



# International Wildlife Trade Program

*Promoting the Sustainable Use and Conservation  
of Wild Plants and Animals*

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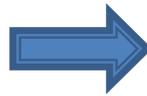
# The Convention on International Trade in Endangered Species of Wild Fauna & Flora (CITES): A Conservation Tool

- ❖ 180 Member Countries, referred to as “Parties”
- ❖ Ensures that international trade in wild animals and plants does not threaten their survival in the wild.
- ❖ Establishes an international legal framework with common procedures and mechanisms.



# Common Misconceptions about CITES

❌ CITES addresses all aspects of wildlife conservation



✅ CITES deals *only* with international trade of species listed in its Appendices

❌ CITES bans trade in listed species

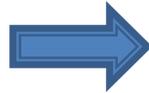


✅ CITES *regulates* international trade in listed species



# Common Misconceptions about CITES

 CITES regulates domestic trade



 CITES only addresses *international* trade

 The CITES Appendices are a listing of the world's endangered species



 The Appendices list only those species that are or may be affected by international trade



# How CITES Works:

## The Appendices



Appendix I (about 1,000 spp.):

- Species threatened with extinction
- No commercial trade
- Requires both an import permit and an export permit

Appendix II (about 30,000 spp.):

- Species vulnerable to overexploitation but not at risk of extinction
- Commercial and non-commercial trade allowed
- Permits/certificates required for export, but not for import



Appendix III (about 300 spp.):

- Purpose is to address legal origin, not sustainability
- Species protected by at least one country that has requested assistance to help regulate trade
- Can be listed unilaterally, at any time





# Sharks added to CITES at CoP16



- ▶ New CITES Appendix-II shark listings effective September 14, 2014.
  - Scalloped, Great and Smooth Hammerhead Sharks (*Sphyrna lewini*, *S. mokarran*, and *S. zygaena*)
  - Porbeagle Shark (*Lamna nasus*)
  - Oceanic Whitetip Shark (*Carcharhinus longimanus*)
- ▶ Other shark species listed in CITES include:
  - Appendix II – Great white shark, basking and whale sharks
- ▶ Export of these sharks and their products (meat, fins, teeth, etc..) requires a CITES permit issued by the CITES Management Authority (USFWS –DMA).
- ▶ The issuance of this permit requires:
  - DMA to make a legal acquisition finding and
  - CITES Scientific Authority (USFWS –DSA) to make a non-detriment finding.



# Non-Detriment Findings Objective

- ▶ Ensure the sustainable use of CITES-listed Appendix II species in international trade



# Concepts and Terminology: Non-Detriment Findings

- ▶ A **non-detriment finding (NDF)** is a conclusion by a **Scientific Authority** that the export of specimens of a particular species will not impact negatively on the survival of that species in the wild.
- ▶ A **Scientific Authority** is responsible for providing technical and scientific advice to its **Management Authority**, in particular as to whether the export or introduction from the sea of a specimen will be detrimental to the survival in the wild of the species involved. A Party may designate more than one **Scientific Authority**.

Source: The CITES Glossary



# Non-Detriment Findings in CITES

- ▶ Found in Articles III and IV of CITES.
- ▶ Parties have a legal obligation to undertake NDFs
- ▶ Follows Resolution Conf. 16.7 – 10 non legally binding NDF Guidelines
- ▶ A non-detriment finding can take many forms:
  - A written advice from the Scientific Authority
  - A verbal advice from the Scientific Authority
  - A quota agreed by the Scientific Authority for a specific time period



# U.S. CITES Scientific Authority NDF Decision-making Process

The degree of risk to the species determines the relative degree of scrutiny in making a non-detriment determination.

Higher risk species receive greater scrutiny.

