

issuance system?

Electronic permit information exchange between Management

Authorities of some countries If 'Yes', please list countries

 \boxtimes

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA



IMPLEMENTATION REPORT GERMANY

Party	Ge	rmany								
Period covered in this report 2015-2017										
Departm	ent or agency preparing this report Fed	deral Agency for Natur	e Conserv	ration						
Contributing departments, agencies and organizations Ministry for the Environment, Nat Conservation and Nuclear Safety; Ministry for Economic Cooperation a Development.										
GOAL 1	GOAL 1 ENSURE COMPLIANCE WITH AND IMPLEMENTATION AND ENFORCEMENT OF THE CONVENTION									
Objective	Parties comply with their obligations under legislation and procedures. All Aichi Targets relevant to CITES, particula Target 17 and Target 18.									
Indicator	1.1.1: The number of Parties that are in category 1	under the national leg	islation pro	oject.						
1.1.1a	1.1.1a Have any CITES relevant policies or legislation been developed during the period covered in this report? Yes ☑ No ☐ If 'Yes', have you shared information with the Secretariat? Yes ☑ No ☐ Not Applicable ☐ If 'No', please provide details to the Secretariat with this report:									
1.1.1b	Does your legislation or legislative process allow easily changes in the CITES Appendices (e.g. to meet the Siguidelines)? If 'No', please provide details of the constraints faced	y amendment of your of the day implementation		w(s) to reflect ☑ No ☑						
Objective 1.2 Parties have in place administrative procedures that are transparent, practical, coherent and user-friendly, and reduce unnecessary administrative burdens. Aichi Target 3. Indicator 1.2.1: The number of Parties that have adopted standard transparent procedures for the timely issuance of permits in accordance with Article VI of the Convention.										
		Yes	No	No information						
1.2.1a	Do you have standard operating procedures for appand issuance of permits?	olication for								
	Are the procedures publicly available?									
1.2.1b	Do you have: Electronic data management and a paper-based perr	mit 🗎								

	Electronic permit information exchange to Management Authorities of all countries?		\boxtimes				
	Electronic permit data exchange between Management Authorities and customs?		\boxtimes				
	Electronic permit used to cross border with electronic validation by customs?		\boxtimes				
	If 'Yes' to any of the above, please provide information on challen	ges faced	or issues	overcome:			
	If 'No', do you have any plans to move towards e-permitting ¹ ?		\boxtimes				
	If you are planning to move towards e-permitting, please explain visee Attachment!	what migh	t help you	to do so:			
Indicator	1.2.2: The number of Parties making use of the simplified pro	ocedures	provided f	or in <u>Resolution</u>			
1.2.2a	Has your country developed simplified procedures for any of the f	•					
		7	ick all app				
		Yes	No	No information			
	Where biological samples of the type and size specified in Annex 4 of Resolution Conf. 12.3 (Rev. CoP16) are urgently required.	\boxtimes					
	For the issuance of pre-Convention certificates or equivalent documents in accordance with <u>Article VII</u> , paragraph 2.	\boxtimes					
	For the issuance of certificates of captive breeding or artificial propagation in accordance with Article VII, paragraph 5.	\boxtimes					
	For the issuance of export permits or re-export certificates in accordance with Article IV for specimens referred to in Article VII, paragraph 4.	\boxtimes					
	Are there other cases judged by a Management Authority to merit the use of simplified procedures?	\boxtimes					
	If 'Yes', please provide details: See Attachment!						
Objective 1.3 Implementation of the Convention at the national level is consistent with decisions adopted by the Conference of the Parties. All Aichi targets relevant to CITES, particularly Target 9, Target 14 and Target 18. Indicator 1.3.1: The number of Parties that have implemented relevant reporting under Resolutions and							
	Decisions of the Conference of the Parties and/or Standin	ng Commi	ttee recon	nmendations.			
1.3.1a	Has your country responded to all relevant special reporting requirements that are active during the period covered in this report, including those in the Resolutions and Decisions of the Conference of the Parties, Standing Committee recommendations, and Notifications issued by the Secretariat (see [link to location on the CITES website where the reporting requirements are listed])?						
	Responses provided to ALL releven Responses provided to SOME of the releven Responses provided to NONE of the responses	ant reporti	ng require	ements			

e-permitting refers to the electronic (paperless) management of the permit business process, including permit application, Management Authority – Scientific Authority consultations, permit issuance, notification to customs and reporting.

				uirements appli	cable 🔲			
1.3.1b	Were any difficulties encountered during the period covered in this report in implementing specific Resolutions or Decisions adopted by the Conference of the Parties? Yes □ No □							
	If 'Yes', please provide details of which Resolution(s) or I were / are being encountered?	Decision(s)	, and, fo	r each, what di	fficulties			
Objective 1.4 The Appendices correctly reflect the conservation needs of species. Aichi Target 1, Target 14 and Target 19.								
1.4.1:	1.4.1: The number and proportion of species that have been found to meet the criteria contained in Resolution Conf. 9.24 or its successors. This includes both the periodic review and amendment proposals.							
1.4.1a	Have you undertaken any reviews of whether species would benefit from listing on the CITES Appendices? Yes ☐ No ☐							
	If 'Yes', please provide a summary here, or a link to the re (or a copy of that report to the Secretariat if the work is n See Attachment!			:				
Objective 1.5 Best available scientific information is the basis for non-detriment findings. Aichi Target 2, Target 4, Target 5, Target 6, Target 7, Target 9, Target 12 and Target 14. Indicator 1.5.1: The number of surveys, studies or other analyses undertaken by exporting countries base on the sources of information cited in Resolution Conf. 16.7 on Non-detriment finding related to: a) the population status of Appendix-II species; b) the trends and impact of trade upon Appendix-II species; and c) the status of and trend in naturally-occurring Appendix I species and the impact of an recovery plans.								
1.5.1a	Have any surveys, studies or other analyses been undertaken in your country in relation to:	Yes	No	Not Applicable	If Yes, How many?			
	- the population status of Appendix II species?	\boxtimes						
	- the trends and impact of trade on Appendix II species?							
	 the status of and trend in naturally-occurring Appendix I species? 	\boxtimes						
	- the impact of any recovery plans on Appendix I species?	\boxtimes						
	Have the surveys, studies or analyses integrated relevant knowledge and expertise of local and indigenous communities?	\boxtimes						

	If there are such studies that you are willing to share, please provide:						
	Species name (scientific)	A brief summary of the results of the survey, student or other analysis (e.g. population status, decline stable / increase, off-take levels etc), or provide links to published reference material.					
	See Attachment!	See Attachment!					
1.5.1b	How are the results of such surveys, studies findings (NDFs)? Please tick all that apply	s or other analyses used in making	g non-detrin	nent			
		Revised harves	t or export	quotas 🗌			
			Banning				
			omestic me				
		Changed managem					
		Discussion with Manag Discussion with ot	*				
	Other (please	provide a short summary): See A					
1.5.1c	Do you have specific conservation measure	· · · · · · · · · · · · · · · · · · ·					
	plans for naturally occurring Appendix-I lister	•					
		Not Applicable					
		No information					
	If 'Yes', please provide a brief summary, incl impact: See Attachment!	uding, if possible, an evaluation o	f their				
1.5.1d	Have you published any non-detriment findi	_	□ No 🏻				
	If 'Yes', please provide links or examples to See Attachment!	the Secretariat within this report:					
1.5.1e	Which of the following (A to F of paragraph a do you use in making non-detriment findings		Yes	No			
	A. relevant scientific literature concerning sp distribution and population trends.	ecies biology, life history,	\boxtimes				
	B. details of any ecological risk assessment	s conducted.	\boxtimes				
	C. scientific surveys conducted at harvest lo from harvest and other impacts.	cations and at sites protected					
	D. relevant knowledge and expertise of loca	I and indigenous communities.	\boxtimes				
	E. consultations with relevant local, regional	and international experts.	\boxtimes				
	F. national and international trade information the CITES trade database maintained by UN Monitoring Centre (UNEP-WCMC), publication trade and investigations of sales at market example.	NEP World Conservation ions on trade, local knowledge					

Indicator 1.5.2: The number of Parties that have adopted standard procedures for making non-detriment findings.

