Agency for Nature Conservation amount to between 50,000 € and 100,000 €. The infringements concern largely cases of unauthorised imports of live tortoises (mostly *T. graeca*), red-eared slider turtles (as invasive alien species), cobras (*Naja naja*) in alcohol, numerous leather products (derived mostly from pythons, crocodile/caiman but less from tegu and monitor lizards) and of caviar. There are few cases of other infractions concerning traditional medicines (bear gall liquid, tiger bones, ginseng and *Saussurea costus*), primate skulls, pieces of ivory as well as tourist souvenirs made of shells, corals or seahorses.

The examples listed below include fines of 1,000 € and more which were imposed within the reporting period for following illegal shipments, partly after they had been returned by public prosecutor to the BfN for an administrative offence procedure:

• Commercial import of 450 kg of Salep powder ( <i>Orchis</i> spp.) from Turkey	4,000,- €
• 2,400 live Giant Clams ( <i>Tridacna derasa</i> ) from China	3,000,- €
• Sale of more than 5,000 illegally imported orchids of Ann. B species in the internet	3,000,- €
• Import of 2 <i>Lynx lynx</i> hunting trophies, allegedly from Russia, without proper documents	2,000,- €
• 1,3 kg of Caviar ( <i>Acipenseriformes</i> spp.) from Iran	1,300,- €
• Commercial import of live orchids (96 of Ann. B-species) and 11 dead Black Corals	1,000,- €
• 70 plasters with <i>Aquilaria malaccensis</i> , 78 products (plasters and pills) with <i>Moschus</i> spp. from China	1,000,- €
• Import of 194 cosmetic products (creme) with bear ingredients ( <i>Ursus</i> spp.) from Russia	1,000,- €
• Imports of a wolf skin ( <i>Canis lupus</i> ) or from lynx or cheetah ( <i>Acinonyx jobates</i> ), each	1,000,- €
• Re-export of 188 bags and shoes made of python leather (Pythonidae spp.)	1,000,- €
• 4 pairs of snake leather boots (repeater on purpose)	1,500,- €

# **ATTACHMENT 6**

(Referring to question D 5 (3))

***Number and type of CITES documents issued  
by the  
Federal Agency for Nature Conservation  
in 2007-2008***

**Breakdown of import and export documents and certificates issued by  
the Federal Agency for Nature Conservation pursuant to  
Regulation (EC) No. 338/97 from 1<sup>st</sup> January 2007 to 31<sup>st</sup> December 2008**

	<b>2007</b>	<b>2008</b>
<b>Import permits</b>	6,080	7,573
<b>of which:     for Annex A specimens</b>	514	614
<b>of which:     for Annex B specimens</b>	5,566	6,959
<b>Export permits</b>	896	1,432
<b>Re-export certificates</b>	8,988	10,808
<b>Combined permits*</b>	393	406
<b>Other import documents**</b>	663	694
<b>Certificates pursuant to Art. 8 of Regulation (EC) No. 338/97</b>	31	5
<b>Special permits pursuant to the EU Habitat Directive and Birds Directive</b>	22	33
<b>Total number of documents</b>	<b>17,073</b>	<b>20,951</b>

\* Sample collection certificates, certificates of ownership, travelling exhibition certificates

\*\* Import registrations for specimens listed in Annexes C and D and imports under the simplified conditions for items for personal use pursuant to Art. 57 para. 3 of Regulation (EC) No. 865/2006

# ATTACHMENT 7

(Referring to question D 5 (10))

## ***Charges for the issuance of CITES documents***

<b>Living specimens</b>	<b>Fee</b>
Import permit	41.- €
Export permit	21.- €
Re-export certificate	25.- €
Certificate of ownership	35.- €
Travelling exhibition certificate	50,-€
<b>Dead specimens, parts and derivatives</b>	
Import permit	16.- €
Export permit	12.- €
Re-export certificate	12.- €
Travelling exhibition certificate	50,-€
Sample collection certificate accompanied by ATA carnet	20.- €
<b>General</b>	
Licensing and registration of (re-)packaging caviar plants	500,-€
Negative certificate ('To Whom It May Concern')	13.- €
Blank forms for registered propagation units	6.- €

Attachment of an annex expanding the permit results in a surcharge of half the fee shown in the table of fees for the relevant permit or certificate.

In exceptional cases, an exemption from fees may be granted for the import, export or re-export of specimens for the purpose of scientific research and teaching, particularly where this contributes to conservation of the species in question, and in the case of applications pertaining to specimens which are imported or exported for the purpose of scientific breeding programmes aimed at species conservation. As a general principle, there is no special form for applications for exemption from fees. The applicant must submit evidence of compliance with the requirements for fee exemption, e.g. in the form of a certificate from a recognised scientific institution indicating that the specimens will be used for the aforementioned purposes. Furthermore, fee reductions will be granted if the fee payable exceeds the value of the goods by more than 30 percent. The minimum fee is € 5.-. No fee is charged for exports of artificially propagated plant specimens up to a commercial value of € 50.-.

The Ordinance on Fees does not apply to EC certificates pursuant to Art 10 of Council Regulation (EC) No 338/97. Those certificates are issued by the *Laender* authorities. The fees payable in such cases are regulated by the relevant *Laender* legislation. They are essentially based on the value of the specimen for which the certificate is to be issued.



# **ATTACHMENT 8**

(Referring to question D 4 (10))

***Nationally produced brochures or leaflets  
on CITES  
for educational or public awareness purposes***

## Nationally produced brochures or leaflets on CITES

During the reporting period only three new CITES leaflets and a poster were produced by authorities of Germany's Management and Scientific Authorities of the Federal Agency for Nature Conservation (FANC).

In order to promote the objectives of the Convention during Germany's Presidency of the EU-Council in the first half of the year 2007 a poster was produced (see **Attachment 8.1**) which was also widely distributed during the 14<sup>th</sup> Conference of the Parties of CITES.