- ▶ Appendix I (higher) versus Appendix II.
- ▶ Wild-harvested (higher) versus captive-bred.
- ▶ Commercial trade (higher) versus non-commercial trade.
- ▶ Native species (higher) versus non-native (exotics)



# NDFs: Information Considered

- ▶ Type of specimen and method of collection.
- ▶ Conservation status (e.g., regional, national, global).
- ▶ Whether the import from the wild will stimulate additional take from wild populations.
- ▶ Main threats to species.
- ▶ Evaluate biological and ecological factors, based on best available information.
- ▶ Management and harvest practices.



# NDF: Conclusions

Summarize the available information in sufficient detail to explain and justify finding:

- ▶ Not detrimental
- ▶ Unable or insufficient information to find that the action is not detrimental

Make formal recommendation to the CITES Management Authority for final decision (including other factors – legal acquisition, facilities, and transport).



# U.S. Non-detriment Findings for Porbeagle Shark and Great, Scalloped, and Smooth Hammerhead Sharks



# Outline of a Shark NDF

- ▶ Species distribution globally/range in the United States
- ▶ Biological Characteristics
- ▶ Population status and trends
- ▶ Threats
- ▶ Management of species in United States – how it results in the sustainability of the species, including:
  - Total allowable catch quota system– based on best available science information
  - Land sharks whole with fins attached – identification possible
  - License & reporting requirements by fisher
  - minimum size length and other measures
  - Compliance with ICCAT requirements

**Summary and Conclusion – NDFs are being drafted now and will likely be positive for export, if in compliance with National Management Plan.**





# Permitting Process

U.S. Fish and Wildlife Service  
Division of Management Authority  
Branch of Permits

# CITES Permitting Requirements

- ▶ Under CITES, authorization must be obtained from a Management Authority before CITES-listed specimens can be exported or introduced from the sea (brought into a country from the high seas)
  - ▶ In the United States, the U.S. Fish and Wildlife Service (FWS) has been designated as the CITES Management Authority
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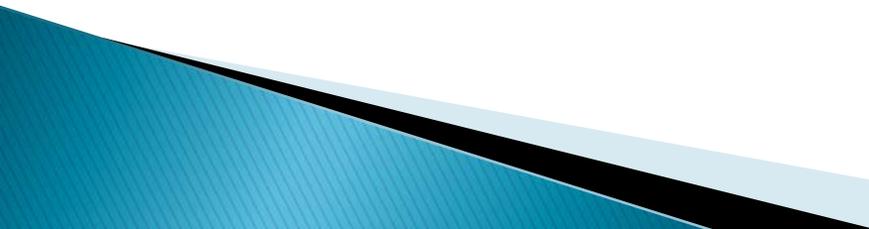
# Introduction from the Sea

- ▶ A CITES-listed specimen that was taken on the high seas by a U.S. fisherman and landed in the United States must be accompanied by a CITES Introduction-from-the-Sea certificate issued by the U.S. Management Authority.
  - ▶ This specimen must be declared to FWS and, at the same time, the IFS certificate presented to FWS.
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# Export permit

- ▶ A CITES-listed specimen that was taken on the high seas by a U.S. fisherman and landed in Canada (or any country other than the United States) must be accompanied by a CITES export permit issued by the U.S. Management Authority.
  - ▶ This export permit must then be presented to the Canadian authorities.
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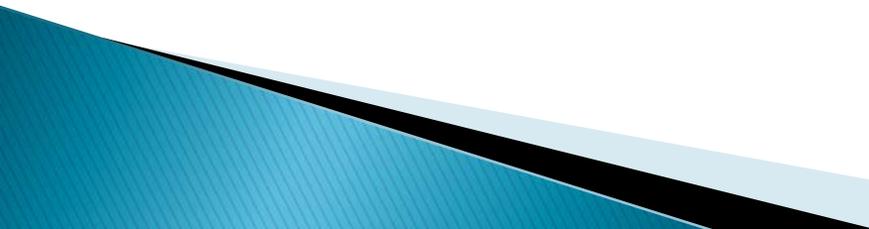
# Issuance of Introduction from the Sea (IFS) certificates

