



European Union Network for  
the Implementation and Enforcement  
of Environmental Law

# Eliminating illegal killing, trapping and trade of birds

## Workshop Green Management Team

**Final notes from the workshop in Utrecht, 27-28 November 2014**

**April 2014  
2014/15**

### **Introduction to IMPEL**

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Brussels, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 7th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at:

[www.impel.eu](http://www.impel.eu)

<p><b>Title report:</b> Report IMPEL project Eliminating illegal killing, trapping and trade of birds: workshop green management team- final notes</p>	<p>Report date and number: April 2015, 2014/15</p>
<p><b>Project managers:</b> <u>Lead:</u> Mr John Visbeen, Province of Utrecht, The Netherlands. John.visbeen@provincie-utrecht.nl <u>Co-Lead:</u> Mr Martin Baranyai, Czech republic baranyai_martin@hk.cizp.cz</p>	<p><b>Report adopted at IMPEL General Assembly:</b> Written procedure, June 2015.</p>
<p><b>Authors:</b> Martin Baranyai – John Visbeen</p>	<p><b>Number of pages: 38</b> Report: 15 Annexes: 3</p>
<p><b>The European Commission is involved in the IMPEL project on Illegal killing, trapping and trade of birds with the Dutch province of Utrecht (John Visbeen). The present IMPEL project is based on the same concept as the other projects already implemented by IMPEL in other fields. The role of the European Commission in that context is to provide guidance and advices to help the IMPEL project to deliver and improve compliance to EU legislation. However the content of the documents or other materials produced by IMPEL do not engage the European Commission and do not represent its official views.</b></p>	

## CONTENTS

---

<b>1.0 Meeting</b>	<b>6</b>
1.1 Meeting objective	6
1.2 Participants	6
<b>2.0 Presentations &amp; discussion</b>	<b>7</b>
2.1 Existing IMPEL projects in nature conservation and EU nature legislation	7
2.2 Strengthening chain of enforcement, prosecution, verdicts	8
2.3 Collaboration between organisations-learn form best practises	8
2.4 Keywords and ideas for IMPEL activities in nature conservation	9
<b>3.0 Results &amp; next steps</b>	<b>11</b>
3.1 Identified projects	11
3.2 Working group 1: Better implementation through “ears and eyes”	12
3.3 Working group 2: Article 6.3 Habitat directive	12
3.4 Working group 3: training/information for judges, prosecutors and inspectors	13
3.5 Working group 4: Web platform for the dynamic exchange of information between NGOs and authorities	14
<b>Annex 1: Invitation and programme of the workshop</b>	<b>16</b>
<b>Annex 2: Roadmap towards eliminating illegal killing, trapping and trade of birds</b>	<b>22</b>
<b>Annex 3 Terms of References IKB 2014</b>	<b>31</b>

## INTRODUCTION

---

Halting and reversing the loss of biodiversity by 2020 is a priority within the European Union. The implementation of EU Nature legislation (the Birds and Habitat Directives) is essential to achieve the EU 2020 biodiversity target. However, implementation and enforcement need to be improved. A relatively high number of complaints and infringement procedures related to these nature Directives reach the EC every year. There is a lot of work to be done if we want to reach the goals for 2020: For instance, only 17% of both species and habitats of Community importance assessments were deemed favourable<sup>1</sup>. We need to strengthen the inspection and enforcement on this item and to do so it is necessary to join forces with other Nature networks in Europe.

IMPEL is willing to combine the effort of all these networks and use its experience in inspection and enforcement.

The overall objective of the project is to contribute to eliminate illegal killing, trapping and trade of birds protected by the Birds Directive in the EU through raise awareness, exchange best practices and improve co-operation between enforcement experts. Based on some preliminary surveys, four focus areas are identified: **1) illegal poisoning of birds, in particular raptors, 2) illegal trapping of passerines**, 3) illegal killing of game and non-game species, and 4) illegal trade of dead birds for human consumption.

In 2014 two important activities were organised. First the 'green' IRI (Impel Review Initiative) in Romania in the Danube Area and second a workshop that was organised to establish IMPEL's green expert team. The results of the Green IRI are written down in separate report. This report gives the results of the workshop that was held in Utrecht, November 27<sup>th</sup> and 28<sup>th</sup> 2014.

John Visbeen  
Martin Baranyai

---

<sup>1</sup> This result concerns the Habitat Directive. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0358:FIN:EN:PDF>

## 1.0 Meeting

### 1.1 Meeting objective

The main goal was to clarify the scope and purpose of IMPEL projects in nature conservation issues and discuss how IMPEL is going to organise further project activities to achieve those goals. The aim was also to begin to build links between our respective organisations through mutual cooperation and information sharing.

### 1.2 Participants

**Mr. Fotios Papoulias** – DG Environment, European Commission

**Mr. Chris Dijkens** – IMPEL vice chair

**Mr. John Visbeen (NL)** – IMPEL expert team leader, Province authority Utrecht

**Mr. Martin Baranyai (CZ)** – IMPEL deputy team leader, Czech Environmental Inspectorate

**Mr. Jose Paolo Santos (PT)** - IGAMAOT

**Mr. Iñaki Urdambilleta Bergareche (ES)** - Regional Government of Galicia, Environmental Inspectorate.

**Mr. Alan Hampson (UK)** – Scottish Natural Heritage

**Ms. Andreja Slapnik (SL)** – Inspectorate of the Republic of Slovenia for Agriculture and Environment

**Ms. Katica Bezuh (HR)** – Croatian Ministry of Environment and Nature Protection

**Mr. Andris Sirovs (LV)** - Nature Conservation Agency of Latvia

**Mr. Andreas Antoniou (CY)** – Cyprus Environmental Department

**Mr. Christian Trupina (RO)** – National Environmental Guard

**Mr. Adi Samoila (RO)** – National Environmental Guard

**Ms. Aniko Nemeth** – THEMIS network

**Ms. Alison Hoare** – Chatham House

**Mr. Jan van den Berghe (BE)** – judge from Court First Instance East Flanders

**Mr. Rob de Rijck (NL)** – prosecutor from Rotterdam

**Mr. Andrea Rutigliano (IT)** – Committee Against Bird Slaughter (CABS)

**Ms. Malamo Korbeti (GR)** – BirdLife Greece

**Mr. Jaap Reijngoud (NL)** – EU TWIX support officer

**Ms. Staci Mc Lennan** – International Fund for Animal Welfare (IFAW)

**Mr. Wouter Langhout** – BirdLife Europe

Meeting place: NH Hotel, Utrecht, the Netherlands

## 2.0 Presentations & discussion

In the programme we pointed out three main topics:

1. Existing IMPEL projects in nature conservation and EU nature legislation.
2. Strengthening chain of enforcement, prosecution, verdicts.
3. Collaboration between organisations-learn from best practises.

After presentations a **brainstorming session** started where workshop participants discussed possible project ideas for IMPEL as well as partners and potential project leaders. At the workshop participants highlighted “**key words**” in nature conservation. You will find these keywords in chapter 2.4.

