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Author(s): Ginette Hemley

Source: *Wildlife Society Bulletin*, Vol. 23, No. 4, Changes and Challenges in the Wildlife Profession (Winter, 1995), pp. 635-639

Published by: Allen Press

Stable URL: <http://www.jstor.org/stable/3782993>

Accessed: 11/03/2010 02:03

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# CITES: How useful a tool for wildlife conservation?

*Ginette Hemley*

**A brief overview of how the Convention on International Trade in Endangered Species of Wild Fauna and Flora developed and can continue to be important international policy for sustainable use of wildlife.**

The Convention on International Trade in Endangered Species of Wild Fauna and Flora, or CITES, is 20 years old this year. The world's most inclusive wildlife conservation treaty, now with 130 member nations, CITES was signed in Washington, D.C. in 1973 and went into effect in July 1975. It is widely considered the most important international species conservation agreement, protecting thousands of animals and plants affected by global commerce. It has, at the same time, been criticized for not serving the wildlife management and sustainable-use needs of the developing world. Just what has CITES accomplished, and how must it evolve to better serve the conservation interests of all endangered and threatened species affected by international commerce?

The idea for an international agreement to control commerce in threatened species came out of discussions in the early 1960's among several African states and the International Union for the Conservation of Nature (IUCN, now the World Conservation Union), at a time when brisk world trade in such products as skins from spotted cats such as cheetah (*Acinonyx jubatus*) and jaguar (*Panthera onca*) was causing concern for the well-being of these species. By the late 1960's, imports of these species to the United States was reported at up to 5,000 and 13,000 skins/year, respectively, a level that appeared to far exceed sustainable exploitation. In 1972, the specific mandate for a wildlife

treaty was forged at the United Nations Conference on the Environment in Stockholm, Sweden. One year later, 24 nations convened in Washington, D.C. to draft the agreement. By 1975, 10 countries, led by the United States, ratified CITES and the treaty formally went into effect.

## ***Provisions of the treaty***

CITES is often described as both a trade treaty and a conservation treaty—trade in that it allows for the commerce of wildlife under certain conditions, and conservation in that it prohibits trade in species for which such activities are a survival threat. The back-



Black rhinoceros (*Diceros bicornis*) presents a conservation challenge. Photo credit: World Wildlife Fund.

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Author address: 1250 24th Street, NW, Washington, DC 20037, USA.

**Key words:** CITES, conservation, wildlife trade

bone to the convention consists of 2 lists, or appendices, of protected and regulated species. Appendix I includes those plant and animal species which are strictly prohibited from international commerce because trade is considered a threat to their survival; this list includes the great whales, numerous primates, many large felid and psittacine (parrot) species, and all sea turtles, among other species. Appendix II lists those taxa for whom international trade could become a threat if it is not carefully controlled, and includes numerous fur-bearing mammals, many reptile species valued for exotic leather and live animal trades, and most orchid and cactus species.

The global trade of any listed species requires permits issued by either the exporting country (for Appendix II species) or both the exporting and importing country (for Appendix I species, non-commercial activity permitted only); these permits serve as validation that such trade will not harm the survival of the species in the wild. CITES today lists over 675 animal and plant species on Appendix I and over 29,000 species on Appendix II (the listing of the family Orchidaceae accounts for over 25,000 species alone). Of the growing body of international environmental agreements, CITES probably has the most elaborate control framework. Upon joining the convention, member nations pledge to implement all of its provisions, which include scientifically assessing the status of traded species and building an enforcement framework to monitor trade and penalize offenders. The latter generally requires the adoption or amendment of legislation specifically to implement CITES.

### ***How is CITES working?***

Over the course of 2 decades, CITES has left a decidedly mixed record, although it has, in the minds of most experts, clearly benefited wildlife conservation. Species that were traded extensively internationally in the years preceding CITES—spotted cats exploited for the fashion fur trade, primates and parrots traded in large numbers for the pet market and for biomedical research, reptiles such as pythons (*Python* spp.), monitor lizards (*Varanus* spp.), and crocodylians used in the leather trade, and the African elephant exploited for its ivory—have all benefited from CITES controls and the heightened awareness and support the convention has brought to their conservation needs. Yet today, of the minimum \$10 billion in wildlife and wildlife products (excluding fisheries and timber products) traded globally each year as estimated by TRAFFIC (animal and plant trade monitoring program of World Wildlife Fund and IUCN), perhaps 25%—at least \$2.5 billion—is illegal. And a crisis is looming for 2 prominent large mammals—tigers

Product	At least
Primates (live)	40,000
Birds (live)	3 million
Ornamental fish (mostly freshwater)	350 million
Furs	40 million
Reptile skins	20 million
Reptiles (live)	100 million
Coral (raw)	1,000 tons
Cacti	10 million
Orchids	2 million

Source of estimates: CITES Annual Reports; U.S. Fish and Wildl. Serv. Wildlife Import Records.

