



TRADING IN ENDANGERED SPECIES – CITES COMPLIANCE

We provide clarity and expertise on CITES compliance, in the ever-demanding regulatory landscape. Our clients trust us with their compliance needs, and expertise with the CITES regulatory global framework.

CITES OVERVIEW

CITES refers to the Convention of International Trade in Endangered Species of Wild Fauna and Flora. Under this global program there are 5,800 species of animals and 30,000 species of plants which are protected against over-exploitation through international trade. CITES is a multilateral treaty to protect endangered plants and animals and came into force on 1 July 1975. At its adoption 80 countries were represented but today this number has grown to 183 countries – relating to 94% of the world agreeing to this treaty.

Species are listed according to how endangered they are in the wild. The Convention of International Trade in Endangered Species of Wild Fauna and Flora classifies these in four Annexes. Annex A is the most strictly controlled list of species and Annex D the least.

CITES IMPORTANCE

CITES protects listed species from being excessively traded and exploited illegally and unsustainably in the wild. Without this protection their extinction would have irreversible ecological consequences and negative economic and social effects. Illegal trade in wildlife undermines the rule of law, threatens national security and degrades important and irreplaceable ecosystems. CITES provides the fundamental legal framework for the regulation of international trade in CITES-listed species, and all member countries enforce this convention.

The illegal trade in wild life products is a 23-billion-dollar industry.

International Trade is managed through the import and export permit/ certificate system with each member country recording trade figures on the “CITES Trade Database” which allows for the assessment and impact trade is having on a protected species. From 1975 there have been over 11 million CITES movements recorded globally, these figures do not consider illegal criminal activities for obvious reasons.

CITES REGULATORY LAWS

National laws for implementing CITES is critical to ensure that trade in protected species is legal, sustainable and traceable. Legislation empowers national government officials to act, regulates human behavior and articulate policy in relation to conservation and trade in wildlife.

The legislation takes the form of an export permit or re-export certificate issued by the Management Authority of the country of export. An import permit is also required from the importing country Management Authority, and both must be in place prior to the shipment taking place.

It is a criminal offence to move or trade CITES -controlled species if you do not have a valid permit or certificate. If a business is found to be non-compliant it can expect an unlimited fine, the goods being confiscated and ultimately destroyed.



Additionally, a prison sentence of up to 7 years can be requested by the authorities for the responsible persons within the business.

Every country has specific wildlife protection laws in place, two of which are listed below:

- EU Council Regulation (EC) No. 338/97 provides the general legal framework and lays down the provisions for internal EU trade as well as import, export and re-export of specimens of species listed in the four Annexes of this regulation.
- United States Fish and Wildlife Service Office of Law Enforcement - contributes to Service efforts to manage ecosystems, save endangered species, conserve migratory birds, preserve wildlife habitat, restore fisheries, combat invasive species, and promote international wildlife conservation.

Products covered by CITES for which permits are required include Eggs, feathers, tusks, teeth, skins, shells, seeds, wood, blood, semen, and tissue of controlled plants and animals.

Domestic objects for trade containing these items will also require a permit; for example, a snakeskin watchstrap, snakeskin on a key fob, shoes, handbags etc.

HOW DOES A BUSINESS COMPLY?

Any business trading in live/dead animals and plants as well as their parts and derivatives, must validate them against CITES listings and all relevant laws both international & national to ensure adherence. A part is defined as any section of an animal or plant, for example the skin, shell or root whether raw or processed in a simple way. A derivative refers to any processed part of an animal or plant, for example the watch strap, shoes, handbags, perfume and medicines.

A business would need to have the following controls within their CITES compliance program:

- Material classification and review against CITES
- Policies and Procedures
- Evidence of legal sourcing programs
- Registration with local CITES Management authorities
- Detailed import and export declaration control process to ensure specific customs procedure codes (CPCs) are used
- Record Keeping and Training

GLOBAL TRADE MANAGEMENT

Our focus on CITES compliance goes beyond the legislation, and use our experience of business best practices, regulatory controls and process and procedures to support your CITES program.

We offer the following key elements to support your CITES Compliance Program

- How to create and manage a CITES compliance program
- Guidance on International / Regional and National laws
- Validating products specimen listing against the CITES list
- Understanding CITES Trade Sanctions
- How to apply for Permits



- CITES Training
- External Audit function and reporting
- Record Keeping

Find out how WTCS can work with you for all your CITES Compliance needs.