### 2.1 Existing IMPEL projects in nature conservation and EU nature legislation

1. Clarification of project scope and purpose of IMPEL activities in nature conservation  
John Visbeem and Martin Baranyai briefly informed about existing and running IMPEL projects in nature conservation in period 2013-2014:

- a) Building up IMPEL nature conservation capacities (BINCC project)
- b) Combating illegal killing, trapping and trade of birds (IKB project)
- c) Inspection and permitting under Art. 6.3 of Habitats Directive
- d) Green IMPEL Review Initiative in Romania (IRI Romania)

2. Fotios Papoulias explained the expectation of the Commission (EC), which is asking for strengthening the implementation of nature conservation legislation. Fotios highlighted the quality of work and stable communication with the IMPEL network, which have been highly appreciated by the EC at the environmental issues for more than 20 years. IMPEL projects should be focused mainly on problematic areas in the implementation of the EU nature conservation legislation, e.g. Art. 6 of Habitats Directive.
3. Alison Hoare presented Chatham house activities focused on combating illegal logging and the trade in illegal timber. Alison introduced EU Timber Regulation (EUTR) Competent Authority Survey from April 2014 and new research paper “ Methodology for Estimating Levels of Illegal Timber- and Paper-sector Imports” including estimates for China, France, Japan, the Netherlands, the UK, the US and Vietnam from November 2014 .
4. Christian Trupina informed about IRI Romania where experts from IMPEL assessed the Romanian way of implementation of EU nature conservation legislation, authorities involved in compliance controls and cooperation with stakeholders. The IMPEL team highlighted some

good practices as well as challenges which could improve effectiveness of inspections and enforcement.

5. Jaap Reijngoud in his presentation pointed out criminal cases in the biodiversity area, especially illegal killing and trade of birds and reptiles, illegal logging, poaching and illegal trade of endangered species. He introduced the EU TWIX mailing list, which is a very useful tool for enforcement officers dealing with CITES within the Europe.

## **2.2 Strengthening chain of enforcement, prosecution, verdicts**

1. Katica Bezuh introduced the point of view of inspectors who need to have in national legislation clear enforcement tools, which are very often missing in environmental laws. Katica also demonstrated complicated cases where permit in management plan for protected area includes very broad definition of duties (e.g. would be good, should be appropriate etc.), which is very hard to apply in decision making process and enforcement.
2. Rob de Rijck introduced the point of view of prosecutors. Rob was dealing in general criminal cases for 10 year and for another 12 year he has been focused on environmental cases in the Netherland, so he explained differences in approaches. The basic question he pointed out on appropriate level of sanctions, which he demonstrated on the case of illegal trade of pesticides from China to Lithuania and the case of small drug dealer. Rob briefly introduced European Network of Prosecutors for the Environment (ENPE).
3. Jan van den Berghe introduced the point of view of judges, where he presented the real case of illegal trade of protected species of birds provided by a French farmer and collecting eggs in Spanish protected areas. He pointed out examples of financial evaluation of some protected species specimen, which is necessary for criminal cases. Jan briefly introduced the network EUROJUST which is partially dealing with environmental crime, and the European Forum of Judges for the Environment (EUFJE). Jan supported idea of strengthening the collaboration between judges, policemen and inspectors.

## **2.3 Collaboration between organisations-learn form best practises**

1. Andrea Rutigliano from Committee Against Bird Slaughter (CABS) presented practical examples of cooperation between NGOs and authorities in combating illegal killing of birds by helping in the identification of poachers and collecting traps in Italy, Spain and Cyprus. Andrea demonstrated that good cooperation between NGOs and enforcement officers in reality could significantly reduce illegal activity, as he showed on the reduction of illegal bird traps in Italy. Andrea also presented activities within camps for bird protection on Malta and Cyprus. Finally he presented examples of register of illegal shooting of birds in some regions by Google Earth.



2. Malamo Korbeti from Birdlife Greece explained activities of this network in Zakynthos island focused on reducing illegal killing of doves (*Streptopelia turtur*) in migrating spring period. Doves can be hunted in Greece in autumn, but there is a strong tradition also in spring hunting which is tolerated by local authorities. NGO representatives are trying to increase awareness about this poaching with different target groups, where they are explaining negative effects of poaching on dramatic decreasing of dove population up to 70%. Birdlife representative are trying to develop constructive dialogue with hunters to change their habits.

3. Aniko Nemeth introduced the Themis Network which can act as an arm of IMPEL's activities in the South Eastern Europe region. Themis could play a role of a facilitator to help IMPEL's activities and its outcomes in the candidate and potential candidate countries of the Balkans.

The IMPEL network of expertise can provide input to future capacity building actions in the region and contribute to training programmes, manuals, etc. More details could be found at the websites <http://themis.rec.org>.

## 2.4 Keywords and ideas for IMPEL activities in nature conservation

After presentations a **brainstorming session** started where workshop participants discussed possible project ideas for IMPEL as well as partners and potential project leaders. At the workshop participants highlighted following "**key words**" in nature conservation:

Habitat Directive – art. 6.3	Communication platform
Guidance documents	Neutral ground for discussion
Integration with other policies	CITES –EU TWIX (info platform)
Political will	Mapping relevant stakeholders
To be complementary	Identification Timber Trade routes
Infringement cases	"serious crime" what should be max. sentence
Communication strategies	Real time information for emergency crime response
Economic value of biodiversity	Mapping trends in illegal activities
Compliance and addressing illegal activities	Coordination between competent authorities
Capacity building and maintaining	On-line monitoring advertisement
Asian market	Animal; cruelty
Conservation impact	Rescue centers according to seizures
Specialized units	Foot-rings for captive birds (black market)

In general terms participants introduced following **ideas for IMPEL activities** in nature conservation:

- Art. 6.3 of Habitats Directive specific areas studies - wind mills, pig farms, etc.
- Art. 6.3 of Habitats Directive - procedures for screening how to deny permits
- Permitting step-by-step approach (screening, appropriate assessment, mitigation measures, cumulative effects)
- Art. 10 of Habitats Directive coherence of Nature 2000

- Implementation and enforcement of management plans
- EUTR – mapping of domestic cases of illegal logging in MS,
- Illegal logging – EUTR best practices regarding inspection and enforcement
- Cross compliance
- Comparative study how countries deal with IKB
- Joint training of prosecutors-judges – meeting them/ manual for prosecutors – judges (impact on biodiversity)
- Electronic platform IKB – reptiles (EU Twix)
- Guidance strict conditions for derogations/ minimum criteria for inspection in Natura 2000 sites
- Mapping exercise quality of infrastructure/ quality of implementation measures
- Testing the ideas that are put on paper (guidelines) to improve interface between police-prosecutors-judges
- Collaboration between NGO's and authorities – improvement

## 3.0 Results & next steps

On Friday 28th November 2014 morning session was in 4 working groups focused on the identification and brief specification of **possible IMPEL projects in nature conservation** for the following 3 years.

### 3.1 Identified projects

After discussion participants defined following projects:

- A) EUTR project – mapping of illegal logging volume in member states and identifying of good practices inspection and enforcement of EUTR requirements. Import of timber and timber products from non-EU countries has been monitored for a long time by Chatham House experts, so it would be good to organize the back-to-back meeting.
- B) IMPEL Review Initiative in nature conservation – evaluating of inspection system in member states which is volunteering to organize the IRI. Expert team can help to identify challenges for improvement at national level. Preliminary volunteer for 2015 is Italy.
- C) IKB project 3<sup>rd</sup> phase – cooperation with other organizations and networks (WWF, Birdlife Europe etc.) to organize meetings regarding combatting illegal killing, trapping and trade of birds.
- D) Improvement of collaboration between NGOs and enforcement officers. Taking into account the reduction of budgets in a lot of authorities and the lack of inspectors in some regions it would be good to improve the communication between authorities and NGOs. Authorities could use the big potential of NGO volunteers to monitor the compliance status, identification of violations and collection of evidence for administrative or criminal sanctions.
- E) Permitting and inspection under Art. 6.3 of Habitats Directive 3<sup>rd</sup> phase – improvement of screening, improvement of the quality of permits and examples of mitigation measures.

