



Brussels,
MARE/A2/LBS (2021)

Subject: AAC recommendation on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Dear Mr. Ojeda,

I would like to thank you for your letter with a recommendation on the application of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) to sturgeons in aquaculture.

We have consulted on your recommendation the European Commission's Directorate-General for Environment, which is responsible for the subject of international wildlife trade. As a general comment, we encourage you to clarify the addressee of your recommendation¹, in order to identify the avenue for putting it into practice.

Furthermore, in your recommendation you request: *“the CITES to apply three different control levels to market players”*. If this recommendation refers to the registration of authorised caviar processing plants, please note that the relevant conditions are determined by EU sanitary legislation, not by the Wildlife Trade Regulations or CITES. The CITES Secretariat merely registers all licensed plants for the sake of transparency and traceability.

If rather the recommendation refers to the issuing of export permits by the Member States' CITES management authorities, please note that the EU Wildlife Trade Regulations include a possibility for Member States to apply a simplified procedure and pre-issue export permits for dead specimens under certain conditions (Art. 19 of Commission Regulation (EC) No. 865/2006). It is up to individual Member States to make use of this possibility.

With regard to the participation of observers in proceedings of the CITES Animals Committee, requests should be addressed to the Chair of the Committee through the Secretariat of the Convention (info@cites.org).

¹ It is not clear from your letter whether you wish to address with your recommendation the Conference of Parties to CITES (the relevant decision-making body at international level), the EU (Commission or co-legislators), or the Member States' CITES authorities.

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We would also like to clarify that EU legislation generally provides for a harmonised approach to CITES implementation across Member States, even if minor differences may remain between national licensing practices, including with regard to the exact procedure for issuing permits. This refers to the following statement of the AAC: *“This means that the application of the CITES regulation is settled at the national level, which leads to differences in treatment between different countries”*.

Also, as regards to the AAC comment that *“the production and trade of aquaculture caviar represent no real danger to wild stocks”* - this is correct only as long as caviar obtained from farmed fish can reliably be differentiated from products of wild-caught fish. The rules currently in place under CITES aim to ensure that this is indeed the case, and to prevent caviar from wild-caught specimens to be illicitly entering the trade chain.

With this, I am looking forward to our continued fruitful cooperation. Should you have any further questions on this reply, please contact Ms Pascale COLSON, coordinator of the Advisory Councils (Pascale.COLSON@ec.europa.eu; +32.2.295.62.73), who will forward them to relevant colleagues.

Yours sincerely,

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