



U.S. FISH & WILDLIFE SERVICE
INTERNATIONAL AFFAIRS

CITES Permitting & International Trade



Atlantic Highly Migratory Species Advisory Panel
September 4, 2024



50+ years of CITES

The CITES text was agreed at a meeting in Washington, D.C. on March 3, 1973, and the Convention entered into force on July 1, 1975.

Currently, there are 184 Parties (183 countries and the European Union) to CITES.

CITES is the only treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.



What does CITES do?

CITES regulates the export, re-export, and import, and introduction from the sea, of live and dead animals and plants, and their parts and derivatives, of species included in its Appendices (Appendix I, II, or III).

It regulates international trade using a system of permits and certificates that:

- are only issued if certain conditions are met.
- must be presented when leaving and entering a country.





How does CITES work?



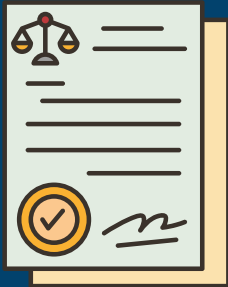
Each CITES Party must:

- designate at least one Management Authority and one Scientific Authority;
 - prohibit trade in specimens in violation of the Convention;
 - penalize such trade; and
 - confiscate specimens illegally traded or possessed.
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- In the United States, the Secretary of the Interior is designated as the implementing authority under the Endangered Species Act (ESA).
 - ESA establishes a Management Authority and Scientific Authority; both located within U.S. Fish and Wildlife Service International Affairs (IA) Program.



Roles of the Management Authority and Scientific Authority

The Management Authority:



- Grants permits and certificates under the terms of the Convention
- Communicates with the CITES Secretariat and other Parties

The Scientific Authority:



- Advises the Management Authority on:
 - whether export of specimens would be detrimental to the survival of the species in the wild
 - other scientific matters

Working together, the Management and Scientific Authorities prevent species from becoming endangered or extinct because of international trade



Implementing Regulations (<https://www.ecfr.gov/>)

- a. Bald and Golden Eagle Protection Act (16 U.S.C. 668), **50 CFR 22.**
- b. Endangered Species Act (16 U.S.C. 1531-1544), **50 CFR 17.**
- c. Migratory Bird Treaty Act (16 U.S.C. 703-712), **50 CFR 21.**
- d. Marine Mammal Protection Act (16 U.S.C. 1361, et. seq.), **50 CFR 18.**
- e. Wild Bird Conservation Act (16 U.S.C. 4901-4916), **50 CFR 15.**
- f. Lacey Act: Injurious Wildlife (18 U.S.C. 42), **50 CFR 16.**
- g. Regulations that implement U.S. wildlife laws are documented in the **Code of Federal Regulations (CFR)**. Regulations are referred to by Title and Part.
- h. Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249), <http://www.cites.org/>, **50 CFR 23.**
- i. General Provisions, **50 CFR 10.**
- j. General Permit Procedures, **50 CFR 13.**
- k. Wildlife Provisions (Import/export/transport), **50 CFR 14.**
- l. "Prohibition on Sale of Shark Fins." of P.L. 117-263; 50 C.F.R. Part 600 Subpart N.



Endangered Species Act (ESA)

The **ESA** aims to provide a framework to conserve and protect species listed as **endangered** and **threatened** and their habitats.

Without a prior authorization, it is unlawful for any person subject to the jurisdiction of the United States to commit, attempt to commit, solicit another to commit, or cause to be committed any of the following activities:

- Import or export.
- Deliver, receive, carry, transport or ship, sell or offer for sale in interstate or foreign commerce.
- Take (meaning to harm, harass, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct) within the United States and its territorial seas or upon the high seas.
- Possess, ship, deliver, carry, transport, sell or receive unlawfully taken wildlife.



CITES Appendices

	Appendix I	Appendix II	Appendix III
Trade	Commercial international trade is generally prohibited	Commercial and non-commercial international trade allowed through issuance of permits and certificates	Commercial and non-commercial international trade allowed Complements domestic measures to control trade in listed species
Taxa	~704 spp. of animals ~400 spp. of plants	~5500 spp. of animals ~34,000 spp. of plants Numerous higher taxonomic listings	372 spp. of animals 134 spp. of plants



Permits 101: Why Permits?

- CITES establishes an international legal trade framework with common procedures and mechanisms via a **permitting system**.
 - The CITES permit system facilitates international cooperation in conservation and trade monitoring of species listed in the three Appendices.
- The U.S. Fish and Wildlife Service recognizes there are occasions when prohibited activities may be benign or even beneficial to protected species.
 - Permits are used to **authorize** and **monitor** activities consistent with the conservation, protection, and enhancement of wildlife, plants, and their habitats.
 - A permit gives prior authorization for an activity that would be otherwise prohibited.
 - Criteria for granting **exceptions** and **exemptions** are outlined in the Code of Federal Regulations (CFR).



Permits 101: Why Permits?



Legality: The specimen has been obtained in accordance with the national laws and regulations for the protection of fauna and flora. Parties must make a legal acquisition finding to confirm this.



Sustainability: Parties must make a non-detriment finding: a science-based biological finding which confirms that the trade in the species is sustainable and will not be detrimental to the survival of the species and takes account of the role of the species in its ecosystem.



Traceability: Parties must ensure that trade can be traced through the issuance and control of appropriate CITES permits and certificates. Parties report on all permits and certificates issued in national annual reports, which are compiled in the CITES Trade Database (<http://trade.cites.org>).