Some workshop participants express they will to play the role of potential project leaders in specific IMPEL green project: John Visbeen (IKB), Martin Baranyai (EUTR), Andreas Antoniou (Art. 6.3 HD).

Proposals of projects will be elaborated more in detail to standard form „Terms of References“ (TOR). TORs will be discussed at the IMPEL General Assembly meeting in Rome on 11<sup>th</sup>-12<sup>th</sup> December 2014 where will be decided which of them will be accepted by IMPEL members.

### 3.2 Working group 1: Better implementation through “ears and eyes”

**Chair: Mr. Wouter Langhout** – BirdLife Europe

It is reality that there is a lack of enforcement capacity. Therefore this capacity should be used as effective as possible. Therefore, ‘eyes and ears’ in the field to provide enforcement agencies with information is very helpful. Awareness rising among the public is also important. Authorities and NGOs and communication experts have to deal with the public face. The eyes and ears from NGO’s and public could be better used. There are already very good examples, for instance the raptor camps organised by Birdlife Malta.

An IMPEL project according to this topic could develop model of the exchange of information between NGO’s/public and enforcement authorities and work on a toolkit for public input. The conditions that should be explored are the legal possibility of this exchange of information and issues according to data protection. Important issues are also the feedback given NGO’s/public after the exchange of information, but also safety conditions to reduce violation while working in the field. Also reporting to the public as part of communication strategy is a topic to explore. Part of this could be that during prosecution also explicit links to the improved exchange should be made.

Next step:

- Dissemination of IMPEL best practises with communication to the public,
- Workshop – trying to assess the usefulness and scope of exchange

### 3.3 Working group 2: Article 6.3 Habitat directive

**Chair: Mr. Jaap Reijngoud (NL)** – EU TWIX support officer

The proposal is to focus on specific sectors, for instance wind mills, pig farms. Use a step-by-step approach: screening, appropriate assessment, mitigation measures, cumulative effects. Work on 6.3 procedures for screening how to deny permits. Look to the relation with Art 10 HD coherence of Nature 2000 and Cross compliance. Guidance should contain strict conditions for derogations/ minimum criteria for inspection in natura 2000 sites. Other activities should be a mapping exercise quality of infrastructure/quality of implementation measures, to examine the implementation and enforcement of management plans and to examine the integration with other policies.

The situation is that commission made guidelines according to article 6.3 available, but there is no clear guidance from commission on screening. Also guidance exists on article 6.4; derogation (Commission). There is further need for:

- (Minimum) Criteria for issue of permits
- Addressing gabs in MS
- Best practices Mitigation measures (IMPEL)
- Quality of permit
- Information about the loss of Habitat

Next steps: Workshop Authorities that covers all mentioned below:

Step 1: Develop a questionnaire (with necessary response of MS). Find proper and enthusiastic project leader with experience (Katica Bezuh / Andreas Antonio)Portugal/Latvia.

Step 2: identify who we need: NGO's, Inspectorate and competent authorities  
Legal advisors (Consultancy)

Step 3: work on the results:

-IMPEL Guidelines how to screen and streamline procedures of EIA and others

-IMPEL (Minimum) Criteria for issue of permits Upgrading Quality of Permits

-Best practices Mitigation measures (IMPEL)

-Minimum Criteria for Inspection of Natura 2000 sites ( Andreja Slapnik offers to participate in writing guidance) )

### **3.4 Working group 3: training/information for judges, prosecutors and inspectors**

**Chair: Ms. Staci Mc Lennan** – International Fund for Animal Welfare (IFAW)

Based on the view of the participants (inspector, judge, prosecutor, experts form NGO's) the following topics were identified: creation of manual (closed foot rings, breeding in captivity, focus on identified problems (e.g. court case that was presented by Jan vd Berghe during this workshop), impact on biodiversity.

Next steps:

1st steps-preparation

- \* inventory of best practices for inspectors' file to prosecutors (Cyprus)
- \* inventory network of prosecutors (ENPE) & judges (EUROJUST)
- \* inventory if specialised inspectors/prosecutors/judges within Member States
- \* send a survey to the network to inquire about knowledge gaps
- \* determine/inquire if there are common areas where cases collapse?
- \* gather views on appropriate sanctions & if existing sharing of info &/or case results

2nd step: identify who is needed

- \* Project leader from IMPEL network
- \* use national coordinators of IMPEL to ID the networks and if specialised prosc/judges
- \* experts (eg. Jan vd Berghe/Rob de Rijck) & network coordinators
- \* consultants or academics to send out surveys, analyse responses, gather/studies on the impacts to biodiversity
- \* create a list of experts to help assess impacts to biodiversity as needed
- \* inspectors/prosecutors and judges
- \* European Commission for info on court cases

3 step: identify results

- \* workshop for target audience - develop a best practice manual that covers across the case file
- \* use the best practice manual as training modules within the prosecutors/judges, etc networks
- \* workshop focused on sanctions & impacts on biodiversity
- \* more infringements resulting in stronger sanctions & better balance between environmental cases and other criminal acts (e.g. drugs)
- \* Workshop - evaluate previous cases for motivations/lessons learned
- \* Curriculum for enforcement chain studies to include environmental crime

### **3.5 Working group 4: Web platform for the dynamic exchange of information between NGOs and authorities**

**Chair: Mr. Andrea Rutigliano (IT)** – Committee Against Bird Slaughter (CABS)

The Web platform for the dynamic exchange of information between NGOs and authorities has to be seen as multifunctional web platform:

- 1) this is meant to deal with different and separated topics, like IKB, Habitat Directive, EU TR (and remain open for other topics in the future: reptile trade?)
- 2) it is ideally two-folded: 1 - a sort of online library with uploaded documents or links to documents that participants consider relevant for each topic 2 - a dynamic push-pull platform where participants can get in contact each other and share information, report cases and provide feedbacks

Specifically we pointed out 4 sections for this webpage:

- 1) online library (links and uploaded docs)
- 2) an interactive map where logged in participants (invited to join the network) insert information related to single cases that will be shown in the map like pins\* \*\* \*\*\*
- 3) the third space is a sort of "meet up" space where logged in participants virtually find the responsible person/authority who can give an answer to a specific issue or to whom you can address a specific question or pass a specific information. Since this information in some cases can be confidential, the content of it should be not given in this space. This space can be seen like the simple list of all stakeholders interested in taking part to this network with their addresses and telephone numbers, or a mail provider that automatically sends a contact request to the correct recipient (following this list), when the person who wants to take contact specifies country and topic.
- 4) a space open to the public and visitors who can send an anonymous report or information to the network\*\*

- \* every report could be filed with a standard format (coordinates, topic, country, date, source, facts, ev. picture), in order to have this information on an excel database, which allows easy review of the collected information for further studies
- \*\* information which can be sent per smartphone thru a specific application
- \*\*\* All logged in participants should get a mail in their account when a new pin has been set on the map

Next steps:

Step 1: - select a possible list of interested participants to the network (NGOs and governmental authorities)

Step 2: - develop a TOR: main points are

a) timeline

b) cost and financing - a person should regularly control the platform, collect data and pins

c) who hosts the platform? an NGO, IMPEL, a GO? On a new website or an already existing one?

d) is there in this project an issue with data protection and privacy?\*\*\*\*

\*\*\*\* The draft has evolved from the former version to overcome this obstacle. In the map only public info is shown, what authorities and/or NGOs want to make public - because the case is solved, no investigation ongoing, etc etc. And only non sensitive data are transmitted. The other question is: where are these pins set? If the pin shows for instance a private property where an environmental crime has been committed (a yard with mist nets), are we violating any privacy issue? I asked a bit for a similar project and the answer was no, but we should consider this. Pins on google earth/Bing maps have an exact location, so we are aiming sometimes at a specific place, which might be a house or a yard. There are ways to avoid this, probably...

