

# Research Report

Environmental Commission

Implementing the Convention on International  
Trade in Endangered species of Wild Fauna and  
Flora

MUNISH '13



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<b>Forum</b>	Environmental Commission
<b>Issue:</b>	Implementing the Convention on International Trade in Endangered species of Wild Fauna and Flora
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## Introduction

The protection of animals and plants is now undertaken under the conservation and the preservation of biodiversity efforts. The illegal trade in fauna and flora is a keenly investigated part of environmental crime involving wildlife and plants. It involves the following:

- Illegal exportation of native species;
- Illegal importation of exotic species; and
- Unauthorized, internal trade in indigenous and exotic species.

Besides the harmful handling of wildlife in trade, this activity has the potential to destroy native fauna and floral populations, either through their removal from the natural environment or their introduction into a country with viral or infectious biological organisms that they may carry. The import of exotic species carries the additional risk of negatively impacting a country's agricultural and aquaculture enterprises.

Crimes against nature, include harmful effects that directly target an area's ecological balance. Some harmful effects are only recognized after facts and these include:

- Poaching unlawful killing of flora and fauna;
- Removal of species from their native habitats;
- Activities that produce damage to natural areas or to those that harbour endangered species.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement between governments. It is one of the largest and oldest agreements in existence. Wildlife and plants are vital for an ecosystem. The establishment of CITES is to ensure that these species are protected and properly used now and in the future. These plants and wildlife are used for aesthetics, scientific purposes, cultural, recreational and wealth creation in the area in which they are naturally found. CITES is committed to protecting this.

When CITES was first formed, in the 1960s, such regulation on wildlife trade for conservation purposes was something relatively new. Now, more so, the need for CITES is clear because, international wildlife trade is worth billions of dollars. The trade is not only for live animals and plants but includes wildlife products derived from them, e.g. leather goods, timber, tourist curios, medicines, etc. The exploitation of some of these animal and plant species is so high that some species have come close to extinction.



CITES also established an agreement for the protection of fauna and flora from over-exploitation through international trade. The purpose of adopting the convention was not only to avoid an ecological problem, but to support countries with heavy legislation from being penalized.

CITES is a very good example of public authority by an international institution. Since its inception in 1973 it has developed into one of the most effective multilateral environmental agreements, balancing conservation as well as economic interests. Its institutional features, including its strong Secretariat and close cooperation with expert NGOs, as well as its main activities, the listing of species, compliance monitoring and decisions on enforcement measures, are factors which render this success possible.

Many wildlife species and Flora that are traded are not all in danger, but this agreement ensures that the sustainability of the trade is important in order to safeguard these natural resources from extinction in the future.

## Definition of Key Terms

### Party

Party means a State or Country for which the present Convention has entered into force.

### Conference of the Parties (CoP)

The CoP is the supreme decision-making body of the Convention and comprises all its member States. Fourteen CoPs have been held to date.

### International Regime

These are international groups and if they are formalized some of them are then recognised as inter-governmental bodies. These bodies are not NGOs.

## General Overview

CITES' main role is the conservation of species. Each specie has a commercial value and the convention does not prevent its trade but its rules ensure that the specie does not become endangered or extinct. So in principle, CITES is not biased for conservation only and thus does not neglect the importance of controlled trade. The Convention documentation however, does clearly indicate the need to balance environmental and development interests as expected of a sustainability principle.

### How CITES works

CITES had created a three- tier management system for protection and use of Wildlife and Plants. They have an approval system which regulates, imports, exports, re-exports and also for species brought in from the sea. Every member of the convention must create or designate one or more groups who will manage this licensing system in their region. One of such organizations must be a scientific group who can advise the country on the effects of trade versus current situation of the species.

According to the CITES appendices, there are approximately 5000 fauna species and 28,000 plant species listed. However, the majority of the species categorized are the less popular species.



The species covered by CITES are listed in three Appendices, according to the degree of protection they need. They are as follows:

#### Appendix I

Appendix I include species threatened with extinction. Trade in specimens of these species is permitted only in exceptional circumstances.

#### Appendix II

Appendix II includes species not necessarily threatened with extinction, but in which trade must be controlled in order to avoid utilization incompatible with their survival.

#### Appendix III

This Appendix contains species that are protected in at least one country, which has asked other CITES Parties for assistance in controlling the trade.

