

Report



Challenges and bottlenecks of implementation of the EU law on nature protection training 27-28 October, Budapest, Hungary

All documents are available online at:

<http://www.themisnetwork.eu/news/88/17/Nature-and-forest-fires-training-October-2015.html>

A. Main outputs and outcomes:

- Experience exchanged between participants and an EU Member State (Hungary) regarding protection of natural resources (Natura 2000, Common Agricultural Policy, Nature Reserve) and trade of species (CITES, EU Wildlife Trade Regulations).
- Recommendations given on implementation of Birds and Habitats Directives, including Natura 2000 site designation, implementation and management, including a visit to a protected area in a dense urban environment (Sashegy in Budapest).
- Presented an inventory of means for preserving agricultural biodiversity, including financial schemes.
- Identified most common crime types under CITES and Council Regulation (EC) No 338/97
- Provided concrete examples of illegal wildlife trade cases, with description of smuggling methods, routes and detection.
- Highlighted the importance of raising public awareness on illegal trade of species, and training of customs officers, as well as cooperation between national management authorities for better enforcement

B. Session by session

Opening

The Deputy Head of Department for Nature Conservation at the Ministry of Agriculture of Hungary, Mr. András Schmidt welcomed the participants to Hungary and expressed his gratitude for being involved in the training and having so many participants from different countries. He noted that within the EU member states the nature protection regulations are relatively strong and Hungary can share good examples and experience applying international nature conservation laws and regulations, such as CITES, the Birds and Habitats directives and the EU wildlife trade regulations.

The Executive Director of the Regional Environmental Center for Central and Eastern Europe, Ms. Marta Szigeti Bonifert welcomed the participants and expressed gratitude to the Hungarian Ministry of Agriculture for hosting the capacity building action and to the Austrian Development Cooperation for funding Themis Network. Ms. Szigeti Bonifert emphasized the importance of cooperation through Themis, including the role of each member country sharing its experience regarding nature protection.

Session 1 – Outcomes of the training on organizational management (Portugal, June 2015), Elaine Wright

Ms. Elaine Wright gave an overview of the training on organisational management which was held in June 2015 in Portugal. She highlighted its outcomes and summarized the lessons learned on organizational management, SWOT analysis, communication, conflict management and organizational planning.

Session 2 – Introduction to CITES and EU Wildlife Trade Regulations, Levente Kőrösi (Ministry of Agriculture)

Mr. Levente Kőrösi addressed the issues related to CITES and the EU wildlife trade regulations. According to last published data, the annual income from international trade in wildlife (not only illegal) was USD159 billion and hundreds of millions of specimens are involved each year. The main trading international routes are from South America, Africa, and South-East Asia to Europe, USA, and Japan. In the second part of his presentation, Mr. Kőrösi explained CITES - the Convention on International Trade in Endangered Species of Wild Fauna and Flora. In the last part of his presentation, he covered the EU Wildlife Trade Regulations, namely regulations 338/97 and 865/2006.

Session 3 – Implementation of CITES and EU WTR in Hungary, Zoltán Czirák, (Ministry of Agriculture)

Mr. Zoltán Czirák explained that the Hungarian Ministry of Agriculture is designated as the CITES management authority. After last year's restructuring of the Ministry, the scientific authority which is giving scientific advice concerning import applications, assisting in identification of specimens, and checking housing conditions is also under the responsibility of the Ministry of Agriculture. The Ministry of Agriculture established cooperation with customs and police through an agreement, and twice a year the inter-agency CITES enforcement working group meets. There is still a need to establish closer cooperation with national parks.

Session 4 – Crime types under CITES and EU WTR, cases, trends and the role of Central and Eastern Europe in illegal wildlife trade, Levente Kőrösi (Ministry of Agriculture)

Mr. Kőrösi talked about crime types under CITES and EU wildlife trade regulations, and the different types of smuggling methods and perpetrators. The international wildlife trade has been one of the factors responsible for the massive decline in the numbers of biodiversity worldwide. It is a highly lucrative business estimated to be worth billions of dollars and involved hundreds of millions of plants, animals and their parts and derivatives every year. The trade varies from exotic unique products such as tiger bones and bear bile, to seemingly common products such as perfumes, leather goods, food and tourist souvenirs. The smuggling methods can be at least partly compared to methods used for drugs. Some of the methods most used are concealment, false declaration or falsification of certificates and permits. Seized specimen are regulated by CITES, and, as priority, should be reintroduced to their habitats. However, until the cases are legally concluded the seized specimen are kept in rescue centers.

