

CITES and wildlife trade

The scale of international trade in wild plant and animal species increased dramatically in the latter part of the 20th century. As a result, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was negotiated, and entered into force on 1st July 1975, to regulate international trade in animals and plants, and their commercial derivatives.

The international trade in wildlife is dominated by the huge demand for pets and ornamental plants. In addition large quantities of fur, skins and timber are traded, along with articles manufactured from these materials. It is a highly lucrative business, estimated at between US\$5 billion and \$8 billion annually, and involves more than 350 million plants and animals every year.

Approximately half a million (legal) trade records are reported to CITES each year of which a substantial proportion refer to the European Union. From 1990–94, the EU imported 1,500 wild cats, 40,068 live primates and 808,896 live parrots, making up 44%, 27% and 44% of the total recorded in world trade, respectively. There is also a significant illegal trade to EU countries in live wildlife such as exotic reptiles, native birds of prey and rare parrots, and also in wildlife products, such as reptile skins, wool and fabric from wild mammals, foodstuffs, traditional medicines and ornaments. Some 30,000 CITES-listed plants and animals were seized whilst illegally entering just one country (UK) in a single year.

What is CITES?

CITES establishes the necessary international legal framework for the effective prevention or regulation of trade through national laws. The Convention regulates international trade in specimens of wild plant and animal species, and their products, through a system of permits and certificates, which can be issued to authorise shipment if certain conditions are met. These have to be presented before consignments of specimens are allowed to leave or enter a country. The species subject to different regulations are listed in three appendices:

- **Appendix I** includes species threatened with extinction, for which trade must be subject to particularly strict regulation, and only authorised in exceptional circumstances. Examples are: (mammals) the great apes, many monkeys, tigers, spotted cats, giant panda, elephants, rhinoceroses, addax, giant sable and Tibetan antelopes; (birds) numerous birds of prey, cranes, parrots and pheasants; (reptiles) sea turtles, many species of crocodiles, tortoises and snakes; (fish) the coelacanth; sturgeons; (molluscs) some mussels; (plants) some cacti and orchids, Brazilian rosewood.
- **Appendix II** species are not necessarily now threatened with extinction but may become so unless trade is strictly regulated.

CITES regulations for export and import of plants and animals

An **export** permit for an Appendix I species shall only be granted where:

- a Scientific Authority of the State of Export has advised that such export will not be detrimental to the survival of that species;
- a Management Authority of the State of Export (MASE) is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora;
- a MASE is satisfied that any living specimen will be so prepared and shipped as to minimise the risk of injury, damage to health or cruel treatment;
- a MASE is satisfied that an import permit has been granted for the specimen.

An **import** permit for an Appendix I species shall only be granted where:

- a Scientific Authority of the State of Import (SASI) has advised that the import will be for purposes that are not detrimental to the survival of the species involved;
- a SASI is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it;
- a Management Authority for the State of Import (MASI) is satisfied that the specimen is not to be used for non-commercial or primarily non-commercial purposes.

For export of an Appendix II species, the same conditions a), b) & c) for issuing an export permit for an Appendix I species also apply. Import of an Appendix II species requires the prior presentation of either an export permit or re-export certificate. Similar regulations apply to the export and import of an Appendix III species.

These are jaguar skins which have been seized by patrol guards in the Pantanal, Brazil. Having local people working as guards is a particularly effective way of enforcing regulations and restrictions.



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Appendix II further contains so-called look-alike species, which are controlled because of their similarity in appearance to the other regulated species. Species listed in Appendix II include all those primates, cats, otters, dolphins, birds of prey, parrots, crocodiles and orchids not listed in Appendix I. Also included are other species, such as some fur seals, birds of paradise, tarantulas, some snails, birdwing butterflies, giant clams, all black and stony corals, carnivorous plants, and some tree species, such as Himalayan Yew and African Stinkwood.

- **Appendix III** species are those which any Party identifies as being subject to regulation within its own jurisdiction, and for which the cooperation of other Parties is needed to prevent or restrict their exploitation. Many bird species have been included in this Appendix by Ghana, Malaysia and several other countries. Other examples are several gazelle species from north African countries and the American mahogany from Costa Rica.

Full lists of the 30,000 or more species (of which 20,000 are plants) in these Appendices are given on the CITES web site (<http://www.cites.org>). The export and import of specimens listed in the Appendices are subject to CITES regulations, and a brief outline of the regulations is given here.

The control of illegal trade depends on strict verification of the above permits and certificates. For its enforcement, CITES relies entirely upon the adoption of appropriate legislation in each adhering country. Parties to the Convention are urged to adopt national legislation regulating or prohibiting international trade in an agreed list of species, their body parts and derivatives (e.g. tigers, tiger skins and tiger-bone medicines). The Conference of the Parties (COP) has recommended that management authorities coordinate with governmental agencies responsible for enforcement of CITES, including customs and police, by arranging training activities and joint meetings, and establishing inter-agency committees at national level. The COP has also recommended that the Parties promote incentives to secure the support and cooperation of local and rural communities in managing wildlife resources and thereby combating illegal trade, and that they consider forming specialised wildlife enforcement teams.



