



NOAA FISHERIES



U.S. Fish & Wildlife Service

Adoption of the revised resolution on introduction from the sea will lead to greater certainty and consistency in the issuance of CITES permits.

The United States urges CITES Parties to support these provisions.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement signed by 176 nations designed to ensure that international trade in animals and plants does not threaten their survival in the wild. CITES-listed animals or plants taken from the high seas- defined as “the marine environment not under the jurisdiction of any State”- are subject to CITES trade provisions. Parties must implement these provisions whenever an Appendix-I or -II specimen is taken from the high seas and transported into a State. The trade in these specimens is referred to as “introduction from the sea.”

To date, the Parties have not reached a common understanding of how to implement CITES introduction-from-the-sea provisions. This decision is necessary to provide certainty and consistency regarding which CITES documents are issued and which Party is responsible for issuing those documents. CITES Parties will consider this issue at their next meeting (CoP16) in March 2013 (Bangkok, Thailand).

A Framework for Implementation

A resolution, adopted at CoP14 and revised at CoP15, addresses some aspects of introduction-from-the-sea. Recently, the CITES Working Group on Introduction from the Sea developed an innovative framework for implementation. This overall framework was agreed by the working group and endorsed, in 2011, by the Standing Committee.

Within the proposed framework, if a vessel harvests CITES-listed specimens on the high seas and delivers them to the same country in which it is flagged, Parties would treat the transaction as an introduction from the sea and issue an introduction-from-the-sea certificate. Under this scenario, there is only one country involved in the trade (see Scenario 1).

If there is more than one country involved in the trade (the vessel that harvests the specimens delivers them to a country other than the country to which it is flagged), CITES Parties would treat the transaction as an export and require the issuance of an export permit by the country to which the harvesting vessel is flagged (see Scenario 2).

Provisions for Chartered Vessels

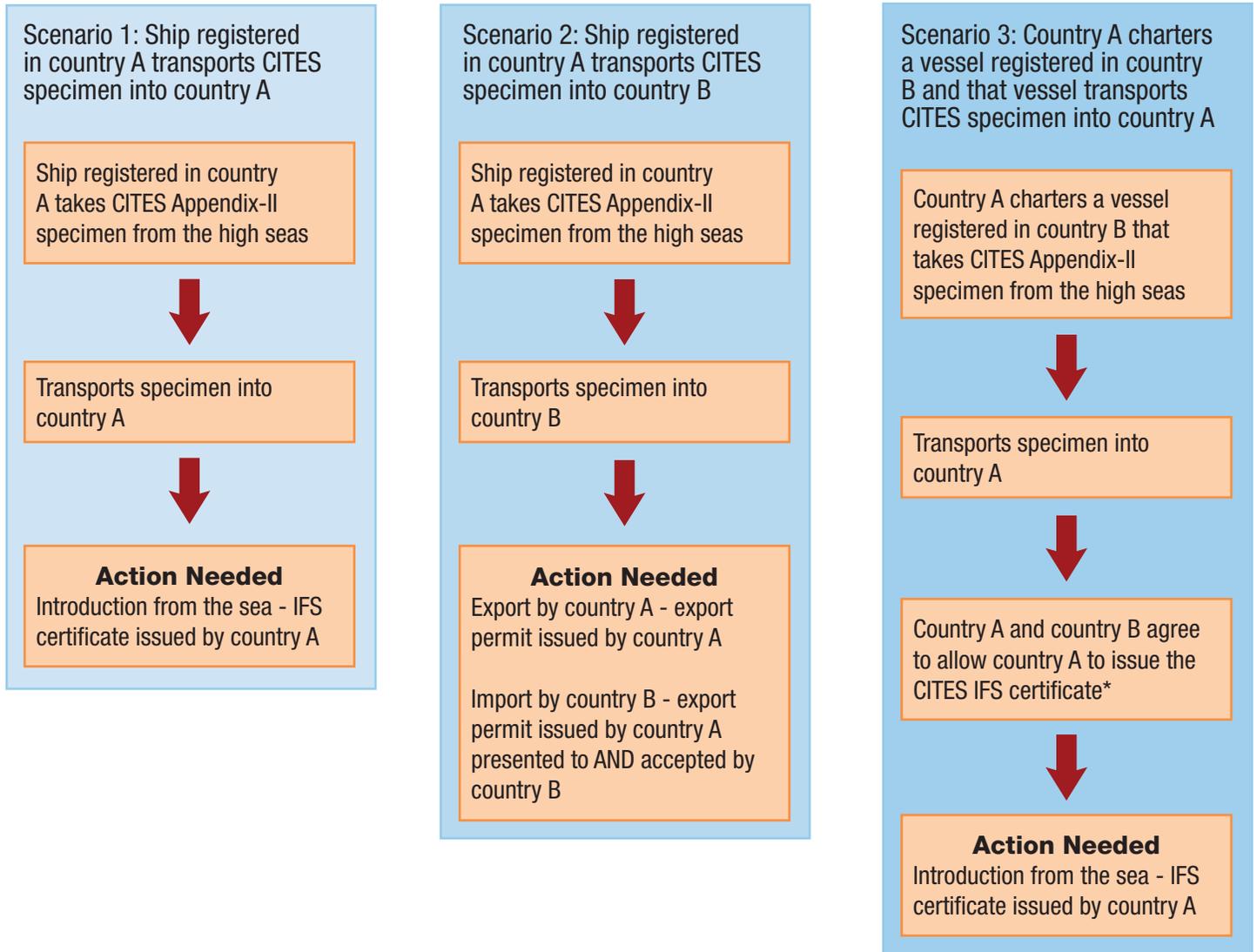
Some Parties expressed the desire for an exception to this permitting scheme when specimens are harvested by chartered vessels. A narrow exception, to accommodate some chartering arrangements, was negotiated at the last working group meeting (April 2012). Under the proposed exception, when one country charters a vessel flagged to another country and that vessel harvests CITES-listed specimens on the high seas, the two countries involved could reach an agreement to allow the country that chartered the vessel to issue an introduction-from-the-sea certificate (instead of having the country to which the vessel is flagged issue an export permit). This narrow exception would only be allowed for chartering arrangements under specific conditions, including being consistent with the framework for chartering of a relevant Regional Fisheries Management Organization/Arrangement (see Scenario 3).

CoP16 and Introduction from the Sea

The Standing Committee agreed at SC62 to present this framework for consideration at CoP16. The proposed framework deals with CITES permitting issues and is designed to clarify which Party issues the appropriate CITES document in any given situation for CITES specimens taken on the high seas. These new provisions in no way undermine the jurisdiction of a flag State over its vessels or the rights and obligations of any State under the law of the sea. The United States considers that this is a pragmatic and effective permitting scheme for CITES specimens taken on the high seas.

¹This framework is laid out in proposed revisions to Resolution Conf. 14.6 (Rev. CoP15) contained in CoP16 Doc. 32.

²Through submission of draft revisions to Resolution Conf. 14.6 (Rev. CoP15).



* Chartering arrangement must be consistent with the framework for chartering of a relevant Regional Fisheries Management Organization/Arrangement and the CITES Secretariat and CITES Parties must be informed in advance.

