



TRADE BEAT

MONTHLY NEWSLETTER OF THE INTERNATIONAL
LIAISON UNIT

Inside this issue



This issue will inform readers about .

About CITES

Implementation of CITES

Purpose and Objectives

Legal Obligation

Control Measures

The CITES Appendices

The Role of Customs and Border Control

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

The international trade in wildlife involves millions of plant and animal species and is estimated to be worth billions of dollars as a result of commercial exploitation. The trade in wild animals and plants crosses borders between countries and efforts to regulate it requires international cooperation, especially among Customs administrations worldwide, to safeguard certain species from over-exploitation.



The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was conceived in the spirit of such cooperation and on July 1, 1975 was entered into force by the 80 Members of the World Conservation Union (IUCN).

CITES is an “international agreement between governments that aims to ensure that international trade in specimens of wild animals and plants does not threaten their survival”. For many years CITES has been among the conservation agreements with the largest membership and as at May 2014 stands at 180 ‘Parties to CITES’ that are responsible for achieving conservation and sustainable use objectives by controlling trade in wild life. The Convention accords various degrees of protection to over 30,000 species of animals and plants, whether traded as live specimens, as raw materials or as products. States voluntarily adhere to the CITES which does not take the place of national laws, but rather provides a framework to be respected by each Party, which has to adopt its own domestic legislation to ensure that the Convention is implemented at the national level.



Purpose and Objective of the CITES

CITES combines wildlife and trade initiatives within a legally binding framework to achieve conservation and sustainable use objectives. It aims to ensure that the international trade in specimens of wild animals and plants does not threaten their survival, and establishes a legal framework for an effective regulation of international trade.

Implementation of CITES

As a Party to the CITES, Jamaica is obligated to implement the Articles of the Convention and ensure that the resolutions are adhered to at the national level and that national legislation is enacted or strengthened. Jamaica became a party to the CITES on June 22, 1997 and enacted the Endangered Species (Protection, Conservation and Regulation of Trade) Act in April 1, 2000. This Act was promulgated to ensure the codification of Jamaica’s obligations under the Convention and provides for the management of endangered species of Wild Fauna and Flora and its regulation in international trade. In so doing, the Act incorporates a controlled permitting regime relating to the importation and exportation of wild fauna and flora and makes provisions for specified species, consistent with the requirements of the Convention. As required by CITES, the Act establishes a Management and a Scientific Authority and under the Endangered Species (Protection, Conservation and Regulation of Trade) Designation of Management Authority Order, 2000, the Minister with responsibility for the environment designated the Natural Resources Conservation Authority (NRCA) as the Management Authority.



Control of International Trade in Endangered Species under CITES

The trade in international wildlife under CITES is subject to certain controls. Import, export, re-export, and the introduction of species covered by the Convention, must be authorized through national licensing systems. These systems are administered by designated national Management Authorities (MAs) in each party country and are guided by domestic legislation and regulations if the controls are stricter than those required under CITES. In such cases the national legislation takes precedence over the basic CITES requirements. In Jamaica the NRCA is so designated, and has lead responsibility for the management, conservation and protection of the Jamaica’s natural resources. The NRCA is the national focal point for environmental information and management and is so recognized by the United Nations. The NRCA falls under the administrative mandate of the National Environment and Planning Agency (NEPA) whose core functions include conservation and protection. Under this mandate NEPA is responsible for the management of species, habitats, and ecosystems; protected, watershed, coastal and marine areas management; wild fauna and flora protection, rescue and relocation.

Legal Obligations

- In accordance with the Convention, Parties must take measures to prohibit or restrict trade in wildlife. This includes measures to penalize trade in or possession of controlled species and measures to confiscate illegally traded specimens and return them to the State of export.
- Parties are also required to ensure that legal trade in specimens is not subject to unnecessary delay.
- Parties should ensure that living specimens are safely and properly cared for during periods of transit, holding or shipment.
- All Parties are required to maintain records of trade in controlled species.