Besides pointing out on carvings made of ivory, reptile leather products, caviar, furs, plants such as orchids or birds of CITES protected species but also to highlight the successes of CITES a new 16 pages CITES leaflet was printed in late 2008 (see **Attachment 8.2**) which should primarily draw the attention of any tourist to the fact that besides the destruction of habitats the international trade in endangered species is a major cause for the decline of many populations of wild fauna and flora worldwide.

In addition in late 2008 Germany's Scientific Authorities of the FANC issued two leaflets (see **Attachment 8.3**) to promote and raise awareness of two publicly accessible data bases, WISIA and ZEET, which had been initiated several years ago and continuously maintained of relevance to the most present legal situation. WISIA lists all CITES protected species according to the most current taxonomy and their individual history of legal protection, whereas ZEET comprises only those CITES species for which the EU has taken decisions to postpone any trade.





## Arten schützen – Vielfalt erhalten



Bild: «Leuchtendes Leben», Helmut Jansen, Bonn

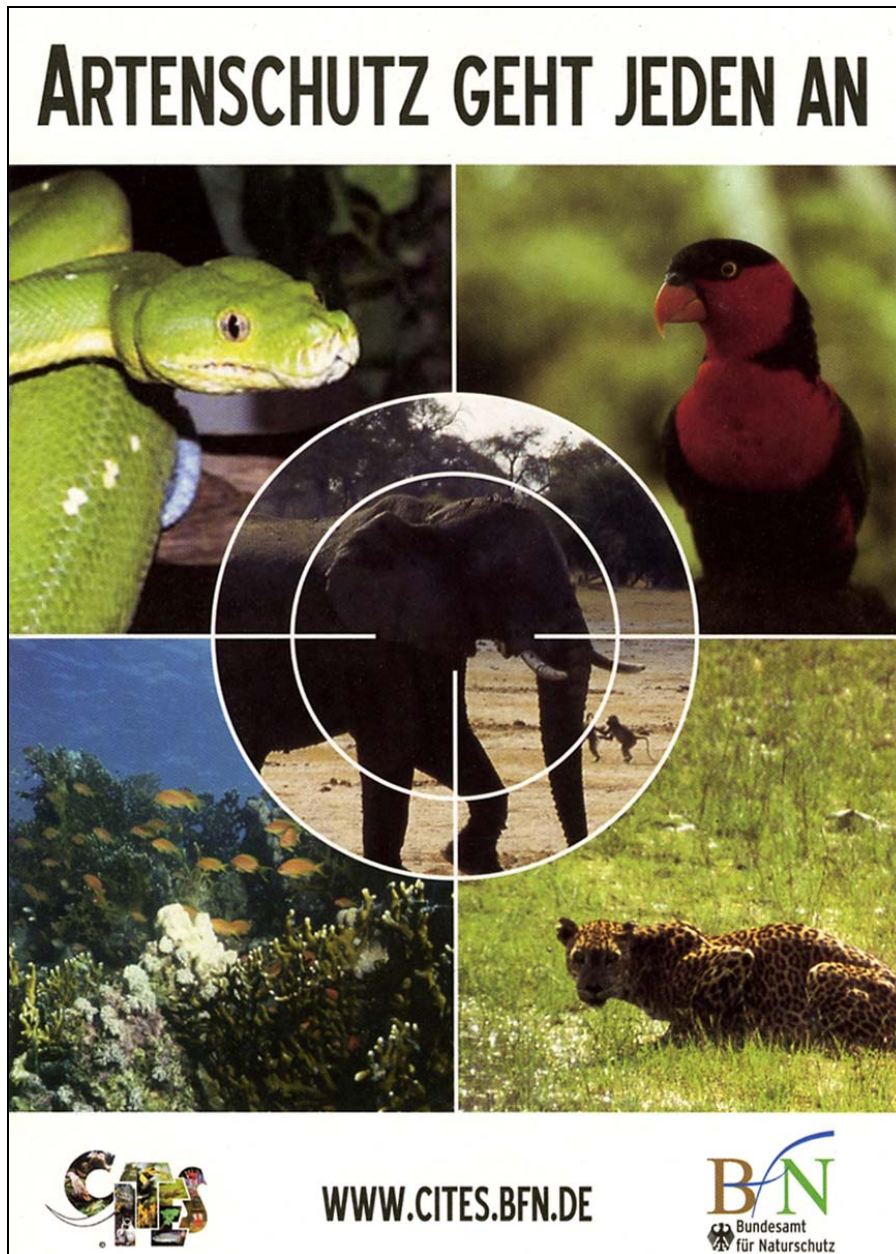
protect species – conserve biodiversity  
préservier les espèces – conserver la biodiversité  
proteger las especies – conservar la biodiversidad



[www.bfn.de](http://www.bfn.de)



Attachment 8.2 The new 16 pages brochure 'Species Conservation – a cause for everybody '  
(in German: ‚Artenschutz geht jeden an‘)



Attachment 8.3 The new brochures about Germany's national species and trade restriction databases 'WISIA' and 'ZEET'



The cover of the WISIA brochure features the word 'WISIA' at the top, where each letter is filled with a different colorful animal image. Below this, on the left, is a photograph of a puffin. The text on the right side of the cover reads: '... die Datenbank für den Artenschutz' and 'www.wisia.de'. At the bottom right is the logo for the Bundesamt für Naturschutz (BfN), consisting of the letters 'BfN' in a stylized font with a blue and green swoosh, and the full name 'Bundesamt für Naturschutz' below it.

**WISIA**

... die  
Datenbank  
für den  
Artenschutz

[www.wisia.de](http://www.wisia.de)

**BfN**  
Bundesamt  
für Naturschutz



The cover of the ZEET brochure has a light yellow background with a blue vertical bar on the left. At the top, it displays the website 'www.zeet.de' and 'Ein Informationsangebot des BfN'. The word 'ZEET' is written in large, blue, textured letters. Below this, the text reads: 'Zusammenstellung von Einzelentscheidungen zur Einfuhr geschützter Tierarten'. At the bottom right is a photograph of an iguana.

