

Protection of wild fauna and flora: control of trade of species

1991/0370(SYN) - 26/02/1996 - Council position

The common position adopted unanimously by the Council takes over - verbatim, in substance or in part - most of the EP amendments which the Commission incorporated into its amended proposal. It differs in a number of important ways from the Commission's amended proposal. This is due mainly to the fact that the emphasis has been shifted from the trade aspects of the Regulation to the conservation aspects, requiring inter alia, the alteration of the Regulation's legal basis (Art. 130s(1) of the EC Treaty). The common position also reflects the wish of the Member States to concentrate efforts and resources on the protection of the most vulnerable species and to get rid of less relevant aspects regarding implementation and enforcement which represent an unnecessary administrative burden. As set out in the common position the Regulation comprises a system of four annexes, each affording a given degree of protection, in ascending order from Annex D (simple statistical monitoring) to Annex A (total ban on trade). The species covered are those appearing in the annexes to the CITES Convention, plus a number of priority species. Both the degree and scope of the protection afforded within the Community will therefore exceed those provided under the Convention. The various species will be entered into the appropriate annex on the basis of 'objective' criteria. The restrictions placed on imports into the Community of the various species will depend on the degree to which they are threatened by extinction. Such imports shall be subject to completion of the necessary checks and presentation of an import permit issued by the accredited management authority of the Member State of designation. Special attention is paid to the re-export of specimens of the species listed and to controls on the trade in such specimens. The common position also deals with infringements of the regulation in respect of which Member States shall be required to provide for sanctions, and the obligation on the part of Member States to provide the information necessary for implementing the Regulation.