	Appendix I	Appendix II	Appendix III
<b>FAUNA</b>			
<b>Mammals</b>	297 spp. (incl. 10 popns) + 23 sspp. (incl. 2 popns)	492 spp. (incl. 4 popns) + 5 sspp. (incl. 1 popn)	44 spp. + 10 sspp.
<b>Birds</b>	156 spp. (incl. 2 popns) + 11 sspp.	1275 spp. + 2 sspp.	24 spp.
<b>Reptiles</b>	76 spp. (incl. 1 popn) + 5 sspp.	582 spp. (incl. 6 popns)	56 spp.
<b>Amphibians</b>	17 spp.	113 spp.	1 sp.
<b>Fish</b>	15 spp.	81 spp.	-
<b>Invertebrates</b>	64 spp. + 5 sspp.	2142 spp. + 1 sspp.	22 spp. + 3 sspp.
<b>FAUNA TOTAL</b>	<b>625 spp. + 44 sspp.</b>	<b>4685 spp. + 8 sspp.</b>	<b>147 spp. + 13 sspp.</b>
<b>PLANTS</b>	301 spp. + 4 sspp.	29105 spp. (incl. 2 popns)	119 spp. (incl. 5 popns) + 1 sspp.
<b>GRAND TOTAL</b>	<b>926 spp. + 48 sspp.</b>	<b>33790 spp. + 8 sspp.</b>	<b>266 spp. + 14 sspp.</b>

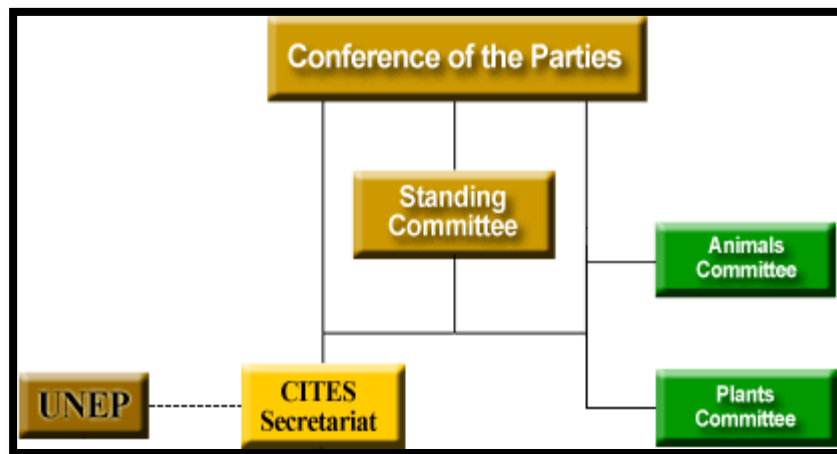
The abbreviation "spp." is used to denote species; "sspp." for subspecies; and "popns" for populations.



## Conference of the Parties (CoPs)

Internationally, CITES has an operating structure as provided below:

The CoP and the secretariat are directly provided by the convention as services, the other committees were created by a resolution of the CoP



Source: <http://www.cites.org/eng/disc/org.php>

In a resolution ( Conf 9.24 (rev CoP15)), the CoP have developed a set of rules based on biological and trade criteria to determine in which appendix a specie may belong. Based on these set criteria, parties can submit proposals, to have the appendices amended. These suggestions are then put to vote.

## How does CITES get funding for its operations

Cites have a Trust Fund. These funds are used manage the CoP, its subsidiary bodies and other permanent committees. The Trust Fund is replenished by fees from members to the Convention based on a UN scale of assessment which takes into account that all its members are not members of CITES.

## External funding

According to reports from CITES.org, the following external funding was received by them for various activities: (The Trust Fund money is, however, not available to Parties/members is to improve their country's individual compliance)

1. The European Commission provided funding for an important number of activities, which includes the project for "strengthening the CITES implementation capacity of developing countries" for an amount of EUR 1 million with follow-up funding of EUR 1.5 million. ("How Is CITES Financed?")
2. For the implementation of CoP15 Decisions, it also provided funds in the amount of EUR 500,000 (equivalent to USD 680,000) along with the United States with a funding in the amount of USD 320,000. Other major donors were Denmark, France, Germany, Hong Kong SAR (China), Japan, Norway, Qatar, Sweden, and the United Kingdom of Great Britain and Northern Ireland. These countries continue to provide funding for capacity building, science-related activities, national legislation, enforcement, the sponsored delegates project and the MIKE programme. ("How Is CITES Financed?")