1.5.2a					No			
1.3.Za		,	·/	NI-	information			
			Yes	No				
	Do you have standard procedures for making non-detriment findings in line with Resolution Conf. 16.7?			Ш	Ш			
	If 'Yes', please briefly describe your procedures for making non-detriment findings, or attach as an annex to this report, or provide a link to where the information can be found on the internet: See Attachment!							
1.5.2b	When establishing non-detriment findings, have any of the follow	wing						
	guidance been used?	Ü	Plea	se tick	all that apply			
	Virtual C	ollege						
	IUCN Ch	IUCN Checklist						
	Resolution Conf	Resolution Conf. 16.7						
	2008 NDF wor	2008 NDF workshop						
	Species specific gui	dance		[\boxtimes			
		Other		[\boxtimes			
	If 'Other' or 'Species specific guidance', please specify details: s	see 1.5.2	a atta	nchme	nt!			
1.5.2c		Case by case						
	detriment findings?	Annually						
	E	Every two	year	s				
	L	_ess freq	uently	/				
	A	A mix of t	he ab	ove				
	Please describe the circumstances under which non-detriment f	findings v	vould	be cha	anged:			

Indicator 1.5.3: The number and proportion of annual export quotas based on population surveys.

1.5.3a	Do you set annual export quotas?	Yes No	
	If 'Yes', do you set quotas based on population survey, or by other means? Please specify, for each species, how quotas are set:		Other,
	Species Name (scientific) Anguilla anguilla The EU has set a zero quota for exports.	Population Survey?	please specify EU wide
1.5.3b	Have annual export quotas been set at levels which will ensure sustainable production and consumption?	Yes No	
	If 'Yes', please describe how this fits into your non-detriment Native species are not in trade or exported from Germany.	finding process:	

Objective	1.6	Parties cooperate in managing	shared v	wildlife r	esource	s		
Aichi Target 4, Target 5, Target 6						12 ar	nd Target 19.	
Indicator 1	.6.1:		The number of bilateral and multilateral agreements that specifically provide for comanagement of shared CITES listed species by range States.					
1.6.1a	1.6.1a Is your country a signatory to any bilateral and/or multilateral agreements for co-management of shared species? Yes ☑ No ☐ If 'Yes', please provide brief details, including the names of the agreements, and which other countries are involved: see Attachment!							
Indicator 1	.6.2:	The number of cooperative ma populations of CITES-listed spe		nt plans	, includi	ng re	cover	ry plans, in place for share
1.6.2a		ou have any cooperative manage ce for shared populations of CITE				cove	ry pla	ns, Yes ⊠ No □
	If 'Yes', please list the species for which these plans are in place and provide a link or reference to a published plan for each species. See Attachment to 1.6.1a! Species Name (scientific) Link or reference to a published plan							
	t s	The number of workshops and ogether to address the consespecies.	rvation	and ma	anagem	ent n	eeds	of shared, CITES listed
1.6.3a		e the CITES authorities receiver vities provided by external source		enefited	from ar	ny of	the f	ollowing capacity-building
	targ	ase tick boxes to indicate which et group and which activity.	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	What were the external
		get group	<u>0</u> %	as as	i≣ se	Ĕ	ō	sources ² ?
	1	f of Management Authority						-110 1 1 10-3
	ł	f of Scientific Authority f of enforcement authorities						EU Commission/SRG ³
	Trac							
	NG							
	Pub							
		er (please specify):						
					,			•

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² Please provide the names of Parties, and any non-Parties, involved.

³ Scientific Review Group

4 c 2h	Turn the OITEO authorities been the	id	of o		- 40114		ite bui	The contribution
1.6.3b	Have the CITES authorities been the to other range States?	; proviue	<i>er</i> s of an	Ty OT the	OIIOT 6	wing ca	ipacity-buil	ding activities
	Please tick boxes to indicate which target group and which activity. Target group	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	D	etails
ĺ	Staff of Management Authority		F %	<u></u>				Hans
ĺ	Staff of Scientific Authority							
ĺ	Staff of enforcement authorities							
	Traders							
	NGOs							
ĺ	Public							
ĺ	Other Parties/International meetings							
ĺ	Other (please specify)							
1.6.3c	In what ways do you collaborate with	other C	SITES P	arties?				
	Information exchange Monitoring / survey Habitat management Species management Law enforcement Capacity building Other (please provide details)	Never	□ □ □ Rarely	Sometimes	□ □ □ ⊠ Very Often		1	ner detail / amples
Objective	Aichi Target 4, Target 5, Target 6	6, Targe	et 7, Targ	get 9, Ta	arget 1	10, Targe	et 12 and ?	Гarget 19.
Indicator 1.7.1: The number of Parties that have, are covered by, or engaged with: - an international enforcement strategy and/or action plan; - formal international cooperation, such as an international enforcement network; - a national enforcement strategy and/or action plan; and - formal national interagency cooperation, such as a national interagency enforcement committee.								
1.7.1a	Do you have, are you engaged in, or co	overed b	ру:			Yes	No	No Information
	 an international enforcement strategy 							
formal international cooperation, such as an international enforcement network?					\boxtimes			

– a national enforcement strategy and/or action plan?

 \boxtimes

				ρa	age o
	formal national interagency cooperation, such as a national interagency enforcement committee?				
	If 'Yes' to any of the above, please specify the level of engagemer details: see Attachment!	nt and provi	ide additio	onal	
Indicator	The number of Parties with a process or mechanism strategies, and the activities taken to implement their strategies.		wing the	ir enforce	men
1.7.2a	Do you have a process or mechanism for reviewing your enforcement strategy(ies) and the activities taken to implement your strategy(ies)?	conside No	t review in the seration or mation	is under	
	If 'Yes', what do you do?				
	If 'Yes' or 'No, but review is under consideration', which tools do	you find of	value?		
1.7.2b	Have you used the International Consortium on Combating Wildlife Crime (ICCWC) Wildlife and Forest Crime Analytic Toolkit, or equivalent tools?	conside No		se is under	r
	If 'Yes', please provide feedback on the parts of the toolkit used equivalent tools have been. Please specify improvements that of If 'No', please provide feedback on why not or what is needed to tools useful to you: See Attachment!	ould be ma	ide:		:
Indicator	1.7.3: The number of Parties that have criminal (penal) law forensic technology, and capacity to use specializ investigating, prosecuting, and penalizing CITES offences	ed investi			
1.7.3a	Do you have law and procedures in place for investigating, prosecuting, and penalizing CITES offences as a crime? If 'Yes', please provide the title of the legislation and a summary of the penalties available: See Attachment!	Yes No No inform	nation		
1.7.3b	Are criminal offences such as poaching and wildlife trafficking recognized as serious crime ⁴ in your country?	Yes No No inform	nation		
	If 'Yes', please explain what criteria must be met for poaching or v treated as serious crimes: See Attachment!	vildlife traffi	cking offe	nces to be)
1.7.3c	Do you have capacity to use forensic technology ⁵ to support the investigation of CITES offences?	Yes No No inform	nation		
	If 'Yes', please provide a brief summary of any samples from CITE	Į.		t were	

another country) during the period covered in this report: **See Attachment!**

collected and submitted to an appropriate forensic analysis facility (located in your country and/or

The United Nations Convention against Transnational Organized Crime defines serious crime as conduct constituting an offence punishable by imprisonment for at least four years or a more serious penalty.

Capacity to use forensic technology means the ability to collect, handle and submit samples from crime scenes involving CITES-listed species to an appropriate forensic analysis facility, located either in your country or in another country(ies).

	If 'Yes', and your country has an appropriate forensic analysis facility for CITES-listed species, please indicate which species it applies to: See Attachment!						
1.7.3d	Did your authorities participate in or initiate any multi- law enforcement operation(s) targeting CITES-listed during the period covered in this report? If 'Yes', please provide a brief summary, including any other Parties: See Attachment!	Yes No No information ned which might					
1.7.3e	Do you have a standard operating procedure among agencies for submitting information related to CITES INTERPOL and/or the World Customs Organization?	Yes No No information	n 🗆				
1.7.3f	Do you have legislative provisions for any of the following that can be applied to the investigation, prosecution and/or sentencing of CITES offences as appropriate?	Yes	No	No information	If yes, how many times was this used during the period covered by this report?		
	General crime ⁷			\boxtimes			
	Predicate offences ⁸			\boxtimes			
	Asset forfeiture ⁹	\square			regularly		
	Corruption ¹⁰			\boxtimes			
	International cooperation in criminal matters ¹¹	\square			seldom		
	Organized crime ¹²	\square			not used		
	Specialized investigation techniques ¹³	\square			regularly		
	If 'Yes' to any of the above, please explain how each is used for CITES offences? Please provide a brief summary, including any lessons learned which might be helpful for other Parties: See Attachment!						
1.7.3g	Do you have institutional capacity to implement the legislative provisions listed in question 1.7.3f against CITES offences? If 'No', please provide a brief summary of your major capacity-buildi			Yes No No information	on 🖂		
	in the , please provide a billion durinnary or your major departy building needs.						