## Annex 1: Invitation and programme of the workshop



European Union Network for  
the Implementation and Enforcement  
of Environmental Law

**Workshop IMPELs Green Expert  
Team  
November 27th and 28th - Netherlands**

Dear all,

“We think it is important to meet!” That is what we wrote a few weeks ago. Now it is almost there, another two weeks and we are going to meet! First we would like to thank you for participation in the workshop. According to the programme we worked out the line that we presented earlier.

Our challenge is to build up an IMPEL network of experts on nature conservation and to find solutions for implementation gaps on nature conservation directives. This by sharing results and knowledge and by working on projects and executing joint inspections.

For the workshop in November we are going to discuss the following topics.

### **1. Strengthening the chain of enforcement, prosecution and verdicts.**

During a round table meeting in Brussels we pointed out missing links and recommendations. Important was the recommendation to improve the effectiveness in whole process of inspection and enforcement and to improve the effect of prosecutions and the impact of sanctions.

During the presentations in Brussels it became clear that inspections, enforcement of IKB cases and bringing cases to court is time consuming. For instance the burden of proof of evidence is heavy. During the discussion the participants concluded, even when it is possible to sanction with high penalties (money and detention), in practise the conviction for IKB crimes in average are low. Off course with all respect for the independent task of prosecutors and judges there seems to be a discrepancy between the benefits of the (IKB – poaching) crimes and the imposed sanctions.

Preliminary conclusions from the Green IRI in Romania also confirm this missing link and recommendation. It is important to be as effective as possible in the chain of enforcement, prosecution and verdict to prevent for instance recidive.

### **2. Collaboration between organisations-learn from best practises**

We were impressed by the international collaboration and enforcement action that took place on Cyprus and that was reported in an article that you can find on the IMPEL basecamp. Collaboration between NGO's and police organisation was very effective in terms of the Poachers that were caught and prosecuted, the seizures of lime sticks and electronic decoys, poles fort mist nets. See:



[http://www.ansa.it/ansamed/en/news/sections/environment/2014/09/04/cyprus-bird-protection-societies-call-for-zero-tolerance\\_b2444e02-acd3-4d91-bed0-2c63bdbc41ae.html](http://www.ansa.it/ansamed/en/news/sections/environment/2014/09/04/cyprus-bird-protection-societies-call-for-zero-tolerance_b2444e02-acd3-4d91-bed0-2c63bdbc41ae.html)

I also had the privilege to chair a workshop on enforcement during a conference according to Illegal killing of birds in Greece. I was impressed about the approach not to 'fight' but to find a way to discuss different interests and point of views according to nature conservation issues. This is a (first) step to work together on sustainable solutions and sharing responsibilities.

Off course I also want to mention the camps during migration of raptors during spring and autumn that are organised at Malta. Collaboration between NGO's and authorities is also a very important element to prevent illegal activities.

These activities contribute very much to awareness raising and we think it is important to exchange information, approaches, strategies and ideas about further activities within Member States.

### **3. Implementation gaps**

Implementation of Habitat Directive, Birds Directive and EU Timber Regulation is very important. According to article 6.3 and 6.4 from the Habitat Directive it is very important to exchange information and best practises.

Annex to this letter you will find the programme and practical information. Our challenge is that we will be able, based on the presentations, to point out ideas for projects for 2015 and further but also make appointments about the organisation of this projects for next year. For formal and IMPEL procedure matters we already proposed for projects for 2015. We will also discuss them during the workshop.

**Instruction for colleagues who are giving a presentation. Please use the following format:**

- 1-tell something from you're case/experience according to topic,**
- 2-tell what you think it is necessary for improvement,**
- 3-tell how other Member states/NGO's/ Networks of judges-prosecutors etc. can help you,**
- 4-what should be your perfect project,**

**In the programme we give direction for the time available for your presentation . If you want more direction for your presentation please let me or let Martin know. Probably some changes will be made, our challenge is to have enough time to discuss with each other in smaller groups.**

**We are looking forward to the workshop, work together and learn from your expertise. Hope to see you soon!**

**We will send you some more back ground information form the projects and TORs on Friday.**

**John Visbeen**

**Martin Baranyai**



**IMPEL Expert Team on Nature Conservation  
IMPEL National Coordinators**

## Expert Team meeting in Utrecht 27<sup>th</sup> – 28<sup>th</sup> November 2014 - updated draft agenda

Dear all,

Following our invitation letter from 30<sup>th</sup> September 2014 we would like to inform you about the preparatory work for workshop in Utrecht, where we would like to discuss the following topics:

### Programme day 1 – 27/11/2014

	Topic	Proposed speaker
09:00-09:30	Welcome and introduction, running IMPEL projects, proposed IMPEL projects	John Visbeen/Martin Baranyai/ Chris Dijkens
<b>A) Implementation challenges- IMPEL projects in nature conservation and EU nature legislation</b>		
09:30-09:45	EU most important challenges according to nature conservation directives	Fotios Papoulias (European Commission)
09:45-10:00	Chatham house activities focused on combating illegal logging and the trade in illegal timber	Alison Hoare (Chatham House)
10:00-10:25	IRI Romania	Christian Trupina (NEG Romania)
10:25-10:45	Recent examples of Wildlife crimes and illegal logging.	Jaap Reijngoud (EU-TWIX support officer)
<b>10:45 – 11:00 Coffee break</b>		
<b>B) Strengthening chain of enforcement, prosecution, verdicts</b>		
11:00-11:20	Case/Point of view inspector	Katica Bezuh -IMPEL member
11:20-11:50	Case/Point of view prosecutor	Rob de Rijk -Network from prosecutors
11:50-12:20	Case/Point of view judge	Jan vd Berghe -Network from judges
12:20-13:00	Break out in three smaller groups; define three ideas for follow-up project/activities	
<b>13:00-14:00 Lunch</b>		
<b>C) Examples of practical collaboration between organisations in nature conservation</b>		
14:00-14:30	Case Cyprus-Italy	Andrea Rutigliano/CAB
14:30-15:00	How to approach challenging stakeholders and local communities when	Malamo Korbeti (HOS/Greece)

	tackling illegal killing of birds	
15:00-15:30	IMPEL collaboration with Themis Network	Aniko Nemet (Themis)
15:30-16:15 (with coffee)	Brainstorming - Break out in three groups; define three ideas for follow-up projects/activities	3 working groups
16:15-17:00	Presentation results break-out groups + ranking projects + appointments for day II+ making groups for day 2	John/Martin

#### Programme day 2 – 28/11/2014

<b>D) Developing IMPEL project ToR proposals in nature conservation issues for 2015</b>		
9:00 – 11:00	Existing and running IMPEL projects in nature conservation a) BINCC project b) IKB project c) Inspection and permitting under Art. 6.3 of Habitats Directive Green IRI in Romania  Proposal for projects 2015, -Follow up IRI Romania, -Timber regulation, -Follow up IKB, -second IRI,  Work in 3 groups on TORs for 2015 -point out project leaders and project team members	3 working groups
11:00-12:00	Presentation of TORs	John Visbeen/Martin Baranyai
12:00-12:30	End of workshop	John Visbeen
<b>12:30-13:30 lunch</b>		

Kind regards,

John Visbeen and Martin Baranyai

## Practical information:

### Site of the meeting:

NH Hotel

Jaarbeursplein 24-Utrecht

0031 30 2977977

### FROM AMSTERDAM SCHIPHOL AIRPORT TO UTRECHT CENTRAL STATION

(The railway station is in the central hall from the airport)

- There is a train leaving for Utrecht Central Station about every 15 minutes, ticket boxes are also in the central hall. The price is about 9 euro's. Please keep your ticket. During workshop I will give you a reimbursement form for the train tickets. (travel time about 35 minutes)

When you arrive at Utrecht Central Station, the Ghotel is just about a 3 minute walk. Walk into the direction "Jaarbeurs-Beatrixgebouw". When you are outside you see NH Hotel on your left hand side.