3. The United States provided funds to the Secretariat for the acquisition of new portable computers for every staff member. This came at an opportune time because of the urgent need to replace older computer workstations originally acquired with funds from the Swiss Government in 2003. ("How Is CITES Financed?")

## Current Programmes operated by CITES

Overseeing \_ monitoring the Illegal Killing of elephants (project MIKE)

The purpose of project MIKE is to provide pertinent member countries with information needed to manage and build resources for the long term management of their elephant populations.

Specifically the guidelines and support given is for:

1. To determine and evaluate over time, trends in the levels of illegal poaching of elephants.
2. To determine what might cause levels to rise or drop
3. To determine to what extent are the observed trends an outcome of decisions taken by CoP for project MIKE

## Financial requirements of effective CITES implementation

In order to maintain an effective implementation of CITES rules, members have to be prepared to incur the following costs;

1. Scientific and Technical Costs: Used for restoration of ecosystems, compensation for rural communities that come into contact with wildlife re-introduced into their own habitat.
2. Administrative costs: Costs for processing permits required for trade or the species, managing registers for all entities that require the relevant permits. Some of these costs are also for sending listings of species, reports and documents as required by CoPs and CITES bodies.
3. Compliance enforcement costs: This is probably the biggest of all costs required for CITES implementation. Are costs for monitoring and enforcement of the CITES guidelines that every country must incur. Some of these costs are staffing, training and providing the staff with equipment needed for their role in monitoring the compliance of the CITES guidelines.

## Implementation of CITES

Every country that is a member of the CITES convention is responsible for implementation in their own country. These include;

- Not allow trade which is in contravention of CITES' rules
- Implement penalties for traders who break rules
- Return confiscated species to their original area

The EU have implemented CITES through their own internal regulations. In their annexure, all the appendices of CITES are included.

Should Non-members wish to trade in controlled species, then they are also required to comply by CITES convention rules. Rules in the CoP are clearly provided for trade with Non-Members. For species that fall under Appendix I of CITES, the Scientific committee of the



Non-member country must issue a certificate confirming that trade of that specie will be un-damaging and that the specie is not illegally obtained. CoP can only accept those Non-member states' documents provided all their relevant authorities have been included in the secretariat list.

### The Concerns for certain aspects of CITES convention

Statistics and reports from CITES indicate that illegal wildlife trade is difficult to quantify yet it is one of the most profitable trades in the world and seems to be growing. Asia seems to have the largest trading ground for illegal species. This is possibly because South East Asia is a key supplier of products derived from the wildlife. The EU has been determined to be the main destination. The trade is however organized through well-planned informal networks.

The USA is also one of the top importers of wildlife products. Bush meat from Africa is one of the larger imports.

Such large periodic imports can have a serious impact on the future of endangered species if not controlled well.

All this makes it very important for further enforcement of the CITES and in future need not be restricted to a few rare species only.

### The shortcomings of CITES

1. CITES rules do not specifically address the habitat and ecosystems but currently only focus on species. Approach to conservation is also not clearly addressed and this is possibly required.
2. CITES does not promote sustainable use but only restricts unsustainable use so the convention needs to be reviewed and proposals for inclusion of these issues needs to be put to a vote.
3. CITES regulation only restricts species on its appendices. All others are allowed to be traded and these could possibly need a review. It seems that countries spend a lot of costs on committees that are only regulating a small number of species and yet permissible species may be over traded and cause problems.

CITES convention needs a review on these aspects.

### CITES Success

The most important wins for CITES thus far are:

1. The CITES agreement has been one of the most sustained. It has a solid process in place that governs the trade of wild animals and plants especially the ones listed in their appendices.
2. Commitment of member countries and their rigorous enforcement of CITES contributes to this success.
3. Inter-agency relationships have also successfully supported the implementation of the Convention.
4. The IUCN congress held in Nairobi in 1963 triggered a successful international co-operation that has now culminated in CITES and indicates how such co-operation can be successfully implemented and sustained.



## Major Parties Involved

### United Nations Environment Programme (UNEP)

Formed in 1972, with a headquarters in Nairobi, UNEP helps in the development of environmental conventions thus promoting environment related development projects.