⁶ A multi-disciplinary law enforcement operation is one that involves officers from all relevant enforcement disciplines as appropriate, for example officers from Police, Customs and the wildlife regulatory authority. It could be either sub-national, national or international in scope.

General crime laws relate to offences such as fraud, conspiracy, possession of weapons, and other matters as set out in the national criminal code.

⁸ Article 2, paragraph (h) of the United Nations Convention against Transnational Organized Crime defines a predicate offence is an offence whose proceeds may become the subject of any of the money-laundering offences established under the Convention.

Asset forfeiture is the seizure and confiscation of assets obtained from criminal activities to ensure that criminals do not benefit from the proceeds of their crimes.

Provisions against corruption include national laws to implement the United Nations Convention against Corruption covering offences such as bribery of officials, embezzlement or misappropriation of public funds, trading in influence and abuse of functions by public officials.

International cooperation in criminal matters includes legislation through which a formal request for mutual legal assistance and/or extradition of a person for criminal prosecution can be forwarded to another country.

Article 2, paragraph (a) of the United Nations Convention against Transnational Organized Crime defines an organized criminal group as a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention, in order to obtain, directly or indirectly, a financial or other material benefit.

Specialized investigation techniques are techniques that are deployed against serious and/or organized crime when conventional law enforcement techniques fail to adequately address the activities of crime groups. Examples include controlled deliveries and covert operations.

Indicator 1.7.4: The number of Parties using risk assessment and intelligence to combat illegal trade in CITES-listed species.

1.7.4a	Do you use risk assessment to target CITES enforcement effort?	Always	
		Very often	\boxtimes
		Sometimes	
		Rarely	
		Never	
		No information	
1.7.4b	Do you have capacity to analyse information gathered on illegal	Yes	\boxtimes
	trade in CITES-listed species?	No	
		No information	
1.7.4c	Do you use criminal intelligence ¹⁴ to inform investigations into	Always	
	illegal trade in CITES-listed species?	Very often	
		Sometimes	
		Rarely	\boxtimes
		Never	
		No information	
1.74d	Have you implemented any supply-side activities to address illegal	Yes	\boxtimes
	trade in CITES-listed species during the period covered in this report?	No, but activities are under development	
		No	
		No information	
1.7.4e	Have you implemented any demand-side activities to address	Yes	\boxtimes
	illegal trade in CITES-listed species during the period covered in this report?	No, but activities are under development	
		No	
		No information	

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¹⁴ Criminal intelligence is information that is compiled, analyzed and disseminated in an effort to anticipate, prevent and/or monitor criminal activity. Examples include information on potential suspects held in a secure database and inferences about the methods, capabilities and intentions of specific criminal networks or individuals that are used to support effective law enforcement action.

Indicator 1.7.5: The number of administrative measures, criminal prosecutions and other court actions for CITES-related offences.

During the	e period covered in this report:	Yes	No	No		
. 5				Information		
1.7.5a	Have any administrative measures (e.g. fines, bans, suspensions) been imposed for CITES-related offences?	\boxtimes				
	If 'Yes', please indicate how many and for what types of offend details: See Attachment!	es. If avai	lable, please	e attach		
1.7.5b	Have there been any criminal prosecutions of CITES-related offences?	\boxtimes				
	If 'Yes', how many and for what types of offences? If available,	please at	tach details	•		
1.7.5c	Have there been any other court actions against CITES-related offences?					
	If 'Yes', what were the offences involved and what were the result	s? Please	attach detai	ls:		
1.7.5d	How were any confiscated specimens disposed of?		Tick	all that apply		
	 Return to country of export 			\boxtimes		
	 Public zoos or botanical gardens 			\boxtimes		
	 Designated rescue centres 			\boxtimes		
	 Approved private facilities 			\boxtimes		
	 Euthanasia 					
	 Other (please specify): destruction 					
	Have you encountered any challenges in disposing of confiscated specimens? See Attachment!					
	Do you have good practice that you would like to share with ot	her Partie	s?			

Objective 1.8 Parties and the Secretariat have adequate capacity-building programmes in place. Aichi Target 1, Target 12 and Target 19.

Indicator 1.8.1: The number of Parties with national and regional training programmes and information resources in place to implement CITES including the making of non-detriment findings, issuance of permits and enforcement.

1.8.1a	Do you have information resources or training in place to support: The making of non-detriment findings? Permit officers? Enforcement officers?	Yes ⊠ ⊠	No	
1.8.1b	Is the CITES Virtual College used as part of your capacity building work? What improvements could be made in using the Virtual College for capacity building? CITES is implemented by EU regulations and domestic legislation which are at least partly different to CITES. Enforcement officers and control bodies in Germany need to be trained on the specific domestic and EU legislation which is more specific than CITES	Yes No No information		
1.8.1c	Is the ICCWC Wildlife and Forest Crime Toolkit used in the development of capacity-building programmes, or does it form part	Yes No		

of the curriculum of such programmes?	No information	
What improvements could be made in using the ICCWC Toolkit for capacity building? See 1.7.2		

GOAL 2 SECURE THE NECESSARY FINANCIAL RESOURCES AND MEANS FOR THE OPERATION AND IMPLEMENTATION OF THE CONVENTION

Objective 2.1 Financial resources are sufficient to ensure operation of the Convention.

Information to be provided through records held by the Secretariat on financial management of the Convention.

Objective 2.2 Sufficient resources are secured at the national and international levels to ensure compliance with and implementation and enforcement of the Convention.

Aichi Target 1, Target 2, Target 3, Target 12, Target 19 and Target 20.

Indicator 2.2.1: The number of Parties with dedicated staff and funding for Management Authorities, Scientific Authorities and wildlife trade enforcement agencies.

2.2.1a	Do you have an approved service standard(s) ¹⁵ for your Management Authority(ies)?	Yes No	\square
	If 'No', please go to Question 2.2.1d.	INO	Ш
	If 'Yes', for which services are there standards, and what are those standards?	See attachment!	
	If 'Yes', do you have performance targets for these standards ¹⁶ ?	Yes	
	If 'Yes', what are your performance targets?	No	
	Do you publish your performance against service standard targets?	Yes No	
	If possible, please provide your performance against service standards during the period covered in this report:		
	If you did not meet your performance targets then was this shortfall a result of:	Yes	No
	availability of funding?		
	- number of staff?		
	– a shortage of skills?		
	If 'Yes' to a shortage of skills, which skills do you need more of?		
2.2.1b	Do you have an approved service standard(s) ⁴⁷ for your Scientific Authority(ies)?	Yes No	\square
	If 'No', please go to Question 2.2.1d.		
	If 'Yes', for which services are there standards, and what are those standards?	See attachment!	
	If 'Yes', do you have performance targets for these standards ⁴⁸ ?	Yes	
	If 'Yes', what are your performance targets?	No	
	If possible, please provide your performance against service standards during the period covered in this report:		

For example, a time frame in which you are required to provide a response on a decision to issue or not issue a permit, certificate, or re-export certificate.

¹⁶ For example, 85% of all decisions will take place within the service standard.

	If you did not a result of: - availability - number of - a shortage	Yes	No		
	J	ortage of skills, which skill	s do you need more of?		Ш
2.2.1c	Do you have a enforcement a If 'No', please	an approved service stand authority(ies)? go to Question 2.2.1d.		Yes No	
		u have performance target are your performance targe		Yes No	
	standards dur	ease provide your performing the period covered in t	his report:		
	a result of:	meet your performance tal	rgets then was this shortfall	Yes	No
	 availability 	of funding?			
	- number of	staff?			
	a shortage	of skills?			
	If 'Yes' to a sh	ortage of skills, which skill	s do you need more of?		
2.2.1d	2.2.1b, or 2.2.	1c, relating to the existence	ur answered 'No' to the first pa	rds for your authorit	
	Do you have s		or your authorities to function e		
		Management Authority(ies)	Scientific Authority(ies)	Enforcemen Authority(ies	
	Funding?	Yes 🗌 No 🗌	Yes 🗌 No 🗌	Yes ☐ No 🏻	
	Staff?	Yes 🗌 No 🗌	Yes ☐ No ☐	Yes ☐ No 🏻	
	Skills?	Yes 🗌 No 🛚			

The number of Parties that have undertaken one or more of the following activities: - changed the budget for activities; Indicator 2.2.2:

- hired more staff;
- developed implementation tools;
- purchased technical equipment for implementation, monitoring or enforcement.