For the ones who will arrive later on Wednesday evening 26<sup>th</sup> of November. We will have the dinner in the NH Hotel.

### Travel agent:

VCK Travel B.V.

Phone: +31 70 3705555

Fax: +31 70 3705556

E-mail: [denhaag@vcktravel.nl](mailto:denhaag@vcktravel.nl)

Website: [www.vcktravel.nl](http://www.vcktravel.nl)

Our contact person from travel agent is Marleen Nijhuis.

If there is any question don't hesitate to call me on 0031-6-18300452



## Annex 2: Roadmap towards eliminating illegal killing, trapping and trade of birds

(please download the most recent version <http://ec.europa.eu/environment/nature/conservation/wildbirds/docs/Roadmap>)

Based on various sources of information (in particular the Bern Convention Recommendation on the illegal killing<sup>23</sup>, trapping and trade of wild birds, discussions with Birdlife International, FACE, and Member States, and a study produced for the Commission<sup>4</sup>), the Commission intends to identify actions to be taken at EU or Member State level with a view to increase effectiveness in measures aimed at eliminating illegal killing, trapping, and trade of birds in the EU.

### I. Possible actions

#### I.1 Monitoring and data collection

No	Action	Body in charge	Public concerned/targeted	Details on past, current or planned activity	Timetable
1	Processing in a structured way information reported by Member States in the context of their <b>reporting</b> obligations under the Birds Directive (Art. 12, information on "threats") or any information provided under Article 10 of the Birds Directive (research activities)	Commission	Birdlife, FACE and other stakeholders		First exercise in 2014/15 after the next Art. 12 reporting
2	<b>Collection of data</b> on the nature, extent and	Birdlife, FACE and	Commission,	Example of on-going action:	On-going

<sup>2</sup>[https://wcd.coe.int/ViewDoc.jsp?Ref=T-](https://wcd.coe.int/ViewDoc.jsp?Ref=T-PVS(2011)20&Language=lanFrench&Ver=original&Site=DG4nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

[PVS\(2011\)20&Language=lanFrench&Ver=original&Site=DG4nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864](https://wcd.coe.int/ViewDoc.jsp?Ref=T-PVS(2011)20&Language=lanFrench&Ver=original&Site=DG4nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

<sup>3</sup>[http://www.coe.int/t/dg4/cultureheritage/nature/bern/default\\_fr.asp](http://www.coe.int/t/dg4/cultureheritage/nature/bern/default_fr.asp)

<sup>4</sup>BIO Intelligence Service (2011), Stocktaking of the main problems and review of national enforcement mechanisms for tackling illegal killing, trapping and trade of birds in the EU, Final report prepared for European Commission (DG Environment).

	trend of illegal activities by using the most relevant methodologies	other stakeholders	Member States	Regular monitoring reports by Birdlife CY ... An EU reporting template could be envisaged	
3	Monitoring and follow-up of <b>derogations</b> granted by Member States, in particular by insisting on quality and timeliness of MS reporting obligations (Art. 9 of the Birds Directive)	Commission	Stakeholders		On-going

**I.2 Information exchange, training and awareness-raising**

No	Action	Body in charge	Public concerned/targeted	Details on past, current or planned activity	Timetable
4	<b>Uptake of IMPEL</b> in the on-going initiative on illegal killing	Commission	<i>Artikel I.</i> IMP EL (EU Network for Implementation and Enforcement of Environmental Law)	<ul style="list-style-type: none"> <li>- Identification of enforcement authorities</li> <li>- Exchange of best practice and mutual experience</li> <li>- Establishment of a task force dedicated to illegal poisoning of birds and another to trapping of passerines</li> </ul>	End 2013: Report to the IMPEL General Assembly
5	Support to <b>training for judges</b> , prosecutors or enforcement officials and disseminate training material	Commission, Member States with support of Birdlife, FACE...	National judges, prosecutors, enforcement officials	EC's seminar in Bucharest, Brussels and Budapest in 2012 (with the support of EIPA), training module produced by EIPA, further seminars organized by Member States at regional/national level	Seminars: 4-6/07/2012 22-24/10/2012 21-22/11/2012
6	<b>Information on good practices</b>	Commission,	Member States,	At Commission level (on-	Commission study

		Birdlife, FACE and other stakeholders	Sectors or group of persons possibly involved in illegal activities	going action): Identification of existing agricultural measures within the Common Agricultural Policy (rural development programmes, cross-compliance under the 1 <sup>st</sup> pillar of the CAP) or measures that have been piloted in LIFE projects that can contribute to reducing illegal activities.	due by end 2012
7	Addition of a page to the EC's Nature and Biodiversity <b>website</b> on implementation of the Birds and Habitats Directives	Commission	Large public		On-going
8	<b>Information</b> of national associations of the <b>on-going initiative</b>	Birdlife, FACE and other stakeholders	National/regional associations	Improving the promotion of the implementation at national level of the 2004 agreement between Birdlife and FACE <sup>5</sup> and setting up joint communication	
9	Organization of <b>targeted communication campaigns</b> aimed at addressing well identified and acute cases. Information of the Commission on such campaigns.	Birdlife, FACE, other stakeholders, Member States	Large public, targeted groups...		
10	Identify and support mechanisms to improve <b>understanding of national or regional hunting legislation</b>	Member State authorities, appropriate national	Stakeholders	Improved inter-service communication between competent authorities and	

<sup>5</sup> [http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/docs/agreement\\_en.pdf](http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/docs/agreement_en.pdf)



		hunting organisations		resources for awareness campaigns	
--	--	-----------------------	--	-----------------------------------	--

**I.3 Enforcement and legal aspects**

No	Action	Body in charge	Public concerned/targeted	Details on past, current or planned activity	Timetable
11	Assessment of the transposition and implementation of the <b>Environmental Crime Directive</b> (Directive 2008/99/EC), including its aspects related to the killing of specimens of protected wild fauna or flora species and their trading.	Commission	Member States		
12	Extension of the scope of the <b>EU-TWIX<sup>6</sup> system</b> to better cover illegal trade of EU bird species.	Commission	Enforcement officials (custom agents, etc...)	EU-TWIX is an internet tool to facilitate information exchange on illegal wildlife trade in the EU	Action to be undertaken in 2013, 2014 and 2015
13	Updating the <b>EU CITES enforcement Group</b> about the present initiative and identifying key areas of overlap/co-operation	Commission	National officials in charge of CITES (trade with non-EU countries as well as within EU)	Presentation at the EU CITES enforcement Group by the EC	
14a	Identification of <b>legal loopholes</b> that affect the implementation and enforcement of bird protection measures	Commission, stakeholders	Member States		
14b	<b>Legislation clarification</b> or improvement when a loophole has been clearly identified	Member States		e.g.: setting deterrent fines	
15	<b>Addressing specific problems</b> as much as possible in <b>collaboration</b> with NGOs,	Member States, Birdlife, FACE and		If needed, development of a national plan to fight illegal	