Criteria



Management Authority:

1. Legal Acquisition Finding (LAF):

Whether the specimen and its parental stock were (1) obtained in accordance with the provisions of national laws for the protection of wildlife and plants. In the U.S., these laws include all applicable local, state, federal, Tribal, and foreign laws; and (2) if previously traded, traded internationally in accordance with the provisions of CITES.

2. Living specimens will be prepared and shipped to minimize any risk of injury, damage to health, or cruel treatment.

3. Specific to Appendix I:

Not to be used for primarily commercial purposes.



Criteria



Scientific Authority:

1. Non-detriment Finding (NDF):
Detrimental activities, depending on the species, could include, among other things, unsustainable use and any activities that would pose a net harm to the status of the species in the wild.
2. Specific to Appendix I:
Suitably equipped to house and care for live animals.

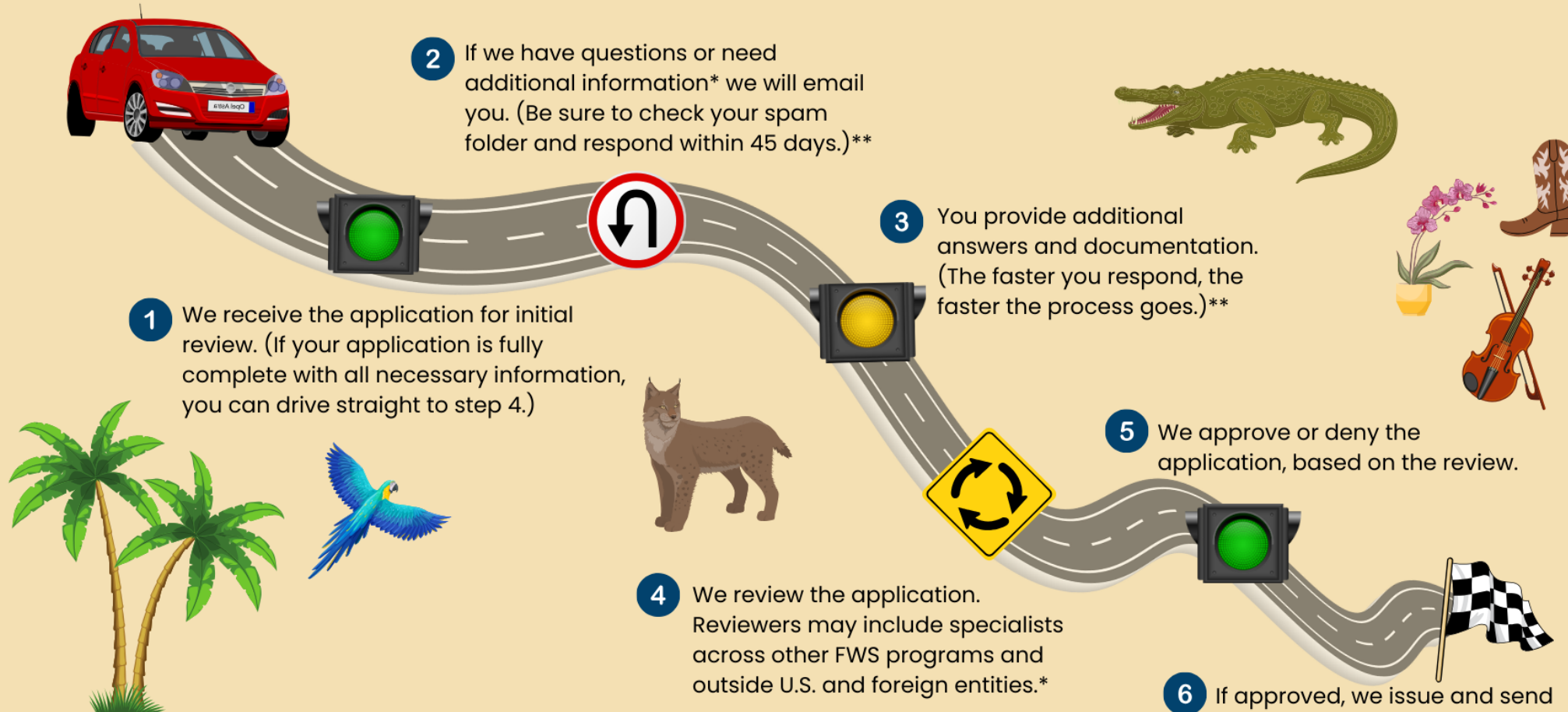


The Permit Process



The permit process is time-intensive and can vary depending upon several factors such as the animal or plant species, its level of protection, and the complexity and legality of the proposed activity. Please apply at least 60-90 days prior to needing the permit.

The information below can help put YOU in the driver's seat!



*This will add time to the process.

**Please respond to each inquiry within 45 days to maintain an active application.



Additional Information

<https://www.fws.gov/international-affairs/permits>

https://fwsepermits.servicenowservices.com/fws?id=fws_permit_search

www.CITES.org

<https://cites.org/eng/virtual-college/training>

Contact Us

Submit a Support Ticket (Recommended):

https://fwsepermits.servicenowservices.com/fws/fws?id=fws_contact_us

International Affairs Phone (General Line): 703-358-2104

If you leave a voicemail, please leave a callback number and the scientific name of the species you're inquiring about.





Questions?

Thank you