Session 5 – Overview of the Birds and Habitats Directives, establishment of the Natura 2000 Network, appropriate assessment through the example of Hungary, András Schmidt (Ministry of Agriculture)

Mr. András Schmidt explained that the Natura 2000 network is the centrepiece of EU nature and biodiversity policies. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened species and habitats. It is comprised of Special Areas of Conservation (SAC) designated by Member States under the Habitats Directive, and also incorporates Special Protection Areas (SPAs) designated under the 1979 Birds Directive. Natura 2000 is not a system of strict nature reserves where

all human activities are excluded. Whereas the network will certainly include nature reserves most of the land is likely to continue to be privately owned and the emphasis will be on ensuring that future management is sustainable, both ecologically and economically. The establishment of this network of protected areas also fulfils a Community obligation under the UN Convention on Biological Diversity. Mr. András Schmidt's presentation covered in detail the issues of Natura 2000 site designation, implementation and management, introducing the Hungarian experience during the EU accession process, and of the appropriate assessment under article 6 of the Habitats Directive which requires correct transposition in national legislations. He recommended that Natura sites boundaries are precisely defined and binding, and that the national laws should establish functional regimes and proper management of sites. The introduction of the Natura 2000 network represented a manifold increase in protected areas in Hungary.

Session 6 – Group exercise, Elaine Wright

The participants were asked to discuss the topics presented previously in light of their own experience. They were provided with guiding questions: 1) What are the most 3 prevalent crime types under CITES and EU WTR?, 2) What are your biggest issues in fighting illegal wildlife trade in your country?, 3) What trends do you see in your country over the last 3 years?, 4) Identify 3 lessons learned. They reported the following:

- Albania emphasized the importance of a good structure and good coordination to fight wildlife trade related crimes.
- Macedonia revealed that regional cooperation plays a major role in fighting illegal wildlife trade. Macedonia custom services have an agreement with Hungary and China in order to combat illegal trade.
- Montenegro does not have yet a rescue centre for the confiscated specimen. Training is needed for customs, police officers, and inspectors.
- Bosnia and Herzegovina noted that the authorities (including the entities' ministries) should intensify the cooperation on CITES implementation, and harmonize legislation. In addition, it was suggested that the management authorities of the different CITES parties should collaborate and share information about for e.g. permits issued.
- Moldova has established a legislation framework within the CITES convention but the implementation process is still problematic. It was noted that customs should be trained, especially on false declarations.
- Kosovo established legislation for the implementation of CITES, even if it is not a member of the convention. The competent authority is the Ministry of Environment and Spatial Planning, the scientific authority is the Public University "Hasan Prishtina". The Border Police and Customs are engaged in the implementation.
- Serbia noted that they have a good cooperation among the authorities, customs and police and they are regularly organising capacity building events. Notably, there was a recent twinning project with Hungary on this topic.

Session 7 – Species protection measures - hunting and trade under the Birds and Habitats Directives, Zoltán Czirák (Ministry of Agriculture)

Mr. Czirák presented the species protection provisions of the Birds Directive, highlighting the article 1 (all bird species naturally occurring in the wild state in the EU are protected) and articles 5-6 (general system of protection to all birds including birds that can be hunted).

Session 8 – Other relevant regulations (on whales, seal pups, seals, leghold traps), Zoltán Czirák (Ministry of Agriculture)

In this session Mr. Zoltán Czirák presented regulations on whales¹, seal pups², seals and leghold traps³ that supplement the EU nature protection-related legislation (Wildlife trade, Birds and Habitats).

Session 9 – Mainstreaming nature conservation aims to Common Agricultural Policy, Péter Tóth (BirdLife Hungary)

Mr. Péter Tóth talked about the territorial and institutional background of nature conservation in Hungary and the challenges in preserving agricultural biodiversity. He presented a case study regarding the land use changes having impact on biodiversity and highlighted the tools used by Hungarian nature conservation. The structure of Common Agricultural Policy payments linked to nature conservation were also presented together with viable solutions for the participants facing similar challenges. To reach high efficiency, it is important to take farmers abilities into consideration. For this reason a brief introduction was given about farmers perspectives as well, on how their farming will be affected by the EU regulations.

Session 10 – Next Themis training on Cross-sectoral Issues in the EU Environmental Acquis, Cecile Monnier, REC *(Original IMPEL led session cancelled due to last minute commitments of the speaker)*.

Ms. Cecile Monnier presented the next scheduled Themis event – the training on cross-sectoral Issues in the EU Environmental Acquis. The main objective of the training is to pinpoint linkages between Themis topics and horizontal/cross-cutting issues, in particular EIA, SEA, appropriate assessment, access to information, public participation in decision making, and environmental liability. The training will take place on December 10-11, 2015, in Ljubljana, Slovenia.

Sessions 11 – Site visit: Sashegy nature protection site

The participants visited the Sashegy nature protection site which is located in central Budapest. It was a good opportunity to witness how a high value nature conservation area can be operated in a dense urban environment. The 30 acres (120,000 m²) area on the top of the hill was placed under protection in 1958. It was one of the first nature reserves of Hungary, protecting the limestone landscape and its special flora and fauna. The park service maintains a visitor center and a 2350 m long circular trail, displaying the most important natural features and species of the reserve.

¹ Regulation (EC) No 348/81 on common rules for imports of whales or other cetacean products.

² Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom.

³ Council Regulation (EEC) No 3254/91 of 4 November 1991 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards.