

The Conservation Corner

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AFA Conservation and Research Committee

WHAT IS CITES?

This issue of The Conservation Corner discusses “CITES” – the “Convention on International Trade in Endangered Species.” It is adapted from documentation written by Rick Jordan, Chair of AFA’s CITES Committee, and has appeared on the AFA Training List several times. The official website for CITES information is at www.cites.org.

CITES, the Convention on International Trade in Endangered Species, is an international agreement between governments that went into force in July 1975. It is not the same thing as the US Wild Bird Conservation Act (WBCA) or the Endangered Species Act (ESA), US-only Acts that will be topics of future Conservation Corners. The stated purpose of CITES is to ensure that international trade in certain species of plants and animals does not threaten their existence. Today more than 30,000 species are afforded certain protections under the treaty, ranging from live specimens of pandas to fur coats to alligator wallets. The signatories of the treaty agree to honor the “regulations” put forth under the Convention.

Today over 150 countries (Parties) worldwide have signed onto and agreed voluntarily to honor the Treaty. There are now 169 Parties. Each signatory country then has assigned its own governmental agency to monitor the Convention and enact domestically any protections that are agreed to at the Conference of the Parties (COP), held every two years. In the United States, the President has assigned the United States Fish and Wildlife Service (USFWS) as our representative to CITES. This makes the USFWS responsible for upholding the rules of the treaty and to make sure the United

States abides by any “Resolution” (Agreed rule) of the Convention.

In addition to governmental Parties, others, called “Observers” or “Non-governmental Observers” (NGOs) may attend the Conferences or the subcommittee level meetings to provide input to the governing Parties. The purpose of the NGOs is to offer scientific data about the species or genera with which they have expertise. The American Federation of Aviculture, Inc., (AFA) is an official Non-governmental Observer to the Convention. The AFA CITES Committee chairman provides input and makes comment to the USFWS with regard to avian species and the international trade of birds worldwide.

Keep in mind that CITES is an international agreement, and that the resolutions put forth at the Conferences go to the many participating countries to be incorporated voluntarily into their domestic laws. Although CITES cannot and will not get involved with domestic law or trade, its many resolutions must be used by all participating countries when they issue permits or participate in any international movement or trade of listed species.

CITES listings, the actual plants and animals that are covered by the Convention, are divided into three “Appendices.” These appendices are conveniently numbered as Appendix I, Appendix II, and Appendix III. Those species listed on Appendix I to the Convention are the most critically endangered, while those listed on Appendix II are there so that close monitoring of any trade will be accomplished to (hopefully) prevent them from becoming endangered. Appendix III is a list where each individual country can place a species if it has concerns about trade within or from its own country. All parrots that are not on Appendix I, with exception of the cockatiel, budgie and ring-necked parakeet, are listed on Appendix II. Ring-necked parakeets are listed on Appendix III by Ghana, and

therefore any movement or trade in this species will require a certificate of origin to assure the members of CITES that the birds did not originate in Ghana (who has requested the special protection of its ring-necks by placing them on Appendix III). More information on the CITES Appendices and the animals listed in each appendix is available on the CITES website at www.cites.org/eng/app/index.shtml.

Listing criteria for a species is based on its range in the wild, NOT on its populations in captivity around the world. This is often very frustrating for aviculturists, as they do not understand why a "common" bird would require special permits for export. A good example of this would be something like the scarlet-chested parakeet which is listed on CITES Appendix I due to its rarity in the wild. Yet, here in the United States, and virtually across the world, scarlet-chested parakeets are very common and breed readily in captivity.

Many aviculturists are confused about our wildlife laws and how they interact with each other. One of the most confusing points is that CITES Appendix I listed species are not always "US Endangered Species. This is because the US ESA protects or lists species that meet certain criteria that are not necessarily the same as the criteria to list them on CITES Appendix I. Even though we call many of the parrot species now found on CITES Appendix I, Endangered, for our purposes here in the United States, they are not regulated unless we plan to ship them across an international border.

Many of the larger macaws are listed on CITES Appendix I, and therefore their international trade is prohibited except as captive-bred birds. CITES Appendix I includes the Spix's macaw, Lear's, Scarlet, Military, Buffon's, Caninde, Hyacinth, and Illiger's macaws. Yet the US ESA does not include any of these except the Spix's and Lear's macaws. So, for all intents and purposes here in the United States, we can freely exchange, breed, or possess any of these birds except the Lear's or Spix's macaw within our state, or in interstate commerce. To trade or sell a Spix's or Lear's macaw from one state to another would require federal permits. The regulations of the CITES Convention only affect international movements at this point in time. The USFWS is working on incorporating many of the resolutions into our domestic laws for the future.

Parrots are an important focus under CITES. Literally every meeting of the Parties involves some discussion about parrots and their international trade under the treaty. The many NGO groups provide data pertaining to parrots in the wild, and the current status of their habitats and numbers. Other birds and animals are also discussed. The participating NGOs would be familiar to many AFA members. They include the North American Falconer's Association, The Humane Society of the United States, PETA, Pet Industry Joint Advisory Counsel, Save the Whales, Animal Welfare Institute, Environmental Investigation Agency, AFA, World Wildlife Fund, Traffic, European Falconer's Association, and many, many more. These and other NGO organizations contribute their input to each and every discussion regarding the trade in birds and other animals.

CITES also has subcommittees. The one that would include birds is called the "CITES Animals Committee," which meets yearly. These committees are charged with gathering information to be presented at the formal Conference of the Parties every two years. Much of the work that would be of interest to AFA members is accomplished at this committee level. Thankfully the committee level is a little more personal than the COP meetings, and it is easier to raise concerns or present information that will then be used to formulate suggestions to the COP Parties.

One of the most important resolutions affecting bird breeders pertains to international trade in Appendix I species that were bred in captivity. The Convention provides for trade in Appendix I species as if they were on Appendix II -- if they are bona fide captive-bred animals. On the surface it sounds like something very easy to qualify for; however, the Parties have had much trouble defining "Bred in Captivity" in such a way that it would not affect wild birds and animals covered under Appendix I. Technically, the definition used can not affect any animal that was taken from the wild. Therefore, the definition that has been adopted eliminates all F1 (first generation captive-bred animals from qualifying because their parents were wild-caught). This way, to qualify as an animal "bred in captivity," an animal must be F2 (second generation captive-bred) or higher to be considered for trade as an Appendix II listed species. Furthermore, CITES has devised a "system of facility registration" where governmental organizations can verify that animals are actually being bred to the second generation. Unfortunately, the rules under these resolutions have

been so confusing and so rigid that there are only a handful of registered bird breeding facilities that have even registered for this exemption under CITES. The whole system is being reviewed and will probably be changed before too long at a meeting of the COP.

Another subject of heated debate at these meetings is the term "for commercial purposes." Under the Convention, a government must ascertain whether a facility breeds its animals for "primarily commercial purposes" or whether they are a "non-commercial" entity. After many discussions it has been agreed that unless you breed an animal species for a direct release program or approved conservation program, you are considered a commercial breeder and therefore must qualify under the current registration scheme in order to engage in international trade with an Appendix I species...traded as Appendix II. On the surface this angers many breeders as they often think of themselves as a non-commercial breeder. But technically all breeding is commercially driven unless all offspring are placed back into a conservation program that directly benefits the wild population of the same species. This means that if you have only one pair of Appendix I birds, and you breed them and sell your offspring to other breeders or the pet trade, you are a commercial breeder. Even many zoos are considered "commercial facilities" if they do not participate in "Species Survival Plans" that eventually will directly benefit the species in the wild. Under CITES, the trade in CITES Appendix I species for commercial purposes is strictly controlled.

Habitat preservation and restoration is not a primary part of CITES and its resolutions at this time. However there have been several important discussions about how the Convention can begin to include such conservation. It will be very interesting to see just how they resolve this issue.

THE AFA CITES COMMITTEE

The AFA has a committee devoted to CITES. This is not a new committee, but has been in existence for many years. If you research some of the old Watchbird Magazines, you will see that this committee goes way back, back to the time of the late Val Clear, and more recently, it was headed by the late Al McNabney. Today, the committee is ably chaired by Rick Jordan. The committee has been designing and selling lapel pins and artwork in order to fund attendance to the Animals Committee meetings and the Convention of the Parties. MUCH of the credit and work is being

accomplished by Lyrae Perry and Mark Moore, also of the AFA Store. The original concept of selling pins to fund the committee was Rick's idea, but with input from the committee members it has become a major project including art prints of each pin subject, and limited edition prints, matted and framed and even sterling silver coins depicting the Spix's macaw. To see all the available products, visit the AFA's website at www.afabirds.org.

The purpose of the AFA CITES committee is to participate in the CITES meetings and to assist the USFWS when information about breeding of parrots and other birds. Of course this input often goes directly to the CITES Animals Committee, but you would be surprised how often we agree with what the USFWS offers on the same subjects. The USFWS has granted the AFA official NGO status, and the chairman of the Animals Committee has extended an official invitation for the AFA committee chair to attend the yearly Animals Committee meetings.

If you have more questions on the AFA CITES Committee, contact Rick Jordan at hatch111@earthlink.net. We should all be proud of AFA's participation and accomplishments in this International Convention. We are virtually the ONLY U.S. parrot breeders' organization that attends the CITES Conferences and Committee Meetings.

International Trade In Appendix I Species **Rick Jordan** **AFA CITES Committee**

There seems to be some confusion about what trade is permitted in CITES Appendix I listed species. This confusion probably stems from the fact that the many different "reasons" something is traded also dictates whether a permit should be issued or not. Adding to the confusion is that many CITES Management Authorities within the different governments across the world are "interpreting" and "implementing" different CITES resolutions differently. This results in a citizen of one country being able to send a certain species to another country with little difficulty, while we in the U.S. feel frustrated because we have been told we cannot do the same thing. Every import or export is different regardless of what species it consists of. Some are commercial trades and some are of conservation value to the species.

One of the most confusing definitions used to determine if an export or import should be permitted is the term "for primarily commercial purposes". If an export of a CITES Appendix I specimen falls into this category, then under the Convention it is prohibited to issue this permit unless the specimen originates from a "Registered Facility" that has been previously approved by CITES. In order to have a facility registered, it must demonstrate that it reliably breeds this species to two generations (F2) or more, or is using methods that have resulted in F2 production in other facilities. Also, the facility must be breeding this species at the time of registration. This registration is required to demonstrate that there is no reliance on wild animals of the species to maintain breeding stock.

Sounds fairly simple, but, much of the confusion arises from our many different interpretations of what would be considered "commercial" in trade. Some countries consider private sector captive breeding as "not for primarily commercial purposes", while others consider it a commercial endeavor. Some countries try to consider the "recipient" before making this determination. For example, a specimen going to a zoo would not be considered commercial to some, while others still believe that the primary purpose of a zoo is to make money, therefore making it a commercial business. The pet trade is almost always viewed as a commercial activity, and some authorities tie in captive breeding as part of the pet trade (which in the U.S. is a valid assumption as most of our offspring are sold into "non conservation oriented situations").

So the next time a foreign breeder approaches you and asks to purchase a CITES Appendix I listed species and asks you to ship that bird to their country, consider that it may not be a very easy task. The U.S. Fish and Wildlife Service in Washington DC is our CITES Management authority. They make the determination as to whether the movement of a specimen is for "commercial purposes" or not. In most cases, if the transfer of a specimen does not directly contribute to the conservation of that species in the wild, or in an official managed captive breeding program for that species, the movement will most likely be considered a "commercial" transaction. And remember that a commercial transaction must originate from a CITES registered facility for that species. I would like to encourage all of you that breed Appendix I species to begin to gather your breeding records and register through our USFWS to CITES. It is not that difficult and will begin to open up the trade in captive-bred birds abroad and even here at home. After all, why would we continue

to pass more restrictive legislation here at home if our facilities are registered as CITES breeding facilities? One more thing before I let you go. If you only have one or two pairs of an Appendix I species and you feel you could never qualify for a registration, consider that the USFWS is encouraging "pooling", where several breeders of a species get together and provide the needed data to register the whole group. Move into the 21st century with aviculture...register to be a foreign exporter of an Appendix I species. ■

Commonly Kept Psittacine Species in the U.S. now listed on CITES Appendix I

Cockatoos: Moluccan, Goffin's, Red-vented, Citron-crested, Lesser Sulphur-crested, Palm

Macaws: Hyacinth, Military, Buffon's, Blue-throated, Illiger's, Scarlet

Amazons: Double yellow-headed, Yellow-naped, Vinaceous, Yellow-shouldered, Green-cheeked (Mexican red-headed), Lilac-crowned

Others: Golden Conures