2.2.2a	Have any of the following activities been undertaken during the period covered in this report to enhance the effectiveness of CITES	
	implementation at the national level?	Tick if applicable
	Hiring of more staff	
	Development of implementation tools	\boxtimes
	Purchase of technical equipment for implementation, monitoring or enforcement	\boxtimes
	Other (please specify):	

2.2.2b	During the period covered in this repor budget for your:	t, was the	Increased	Stable	Decreased
	Management Authority(ies)			\boxtimes	
	Scientific Authority(ies)			\boxtimes	
	Enforcement authorities			\boxtimes	
2.2.2c	Have you been able to use international development funding assistance to inclevel of implementation of your		Yes	No	Not applicable
	Management Authority(ies)?				
	Scientific Authority(ies)?				
	Enforcement authorities?				
2.2.2d	What is the respective level of priority f the national level through the following		ng the effectiv	eness of CITES	implementation at
	Activity	High	Medium	Low	Not a Priority
	Hiring of more staff			\boxtimes	
	Development of implementation tools		\boxtimes		
	Purchase of new technical equipment for implementation, monitoring or enforcement		\boxtimes		
	e-permitting		\boxtimes		
	Other (please specify):				
2.2.2e	Do you have a operational system (e.g electronic database) for managing	 .	Yes	Under development	No
	Species information		\square		
	Trade information		\boxtimes		
	Non-detriment findings			\boxtimes	

Indicator 2.2.3: The number of Parties raising funds for CITES implementation through user fees or other mechanisms.

2.2.3a	Does the Management Authority charge fees for:	ick all that are applicable
	 Administrative procedures 	\boxtimes
	 Issuance of CITES documents (e.g. for import, exports, re-export, or in the sea) 	ntroduction from
	 Shipment clearance (e.g. for the import, export, re-export, or introducti of CITES-listed species) 	on from the sea
	 Licensing or registration of operations that produce CITES species 	\boxtimes
	 Harvesting of CITES-listed species 	
	 Use of CITES-listed species 	
	 Assignment of quotas for CITES-listed species 	
	- Other (please specify):	
2.2.3b	Is a fee schedule publicly available?	Yes ⊠ No 🗌
	If 'Yes', please provide an internet link, or a copy of the schedule to the Se https://www.bfn.de/en/activities/cites/regulationslegalbases/costs-ordinance	

2.2.3c	Have revenues from fees been used for the implementation of CITES or wildlife	e conservation	?
		Entirely	
		Partly	
		Not at all	
		Not relevant	\boxtimes
2.2.3d		Yes	No
	Do you raise funds for CITES management through charging user fees?		\boxtimes
	Do your fees recover the full economic cost of issuing permits?	\boxtimes	
	Do you have case studies on charging or using fees?	\boxtimes	
	If 'Yes' to any of the above, please provide brief details:		
	Do you use innovative financial mechanisms to raise funds for CITES	_	_
	implementation?		\bowtie
	If 'Yes', please provide brief details:		
Indicator		entation of the	
	Convention.		
2.2.4a	Do you use incentive measures 17 such as those described in CoP14 Doc 14.32 to	o implement th	e
	Convention? Yes No		
	Due diligence		
	Compensatory mechanisms		
	Certification ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐		
	Communal property rights \square Auctioning of quotas \square		
	Cost recovery or environmental charges		
	Enforcement incentives		
	If 'Yes' to any of the above, or if you use other measures, please provide a summ		
	further information: https://www.dbb-wolf.de/wolfsmanagement/herdenschutz/piwnd-ausgleichszahlungen	raeventions-	

Objective 2.3 Sufficient resources are secured at the national and international levels to implement capacity-building programmes.

Not at all Very little Somewhat

Completely

Aichi Target 12, Target 19 and Target 20.

Have incentives harmful to biodiversity been eliminated?

Indicator 2.3.1: The number of capacity building activities mandated by Resolutions and Decisions that are fully funded.

2.2.4b

Defined as 'Social and economic incentives that promote and regulate sustainable management of and responsible trade in, wild flora and flora and promote effective enforcement of the Convention'. The intent of such measures is not to promote wildlife trade as such, but rather to ensure that any wildlife trade undertaken is conducted in a sustainable manner.

2.3.1a	you run during the period covered in this report?				Withou from the Secreta	е	stance Conducted or assisted by the Secretariat
			N	lone			
				1			
				2-5			
				6-10			
				1-20			
			More tha	ın 20		\bowtie	
	Please list the Resolutions or Decisions	involve	d:				
2.3.1b	What sorts of capacity building activities	have ta	aken pla	ce? S	ee Atta	chme	ent!
2.3.1c	What capacity building needs do you ha	ve?					
	Please tick all boxes which apply to indicate which target group and which activity. Target group	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	Details
	Staff of Management Authority	\boxtimes	\boxtimes				Due to movement of staff
	Staff of Scientific Authority						permanent training and
	Staff of enforcement authorities	\boxtimes					guidance is required
	Traders / other user groups	\boxtimes					Requirements and handling of documents
	NGOs						
	Public						General advice especially for tourists and for persons affected by the rules on very rare occasions
	Other (please specify)						

. .

An activity might be a single day training e.g. for a group of staff from the Management Authority, or a longer course / project undertaken by an individual.

GOAL 3	CONTRIBUTE TO SIGNIFICANTLY REDUCING THE RATE OF BIODIVERSITY
LOSS AND	TO ACHIEVING RELEVANT GLOBALLY-AGREED GOALS AND TARGETS BY
ENSURING	THAT CITES AND OTHER MULTILATERAL INSTRUMENTS AND PROCESSES ARE
COHEREN	TAND MUTUAL LY SUPPORTIVE

Objective 3.1 Cooperation between CITES and international financial mechanisms and other related institutions is enhanced in order to support CITES-related conservation and sustainable development projects, without diminishing funding for currently prioritized activities.

Aichi Target 2 and Target 20.

Indicator 3.1.1: The number of Parties funded by international financial mechanisms and other related institutions to develop activities that include CITES-related conservation and sustainable development elements.

3.1.1a	Has funding from international financial mechanisms and other related institutions been used to develop activities that include CITES-related conservation and sustainable development elements?	Yes No Not applicable No information	
	If 'Yes', please provide brief details:		
3.1.1b	During the period covered in this report, has funding for your country from international funding mechanisms and other related institutions:	Increased Remained stable Decreased	

Indicator 3.1.2: The number of countries and institutions that have provided additional funding from CITES Authorities to another country or activity for conservation and sustainable development projects in order to further the objectives of the Convention.

3.1.2a	Have you provided technical or financial assistance to another country or countries in relation to CITES?						Yes No No	information
	If 'Yes', please tick boxes to indicate type of assistance provided	Species Management ¹⁹	Habitat Management ²⁰	Sustainable use	aw Enforcement	Livelihoods	r (specify)	Details (provide more information in an
	Country(ies)	Species Manage	Habit Mana	Susta	Law	Liveli	Other	Appendix if necessary)
	See Annex 2 as attached:							See Annex 2
	Appendix_3.1.2a_ListofCountries							
	CITES_Reporting 2018.xlsx							

Use species conservation column for work directly related to species – e.g. population surveys, education programmes, conflict resolution, etc.

²⁰ Use habitat conservation column for work that will indirectly support species conservation – e.g. habitat management, development of policy frameworks for how land is managed, etc.

Objective 3.2 Awareness of the role and purpose of CITES is increased globally. Aichi Target 1, Target 4, Target 12 and Target 18.

Indicator 3.2.1: The number of Parties that have been involved in CITES awareness raising activities to bring about better awareness by the wider public and relevant user groups of the Convention requirements.

3.2.1a	Have CITES authorities been involved in any of the following activities to bring about better awareness of the Convention's requirements by the wider public and relevant user groups?	Wider public	Relevant User Groups
	- Press conferences	\boxtimes	
	- Press releases	\boxtimes	\boxtimes
	Newspaper articles, brochures, leaflets	\boxtimes	\boxtimes
	Television appearances	\boxtimes	
	- Radio appearances	\boxtimes	
	- Presentations		\boxtimes
	Public consultations / meetings	\boxtimes	\boxtimes
	Market surveys		\boxtimes
	- Displays		\boxtimes
	Information at border crossing points	\boxtimes	
	Telephone hotline	\boxtimes	\boxtimes
	Website(s) – if so please provide link(s) see attachment!	\boxtimes	\boxtimes
	Other (specify): Information stand at regional or international tourism and consumer fairs		
	Please attach copies of any items or describe examples:		

Indicator 3.2.2: The number of visits to the CITES website.