[www.zeet.de](http://www.zeet.de)

Ein Informationsangebot des BfN

**ZEET**

Zusammenstellung von  
Einzelentscheidungen zur  
Einfuhr geschützter  
Tierarten





**Convention on International Trade in  
Endangered Species of Wild Fauna and Flora**

**Biennial Report  
of the  
Federal Republic of Germany**

**PART 2 – Supplementary Questions**

**Note:** Questions in **Part 2** are additional to those in **Part 1**, and relate to information on the provisions of the EC Regulations (Regulation (EC) No. 338/97 and Regulation (EC) No. 865/2006 that fall outside the scope of CITES.

## EU – Regulation (EC) No. 338/97 Biennial Report Format PART 2 ,Supplementary Questions’

The numbering of this section reflects that in Part 1, with the addition of (b) to distinguish the two. New questions that do not correspond to questions in Part 1 are marked "new". Unless otherwise stated, the legislation referred to below is Council Regulation (EC) No. 338/97.

### B. Legislative and regulatory measures

1b	If not already provided under questions B (2) and B (4), please provide details of any national legislation that has been updated in this reporting period and attach the full legislative text.						
2b	If your country has planned, drafted or enacted any additional Regulation -relevant legislation, other than that reported under question B (2) or above, please provide the following details:						
	Title and date:		Status:				
	Brief description of contents:						
5b	Has your country adopted any stricter domestic measures, other than those reported under question B(5), specifically for non CITES-listed species <sup>1</sup> ?						
	Tick all applicable categories below that these categories apply to.						
		The conditions for:			The complete prohibition of:		
	Issue	Yes	No	No information	Yes	No	No information
	Trade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Taking	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Possession	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Additional comments	see answers to question B.2 and B.5 of Part 1 as well as <b>Attachment 9</b>					
8b	Has there been any review of legislation on the following subjects in relation to implementation of <i>Council Regulation (EC) No. 338/97</i> ?						
		Yes	No	No information			
	Introduction of live Regulation-listed species into the Community that would threaten the indigenous fauna and flora (in accordance with Article 3, paragraph 2 (d)).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
	Marking specimens to facilitate identification (in accordance with Article 19, paragraph 1 (iii)).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
	Please provide details if available:						
9b	Please provide the following details about Regulations-related violations:						
	i) Maximum penalties that may be imposed;						
	ii) Or any other additional measures taken in relation to implementation of the Regulation not reported on in question B (9): <b>see Attachment 9</b>						

<sup>1</sup> In this questionnaire, "non CITES-listed species" refers to species that are listed in the Regulation Annexes, but not in the CITES Appendices. They include some species in Annexes A and B and all those in Annex D.

### C. Compliance and enforcement measures

2b	Have any actions, in addition to those reported in C (2-9) above, been taken for Regulation-related violations?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
9b	Please provide the following details about Regulations-related violations: i) Maximum sanctions which have been imposed over this reporting period; ii) The outcomes of any prosecutions; see <b>Attachment 5</b> .		
16b	Has there been any review or assessment of Regulation-related enforcement, in addition to that reported under C (16) above?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
Comments:			
18 new	Have specimens been marked to establish whether they were born and bred in captivity? (In accordance with <i>Commission Regulation (EC) No. 865/2006</i> , Article 66)	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments: see national marking provisions under <b>Attachment 9</b> .			
19 new	Have any monitoring activities been undertaken to ensure that the intended accommodation for a live specimen at the place of destination is adequately equipped to conserve and care for it properly? (In accordance with Article 4 paragraph 1 (c) of <i>Council Regulation (EC) No. 338/97</i> ).	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
Comments:			
20 new	Have national action plans for co-ordination of enforcement, with clearly defined objectives and timeframes been adopted, and are they harmonized and reviewed on a regular basis? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIa.	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>

	<p>Comments:</p> <p>Germany had taken note of the EU Enforcement Action Plan, published in the official journal of the EU No. L 159/07 (Document 2007/425/EC) and started after the 14<sup>th</sup> CoP to CITES to nationally implement the recommendations contained in the action plan.</p> <p>On a national level since September 2007 the CITES Management Authority of the Federal Agency for Nature Conservation (FANC) started several initiatives to develop a national enforcement action plan in accordance with the provisions of CITES Resolution Conf 11.3 (Rev. CoP 14).</p> <p>Some of the actions recommended in the above mentioned action plan have already been implemented in Germany such as the rapid exchange of important information by electronic means through an electronic CITES newsletter, public awareness campaigns, training of enforcement officers or strong new working relations among German officials in the different authorities and enforcement agencies. The working relations are backed up either by formalized but also not formalized agreements and strong government support.</p> <p>In addition to these activities Germany had nationally started a process to implement further actions recommended in the EU Enforcement Action Plan. All relevant enforcement and management authorities involved in the implementation of CITES in Germany have been invited to collaborate on the creation and implementation of a national action plan. To meet these objectives in 2007 an Interagency National Action Plan Working Group (IANAP-WG) was established at the Federal Agency for Nature Conservation. The IANAP-WG met already twice, i.e. in September 2007 and in February 2008. The IANAP-WG includes representatives from German customs services, the police, national and local CITES Management Authorities and other enforcement bodies. The main objectives and targets of this new working group are:</p> <ul style="list-style-type: none"> <li>- to improve overall inter-agency cooperation;</li> <li>- to collect and distribute relevant information;</li> <li>- to identify enforcement priorities;</li> <li>- to coordinate public relation activities; and</li> <li>- to control and coordinate adequate training activities.</li> </ul> <p>Germany is a federal state consisting of 16 so called 'Laender'. 'Laender' authorities have powers for issuing intra-Community certificates, to carry out investigations and for controlling trade within the Community. An important body to coordinate activities and to ensure the uniform application of regulations within Germany is the standing committee 'Species and Biotope Conservation' of the "Bund/Laender" Association for Nature Conservation" (BLANA). In order to implement the EU Enforcement Action Plan a subcommittee 'Improvement of Enforcement' was established. Prepared by that committee main focus areas in enforcement (i.e. for 2008 caviar and timber, see CITES timber enforcement subcommittee already reported under C 17 of part I) have been agreed on. With regard to caviar an enforcement strategy paper had been approved with clear targets and deadlines including country wide standardized controls of the caviar trade in close co-operation with federal (customs investigations agencies) and regional authorities. These controls were carried out between 1<sup>st</sup> November and 15<sup>th</sup> December 2008. Future focus commitments will be made accordingly.</p>		
21 new	<p>Do enforcement authorities have access to specialized equipment and relevant expertise, and other financial and personnel resources? (In accordance with <i>Commission Recommendation C (2007) 2551</i>, paragraph IIb.)</p> <p>If yes, please provide details.</p> <p>Comments:</p> <p>A list of experts for species identification is published in the Federal Gazette. In addition, lists of laboratories undertaking DNA analysis or other forensic analyses (i.e. isotope-analysis) are available at the CITES Management Authority of the FANC.</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>No information <input type="checkbox"/></p>	