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The protection of African elephants under CITES (1989) prompted a long debate. Monitoring systems have now been set up in an effort to obtain accurate information on which to base trade decisions.

Procedures and legal requirements

As of January 2001, 152 countries had signed the treaty, making it one of the world's largest conservation agreements. In Europe, 37 countries are now signatories to CITES including all EU Member States except one. Each country must designate a Management Authority to issue permits for trade in species listed in the CITES Appendices. Member countries must also designate a Scientific Authority to provide scientific advice on imports and exports.

Abuses of the CITES trade measures have been detected in the past. These have included forgery of documentation and issuing re-export certificates for smuggled specimens. Much emphasis in CITES meetings has been placed on strengthening enforcement, and CITES' sister organisation, TRAFFIC (Trade Records Analysis of Flora and Fauna in Commerce), cooperates closely with national enforcement authorities and the Secretariat. INTERPOL has recently established a sub-committee on wildlife crimes.

How CITES functions

The Secretariat is located in Geneva, Switzerland, where it oversees implementation of the Convention on a global level. It organises the meetings of the COP, held approximately every two and a half years, to enable the Parties to discuss implementation issues and review and amend Appendices.

CITES has a very specific mandate which enables it to operate quite independently of other organisations. In practice, the importance of cooperating with other bodies is recognised by the Parties, and contacts between CITES and the Convention on Biological Diversity have explored possible synergies between the two Conventions. Equally, it is recognised that there are specific areas where the respective rights and obligations under CITES and the General Agreement on Tariffs and Trade (GATT) may give rise to questions of interpretation. It has been pointed out that CITES reflects the views of the international community, and that its provisions are more specific than any relevant provision of GATT. As a practical matter, CITES has been ratified by most World Trade Organization (WTO) members, and no challenge to any of its provisions has been raised directly in GATT/WTO dispute settlement proceedings.

Current issues and debates

CITES is considered to have been effective in conserving some species but not others. The decline of many species, in spite of their endangered status and Appendix I listing, is on-going because of continuing strong demand for parts and derivatives from long-standing and culturally-driven markets. In traditional Chinese medicine, for example, nearly every part of the tiger has had a medicinal use over the past 1,000 years.

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One of the fundamental policy questions facing CITES concerns the issue of sustainable use. Its principal objective is, and has always been, to make sure that international trade does not lead any species to extinction. However in 1992, the COP recognised that commercial trade may be beneficial to the conservation of species when well-regulated and effective management keeps this at sustainable levels. Illegal trade in the larger alligator and crocodilian skins has all but disappeared thanks to innovative measures of ranching and tagging. Similarly, commercial harvesting of its fleece has assisted recovery of the vicuña.

One of the most fiercely fought-over trade issues at CITES has been over the lifting of the ivory ban. The African elephant was added to Appendix II in 1977 and to Appendix I in 1989, but only after a prolonged debate. At the 1997 CITES conference in Harare, the elephants of Botswana, Namibia and Zimbabwe were removed from Appendix 1, but with stringent conditions. Following the meeting, two long-term systems for monitoring were designed: MIKE (Monitoring Illegal Killing of Elephants) and ETIS (Elephant Trade Information System). At the April 2000 CITES meeting in Gigiri (Kenya), the decision was made to defer any further decisions about the elephant and ivory trade until information from monitoring is sufficient to inform further debate.

Issues that have arisen in the debate surrounding the ivory ban are likely to occur in connection with other species at future CITES meetings, and many more questions concerning the promotion of biological diversity through economic use will arise. One of the main challenges for CITES and its Parties, therefore, is to find a proper balance between the sustainable use principle and the precautionary principle (see BB16).

In this context, two important issues require careful management. First, to ensure that there is full representation of all Parties in debates and decision-making; from a development perspective this would ideally incorporate the opinions of rural communities. And second, to ensure that attention does not become focused on only a few, headline species.



Further information

- CITES <http://www.cites.org>
- IUCN Species Survival Commission 1996. CITES: A Conservation Tool – A Guide to Amending the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Fifth Edition.
- TRAFFIC <http://www.traffic.org>
- Wijnstekers, W. 2000. *The Evolution of CITES*. CITES Secretariat, Chatelaine-Geneva, Switzerland.
- reference to other Biodiversity Briefs is denoted as (see BB#).

Website

All Biodiversity Development Project (BDP) documents can be found on the website: <http://europa.eu.int/comm/development/sector/environment>