3.2.2a	How regularly do your Authorities consult the CITES website?							
	Please tick boxes to indicate the most frequent usage (decide on an average amongst staff if necessary). Target group	Daily	Weekly	Monthly	Less frequently	Not known		
	Staff of Management Authority	\boxtimes						
	Staff of Scientific Authority		\boxtimes					
	Staff of enforcement authorities					\boxtimes		
3.2.2b	What has been your experience with using the CITES website? Excellent							
	Good							
	Average \boxtimes							
				Poo	r			
				Very	Poor			
				No i	nformation			
	Any further comments on the CITES Website? which authorities find which functions/tools most on the pages 'Notifications' and 'Resolution restrict the search to the documents of thes Comment by Scientific Authority: Some info is difficult to find or sometimes not reflecting	t useful, s' a sea e respe rmation	what is mis rch functio ctive pages is easy ac	ssing, etc): on would l s. cessible.	be helpful,	which		

Indicator 3.2.3: The number of Parties with web pages on CITES and its requirements.

A question relating to this indicator is within question 3.2.1a.

Objective 3.3 Cooperation with relevant international environmental, trade and development organizations is enhanced.

Indicator 3.3.1 The number of Parties which report that they have achieved synergies in their implementation of CITES, other biodiversity-related conventions and other relevant multilateral environmental, trade and development agreements.

3.3.1a	Have measures been taken to achieve coordination and reduce duplication of activities between the national CITES authorities and national focal points for other multilateral environmental agreements (e.g. the other biodiversity-related conventions: CBD, CMS, ITPGR,	Yes No No information	
	Ramsar, WHC) ²¹ to which your country is party? If 'Yes', please give a brief description: Coordination between the dit CITES and other biodiversity-related conventions is secured thro the Ministry of Environment by the different units and officers res conventions .	ugh coordination v	vithin

Indicator 3.3.2: The number of biodiversity conservation or sustainable use projects, trade and development goals, or scientific and technical programmes that integrate CITES requirements.

3.3.2a	How many international projects which integrate CITES issues has y contributed towards?	our country	14		
3.3.2b	In addition to 3.2.2a, how many national level projects has your country implemented which integrate CITES issues?				
3.3.2c	Have there been any efforts at a national scale for your CITES Management or Scientific Authorities to collaborate with:	Yes	No		
	Agencies for development?				
	Agencies for trade?	\square			
	Provincial, state or territorial authorities?	\square			
	Local authorities or communities?	\square			
	Indigenous or local peoples?	\boxtimes			
	Trade or other private sector associations?	\square			
	NGOs?	\square			
	Other (please specify)				
3.3.2d	Are CITES requirements integrated into?	Yes	No		
	National and local development strategies?		\boxtimes		
	National and local poverty reduction strategies?		\boxtimes		
	Planning processes?		\boxtimes		
	National accounting?		\boxtimes		

CBD = Convention on Biological Diversity; CMS = Convention on the Conservation of Migratory Species of Wild Animals, ITPGR = International Treaty on Plant Genetic Resources for Food and Agriculture, Ramsar = The Convention on Wetlands of International Importance, WHC = World Heritage Convention.

-

Indicator 3.3.3:	The number of Parties cooperating / collaborating with intergovernmental and non-
	governmental organizations to participate in and/or fund CITES workshops and other training
	and capacity-building activities.

3.3.3a	Has funding been provided or received to facilitate CITES workshops, training or other capacity building activities to / from:	Tick if applicable	Which organizations?
	Inter-governmental organizations?		Amazon Cooperation Treaty Organization (ACTO)
	Non-governmental organizations?	\boxtimes	CMS; TRAFFIC

Objective 3.4 The contribution of CITES to the relevant Millennium Development Goals, the sustainable development goals set at WSSD, the *Strategic Plan for Biodiversity 2011-2020* and the relevant *Aichi Biodiversity Targets*, and the relevant outcomes of the United Nations Conference on Sustainable Development is strengthened by ensuring that international trade in wild fauna and flora is conducted at sustainable levels.

This objective may also be assessed by a variety of means beyond the reporting format, including action taken to implement many of the CITES resolutions and decisions.

Aichi Target 1, Target 2, Target 3, Target 4, Target 5, Target 6, Target 7, Target 12, Target 14, Target 17, Target 18 and Target 19.

Indicator 3.4.1: The conservation status of species listed on the CITES Appendices has stabilized or improved.

3.4.1a	Do you have data which shows that the conservation status of naturally occurring species in your country listed on the CITES Appendices has stabilized or improved? Appendix I Appendix II Appendix III If there are such studies that you are willing to share, please provided Species name (scientific) Link to the data, or a brief summary		No	Not Applicable
3.4.1b	Do you have examples of specific examples of success stories or	Yes		
	emerging problems with any CITES listed species?	No		
		No	informatio	n 🗌
	If 'Yes', please provide details:			_

Indicator 3.4.2: The number of Parties incorporating CITES into their National Biodiversity Strategy and Action Plan (NBSAP).

3.4.2a	Has CITES been incorporated into your country's National Biodiversity Strategy and Action Plan (NBSAP)?	Yes No	
		No information	

3.4.2b	Have you been able to obtain funds from the Global Environment Facility (GEF) or other sources to support CITES aspects of NBSAP implementation?	Yes No No information	

Objective 3.5 Parties and the Secretariat cooperate with other relevant international organization agreements dealing with natural resources, as appropriate, in order to achieve a control and collaborative approach to species which can be endangered by unsustainable including those which are commercially exploited. Aichi Target 2, Target 4, Target 5, Target 6, Target 7, Target 10, Target 12, Target 19.							oherent e trade,		
Indicator 3.	.5.1:	The number of cooperative agreements to prevent specie trade.							
3.5.1a	mult bein	your country taken action under ilateral agreements other than C g unsustainably exploited througes', please provide details:	ITES to	prevent	specie			Yes No No information	
Indicator 3.	.5.2:	The number of times other release natural resources are consulted							
3.5.2a	that agre by C	Average number of times per year hat international organizations or agreements have been consulted by CITES Authorities Nanagement Authority(ies) Nanagement Authority(ies)] 🔲 No consultation	Optional comment about which organizations and issues consulted on		
		ntific Authority(ies)					Ш		
	Lino	<u> </u>	<u> </u>		<u> </u>				
Please pro	vide a	ny additional comments you wou	neral fe			ng com	nment	ts on this format.	
		ltem							
	Copy of full text of CITES-relevant legislation if changed Enclosed Web link(s) Not available Previously provided ⋈								
Please list	any m	naterials annexed to the report, e	g. fee s	chedule	es, awa	reness	raisii	ng materials, etc:	
your count	Have any constraints to implementation of the Convention arisen in your country requiring attention or assistance? No No Information								
		escribe the constraint and the typ					hat is	required.	
Parties?	examp	oles of good practice you would li	ke to sna	are with	otner	Yes No No Ir	nform	ation	
If 'Yes' plea	ase pr	ovide details / links:							

Thank you for completing the report. Please remember to include relevant attachments referred to in the report when it is submitted to the Secretariat.

How could this report format be improved?

Germany: Implementation Report 2015 – 2017, Annex 1

Department or agency preparing this report: Federal Agency for Nature Conservation

Contributing departments, agencies and organizations:
Ministry for the Environment, Nature Conservation and Nuclear Safety
Ministry for Economic Cooperation and Development



Attachment to certain questions

To **1.1.1a**: Have any CITES relevant policies or legislation been developed during the period covered in this report?

Trade in ivory

The EU and its Member States are firmly committed combat elephant poaching and ivory trafficking. Addressing this problem is a cornerstone of the EU Action Plan against wildlife trafficking and many initiatives have been taken in the last years to reinforce the actions by the EU and its Member States against elephant poaching and ivory trafficking.

In the case of elephant ivory, the EU has in addition adopted measures which are stricter than CITES provisions. For that purpose the 'Guidance document on EU regime governing intra-EU trade and reexport of ivory' (see http://ec.europa.eu/environment/cites/pdf/guidance_ivory.pdf) was adopted and published in 2017. As a result, trade in ivory is strictly regulated in the EU through the EU Wildlife Trade Regulations and trade to, within and from the EU of ivory for commercial purposes is generally not permitted, e.g. EU Member States stopped issuing re-export certificates for raw ivory from 1st July 2017; the German MA did not allow commercial re-exports of tusks (whole tusks of any size and cut pieces of ivory that are both 20 cm or more in length and one kilogram or more in weight) since April 2014.

The EU shared information with the Secretariat, see EU reply to Notification 2017/077.

1.1.1b: Does your legislation or legislative process allow easy amendment of your national law(s) to reflect changes in the CITES Appendices (e.g. to meet the 90 day implementation guidelines)?