22 new	Do penalties take into account inter alia the market value of the specimens and the conservation value of the species involved in the offence, and the costs incurred? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIc.)	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input checked="" type="checkbox"/>
<p>Comments:</p> <p>In Germany there are directives regarding administrative offences which lay down that the market value of the specimens shall be considered. According to Germany's criminal law different criteria have to be considered, inter alia the severity of the offence which may also allow taking into account the conservation value of the respective species involved. In practice, a conservation value will not be known usually. Especially with regard to non-native species in many instances it seems to be impossible to ascertain the real conservation value.</p> <p>Germany has enacted legislative provisions that require the offender (i.e. importer in case of unlawful importation of protected specimens) and/or the carrier to meet the costs of confiscation, custody and storage.</p>		
23 new	Are training and/or awareness raising activities being carried out for a) enforcement agencies, b) prosecution services, and c) the judiciary? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph II d.)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
<p>Comments:</p> <p>- During the reporting period 2 seminars for local management and enforcement authorities (12<sup>th</sup>-13<sup>th</sup> September 2007 and 21<sup>st</sup>- 22<sup>nd</sup> October 2008) were held by the CITES Management Authority of the Federal Agency for Nature Conservation at the Species Conservation Centre of North-Rhine/ Westphalia at Metelen. The objectives of both seminars were mainly to understand the systematic of basic legal provisions of international species conservation legislation, i.e. Reg. (EC) No. 338/97, the EC Birds Directive, the EC Habitats Directive and of Germany's Federal Ordinance on the Conservation of Species. Furthermore the procedure on how to enforce and implement seizures and confiscations was discussed. Finally follow up procedures after confiscations such as hearings, writing of penalty notice, objection and court proceedings were practiced on simulated case studies.</p> <p>- Another seminar which also had been organized at the same place of venue in Metelen on 18<sup>th</sup> April 2007 focused on capacity building raising awareness for lawyers, public prosecutors and judges. The focus of this seminar was laid on the basic legal provisions of international species conservation legislation, on trends of confiscations and responsibilities of Germany's customs criminal investigation service as well as on presentations of selected factual species conservation infraction cases from the perspective of a regional CITES Management Authority and a public prosecutors perspective.</p> <p>- German customs authorities have conducted several training seminars on legal matters but also on identification issues. Such seminars will be regularly held several times during the year (up to 10 seminars on legal matters and up to 8 identification seminars). Also for police forces regular training seminars have been offered.</p>		
24 new	Are regular checks on traders and holders such as pet shops, breeders and nurseries being undertaken to ensure in-country enforcement? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph II g.)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
<p>Comments:</p> <p>The domestic implementing legislation provides the local authorities with the power to carry out regular checks and to visit any facilities used for commercial purposes. These checks are regularly carried out by local authorities, in special cases also supported by police or customs authorities. In addition in 2008 the CITES enforcement agencies put a special focus on the check of caviar producing or repackaging plants and on caviar traders. This successful special investigation was carried out by local authorities in close cooperation with the German customs authority and the CITES Management Authority of the FANC.</p> <p>Furthermore, an overview about details on inspections by Germany's "Laender" Authorities has been provided in Attachment 1 referring to question C 1 of part I.</p>		

25 new	Are risk and intelligence assessment being used systematically in order to ensure thorough checks at border-crossing points as well as in-country? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIIh.)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>	
Comments: The German customs has established a special unit which specifically deals with risk assessments only and which provides the relevant customs offices with substantial information. This unit is closely linked to and co-operating with similar units in other EU-Member States.			
26 new	Are facilities available for the temporary care of seized or confiscated live specimens, and are mechanisms in place for their long-term re-homing, where necessary? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIIi.)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>	
Comments: The wildlife conservation administrations in two Federal States in Germany (Bundesländer) have established facilities for the temporary keeping of confiscated live specimens. Being in charge of the public administration these facilities remain state-subsidised. If required both facilities are also able to quarantine specimens. In addition, some German NGO's have established similar facilities also subsidised by those. As above these facilities are readily prepared to take temporary care for protected wildlife specimens. In addition some of these NGO facilities are even able to quarantine specimens. Furthermore most 'bona fide' Zoological Gardens in Germany will offer their support if live specimens will be seized by government enforcement bodies. The long-term repatriation of confiscated CITES-listed animals will be handled on a case-by-case basis. A number of public facilities like Zoos or botanical gardens are able to keep such specimens. The administrative handling is also regulated. Generally a public contract will be signed between the keeping facility and the responsible government authority which on a case-by-case basis can comprise additional special provisions.			
27 new	Is cooperation taking place with relevant enforcement agencies in other Member States on investigations of offences under Regulation No. (EC) 338/97? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIIe.)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>	
Comments: Such cooperation takes place on a case-by-case basis. Additionally Germany participates actively in meetings of the Enforcement Working Group.			
28 new	Is assistance being provided to other Member States with the temporary care and long-term re-homing of seized or confiscated live specimens? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIIj.)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>	
Comments: Competent contact agencies were notified accordingly to other Member States.			

