

18th Meeting of the Conference of the Parties (CoP18) to The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)



17-28 August 2019



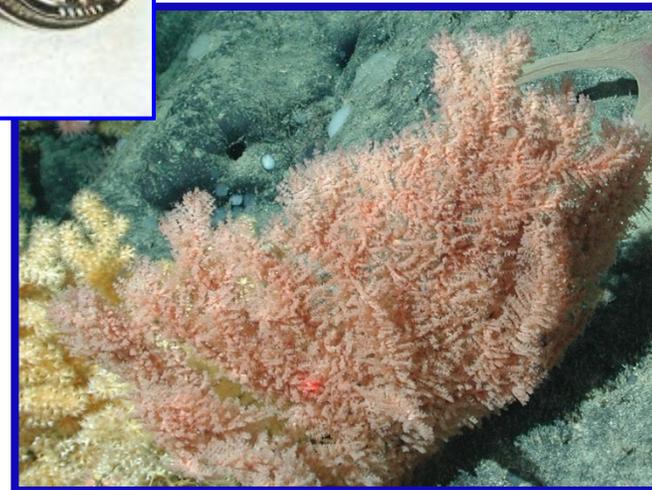
Presentation provides:

- Update on marine species listing decisions
- Overview of permitting process



CITES Review

- ▶ The purpose of CITES is to ensure that international trade in wild fauna and flora is legal and sustainable.



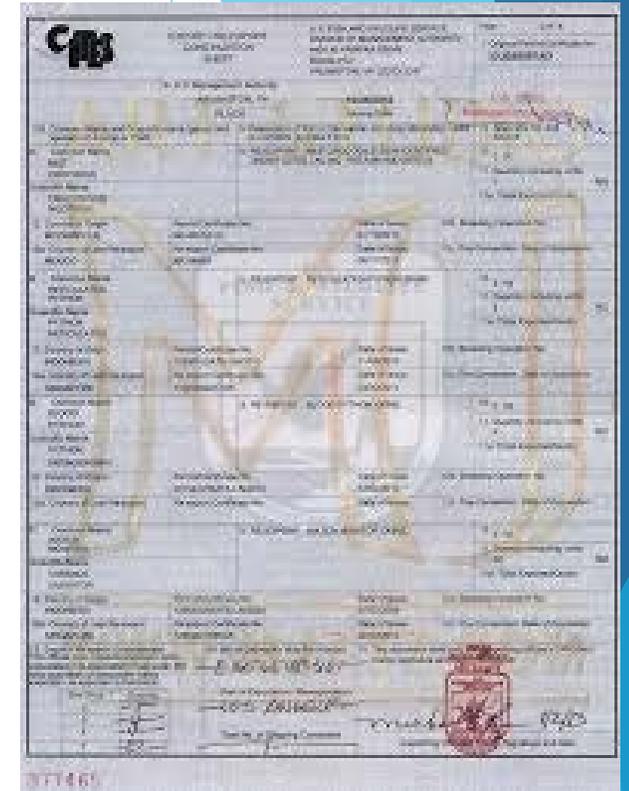
CITES Review

- 182 Member Countries + EU, referred to as “Parties”
- The Convention establishes a **legal framework** together with common **procedural mechanisms** for regulating international trade in species.
- The strictest regulation is placed on species threatened with extinction, and requires legal and sustainable international trade in other species.



CITES Review

- CITES regulates the export, re-export, import and introduction from the sea of CITES-listed animals and plants and their parts and derivatives; live and dead specimens.
- Permitting system: International trade is regulated based on a system of permits and certificates that:
 - are only issued if certain conditions are met; and
 - must be presented when leaving or entering a country.



CITES Review



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



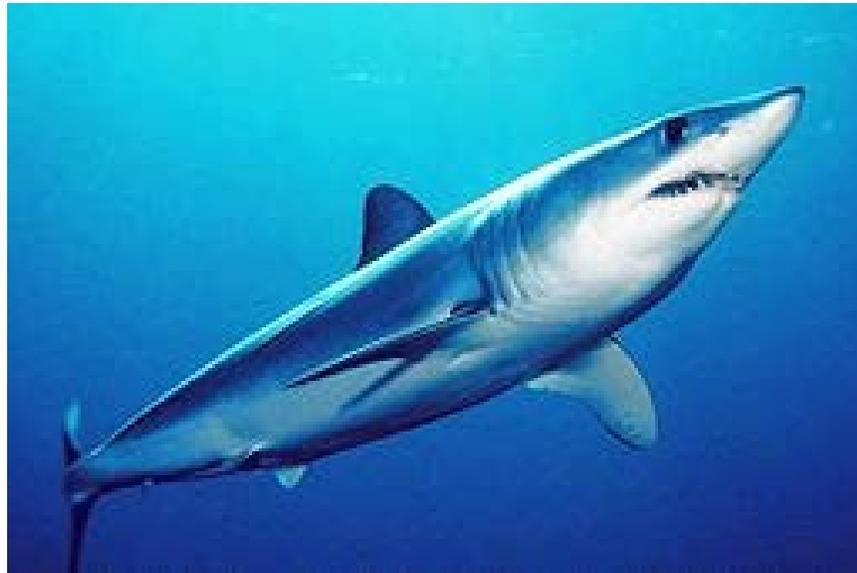
Appendix III (about 300 spp.):

- 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



CITES Review/CoP18 Update

- ▶ Addition of a species to [Appendix I](#) or [Appendix II](#) requires a [2/3 majority vote of the Parties](#)
- ▶ More than 150 countries participated in CoP18



CoP18 Marine Species Proposals

- ✓ CoP18 Prop. 42: *Isurus oxyrinchus* and *Isurus paucus* (Mako sharks) - Inclusion in [Appendix II](#) (55 Parties co-sponsored proposal).
- ✓ CoP18 Prop. 43: *Glaucostegus* spp. (Guitarfish) - Inclusion in [Appendix II](#) (50+ Parties co-sponsored proposal).
- ✓ CoP18 Prop. 44: *Rhinidae* spp. (Wedgefish) - Inclusion in [Appendix II](#) (60+ Parties co-sponsored the proposal).
- ✓ CoP18 Prop. 45: *Holothuria (Microthele) fuscogliva*, *H. nobilis*, & *H. whitmaei* (Sea cucumbers) - inclusion in [Appendix II](#) (The United States co-sponsored this proposal with EU, Kenya, Senegal, and Seychelles).