Germany: The provisions of CITES have to be implemented uniformly in all EU Member States since 1984, through a set of Regulations known as the EU Wildlife Trade Regulations. Changes in the CITES Appendices have to be reflected at EU level via changes to the Annexes to Council Regulation (EC) No 338/97 through a Commission Regulation. An easier legislative process is provided through regulations set out in Articles 19.5 and 18.4 which allow a shortened law-making procedure: objections either by the European Parliament or the Council have to be expressed only within a period of [two months] of notification of that act to the European Parliament and the Council.

However, sometimes, owing to different circumstances [decisions are not always that clear, see interpretation of annotation 15; summary records/results as notified by CITES Notification No. 2016/058 (07/11/2016), 064 (06/12/2016) and 068 (16/12/2016) may be available latish] it is difficult

to meet the 90 day as set out in Article XV.1c CITES. Hence, CoP 17 changes to the CITES Appendices entered into force at the international level on 2nd January 2017, whereas at EU level changes entered into force on 4th February 2017. For detailed information, especially for the interim period, see http://ec.europa.eu/environment/cites/pdf/cop17/implementation CITES CoP17 listings.pdf.

1.2.1b If you are planning to move towards e-permitting, please explain what might help you to do so:

For capacity reasons, we are currently not in a position to develop such systems within the framework of corresponding projects. As soon as such a system works without problems between a Party and an EU Member State, we will check whether it is suitable for us. If the results of the tests will be positive, we are interested in participation.

1.2.2a Has your country developed simplified procedures for any of the following? Germany's additional information:

The Standard CITES form (as set out in annex 1 on Commission Regulation No 792/2012) for an export permit or re-export certificate is used instead of a special pre-Convention certificate or a certificate of captive breeding or artificial propagation in accordance with Article VII, paragraph 5 CITES. In both cases source code 'O' or source codes 'A' or 'C' are verified on those permits.

On substance, the derogation as set out in Article VII.2 for pre-Convention specimens has been only partly transposed (with a slightly different wording) into *Regulation (EC) No 338/97* through Article 5(6)(ii) of *Regulation 338/97*, which states that export permits or re-expert certificates can be issued without the production of a ,Non-detriment finding' and for commercial purposes for : "dead specimens and parts and derivatives thereof for which the applicant provides documentary evidence that they were legally acquired before the provisions of this Regulation, or of Regulation (EEC) No 3626/82 or of the Convention became applicable to them".

The same derogation does not apply for imports into the EU which means that commercial imports of Appendix-I species must not be allowed. However, when verifying 'legal acquisition' the special case of 'pre-Convention' is considered as sufficient.

Are there other cases judged by a Management Authority to merit the use of simplified procedures?

Details:

The EU has implemented "other cases" of section XII of Resolution Conf. 12.3 (rev. CoP17), under 20a iv) by Article 19 Commission Regulation (EC) No 865/2006 providing legal means to grant pre-issued (partially-complete) export permits or re-export certificates of dead specimens.

There were three fields with all together three registered applicants/firms/companies where 'simplified procedures' under Article 19 Commission Regulation (EC) No 865/2006 were applied.

1. Cosmetique products or extracts for cosmetics known as 'caviar crème' containing very small portions of captive bred specimens of the species *Acipenser baerii*, *Acipenser gueldenstaedtii* and *Acipenser transmontanus*.

- 2. Snake venom for medical products using the species *Daboia russelii* (App. III CITES; Annex C of Conucil Regulation EC No 337/97) from captive bred specimens, imported mainly from USA and less from Sweden.
- 3. Medical products (MED) using wild specimens of the plant species *Cyclamen purpurascens* (medicine), originated in France. Taking from the wild has been allowed by the competent regional authority in France. The products do contain only a very small share (homeopathy) of the protected plant species.

In 2017, all together 3331 re- export certificates have been issued in Germany using that simplified procedure. That was made transparent in 'Annual reports' using 'REMARKS' with the text "blank form-blankett".

Finally, we refer to other derogations, e.g. Article VII paragraph 6 and Resolution Conf. 11.15 (exchange between registered scientific institutions) or Resolution Conf. 9.19 (rev. CoP 15), Annex 2 letter d) (simple procedure for the issuance of export permits to a registered nursery), which are not mentioned in Resolution 12.3 but do also allow derogations or facilitations.

1.4.1a Have you undertaken any reviews of whether species would benefit from listing on the CITES Appendices?

https://cites.org/sites/default/files/eng/cop/17/prop/060216/E-CoP17-Prop-33.pdf Proposal to uplist *Shinisaurus crocodilurus* in Appendix I CITES in co-operation with the People's Republic of China and the Socialist Republic of Viet Nam.

https://cites.org/sites/default/files/eng/cop/17/prop/060216/E-CoP17-Prop-29.pdf Proposal to list *Cnemaspis psychedelica* in Appendix I CITES in co-operation with the Socialist Republic of Viet Nam.

https://cites.org/sites/default/files/eng/cop/17/prop/060216/E-CoP17-Prop-30.pdf Proposal to list *Lygodactylus williamsi* in Appendix I CITES. Gemany's Scientific Authority provided relevant data and information, successfully promoted the earlier listing in annex B of the EU regulation, and supported the drafting of the proposal with numerous and relevant input.

<u>CoP17 Prop. 56</u> on Guibourtia demeusei, Guibourtia pellegriniana and Guibourtia tessmannii (Bubingas). The German Scientific Authority has inter alia commissioned several workshops to review the species status in the region and studies on the species status that fed into the proposal.

<u>CoP17 Inf. 47</u> "Trade study of selected East African timber production species" The study reviews the status of three East African timber species (*Afzelia quanzensis, Dalbergia melanoxylon* and *Pterocarpus angolensis*).

1.5.1a Have any surveys, studies or other analyses been undertaken <u>in your country</u> in relation to certain species, please provide links to published reference material:

Canis lupus: https://www.dbb-wolf.de/

https://www.bfn.de/fileadmin/BfN/service/Dokumente/skripten/Skript413.pdf

Lynx lynx: https://www.bfn.de/fileadmin/BfN/service/Dokumente/skripten/Skript413.pdf

Ursus arctos https://www.bfn.de/fileadmin/BfN/service/Dokumente/skripten/Skript413.pdf

Aquila pomarina: https://www.deutschewildtierstiftung.de/naturschutz/das-schreiadler-

<u>schutzprogramm</u>

https://lfu.brandenburg.de/cms/detail.php/bb1.c.316066.de

https://www.bfn.de/foerderung/e-e-vorhaben/liste-aktueller-vorhaben/e-e-

<u>Ifdsteckbriefe-as-tiere/schreiadler.html</u>

Lutra lutra: https://www.bfn.de/fileadmin/BfN/natura2000/Dokumente/Mam Lutrlutr.pdf

Anguilla anguilla: https://www.thuenen.de/en/fi/projects/improving-management-with-new-data/

1.5.1b: How are the results of such surveys, studies or other analyses used in making non-detriment findings (NDFs)? Please provide a short summary.

With the exception of the European eel (*Anguilla anguilla*) all species concerned are strictly protected as set out in national and European regulations (Federal Nature Conservation Act, Federal Ordinance on the Conservation of Species - Bundesartenschutzverordnung -, EU Fauna Flora Habitats Directive 92/43/EEC, EU Bird Directive 2009/147/EC , Council Regulation (EC) No 338/97). Any commercial harvest and any commercial export is prohibited. *Anguilla anguilla* is still commercially used within the EU according to the EU-Regulation 1100/2007 establishing measures for the recovery of the stock of the European eel.

1.5.1c: Do you have specific conservation measures or recovery plans for naturally occurring Appendix-I listed species? Please provide a brief summary, including, if possible, an evaluation of their impact:

https://www.bfn.de/fileadmin/BfN/service/Dokumente/skripten/Skript449.pdf https://www.bfn.de/fileadmin/BfN/natura2000/Dokumente/Mam Lutrlutr.pdf

1.5.1d: Have you published any non-detriment findings that can be shared?

No! Native species are not in trade or exported from Germany; however, regarding import applications of non-native species into Germany there are -internal- case-by-case-studies.

1.5.2a: Do you have standard procedures for making non-detriment findings in line with Resolution Conf. 16.7? Please briefly describe your procedures for making non-detriment findings, or attach as an annex to this report, or provide a link to where the information can be found on the internet:

EU Scientific Review Group Guidelines:

http://ec.europa.eu/environment/cites/pdf/srg/guidelines.pdf

The 9-steps NDF Guidance has been developed and is available online at https://www.bfn.de/en/activities/species-conservation/species-conservation-legislation-and-conventions/cites/non-detriment-findings.html

It is availbale for *perennial plants* <u>CITES Non-detriment Findings Guidance for Perennial Plants: A nine-step process. V 3.0: Bundesamt für Naturschutz (BfN), 2016</u> (see CoP 17 Inf. 45), which for the time being is available in seven languages,

and for timber "CITES Non-detriment Findings for Timber, VS 3.0".