The CITES Appendices



The species covered by CITES are listed in the three Appendices to the Convention, and are based on the level of protection they require. Each protected species or population is listed in one of three Appendices and reflects the extent of the threat to it and the controls that apply to its international trade. When a species is included in one of the Appendices, all parts and derivatives of the species are also included in the same Appendix, unless the species is annotated to indicate that only specific parts and derivatives are included. Species may be added to or removed from Appendix I and II, or moved between them, only by the Conference of the Parties, either at its regular meetings or by postal procedures. However, species from Appendix III may be added to or removed from the list at any time and by any Party unilaterally (although the Conference of the Parties has recommended that changes be timed to coincide with amendments to Appendices I and II). For all appendices, certain specific exemptions to the usual procedures are allowed, for example specimens in transit, for personal and household effects, for specimens destined for scientific research. Even in these exceptional cases, a permit or certificate is usually still required.

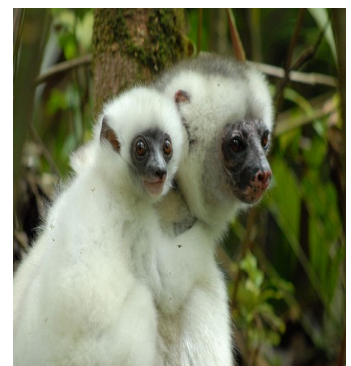
The list of endangered species can be obtained at the CITES website (www.cites.org) or from the national CITES MAs. (www.nepa.gov.jm)



Appendix I - relates to species threatened with extinction where trade is permitted only in exceptional circumstances.

Control Measures - Appendix I

- *A nationally issued import permit is required, and may be issued only if the specimen is not to be used for primarily commercial purposes and if the import will not be detrimental to the survival of the species. In the case of a live specimen, an import permit should only be issued if the proposed recipient is suitably equipped to house and care for the specimen.*
- *A nationally issued export permit or a re-export certificate is required, and may only be issued if the specimen was legally obtained, trade will not be detrimental to the survival of the species and an import permit has already been issued. A re-export certificate should only be issued if the specimen was imported in accordance with the provisions of the Convention and, in the case of a live specimen, if an import permit has been issued.*



Appendix II – relates to species not necessarily threatened with extinction but must be controlled in order to avoid them becoming threatened. Appendix II is the largest Appendix and includes over 32,000 species of plants and animals.

Control Measures - Appendix II

- *A nationally issued export permit or a re-export certificate is required. An export permit may only be issued if the specimen was legally obtained and if export isn't detrimental to the survival of the species. Re-export certificates may only be issued if the specimen was imported in accordance with the Convention.*
- *Import permits are not necessary, unless required by national law.*



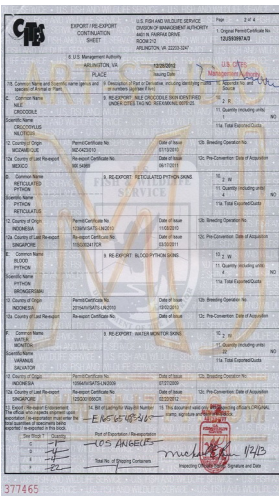
Appendix III – relates to species that are protected in at least one Member country and has sought support of other Parties in controlling the trade.

Control Measures – Appendix III

- *A nationally issued export permit is required from the State that requested the inclusion of the species only if the specimen was legally obtained.*
- *In a case of export from any other State, a certificate of origin issued by the MA in the State of export is required.*
- *In the case of re-export, a re-export certificate issued by the State of re-export is required.*

The Role of Customs and Border Control

The main role of Customs and border control authorities is to verify the validity of the documents submitted, and to ensure that they correspond to the actual goods. Trade in CITES listed species is allowed only if the appropriate permits and licences have been obtained and presented for clearance at the ports of entry or exit. Customs Officers are tasked with combating fraud and smuggling of CITES species, as well as to check trade compliance with domestic laws, and collecting duties and taxes where applicable.



Formal Verification /Document Checks

Verifying the CITES permit or certification is the key component of a documentary inspection. There is no standard international format for CITES permits and certificates, so officers should acquaint themselves with the documentation used in their jurisdiction. In Jamaica, the Biodiversity Branch, which falls under the Conservation and Protection Division of NEPA is responsible for issuing the CITES permits/certificates, following identification and examination of animals and plants. The Trade Board Limited and the Ministry of Agriculture are also responsible for issuing export permits for endangered species and shells (subject to Convention of International Trade in Endangered Species administered by NEPA).



International Liaison Unit
922-5140-8 ext. 3028/3182
Email: International.liaison@jacustoms.gov.jm
Website: <http://www.jacustoms.gov.jm>