29 new	Is liaison taking place with CITES MAs and law enforcement agencies in source, transit and consumer countries outside of the Community as well as the CITES Secretariat, ICPO, Interpol and the World Customs Organization to help detect, deter and prevent illegal trade in wildlife through the exchange of information and intelligence? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIIk.)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments: Liaison is taking place on a case by case basis			
30 new	Is advice and support being provided to CITES MAs and law enforcement agencies in source, transit and consumer countries outside of the Community to facilitate legal and sustainable trade through correct application of procedures? (In accordance with <i>Commission Recommendation C (2007) 2551</i> , paragraph IIII.)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>
	Comments: Such support is provided on a case-by-case basis but also by organizing and convening specific training seminars or visitor programs for foreign delegations of CITES Parties visiting Germany (details have already been reported under question D6-4 of part I).			

#### D. Administrative measures

##### D1 Management Authority (MA)

8b	Have the MA(s) undertaken or supported any research activities in relation to non CITES-listed species or technical issues (e.g. species identification) not covered in D2 (8) and D2 (9)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	No information <input type="checkbox"/>
		11 new		
		Has the Commission and the CITES Secretariat (if relevant) been informed of the outcomes of any investigations that the Commission has considered it necessary be made? (In accordance with Article 14 paragraph 2 of <i>Council Regulation (EC) No. 338/97</i> )?		
		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>

##### D2 Scientific Authority (SA)

8b	Have any research activities been undertaken by the SA(s) in relation to none CITES listed species?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	No information <input type="checkbox"/>			
	9b If Yes, please give the species name and provide details of the kind of research involved.							
		Species name	Populations	Distribution	Off take	Legal trade	Illegal trade	Other (specify)
		1						
		2						
		3						
		etc.						
		No information <input type="checkbox"/>						

11 new	How many Scientific Review Group (SRG) meetings have the SA attended?	Number	7
	Indicate any difficulties that rendered attendance to the SRG difficult:		

### D3 Enforcement Authorities

6 new	Has a liaison officer/focal point for CITES been nominated within each relevant enforcement authority in your country?	Yes <input checked="" type="checkbox"/>
		No <input type="checkbox"/>
		Under consideration <input type="checkbox"/>
		No information <input type="checkbox"/>

### D4 Communication, information management and exchange

1b	Is Regulation-related information in your country computerized on? – Annex D listed species – Other matters not reported on in question D4 (1) (please specify)	Tick if applicable <input checked="" type="checkbox"/> <input type="checkbox"/>
3b	Do you have an electronic information system providing information on Regulation-listed species?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>

### D5 Permitting and registration procedures

9b	Has the Management Authority charged fees for any Regulation-related matters not covered in question D5 (9)? If yes, please provide details of these Regulation-related matters and the amount of any such fees.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No information <input type="checkbox"/>
13 new	Can you indicate the percentage of permits/certificates issued that are returned to the MA after endorsement by customs?	Percentage : 100 % <input type="checkbox"/> No information <input type="checkbox"/>
14 new	Has a list of places of introduction and export in your country been compiled in accordance with Article 12 of <i>Council Regulation (EC) No. 338/97</i> ? If yes, please attach. <b>See answer in Part 1 question B 2.</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
15 new	Have persons and bodies been registered in accordance with Articles 18 and 19 of Commission Regulation (EC) No. 865/2006? If yes, please provide details. With regard to certain trade in biological samples simplified procedures (Art. 18 ComR 865/2006) have not been used in Germany. However, Art. 19 ComR 865/2006 pre-issued documents have been used as simplified procedures for (re-)exports of snake venom from <i>Daboia russeli</i> (Annex C of CR 337/97, App. III CITES) originated from captive bred specimens mainly from US and Sweden as well as for re-exports of hair brushes made of <i>Mustela sibirica</i> (Annex D of CR 337/97, App. III CITES).	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
16 new	Have scientific institutions been registered in accordance with Article 60 of Commission Regulation (EC) No. 865/2006? If yes, please provide details: The application of Art. 60 rest with the 'Laender'. Germany does not use that regulation for allowing certain 'scientific institutions' commercial activities like the exchange or transfer of Annex A specimens. However, it may be used for the (commercial) display of Annex A specimens in zoos. Irrespective of that regulation certain 'scientific institutions' have been registered using labels for the movement between registered institutions in line with Art. 7 (4) CR(EC) No. 338/97, Art. 52 Commission Regulation (EC) No. 865/2006, see following: <a href="http://www.cites.org/common/reg/e_si.html">http://www.cites.org/common/reg/e_si.html</a>	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input checked="" type="checkbox"/>
17 new	Have breeders been approved in accordance with Article 63 of Commission Regulation (EC) No. 865/2006? If yes, please provide details.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No information <input type="checkbox"/>

18 new	Have caviar (re-)packaging plants been licensed in accordance with Article 66 (7) of Commission Regulation (EC) No. 865/2006? If yes, please provide details: See following: <a href="http://www.cites.org/common/resources/reg_caviar.pdf">http://www.cites.org/common/resources/reg_caviar.pdf</a>	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
19 new	Are phytosanitary certificates used in accordance with Article 17 of Commission Regulation (EC) No. 865/2006? If yes, please provide details. Germany's CITES Management Authority has notified to the CITES Secretariat the responsible authorities which are entitled in Germany to issue for artificially propagated plants listed in CITES Appendix II phytosanitary certificates as export permits. The list of these authorities can be accessed under following website: <a href="http://www.cites.org/common/directy/e_directy.html">http://www.cites.org/common/directy/e_directy.html</a>	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
20 new	Have cases occurred where export permits and re-export certificates were issued retrospectively in accordance with Article 15 of Commission Regulation (EC) No. 865/2006? If yes, please provide details: There were two cases with regard to retrospective issued re-export certificates to Switzerland for leather watchstraps.	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

**D8 Areas for future work**

2b	Has your country encountered any difficulties in implementing specific suspensions or negative opinions adopted by the European Commission? (In accordance with Article 4 (6)). It was difficult to apply exceptions from the suspension decision regarding registered stocks of <i>Lama guanicoe</i> ( <i>Lama glama guanicoe</i> ) from Argentina because the Secretariat was not prepared for any confirmation but referred to Argentina and issued documents. In 2009 this decision will be repealed because suspension for that species is no longer required. In general, it could be asked whether decisions should depend on confirmation by the Secretariat because the Secretariat is increasingly (owing to workload or to lack of information) not able to do so.	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4b	Have any constraints to implementation of the Regulation, not reported under question D8 (4), arisen in your country requiring attention or assistance?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>



# **ATTACHMENT 9**

**Referring to**  
***PART 2 Supplementary Questions***  
***B 5b & B 9b***

**- Question B 5b: Has your country adopted any stricter domestic measures, other than those reported under question B (5), specifically for non CITES-listed species?**

**1. Prohibition of possession and of national marketing**

According to Art. 42 para. 2 no. 1 of the Federal Nature Conservation Act it is prohibited to gain possession of, acquire, have possession of or control over, or to handle or process animals or plants of specially protected species (**prohibition of possession**).