Furthermore, Germany developed a guideline for the NFD making for *shark* species, https://cites.org/eng/prog/shark/sustainability.php

1.6.1a Is your country a signatory to any bilateral and/or multilateral agreements for comanagement of shared species? Please provide brief details, including the names of the agreements, and which other countries are involved:

Germany is signatory state of following agreements:

Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) Convention on the Conservation of Migratory Species of Wild Animals (CMS)

Convention on Wetlands of International Importance especially as Waterfowl Habitat, called the Ramsar Convention

Trilateral Wadden Sea Cooperation (TWSC with Netherlands, Denmark and Germany).

Within the European Union following regulations for the protection of species are set out:

EU Bird Directive 2009/147/EC:

see http://ec.europa.eu/environment/nature/legislation/birdsdirective/index en.htm:

Europe is home to more than 500 wild bird species. The Birds Directive aims to protect all wild bird species naturally occurring in the European Union, including the species covered by CITES.

EU Fauna Flora Habitats Directive 92/43/EEC,

see http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm,
The Habitats Directive ensures the conservation of a wide range of rare, threatened or endemic animal and plant species, including some of the European species covered by CITES.

Council Regulation (EC) 1100/2007, establishing measures for the recovery of the stock of European eel , see https://ec.europa.eu/fisheries/marine_species/wild_species/eel/management_plans_en

1.7.1a Parties are enforcing the Convention to reduce illegal wildlife trade, being engaged in ... If 'Yes' to any of the above, please specify the level of engagement and provide additional details:

German representatives

- are regularly attending the EU Enforcement Group Meetings,
- do participate in the Wildlife Enforcement Network Meeting at CITES CoP 17,
- do participate in the Interpol Wildlife Crime Working Group,
- do participate in the project "TEMBO",
- adopted in 2017 on a high political level a national 'German Enforcement Action Plan',
- do regularly attend 'Standing Committee on Species and Biotope Conservation' of the Bund/Länder Assosiation for Nature Conservation (BLANA)¹ in order to set main focus area of CITES enforcement
- do implement and enforce the EU Action Plan against Wildlife Trafficking which was adopted by the EU Commission and the Council in 2016, see details on actions and initiatives taken under http://ec.europa.eu/environment/cites/trafficking_en.htm.

¹ Germany is a federal state consisting of 16 so called 'Länder'. Local and regional 'Länder' authorities have powers for issuing intra-Community certificates (for commercial use; for movement of live animals), to carry out investigations and for controlling trade within the EU. An important body to coordinate activities and to ensure the uniform application of regulations within Germany is the Standing Committee on 'Species and Biotope Conservation' of the "Bund/Länder" Association for Nature Conservation" (BLANA).

1.7.2b Have you used the International Consortium on Combating Wildlife Crime (ICCWC) Wildlife and Forest Crime Analytic Toolkit, or equivalent tools?

If 'No', please provide feedback on why not or what is needed to make the toolkit or equivalent tools useful to you:

Currently, considering the national enforcement challenges in Germany that toolkit is not additionally used; indeed, there is an existing, very good and long lasting cooperation between management authorities and enforcement agencies such as customs investigation agencies. In addition, comprehensive training for customs officers as well as for police officers is conducted regularly.

1.7.3a Do you have law and procedures in place for investigating, prosecuting, and penalizing CITES offences as a crime? If 'Yes', please provide the title of the legislation and a summary of the penalties available:

General regulations regarding environmental crime are set out in the national (penal) criminal code. Specific regulations regarding CITES offences are set out in the Federal Nature Conservation Act. Most important rules are:

Deliberate, Illegal import or export of CITES listed species: imprisonment of up to 5 years (for species listed in App.-I CITES) or up to 3 years for other species

Deliberate infringement of ban on marketing within the EU: comparable punishment as foreseen for illegal import or export.

Illegal catching or taking from the wild in Germany: the same as above

1.7.3b: Are criminal offences such as poaching and wildlife trafficking recognized as serious crime in your country? If 'Yes', please explain what criteria must be met for poaching or wildlife trafficking offences to be treated as serious crimes:

The Federal Nature Conservation Act distinguishes between species which are 'strictly protected' (e.g. listed in Appendix I CITES) or only 'specially protected' (e.g. listed in Appendix I CITES). For 'strictly protected' species imprisonment for up to 5 years is set out. Specific sanctions are also set out in the German Criminal Code when both species groups (App. I and II CITES) are poached in 'Nature Conservation Areas'.

1.7.3c) forensic technology

DNA-analysis is used to prove parental ship; isotope analysis is used for the determination of age and geographical source.

Several facilities are able to carry out forensic analysis, especially for birds (parrots, birds of prey), certain reptile species like tortoises, ivory and sturgeon caviar.

1.7.3d: Did your authorities participate in or initiate any multi-disciplinary law enforcement operation(s) targeting CITES-listed species during the period covered in this report? If 'Yes', please provide a brief summary, including any lessons learned which might be helpful for other Parties:

Regularly, there is close cooperation between CITES Management Authority and customs investigation offices or police forces; also representatives of the CITES Scientific Authority are ready to support the investigation offices.

1.7.3f: Do you have legislative provisions for any of the following that can be applied to the investigation, prosecution and/or sentencing of CITES offences as appropriate?

Specialized investigation techniques may be used by investigating offices after these were allowed by the competent public prosecutor. In general, those techniques are measures in accordance with Articles 161, 163 StPO (code of criminal procedure) and for covert investigators Articles 110a – e StPO whereby prerequisites for 'controlled deliveries' are set out in directives (in German: 'Richtlinien für das Strafverfahren und das Bußgeldverfahren').

"Asset forfeiture" is set out in German penal code (Section 73 et seq., StGB – Strafgesetzbuch, Penal Code, available under https://www.gesetze-im-internet.de/englisch_stgb/) which was re-worded in 2017, fully considering the terms of Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union. That allows the confiscation of criminal assets; in practice, it will be used if such assets can be identified.

"Controlled deliveries" are used regularly if transit shipments are stopped at German border posts and if the destination country is willing to accept and support such controlled deliveries.

Criminal law on corruption is set out in German penal code (Section 331 et seq., StGB – Strafgesetzbuch and further detailed regulations). The 'UN Convention against Corruption' was ratified by Germany.

1.7.5 a Have any administrative measures (e.g. fines, bans, suspensions) been imposed for CITES-related offences? If 'Yes', please indicate how many and for what types of offences. If available, please attach details:

In addition to charges fined by public prosecutors and courts, the Federal Agency for Nature Conservation (BfN) is the responsible authority to initiate administrative offence procedures in case of import or export offences. Fines of up to 50.000 € may be imposed.

Especially, illegal import of small amounts of protected specimen, especially by tourists or via postal or courier services will be handled as administrative offences and will be punished by fines. Several hundred of such cases will be handled by the management authorities per year. In addition, the specimens involved will be seized and confiscated.

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 prosecutors to the BfN for an administrative offence procedure:

Illegal possession/commercial activity of 4 rhino horns: fine: 10000 € in 2018, confiscated in

2013!

Commercial illegal imports from Nepal of Nard oil (*Nardostachys grandiflora* -Jatamansi oil- in 2015: fine of 6300 € in 2016

Illegal import of 24 live reptiles (*Candoia carinata*, known commonly as the Pacific ground boa) from Indonesia confiscated in 2013, fine: 2500 € in 2015

1.7.5 b Have there been any criminal prosecutions of CITES-related offences? If 'Yes', how many and for what types of offences? If available, please attach details:

Mostly, criminal prosecutions refer to illegal imports of specimens of species listed in App. I CITES but also illegal internal trade of such specimens will be handled as criminal case and must be presented to the courts. The punishment reaches from fines up to imprisonment. In addition, the specimens involved will be seized and confiscated.

1.7.5 c Have there been any other court actions against CITES-related offences? If 'Yes', what were the offences involved and what were the results? Please attach details:

Most of the court cases are dealing with the illegal import or export of specimens of species listed in App. I CITES or with the illegal commercial trade in such specimens. In many cases the court will set up a fine but also imprisonment up to 5 years is possible. Imprisonment on probation will be set up usually if the offender will be convicted to imprisonment up to 2 years.

Significant cases to 1.7.5 a, b and c)

Ivory case

On May 20th, 2016 the German customs authority at Berlin Airport has stopped a shipment of 11 boxes containing raw and manufactured ivory. In total, 625 kg of ivory have been seized by the authorities.