<sup>6</sup> <http://www.eutwix.org/Fr/Default.aspx>

	stakeholders, and, if appropriate, other countries concerned.	other stakeholders		killing, trapping and trade of birds	
16	Communication on best practises in terms of the effectiveness of the " <b>enforcement chain</b> " and of transboundary communication	Member States	Member States	Best practices in terms of 1) communication and co-operation between law enforcement and legal actors involved (control officers, prosecutors and judges), 2) communication between Member States in case of transboundary problems	
17	Opening a <b>legal procedure</b> when a clear breach of the Birds Directive or a characterized failure of enforcement measures has been identified	Commission	Member States		On-going

#### I.4 Prevention

	Action	Body in charge	Public concerned/targeted	Details on past, current or planned activity	Timetable
18	Promoting <b>good use of derogations</b> to prevent damage when alternative solutions are not satisfactory (Art. 9.1.a. of the Birds Directive)	Member States, Birdlife, FACE and other stakeholders	Stakeholders	In collaboration with stakeholders On-going action: EC's Guidance document on Cormorant.	
19	Promotion of <b>alternative activities</b> likely to divert people from illegal ones	Member States, Birdlife, FACE and other stakeholders	Citizens, sectors or group of persons possibly involved in illegal activities		
20	Adoption as far as possible of a <b>clear and stable legal framework</b> for derogations under Art. 9.1.c. of the Birds Directive	Member States	Stakeholders		

21	Promoting application of <b>cross-compliance</b> under CAP for Illegal Killing of Birds	Member States	Stakeholders	Inserting conditions regarding illegal practices (killing or trapping) in cross-compliance	
----	---	---------------	--------------	--	--

## II. Background information

### II.1 The Birds Directive, still a lack of enforcement

The Birds Directive (2009/147/EC) establishes a general system of protection for all species of birds naturally occurring in the wild state in the European Union. "*The Directive covers the protection, management and control of these species and lays down rules for their exploitation It shall apply to birds, their eggs, nests and habitats*" (Article 1). Under the Environmental Crime Directive (2008/99/EC<sup>7</sup>), intentional and unlawful killing, destruction, possession or taking of specimens of protected wild fauna or flora species constitutes a criminal offence for which Member States are required to provide for criminal penalties in their national legislations.

Although the Birds Directive is more than 30 years old, illegal activities such as illegal killing, trapping or trade of birds still occur and are one of the threats hindering the achievements of the objectives of the Birds Directive and the first target<sup>8</sup> of the Biodiversity Strategy of the EU. Although illegal killing of birds is not, as a whole, the most significant threat to birds, it can have a very negative impact on bird populations in some specific situations (specific species or regions). For more than 20 years this issue has been an Open File at the annual meeting of the Standing Committee of the Bern convention<sup>9</sup>, and the Commission regularly receives complaints concerning illegal killing, trapping or trade of birds in the European Union (e.g. poisoning of birds of prey in Eastern Europe, illegal trapping of passerines in Southern Europe, killing of protected species, restaurants serving trapped birds as delicacies, illegal imports, egg picking ...).

<sup>7</sup> OJ C 10, 15.1.2008, p. 47

<sup>8</sup> The first target of the EU Biodiversity Strategy is about Conserving and Restoring Nature.

<sup>9</sup> [http://www.coe.int/t/dg4/cultureheritage/nature/bern/default\\_fr.asp](http://www.coe.int/t/dg4/cultureheritage/nature/bern/default_fr.asp)

Ensuring the respect of all bird conservation legislation, in particular through proper law enforcement but also by education and awareness raising initiatives, is one out of the 10 points on which Birdlife and FACE have agreed in 2004.

The Commission adopted a Communication on implementation<sup>10</sup> ("Improving the delivery of benefits from EU environment measures: building confidence through better knowledge and responsiveness" – COM(2012)95) on 07/03/2012. This communication is intended to help prepare the way for the 7<sup>th</sup> Environmental Programme and indicates an intention by the Commission to explore several options for improving implementation which are relevant to the present Road Map, including the following: 1) upgrading current EU provisions on inspection and surveillance 2) adopting criteria for complaint-handling at Member State level (including complaints consisting of information about criminal offences) and 3) improved conditions for access to justice.

Although law enforcement of bird protection regulations is primarily a competence of Member States, this issue has an international dimension (migratory species, international trade...) which justifies EU action. Therefore the Commission has decided to collaborate with the Secretariat of the Bern Convention, Birdlife International and the Federation of Associations for Hunting and Conservation in the EU (FACE) and participated in the international conference organized by the Bern Convention Secretariat on 6-8/07/2011 in Cyprus. The Recommendation n°155 (2011) of the Standing Committee on the illegal killing, trapping and trade of wild birds was adopted by the contracting parties of the Bern Convention on 02/12/2011.

In view of the Conference Birdlife consulted its partners and produced an assessment of the situation in the EU as regards illegal killing of birds. The Bern Convention assessed the extent of the problem among contracting parties. The Commission also launched a study contract to collect Member States' views on the issue, to better assess the scale of the problem and to suggest recommendations for action.

Finally a resolution on "Minimizing the risk of poisoning for migratory birds" was adopted at the latest Conference of the Parties (COP10 – 20-25/11/2011) of the Convention of Migratory Species<sup>11</sup>.

---

<sup>10</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0095:FIN:EN:PDF>

<sup>11</sup> [http://www.cms.int/bodies/COP/cop10/resolutions\\_adopted/10\\_26\\_poisoning\\_e.pdf](http://www.cms.int/bodies/COP/cop10/resolutions_adopted/10_26_poisoning_e.pdf)

## II.2 Categories of illegal activities

The Commission's consultant produced an overview of illegal practises reported by Member States. Some practises are still widespread throughout Member States whereas others are only reported in few Member States. The most widely reported illegal activities which deserve serious attention are the following:

The following groups of illegal activities are the three most often reported by Member States:

- **Intentional poisoning of raptors or predators** (corvids and mammals).
- **Illegal killing of protected species** (shooting, trapping, nest destruction): This type of activity concerns so called pest species (Cormorant, Heron, Gulls ...) or other protected species, e.g. for trophy or taxidermy.
- **Trapping of protected "small species"** (mostly passerines): Illegal trapping of passerines is practised in some Member States either for cage birds or for food.

Other activities are less common but still reported in more than four Member States:

- **Accidental poisoning** due to the use of illegal products.
- **Stealing eggs or chicks**: The reasons behind such practise may be demand for birds for falconry or trade but also fears that the presence of some bird species will not allow some developments
- **Illegal trade of protected species.**
- **Shooting game species in close period** (waterfowl, quail,...) or use of illegal methods to capture game species.

## II.3 Types of measures taken at Member State level

The study produced for the Commission and other sources of information allowed the collection of a list of measures experienced throughout Member States. The most relevant ones are presented hereunder.