The specially protected species are defined in Art.10 para. 2 no. 10) of the Federal Nature Conservation Act:

- Species listed in **Annex A and Annex B to Regulation (EC) No. 338/97** (species in Annex C and Annex D are not specially protected);
- Species listed in **Annex IV to the Habitat Directive (93/43/EEC)** and all European bird species (**Bird Directive, 79/409/EEC**). The individual bird species are listed on the following Internet site: <http://europa.eu.int/comm/environment/nature/directive/birdspage2en.htm> .
- Endangered indigenous species, as well as species which may be confused with the protected species, and also species listed in the **Berne Convention (Annex 1 of the Federal Ordinance on Species Conservation)**.

In addition to the ban on possession, there is a national **ban on marketing** of species not specially protected under EC Regulation No. 338/97 in Art. 42 para. 2 no. 2 of the Federal Nature Conservation Act. These regulations transpose the prohibitions existing under Art. 6 par. 1 of the Birds Directive – having regard to the exception for the species listed in Annex III to the Directive – and the prohibitions under Art.12 para. 2 and Art.13 para. 2 of the Habitat Directive. For game species of birds listed in Annex 1 of the Federal Game Conservation Ordinance (BWildSchV), reference should be made to Art. 2 of the latter.

Exemptions from the prohibition of possession and national marketing prohibitions apply under Art. 43 of the Federal Nature Conservation Act to animals and plants of specially protected species where these were either legally

- bred within the Community and have not become ownerless;
- obtained from artificial reproduction;
- taken from nature; or
- granted individual or general exemptions (Art. 43 paragraphs 8 and 9 of the Federal Nature Conservation Act).

In addition to the specially protected species mentioned above, the bans on possession also apply to skins of certain seal pups according to **Council Directive 83/129/EEC**.

Council Directive 83/129/EEC prohibits the import into the Community of certain products (so-called “whitecoats” or “bluebacks”) derived from pups of Harp Seals (*Phoca groenlandica*) and Hooded Seals (*Cystophora cristata*) for commercial purposes since 1<sup>st</sup> October 1983. The prohibition on possession and national marketing prohibition (Art. 42 para. 3 no. 1 of the Federal Nature Conservation Act) also covers skins of such pups and products thereof. Exemptions apply only to specimens obtained during the course of traditional hunting by Inuits.

**2. Reporting and book-keeping obligations**

As a general rule, those who acquire, handle, process or circulate animals or plants of specially protected species for commercial purposes, i.e. with the aim of financial gain, are required to keep records of their actions (Art. 6 of the Federal Ordinance on Species Conservation). In individual cases, exemptions may be granted by the competent authority provided adequate monitoring is ensured by other means.

Anyone who keeps vertebrates of specially protected species is required to notify those to the competent ‘Laender’ Authority. This does not include species listed in Annex 5 to the Federal Ordinance on Species Conservation, which are usually only found in trade as specimens bred in captivity. With regard to the birds of prey listed in Annex 4 to the Federal Game Protection Ordinance <BWildSchV>, reference is made to the latter.



### 3. Keeping animals

#### - Birds of prey

There is a general ban on keeping indigenous birds of prey of species which are listed in Annex 4 to the Federal Game Conservation Ordinance (Art. 3 BWildSchV). A privileged position is accorded to traditional falconry with the goshawk, golden eagle and peregrine falcon. Holders of a falconry licence may keep up to two specimens of these species. Anyone wishing to keep more than two specimens of these species or any specimens of other species (e.g. fish eagle, sea eagle, black kite, red kite, marsh harrier, hen harrier, sparrowhawk, common buzzard, rough-legged buzzard, kestrel, red-footed falcon, hobby and merlin) requires a special permit issued by the competent 'Laender' Authority.

#### - Hybrids of birds of prey

After the revision of the Federal Ordinance on the Conservation of Species in early 2005 special rules for hybrids of birds of prey apply. The regulation contains prohibitions on the keeping, breeding and free flying of such birds. However, to each prohibition certain derogations may apply. The breeding ban does not cover captive breeding operations for birds of prey which have been in existence at the time of entry into force of the regulation on 25<sup>th</sup> February 2005. For those, the ban will only come into effect ten years later, i.e. on 31<sup>st</sup> December 2014. The reason for the ban is the risk of adulterating, possibly endangering the population or spreading indigenous birds of prey.

#### - Game Park

Anyone who keeps wild species in animal parks may in certain circumstances require an appropriate permit under 'Laender' legislation. The species and game parks concerned are laid down in the individual provisions of 'Laender' law.

#### - Dangerous incl. venomous animals

It should be noted that in some of the 16 'Laender' (e.g. Bavaria, Berlin, Bremen, Hesse, Mecklenburg Western Pomerania, Lower Saxony, Saarland, Schleswig-Holstein) for safety reasons it is only allowed to keep certain dangerous (especially venomous) animal species (apes, large wild cats, bears, wolves, crocodiles or poisonous snakes, scorpions and spiders) after having permission to do so. Consequently, persons should ask the competent police, veterinary or nature conservation agency whether and in what way it is allowed to keep an animal.