According to the declaration the boxes should contain clocks based on marble pedestals. This declaration was used to explain the weight of the shipment. Sender of the shipment was a person living in Germany, the boxes should be sent to consignees in Viet Nam.

Some days later a second shipment sent by the same sender could be identified. This shipment contained around 8 kg ivory parts.

The investigation was carried out by the German customs investigation office. Information have been distributed to the Vietnamese authorities but also to the Czech authorities because of similar cases detected in the Czech Republic a while ago. The case is still under investigation.

Ivory samples have been collected to be provided to forensic laboratories for the determination of the age and the geographical source of the tusks.

During investigations in that case further premises had been identified which were searched in September 2016. In addition to the first seizure in May 2016, again around 570 kg of ivory carvings, inclusive 40 tusks of different sizes, were seized by German authorities. Also different tools like drills or a mortising machine which might be used to work on the ivory could be seized. Samples were taken to determine the age and the geographical source of the ivory.

In total the investigation led to the seizure of around 1200 kg of ivory.

Orchids

In February 2017 the customs authority at a German airport seized a shipment of 194 orchids of the genus *Paphiopedilum* and *Dendrobium*. All plants have been identified as wild taken plants. Some of the plant species were described just recently.

The plants were transported by a courier from Viet Nam to Germany but the country of origin and the final consignee of the shipment could not be identified.

In April 2017 a very similar case happened. Again the German customs authority seized a shipment of wild taken plants of different *Paphiopedilum* and *Dendrobium* species. This shipment contained 150 live plants. Comparable to the first case the plants were transported by a courier from Viet Nam to Germany but again the final consignee of the shipment could not be identified. Also the country of origin of the plants is not known.

Finally in June 2017, a third shipment of wild taken orchids were seized by the German customs. In total, 650 wild taken orchids of the Genus *Paphiopedilum* and *Dendrobium* all occurring in South East Asia only could be identified. Some of the plant species were described just recently. Comparable to the two other seizures the plants were transported by a courier. Effectively, further investigations led to an additional seizure of several hundred orchid plants (*Paphiopedilum*) at the premises of the person involved.

Medicinal plants

On 2 December 2016 a Polish national was court-sentenced to a fine of 1200 € for the illegal import of in total 480 000 pills made of *Saussurea costus* and other plant materials. The fine is calculated from the daily rate of income (120 rates each by 10€).

Reptiles and amphibians

At beginning of June 2016 the German Customs seized a huge amount of reptiles and amphibians. The animals were acquired at a reptile fair, just the weekend before. The person involved tried to smuggle the animals to China. Meanwhile the court sentenced the person involved to 8 month imprisonment on probation.

In spring 2015 Customs investigation service and police officers caught 3 Chinese national who tried to sell protected specimens at a reptile fair in Hamm/ Germany. German CITES MA gave the hint to customs investigation service a few days before the fair took place. The offenders were temporarily arrested. Beside others at least 2 live specimens of *Shinisaurus crocodilurus* have been seized. One of the Chinese persons involved had placed some advertisement via internet offering specimens of *Shinisaurus crocodilurus* taken from the wild in Viet Nam.

Controlled deliveries

On July 2nd 2015 Customs officers at Leipzig Airport found 3 ivory carvings (2 from African Elephant and 1 from West African Manatee) in a postal parcel coming from Burkina Faso. The consignee was a French citizen. In cooperation between German Customs Investigation Service and French Customs a controlled delivery to France was conducted. Further investigations in France led to a seizure of additional 37 pieces of worked ivory and a sawfish rostrum.

On August 26th 2015 German Customs found about 126 kg of pangolin scales (2 consignments with all in all 5 parcels) at Frankfurt Airport. The consignments came from Nigeria and were intended for a company in Hong Kong. A controlled delivery was offered but could not be realized by Hong Kong customs.

Cacti

In spring 2015 more than 800 strictly protected cacti, worth about 60.000 €, were seized during a search in Dortmund/Germany. The action was part of a joint investigation with colleagues from China Customs, which was initiated by a hint from China Customs. The German national, a cacti trader, sold the plants without any documents to buyers all over the world (e.g. China). The search in

Germany was conducted at the same time when in China houses and premises from consignees have been searched and 5 arrest warrants have been enforced by China Customs.

On 28th July 2015 colleagues from China Customs (Bureau of Anti-Smuggling Nanjing Customs District) visited the German customs investigators to talk about the joint actions taken and exchange experiences, information and possible future cooperation.

1.7.5d How were any confiscated specimens disposed of? ... Have you encountered any challenges in disposing of confiscated specimens?

Identified problems are:

Animal welfare and diseases:

Many institutions are not willing to take animals with unknown source and condition!

Great amounts of live animals or plants:

There are problems with accommodation - regarding the capacity of rescue centers, zoological or botanical gardens and – also in general - with veterinary or phytosanitary issues (quarantine, etc.).

2.2.1a Do you have an approved service standard(s)² for your Management Authority(ies)? If 'Yes', for which services are there standards, and what are those standards?

Information on the procedure how to apply for a CITES permit/certificate is available at website https://www.bfn.de/en/activities/cites/application-procedure.html, e.g. permit forms are supplied by the German Federal Agency for Nature Conservation.

Management authorities shall decide on the issue of permits and certificates within one month of the date of submission of a complete application (legal framework on EU level as set out in Article 8.3 Commission Regulation No. 865/2006).

If additional documentation is required or further information has to be requested (especially when third parties are consulted), this period may be extended; accordingly, the applicant receives an interim communication about delaying circumstances.

2.2.1b: Do you have an approved service standard(s)³ for your Scientific Authority(ies)? Any request from the Management Authority should be responded within 10 working days.

For example, a time frame in which you are required to provide a response on a decision to issue or not issue a permit, certificate, or re-export certificate.

For example, a time frame in which you are required to provide a response on a decision to issue or not issue a permit, certificate, or re-export certificate.

- **2.3.1b** What sorts of capacity building activities have taken place?
 - Training on legal requirements and document requirements for customs officers, police officers and staff of regional and local enforcement authorities,
 - Training on identification of protected specimens for customs officers, police officers and staff of regional and local enforcement authorities,
 - Advanced courses for officers, police officers and staff of regional and local enforcement authorities regarding dealing with case studies, seizure and punishment;
 - 9-steps NDF-Guidance for plants,
 - timber identification (CITESwoodID).

Representatives of Germany's CITES Management and Scientific Authorities participated regularly as lecturers in several CITES training seminars.

Since 2004 Germany's CITES Management Authority of the Federal Agency for Nature Conservation issues rather regularly an electronic CITES Newsletter ('Artenschutz-Info des BfN') which provides information on recent developments in CITES relevant legislation, on significant 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 favourably received and widely acknowledged newsletter is sent by e-mail to over 550 recipients such as all regional CITES management, enforcement and implementation authorities of the 'Länder', to customs and criminal investigation agencies, to the CITES Scientific Authorities and to CITES Management Authorities in Austria and in Switzerland. During the reporting period all together 11 newsletters were issued, 4 in 2015, 3 in 2016 and 4 in 2017.

3.2.1a Have CITES authorities been involved in any of the following activities to bring about better awareness of the Convention's requirements by the wider public and relevant user groups? Following websites are available:

https://www.bfn.de/themen/cites.html www.artenschutz-online.de www.zoll.de;

https://www.bfn.de/en/activities/species-conservation/species-conservation-legislation-and-conventions/cites.html

General feedback:

Copy of full text of CITES-relevant legislation if changed

The 'Federal Nature Conservation Act' was amended during the period from 2015 – 2017; however, those changes have no effect on CITES related species and relevant regulations; mostly, amendments relate to necessary regulations to implement Council Regulation (EU) No 1143/2014 of 22 October 2014 "on the prevention and management of the introduction and spread of invasive alien species" ('IAS'). Unfortunately, for the time being an official English version of the 'Federal Nature Conservation Act' is not available.

Fee schedule:

The 'Costs Ordinance' (for acts by the Federal Agency for Nature Conservation) regulates the level of fees charged; regarding CITES please see details and an extract of the costs ordinance at website https://www.bfn.de/en/activities/cites/regulationslegalbases/costs-ordinance.html.

Awareness raising materials

Since 2007 awareness raising material can be ordered for free at the German CITES MA. Brochures and rollups for display are available to inform tourists about CITES and the most important species groups. This material has been updated just recently. The current version will be available on the website of the Federal Agency for Nature Conservation, www.bfn.de, soon.

In addition, the German customs authority and the German CITES MA is managing www.artenschutz-online.de. The aim of the website (in German only) is to inform tourists about the relevant protected species offered in their holiday countries. The information is based on seizure data since 1996 and will be updated regularly.

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