- ▶ Fisherman who may be landing CITES-listed specimens taken on the high seas at a U.S. port should obtain the required IFS certificate before leaving to go out to sea.
  - ▶ Through an established application process, the fisherman can request a number of IFS certificates where the quantity will be left blank to be completed by the fisherman at the time the fish are landed.
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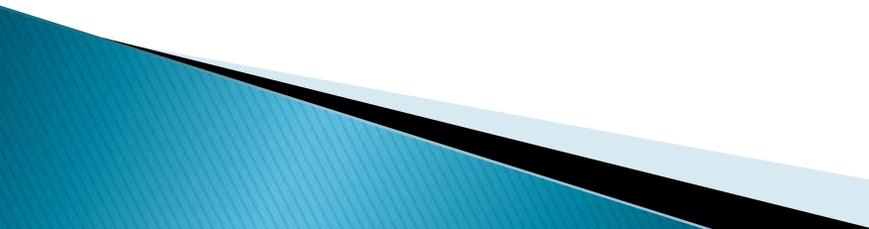
# Exports to Canada

- ▶ Fisherman who may be landing CITES-listed specimens taken on the high seas at a Canadian port should obtain the required export permit before leaving to go out to sea
- ▶ As for IFS certificates, the fisherman can request, through the application process, a number of export permits where the quantity will be left blank to be completed by the fisherman at the time the fish are landed

# Transporting specimens from Canada to the United States

- ▶ Some sharks landed in Canada by U.S. fisherman are transported to the United States by truck or by air.
  - ▶ To enter the United States, the sharks must be accompanied by a CITES re-export certificate issued by the Canadian Management Authority.
  - ▶ We are discussing with the Canadian authorities how we might facilitate this permitting process.
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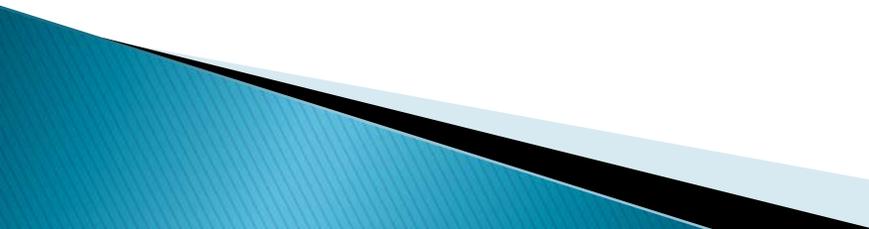
# Sharks taken within U.S. waters

- ▶ Sharks taken within U.S. waters do not require CITES documents before landing in the United States.
  - ▶ If CITES-listed sharks are taken in U.S. waters and landed outside the United States, a CITES export permit, issued by FWS is required.
  - ▶ Export of CITES-listed sharks that have been landed in the United States requires a CITES export permit or re-export certificate issued by FWS.
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# Re-Export Certificates

- ▶ Unlike IFS certificates and export permits (to land fish taken on the high seas in another country) that can be issued before the fisherman goes to sea to fish, re-export certificates will be issued once the fish have been obtained and are being prepared for re-export.

# Refining the Permitting Process

- ▶ The listing of the shark species has led to a new paradigm for the permitting process.
  - ▶ We are continuing to collect information on the trade in shark meat and other products to determine the best way to address the permitting process.
  - ▶ We are open to modifying the process to ensure the least disruption in the trade while meeting U.S. obligations under CITES and domestic laws.
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# Import/Export License

The import/export license is generally required for all individuals or businesses that engage in business as an importer or exporter of wildlife. This license, which is valid for one year, must be acquired before importing or exporting.

Licenses must be obtained in the FWS region where the individual or business resides.