#### - Other animals listed in Annex A and B of Regulation (EC) No. 338/97

In Germany the general requirements for the keeping of animals are laid down in the Animal Welfare Act <TierSchG> (Art. 2 of the Act, Federal Law Gazette I, p. 1105). According to Article 17 of the Animal Welfare Act, a prison sentence of up to three years or a fine may be imposed on anyone who kills a vertebrate without reasonable cause or inflicts sustained or repeated substantial pain or suffering on a vertebrate. Moreover, vertebrates of specially protected species (e.g. Annex A or B to Regulation (EC) No. 338/97) may only be kept if the keeper possesses the necessary reliability and adequate knowledge about the keeping and care of the animals and has the necessary facilities to ensure that the animals cannot escape and that they will be kept in accordance with the requirements of animal welfare legislation (Art. 7 para. 1 of the Federal Ordinance on the Conservation of Species). The provisions of legislation on animal epidemics must also be taken into consideration. Under the Ordinance on the Control of Animal Epidemics in the Single Market, which transposes Directive 92/65/EEC into national law, the keeping of primates is only permitted in certain specially approved establishments. The keeping of apes by private individuals is regarded as extremely problematic and is therefore basically not permitted.

Specific and detailed requirements for the keeping of animals are contained in various "Animal Husbandry Expertises". These had been expertises developed by groups of independent experts, mostly under the leadership of the Federal Ministry for Food, Agriculture and Consumer Protection (BMELV, the ministry responsible for animal welfare issues, formerly BML), and published by the BMELV. The Animal Husbandry Expertises or guidelines are available on following website of the BMELV:

[http://www.bmelv.de/cln\\_045/nn\\_753014/DE/07-SchutzderTiere/Tierschutz/GutachtenLeitlinien/\\_gutachten\\_node.html\\_nnn=true](http://www.bmelv.de/cln_045/nn_753014/DE/07-SchutzderTiere/Tierschutz/GutachtenLeitlinien/_gutachten_node.html_nnn=true)

In addition, the Federal Agency for Nature Conservation with the assistance of independent experts had developed a few expertises on species-appropriate accommodation for certain groups of animals.

These expertises acquire legally binding force where they are specified as conditions for species-appropriate accommodation when issuing import permits. These keeping requirements are also taken as a basis when, under *Laender* legislation, animal preserve permits or other permits (e.g. permits pursuant to Art. 11 of the Animal Protection Act) are issued or examinations conducted in the course of which keeping conditions may be laid down.

The list of animal husbandry expertises given below is not comprehensive; in particular the individual '*Laender*' may take other expertises, though usually comparable ones, as a basis. In practice it is also very important that **evidence of specialist knowledge** is demanded as part of voluntary self-monitoring by private associations and their members, to ensure the keeper's ability to look after certain species, some of which are difficult to keep. In recent years various associations have taken a highly committed approach to promoting such evidence of specialist knowledge. Courses leading to an examination are offered which are not only about asking questions on minimum requirements for keeping the animals, but also questions about the legal framework. This is an exemplary demonstration of how to assume responsibility by the private sector and its associations for animals and the demanding hobby of taking care of those.

#### **List of selected animal husbandry expertises prepared by German Federal Authorities**

1. BMELV Guidelines for keeping, training and using animals in circuses or similar establishments (**Circus Animals**), 15<sup>th</sup> October 1990
2. Guidelines for keeping **Elephants**, recommended by the Species Conservation Advisory Committee at the Federal Agency for Nature Conservation in connection with the implementation of Regulation (EC) No. 338/97, 24<sup>th</sup> October 2000
3. Expertise of the BMELV expert group on "Species-appropriate keeping of birds" on minimum requirements for the keeping of **Birds of Prey and Owls**, 10<sup>th</sup> January 1995
4. Expertise of the BMELV expert group on "Species-appropriate keeping of birds" on minimum requirements for the keeping of **Parrots**, 10<sup>th</sup> January 1995
5. BMELV expertise on minimum requirements for accommodation of **Mammals** in accordance with animal protection principles (zoo directors' expertise), 10<sup>th</sup> June 1996
6. Expertise of the BMELV expert group on "Species-appropriate keeping of birds" on minimum requirements for the keeping of **Small Birds** (Part 1, **Seed Eaters**), 10<sup>th</sup> July 1996
7. Expertise by the Federal Agency for Nature Conservation on minimum requirements for the keeping of **Hwamei, Silver-eared Mesia, Pekin robin** and **Mynah bird**, 31<sup>st</sup> August 2000
8. Expertise by the BMELV expert group on "Species-appropriate keeping of terrarium animals" on minimum requirements for the keeping of **Reptiles**, 10<sup>th</sup> January 1997
9. Minimum requirements of the Federal Agency for Nature Conservation for the accommodation of **Pandinus** species (giant scorpions) by wholesalers and private owners, 24<sup>th</sup> June 1997
10. Minimum requirements of the Federal Agency for Nature Conservation for the keeping of **Corals and Giant Clams** (CITES species), with special regard to the wholesale and retail trade, July 1997
11. Minimum requirements of the Federal Agency for Nature Conservation for the accommodation of **Brachypelma** species (American genus of tarantulas) by wholesalers and private owners, 3<sup>rd</sup> July 1997.

#### 4. Regulations on the transport of live animals

Regarding the transport of live animals in the EU, reference should be made to Council regulation (EC) No 1/2005 of 22 December 2004 (entry into force: 5<sup>th</sup> January 2007) on the protection of animals during transport and related operations. Pending the adoption of detailed provisions for certain species Member States are allowed to establish or maintain additional national rules applying to transport of animals of such species. Hence, the Ordinance on the Protection of Animals in transit (Animal Protection Transport Ordinance <TierSchTrV> is still valid which has transposed the EC 'Directive on the protection of animals in transit' (91/628/EEC, meanwhile replaced by the a.m. council regulation). Among other things, this ordinance requires animals being transported by air to be carried in accordance with the rules of the International Air Transport Association (IATA). The individual precautions were announced in Germany in the Federal Gazette No.159a of 25<sup>th</sup> August 2001. Article 32 para. 3 of that regulations refers to the CITES transport guidelines and the relevant preparations, details of which were also announced in the Federal Gazette (No.80a of 29<sup>th</sup> April 1997).