### International Union for Conservation of Nature (IUCN)

Triggered inception of CITES. They monitor and publish list of threatened species but also assess conservation of species and habitat.

### Trade Records Analysis of Fauna and Flora in Commerce (TRAFFIC)

A global network and they are a leader in the conservation as it relates to wildlife trade.

## Timeline of Key Events

1956	Name changed from IUPN to IUCN
1974	CITES was created

## Possible Solutions

- CITES can be improved by more regular missions to member states. These should not be reserved just for high profile species but there should be guidelines that can be used for all species involved in any kind of trade.
- Expand rules of CITES to monitor over trading of species that can then get into an endangered list.
- Consolidated reporting of data and information from all partner agencies.
- Create a protocol for sustainable trade of species.

## Bibliography

"CITES." *Wikipedia*. Wikimedia Foundation, 6 Oct. 2013. Web. 09 Oct. 2013. <<http://en.wikipedia.org/wiki/CITES>>.

*FINANCING OF THE CONSERVATION OF AND SUSTAINABLE INTERNATIONAL TRADE IN SPECIES OF WILD FAUNA AND FLORA*. Proc. of CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA Thirteenth Meeting of the Conference of the Parties Bangkok (Thailand), Thailand, Bangkok. CoP. *CoP13 Doc. 14 - Cites*. CoP. Web. 9 Oct. 2013. <<http://www.cites.org/eng/cop/13/doc/E13-14.pdf>>.

Fuchs, Christine. *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) – Conservation Efforts Undermine The Legality Principle*. N.p.: Max Planck Institute for Comparative Public Law and International Law, n.d. PDF. <<http://www.germanlawjournal.com/index.php?pageID=11&artID=1033>>.

"How Is CITES Financed?" *How Is CITES Financed?* UNEP, n.d. Web. 09 Oct. 2013. <<http://www.cites.org/eng/disc/fund.php>>.





"Illegal Trade in Fauna and Flora and Harms to Biodiversity." *Aic.gov.au*. Australian Institute of Criminology, 14 Oct. 2010. Web. 9 Oct. 2013. <<http://www.aic.gov.au/publications/current%20series/rpp/100-120/rpp109/07.html>>.

"International Regime." *Wikipedia*. Wikimedia Foundation, 1 Apr. 2013. Web. 09 Oct. 2013. <[http://en.wikipedia.org/wiki/International\\_regime](http://en.wikipedia.org/wiki/International_regime)>.

"Introduction." *Introduction*. N.p., n.d. Web. 09 Oct. 2013.  
Scanlon, John. *Remarks by the Secretary-General of CITES, Mr John Scanlon on the Occasion of the 35th Anniversary of CITES Museum of Natural History of the City of Geneva Geneva, Switzerland*. N.p.: UNEP, n.d. PDF.  
<[http://www.cites.org/eng/news/sg/2010/20100701\\_35\\_anniversary.php](http://www.cites.org/eng/news/sg/2010/20100701_35_anniversary.php)>.

"TRAFFIC - About TRAFFIC." *TRAFFIC - About TRAFFIC*. TRAFFIC INTERNATIONAL, n.d. Web. 09 Oct. 2013. <<http://www.traffic.org/>>.

"What Is CITES?" *What Is CITES?* UNEP, n.d. Web. 09 Oct. 2013.  
<<http://data.iucn.org/dbtw-wpd/edocs/EPLP-026.pdf>>.

*Wildlife Trade Regulations in the European Union*. Belgium: European Union, 2010. PDF.

"The CITES Species." *The CITES Species*. UNEP, n.d. Web. 09 Oct. 2013.

"Wildlife Trade." *Wikipedia*. Wikimedia Foundation, 8 Aug. 2013. Web. 09 Oct. 2013. <[http://ec.europa.eu/environment/cites/pdf/trade\\_regulations/KH7707262ENC.pdf](http://ec.europa.eu/environment/cites/pdf/trade_regulations/KH7707262ENC.pdf)>.

"2013 Convention on International Trade in Endangered Species - Year of the Shark." *The Pew Charitable Trusts*. 1996-2012 The Pew Charitable Trusts, n.d. Web. 09 Oct. 2013. [www.cites.org](http://www.cites.org)