### **Information exchange, training and awareness-raising**

- Awareness raising campaign on illegal use of poison: joint communication and collaboration of hunting associations, NGOs, veterinarians... aimed at detecting, reporting and elucidating poisoning incidents. Joint press releases were issued.
- Training of custom officers or enforcement officers
- Training dogs to detect poison baits
- Trans-boundary expertise sharing among police forces

**Enforcement and Legal aspects**

- Prohibition to detain trapping material in Belgium
- Administrative fines
- Specialized prosecutors
- Legal responsibility of landowners as regards offences committed by their employees
- Deterrent sanctions
- Specialized wildlife crime unit within the police force with established work priorities
- Shift of the burden of proof

**Monitoring and data collection**

- Collection of identified cases in a specific database
- Possibility for citizens to report illegal activities

**Prevention**

- Compensation for agricultural damage to reindeer herders based on the number of nesting pairs in their herding areas
- Dedicated LIFE program to address poisoning problems
- Efficient scheme to compensate for damage
- Development of alternative sources of income such as nature tourism

**Co-ordination**

- Setting up a special task force or communication platform involving all concerned actors (authorities, NGOs, hunting organisations...) aimed at addressing a specific problem
- Joint declaration of all concerned actors against illegal raptor persecution
- Co-ordinated production of documents raising awareness
- Co-operation between NGOs and police forces

## Annex 3 Terms of References IKB 2014

### Terms Of Reference (TOR) for an IMPEL project

*Notes: Please read the supporting notes before filling in each section indicated with an \*.  
This is a smart document, to move to the next section press the tab key*

#### 1. Project title & version control

<b>1.1 Name of project Eliminating Illegal killing of birds II</b>			
Eliminating Illegal killing of birds			
<b>1.2 Abbreviated project name (where deemed required)</b>			
IMPEL IKB			
<b>1.3 Version Control (enter current version number of TOR &amp; date eg. V1 03/03/13)</b>			V1 04/10/2013
<b>1.4 Where was this TOR amended to current version (eg Spring cluster 2013)?</b>			
<b>1.5 How many years do you foresee this project lasting?</b>			2 years
<b>1.6 Current year of project?</b>	2014	<b>1.7 Approved at which G.A?</b>	Vilnius/ December 2013

#### 2. Outline business case (why this project?)

<b>2.1 Legislative driver(s) (name the Directive, Regulation etc)</b>	
Birds directive, Habitat Directive	
<b>2.2 Link to MASP priority work areas (indicate which of the following apply)</b>	
Assist members to implement new legislation.	
Build capacities in member organisations including through the IMPEL review initiatives.	Yes , but exploring this for the green enforcement aerea
Work on trans-frontier shipment of waste.	

Work on 'problem' areas of implementation identified by IMPEL and the European Commission.	Bird directive, Habitat directive
<b>2.3 Description of the project (include reasons why the project is needed)</b>	
<p>Halting and reversing the loss of biodiversity by 2020 is a priority within the European Union. The implementation of EU Nature legislation (the Birds and Habitat Directives) is essential to achieve the EU 2020 biodiversity target. However, implementation and enforcement need to be improved. A relatively high number of complaints and infringement procedures related to these nature Directives reach the EC every year. There is a lot of work to be done if we want to reach the goals for 2020: only 17% of species and habitat assessments indicate a favourable conservation status. We need to strengthen the inspection and enforcement on this item and to do so it is necessary to join forces with other Nature networks in Europe. IMPEL is willing to combine the effort of all these networks and use its experience in inspection and enforcement.</p>	
<b>2.4 Desired outcome of the project (what do you want to achieve?)</b>	
Capacity building, awareness raising, extend the network, strengthen collaboration with EU network from prosecutors and judges	
<b>2.5 Which Cluster will review this TOR (I or TFS)?</b>	Cluster I

### 3. Structure of the project

<b>3.1 Describe the activities of the project (What are you going to do?)</b>
<ol style="list-style-type: none"> <li>1. Awareness raising: <b>Collaboration with EU network of prosecutors,</b></li> <li>2. Extend network, share expertise, and developing tool: <b>Expertmeeting + draaiboekje (after example TFS waste book)</b></li> <li>3. Develop tool and exchange of information: <b>Format on sharing information about illegal activities between memberstates</b></li> <li>4. Collegial support: <b>Impel Review Initiative focussed on implementation and execution green legislation Romania, (t.b.c.) ,</b></li> <li>5. Improve implementation: <b>Recommendations on ringing birds,</b></li> </ol>
<b>3.2 Describe the products of the project (What are you going to produce?)</b>
<p>Ad 1. Agenda and Preparation document, meeting between delegations, minutes with recommendations for follow up, Topics for meeting: discussion about the need minimum and maximum rates for fines, possibility of harmonizing burden of proof, etc.</p> <p>Ad 2. Questionnaire, inventory of existing guidelines, programme expert meeting, expert meeting, overview with guidelines, basecamp filled with information, draaiboekje,</p> <p>Ad 3. Format for sharing information about illegal activities between member states,</p>



Ad 4. Preparation document IRI - execution IRI- report with recommendations,  
Ad 5. Recommendation for MS on legislation/prescriptions for ringing of birds

### **3.3 Describe the milestones of this project (How will you know you are on track to complete the project on time?)**

#### **Januari 2014:**

1: meeting with delegation from IMPEL, Network of Prosecutors, Network of Judges,  
2: project team meeting (back-to-back –after meeting with network Prosecutors, - Judges) to discuss:  
-results meeting with networks,  
-preparation for IRI,  
-adoption programme expertmeeting,  
-adoption opdracht voor draaiboekje,  
-adoption of questionnaire,  
-adoption format for exchange information about illegal activities,  
-adopt recommendations for ringing birds for MS

#### **Februari 2014:**

3: Send recommendation on ringing to MS/EC,  
4: Send out en instruction for use of format for exchange information on illegal activities,  
5: Send out questionnaire to make inventory of existing guidelines,  
6: Tender voor draaiboekje,

#### **March 2014:**

5: preparation meeting in country that volunteers for IRI,

#### **June 2014**

6: IRI Romania, (t.b.c.)

#### **June- September 2014:**

7: IRI report,

#### **September 2014**

8: expert meeting organised in country were IRI will take place??? Romania (t.b.c.),

#### **2015:**

**IRI Macedonia (t.b.c.)**

#### 4. Organisation of the project

<b>4.1 Lead (Who will lead the project: name, organisation &amp; country)</b>
John Visbeen, The Netherlands Joseph van der Steegen, EC/DG ENV section nature.
<b>4.2 Project team (Who will take part: name, organisation &amp; country)</b>
John Visbeen (Netherlands) H1 Martin Baranyai (Czech republic) T1, H1 Joseph van der Steegen, (EC/DG Env.- Nature dep.) Panicos Panayides, (Cyprus) T1, H1, (Portugal) T1, H1 Manuela Florean (Romania) T1, H1 Ivana D'Allesandro (Bern Convention) T1, H1 Willem van den Bossche (Birdlife) Cy Griffin (FACE) Darko Blinkov/Cecile Claude Monnier (Themis Network) T1, H1 Jaap Reijngoud (EU TWIX) H1
<b>4.3 Other IMPEL participants (name, organisation &amp; country)</b>
Expert meeting: 2 participants from 20 MS  IRI-team: Stanley Gatt (Ma), Darko Blinkov (Macedonia)
<b>4.4 Other non-IMPEL participants (name, organisation &amp; country)</b>
Ivana D'Allesandro (Bern Convention) Willem van den Bossche (Birdlife) Cy Griffin (FACE)