#### 5. Introduction of live Regulation-listed species into the Community that would threaten the indigenous fauna and flora (in accordance with Article 3, paragraph 2 (d))

Due to the risk of adulterating the indigenous fauna or flora or possibly endangering the population or spreading indigenous species of wild fauna or flora or populations of such species, invasive species are listed (Art. 52 para.4 of the Federal Nature Conservation Act in conjunction with Art. 3 of the Federal Ordinance on the Conservation of Species) and live animals of such species are subject to a prohibition on possession and marketing in accordance with Art.42 para.3 no.2 of the Federal Nature Conservation Act. It concerns the following species mentioned in Art. 3 of the Federal Ordinance on Species Conservation:

<i>Castor canadensis</i>	-	American beaver
<i>Sciurus carolinensis</i>	-	Eastern grey squirrel
<i>Macrolemys temminckii</i>	-	Alligator snapping turtle
<i>Chelydra serpentina</i>	-	Common snapping turtle

Except from the prohibition are animals which were legally kept before 22<sup>nd</sup> October 1999. In addition, the breeding of those species is prohibited except for public institutions under competent zoological management.

#### 6. National marking provisions for specimens to facilitate identification (in accordance with Article 19, paragraph 1 (iii))

Above and beyond the marking obligations pursuant to Council Regulation (EC) No.338/97, which has been implemented since 1<sup>st</sup> June 1997 in conjunction with the issue of certificates for commercial use, national legislation requires that animals of the species listed in Annex 6 of the Federal Ordinance on Species Conservation (mammals, birds, reptiles) must be marked right from the start of such keeping and additionally encompasses certain Annex B species. The national marking obligations entered into force on 1<sup>st</sup> January 2001.

National marking provisions for species listed in Annex A to Regulation (EC) No.338/97 are based on the requirements of Articles 66 and 67 of Commission Regulation (EC) No 865/2006. With due regard in particular for requirements under animal protection legislation, these specify details of the marking methods for those mammal, bird and reptile species listed in Annex 6 of the Federal Ordinance on Species Conservation. For example, there is a ban on marking of falconry birds with a transponder; this also applies to animals that have not yet attained a certain weight (500g for tortoises or 200g for other reptiles). Account is taken of methods of a more animal welfare-oriented nature, such as in particular identification of individuals by photo documentation for reptiles. Expert opinions have shown that documentation of certain body features in accordance with adequate technical requirements, especially in conjunction with an animal passport, is suitable for practical use. Problems arise with young animals, whose characteristics may yet undergo substantial changes, which mean that documentation must be repeated to ensure continuous tracking of the changes in body characteristics. Since 25<sup>th</sup> February 2005 the revised Federal Ordinance on Species Conservation provides for a general choice between transponder and photo documentation. Mammals shall be marked with the transponder. Birds taken from the wild shall be marked either with open rings or a transponder.

**- Question B 9b: Please provide details of maximum penalties that may be imposed for Regulation-related violations, or any other additional measures taken in relation to implementation of the Regulation not reported on in question B (9)**

**1. Administrative offences and administrative fines**

<b>Regulation</b>	<b>Offence</b>	<b>Sanction</b>
Art. 65 para.3 of the Federal Nature Conservation Act	Infringement of Regulation (EC) No.338/97	Fine of up to 50,000.- €  (Art. 65 para.5 of the Federal Nature Conservation Act)
Art. 65 para.3 no.1 of the Federal Nature Conservation Act	Infringement of documentation duty on import, export or re-export (Art. 4 para.1 sentence 1 or Art. 4 para.1 sentence 2, Art. 5 para.1 or Art. 5 para.4 sentence 1 of the Regulation)	
Art. 65 para.3 no.3 of the Federal Nature Conservation Act	Infringement of ban on marketing Art. 8 para.1 or Art. 8 para.5 of the Regulation)	
Art. 65 para.3 no.2 of the Federal Nature Conservation Act	Infringement of import notification obligation (Art. 4 para.3 or Art. 4 para.4 of the Regulation)	Fine of up to 10,000.- €  (Art. 65 para.5 of the Federal Nature Conservation Act)
Art. 65 para.3 no.4 of the Federal Nature Conservation Act	Infringement of an enforceable condition (Art. 11 para.3 of the Regulation)	

**2. Criminal acts**

<b>Regulation</b>	<b>Offence</b>	<b>Sanction</b>
Art. 66 para.1 and Art. 65 para.3 nos.1 and 3 of the Federal Nature Conservation Act	Deliberate, illegal, commercial or habitual import, export or re-export or marketing	Imprisonment of up to three years or fine
Art. 66 para.2 and Art. 65 para.3 nos.1 and 3 of the Federal Nature Conservation Act	Deliberate, illegal import, export or re-export or marketing of species in Annex A to the Regulation or of other strictly protected species	Imprisonment of up to five years or fine
Art. 66 para.3 and Art. 65 para.3 nos.1 and 2 of the Federal Nature Conservation Act	Deliberate, illegal commercial or habitual import, export or re-export or marketing of species in Annex A to the Regulation or of other strictly protected species	Imprisonment of at least three months but not exceeding five years

### 3. Seizure and confiscation

Regulation	Prerequisites	Measure	Competence
Art. 47 of the Federal Nature Conservation Act	Lack of necessary documentation on import, export or re-export, regardless of whether the party is at fault	Seizure and confis- cation	Customs
Art. 49 of the Federal Nature Conservation Act	Lack of proof of legal possession/ legal marketing	Seizure and confis- cation	<i>Laender</i> Authority
Art. 67 of the Federal Nature Conservation Act	Offence	Confiscation as inci- dental consequence of an offence	Management Authority

Seizure and confiscation is a two-stage process. Seizure is a provisional action with the opportunity to submit the required documents within one month or furnish the necessary proof, whereby an extension of up to six months may be granted. As a general rule, seizure means that the specimens are taken away. In exceptional cases, specimens will be left in the custody of its holder provided that he'll not dispose of them. Confiscation is a final action whereby ownership of the specimens passes to the state.