Previously listed Sharks and Rays

- Thresher sharks and silky sharks (effective 10/4/2017);
- Devil rays (effective 4/4/2017);
- Oceanic whitetip shark, scalloped hammerhead, great hammerhead, smooth hammerhead, porbeagle shark, and manta rays (effective 9/14/2014);
- Whale sharks (effective 2/13/2003);
- Great white sharks (effective 10/29/2001); and
- Basking sharks (effective 9/13/2000).

What is allowed?

- ▶ Appendix I – generally, commercial international trade is prohibited
- ▶ **Appendix II – commercial international trade is allowed, if not detrimental and legal**
- ▶ Appendix III – commercial international trade is allowed from country of listing, if legal and with a certificate of origin from other countries of export



How do I trade in CITES Appendix II species?

ANSWER: Apply for a permit

- Export permit requires:
 - Legal Acquisition - a finding by a Management Authority that the specimen to be exported has been legally acquired.
 - 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.



How do I trade in CITES Appendix II species?

ANSWER: Apply for a permit

- Introduction from the sea (specimens taken on high seas and landed in the flag State) certificate requires:
 - CITES Scientific Authority makes a non-detriment finding
 - Certificate issued before landing
- **Introduction from the Sea Guidance**

<https://www.fws.gov/international/permits/by-species/sharks-and-rays.html>



Pre-Convention Specimens

- Listings go into effect 90 days following the listing decision.
- Specimens acquired before the provisions of the present Convention applied to that specimen.

General Permit Processing Information

- Application processing takes at least **30-60 days**, depending on complexity.
- **First-come first-served basis**, no formal mechanism or fee schedule for expedited review.
- Submission of an incomplete application will delay the review process.

Our office regulates actions that are otherwise prohibited by Federal law. Do not assume that submitting an application will always result in the issuance of a permit.

How do I apply for a permit?

Application forms:

<https://www.fws.gov/international/permits/by-form-number/index.html>

- Export permit: 3-200-27
- Introduction from the Sea Certificate: 3-200-31
- Preconvention Certificate: 3-200-23

What documents will I need to provide with my application?

As requested by the permit application, provide copies of permits, licenses and other documents authorizing removal of the specimen(s) from the wild.

What documents will I need to provide with my application?

EXAMPLE: To apply for a permit to export sharks taken in U.S. Atlantic waters, provide:

1. From the Atlantic Highly Migratory Species (HMS) shark Dealers:

- i. NOAA International Fisheries Trade Permit for shark fins
- ii. NOAA Federal Dealer Shark Permit
- iii. Printouts of federal dealer reports/trip tickets (dealers should record shark fins by species, i.e., they should not be lumped in with “unclassified” shark fins)

What documents will I need to provide with my application?

EXAMPLE (continued):

2. From the exporter:
 - i. Itemized invoice indicating the original dealer and dealer report number where each product (listed by species and associated weight in pounds (lbs.)) was originally reported by an HMS shark dealer for species harvested in the Atlantic
 - ii. Shark fins should be recorded by species and weight on the receipt/ invoice
3. State license (if required to fish in state waters)
4. Receipts or invoices documenting sale (if the catch changes hands)

After submission of your application:

- You will receive an acknowledgement letter indicating your application has been received
- U.S. FWS Reviews application, in consultation with NOAA/NMFS
- If we need additional information from you, we will contact you
- Permit issued or denied
- If denied, there is a *reconsideration process* available
- Permit mailed per applicant instructions

After you receive your permit:

- Review your permit to ensure it is correct.
- Export: All exports of CITES-listed sharks and shark products must be through a USFWS designated port:
<http://www.fws.gov/le/designated-ports.html>.
- Introduction from the Sea: Specimens introduced from the sea and landed in the United States **must land in USFWS designated port**:
<http://www.fws.gov/le/designated-ports.html>.
- Commercial Export License: obtained from USFWS Office of Law Enforcement <https://www.fws.gov/le/businesses.html>.

Helpful Links

- USFWS International Affairs Website: www.fws.gov/international
 - Fact sheets: <https://www.fws.gov/international/publications-and-media/fact-sheets.html>
 - Application forms: <https://www.fws.gov/international/permits/by-form-number/index.html>
- CITES website: www.CITES.org
- USFWS OLE Designated Ports: <https://www.fws.gov/le/designated-ports.html>
- Look up a species under CITES: <https://speciesplus.net/>
- Look up a species under ESA: <https://ecos.fws.gov/ecp/>

Permit Questions? Contact us at:
managementauthority@fws.gov, 703-358-2104

Thank you!

Management Authority

Telephone: 1-703-358-2104

Email: managementauthority@fws.gov

Scientific Authority

Telephone: 1-703-358-1708

Email: scientificauthority@fws.gov

<http://www.fws.gov/international/>



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