#### 5. High level project budget projection over life of project

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Year eg.2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>		
<b>How much money do you require from IMPEL?</b>	45.065	8000	8000		
<b>How much money is to be co-financed?</b>	5.000				
<b>Total cost</b>	<b>50.065</b>	<b>8000</b>	<b>8000</b>		

**6. Detailed cost of the project during 1<sup>st</sup> year (subsequent years see annex1)**

<b>6.1 Meeting costs</b>	<b>Event 1</b>		<b>Event 2</b>		<b>Event 3</b>	
	<i>Name meeting of networks back to back with workshop</i>		<i>Name projectteammeeting</i>		<i>Name Prepremeeting IRI</i>	
	<i>Month Januari</i>		<i>Month Januari</i>		<i>Month March</i>	
	<i>Country Belgium Brussels- House of Dutch Provinces</i>		<i>Country Belgium Brussels-House of Dutch Provinces</i>		<i>Country Voluntary</i>	
	€	No.	€	No.	€	No.
Total numbers of participants		9		11		2
Travel costs/numbers	2400	6 <sup>12</sup>	2400	6	800	2
Catering costs/numbers	175	9	550 (2 times)	11	100 (2 times)	2
Hotel costs/number	540	6	1440 (2 nights)	8	360 (2 nights)	2
Total costs	3115	See note 1	4390		1260	
<b>6.1 Meeting costs continued</b>	<b>Event 4</b>		<b>Event 5</b>		<b>Event 6</b>	
	<i>Name IRI</i>		<i>Name Expertmeeting</i>		<i>Name</i>	
	<i>Month June</i>		<i>Month September</i>		<i>Month</i>	
	<i>Country Voluntary</i>		<i>Country Voluntary</i>		<i>Country</i>	
	€	No.	€	No.	€	No.
Total numbers of participants		5				
Travel costs/numbers	2000	5	16000	40		
Catering costs/numbers	750 (3 times)	10	2000 (2 times)	40		
Hotel costs/number	1350 (3 nights)	5	7200 (2 nights)	40		
Total costs	4100		25200			
<b>6.2 If you use a consultant what is the total cost?</b>				10.000		
<b>6.3 What is the total amount of any other costs?</b>				Meeting venue expertmeeting: 2000		
<b>6.4 Where a consultant is used what will they do?</b>						

<sup>12</sup> 3 travels for 3 prosecutors and 3 judges if there is no budget in their own network facilities

Making of format for draaiboekje, take care of first edition, preparation expert meeting, make documentation expert meeting available for green force inspectors,

#### **6.5 Where there are other costs what will they be spent on?**

2000 euro's is taken into account if hosting country don't have meeting rooms available and we have to pay for them

#### **6.6 Where money is co-financed detail which organisation(s) will provide the money?**

Dutch provinces: 5000

#### **6.7 Where money is co-financed describe how that money will be spent?**

Part of contribution to draaiboekje

### **7. Communication & follow-up (ensuring value for money)**

#### **7.1 How will you communicate the outputs of the project?**

- basecamp,
- IMPEL website,
- publish article about project, also within networks like Birdlife, Face, Bern Convention, EU TWIX, Interpol,

#### **7.2 Who will you communicate the outputs of the project to?**

- Member states,
- IMPEL,
- European Commission,
- NGO's like Birdlife, Face, Bern Convention, EU TWIX, Interpol,

#### **7.3 What follow-up will you undertake to ensure the outputs of the project are embedded? (Include how & when you intend to carryout the follow-up)**

- appointments about follow up recommendations IRI,
- Appointments how to make information from expert meeting available for green force inspectors, within member states,

### **8. Review & approval**

#### **8.1 Which cluster meeting(s) will you discuss the project? (Include what you plan to discuss eg. progress reports and/or draft documents)?**

Cluster 1:

- reporting activities in 2013: (A) project plan, (B) minutes of first round table meeting in Brussels, (C) minutes of workshop in Malta,

- Terms of Reference Eliminating Illegal Killing of Birds 2014

#### **8.2 Which General assembly will you seek to get final approval by?**

Vilnius: December 2014

## Supporting Notes for completing an IMPEL project Terms of Reference



### Tab key

#### 3. Structure of the project

Please state what activities will be undertaken to achieve the objectives stated in 2.6. and what the products will be resulting from these activities.

For milestones, a GANT chart would be welcome but the main thing is to describe when the following actions will be carried out: 1) Approval is expected to be given, 2) the start of the project, 3) when communications actions and the dissemination of results will be carried out, 4) project milestones, 5) the products will be finished and can be circulated, 6) which General Assembly the project report will be presented to.

#### 5. Quality review

Please state who will check the quality of the project work and when e.g. IMPEL Cluster, a consultant...

#### 6. Communications

For 'Dissemination of results', the questions to be considered are:

- Will the report be posted on the IMPEL Website?
- Are you going to write a News item for the IMPEL website?
- Are you going to send the results to the Commission desk officer concerned?
- Are you going to write a press article for media in your country?
- Are you going to write a press article for media in Brussels/European wide media or environmental trade bodies?
- Are you going to send the results to each target group identified in 3.6? If not, why not?

For 'Main target groups', some examples include:

- Are the European Commission involved e.g. as a workshop or conference participant or as a core team observer? If not, why not?
- Expert Working Groups e.g. European IPPC Bureau in Seville
- Networks e.g. Interpol, REACH forum, Basel Convention, European Chemicals Agency (ECHA), INECE...
- Non Governmental Organisations (business and environmental) e.g. Business Europe, European Environmental Bureau, WWF...
- European Parliament Environment Committee e.g. specific MEPs interested in an issue, Chair and Vice Chairs of ENVI, rapporteurs on specific legislative dossiers
- Economic and Social Committee
- Committee of the Regions
- Domestic national, regional and local government

Please state which are relevant AND add to the list where appropriate.

### 7. Resources required:

**Note: it would be helpful if for this item an excel sheet template (using these exact headings) would be provided!**

- This matrix is for one year only. If your project is taking place over more than one year, please fill in another for each year your project is taking place
- Accommodation per person, per night should be priced at a maximum of € 125
- Travel should be priced at a maximum of € 500 per person for a return journey
- Under 'Human Resources', please consider how many days commitment this project will require from: a) the project manager, b) the project team members and, c) participants at workshops, seminars etc.

To understand IMPEL's financing mechanism, it is important to consider the following:

- IMPEL is financed partly through its Members and partly through the EU-Commission's share of the LIFE+ fund. The applicable budgetary rules for this kind of Commission's financing differ to some extent from the budgetary rules applicable for LIFE+ project funding in the EU Member States. For example, Member State's human resources put into a project cannot be accounted for in monetary terms.
- IMPEL Members have to pay at least 30% of the overall IMPEL-budget (minimum!), the Commission may then pay 70% of this overall budget (maximum!)  
Therefore, the size of the Commission's payment is limited through the size of the IMPEL Member's payment. For every 3 Euros a Member pays into the IMPEL budget, the Commission may pay 7 Euros to IMPEL. As a rule, if Members pay more into the IMPEL budget, the Commission will pay more to IMPEL as well.
- Only direct payments of IMPEL Members into the IMPEL-budget are recognised by the Commission's financial rules as "payment of a Member towards IMPEL". Neither in-kind -contributions like rooms, meals, human resources NOR PAYMENTS of a Member which are paid DIRECTLY INTO A PROJECT are counted as part of the IMPEL Member's share of 30%.