<http://www.fws.gov/le/regional-law-enforcement-offices.html>



# Designated Ports

Generally, all wildlife must be imported or exported through one of the following designated ports:

Anchorage, Alaska  
Baltimore, Maryland  
Chicago, Illinois  
Honolulu, Hawaii  
Los Angeles, California  
Memphis, Tennessee  
New Orleans, Louisiana  
Newark, New Jersey  
San Francisco, California

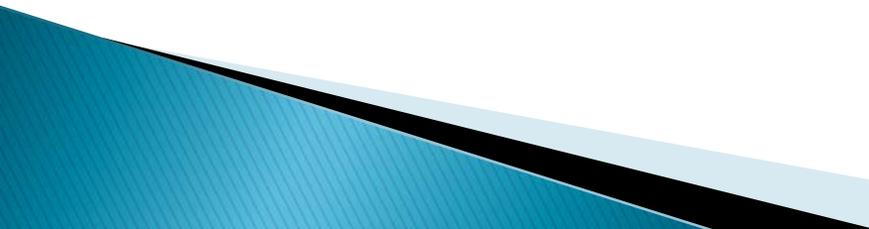
Atlanta, Georgia  
Boston, Massachusetts  
Dallas /Ft. Worth, Texas  
Houston, Texas  
Louisville, Kentucky  
Miami, Florida  
New York, New York  
Portland, Oregon  
Seattle, Washington

# Non-designated Ports

## Canadian Border Ports

In general, Canadian border ports may only be used for the import or export of wildlife that does not require a permit under certain laws and whose country of origin is Canada or the United States. There are 23 FWS Canadian border ports but only nine are currently staffed.

<http://www.fws.gov/le/canadian-border-ports.html>

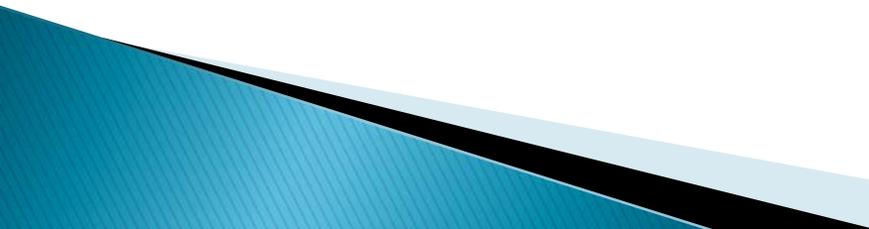


# Non-designated Ports

## Mexican Border Ports

In general, Mexican border ports may only be used for the import or export of wildlife that does not require a permit under certain wildlife laws and whose country of origin is Mexico or the United States. There are seven FWS Mexican border ports but only five are currently staffed.

<http://www.fws.gov/le/mexican-border-ports.html>



# Designated Port Exception Permit (DPEP)

An exemption to the required use of certain ports for wildlife import or export can be granted by this permit. The DPEP, which is valid for no more than two years, must be acquired before importing or exporting. A DPEP may be issued for single or multiple transactions and may be granted if applicants can demonstrate that the use of the port is for scientific purposes, will minimize deterioration or loss, or will alleviate undue economic hardship. The final criterion that must be met for issuance of a DPEP is a determination that FWS staff is available.

# Prior Notification Process

The trade/importer must notify FWS 48 hours in advance of the import of a live or perishable shipment subject to FWS requirements.

The trade/exporter must notify FWS and make the shipment available 48 hours in advance of the export of any wildlife, whether perishable or not.

The trade/importer/exporter must also notify FWS a minimum of 48 hours in advance of the import or export of any commodity subject to FWS requirements when using a DPEP. This latter notification may require additional prior notification depending upon the port, species, and special conditions listed on the DPEP.

# Contact information for U.S. CITES Authorities:

- ▶ Management Authority
- ▶ Telephone: 1-703-358-2104
- ▶ Fax: 1-703-358-2280
- ▶ Email: [managementauthority@fws.gov](mailto:managementauthority@fws.gov)
  
- ▶ Scientific Authority
- ▶ Telephone: 1-703-358-1708
- ▶ Fax: 1-703-358-2276
- ▶ Email: [scientificauthority@fws.gov](mailto:scientificauthority@fws.gov)
- ▶ <http://www.fws.gov/international/>