(*Panthera tigris*) and rhinoceroses—because of poaching for a rampant and illicit international commerce in their body parts.

### ***Complex needs***

Why has CITES helped some species, but done little for others? The answer lies in a complex set of factors that together must be addressed if CITES is to more fully achieve its conservation goals in the coming years.

***Financing.*** A major impediment to proper implementation of the convention since its inception has been the lack of financing to assist countries with implementing science and enforcement requirements of treaties. When CITES was drafted in 1973, there were few global conservation agreements to draw from. Treaty founders could not foresee the broad demands associated with convention implementation in individual countries, including such activities as collecting information on the status of traded species (about which very little was or is known, with very few exceptions), administering a trade monitoring and reporting system, investigating illegal trade, and penalizing offenders. CITES imposed broad requirements, and it was assumed that each member nation could, or would, readily absorb the costs and build the needed infrastructure. While this is not an unusual requirement for international agreements, it was and remains a major challenge for CITES.

In 1973, there were few apparent funding options; today there are more, through multilateral and bilateral lending agencies and aid programs for developing countries, and innovative conservation finance mechanisms such as wildlife excise taxes and user fees. Unfortunately, such tools have not been used on a broad scale for wildlife trade control. In the United States, federal costs associated with monitoring wildlife trade are covered in part by permit fees

for the hunting and export of such species as American alligator (*Alligator mississippiensis*), bobcat (*Felis rufus*), and ginseng (*Panax quinquefolius*), and through inspection fees paid by traders for import and export of wildlife products. Yet few such programs exist in the developing world. Many countries have simply lacked the expertise, interest, or political will to address specific wildlife trade control needs and to make wildlife trade enough of a priority that it can compete on the national agenda with other development and economic expansion needs. And there has been little international assistance to explore these needs, even where wildlife is clearly a revenue-generating resource.

**Enforcement.** CITES is sometimes criticized for having no teeth. As with most international agreements, enforcement is left to individual parties, and the result—widely dependent on political will—is a great variation in commitment to enforcement. It was not until the late 1980's that the treaty became subject to serious enforcement, through detailed analyses by the CITES Secretariat (the treaty administration office in Geneva, Switzerland) of infractions of member nations. The so-called "infractions report," first issued in 1987 and at the biennial Conferences of the Parties (COP) thereafter, provides ample details on illegal trade, highlighting activities such as permit forgery and fraud, abuse of diplomatic privileges, and other smuggling ruses. A full-time enforcement officer was assigned to the CITES Secretariat in 1992 to track infractions problems, develop training tools, and host government enforcement seminars. The result has been a more structured approach to international enforcement issues and, in some cases, much-needed attention at higher political levels to wildlife smuggling problems.

While no country can claim a spotless record, lack of CITES enforcement has been an especially glaring gap in several key consuming nations in East Asia, particularly Japan, South Korea, the People's Republic of China, and Taiwan. It is fair to say that the growth in wildlife consumption in these and other Pacific Rim countries has far outpaced the rest of the world over the last decade, in line with the rapid economic expansion of the region. Luxury wildlife products that were once affordable by only the wealthy, including exotic fur and leather goods, rare pets, and traditional medicines containing rhinoceros horn, tiger bone, and bear (*Ursus* spp.) gall bladder, have become more widely available to a burgeoning middle class with growing expendable income. This, coupled with poor enforcement of wildlife trade controls, has made East Asia the hot bed of illegal wildlife trade in recent years.

In the case of tigers and rhinos, the result has been disastrous. The world's rhino populations, including all 5 species in Asia and Africa, have plummeted to a fraction of their numbers 2 decades ago, down to <11,000 animals. In just the last 5 or 6 years, as much as 15–20% of the world's tiger population in Asia and the Russian Far East may have been lost to poaching for the traditional oriental medicinal trade, with <6,000 tigers estimated to remain in the wild.

Until 2 years ago, very little was being done to address the complex problem of trade in endangered species for use in traditional Chinese medicines, although countries like Japan and China have been CITES parties since the early 1980's. In 1993, the CITES Standing Committee finally exerted pressure, calling upon consumer nations to take immediate and sweeping enforcement action or face possible trade sanctions. Seeing little response, the United States took matters into its own hands and in 1994 imposed trade sanctions on Taiwan under the Pelly Amendment to the Fisherman's Protective Act for Taiwan's failure to stem the illegal trade in rhino and tiger products. The result of the U.S. import embargo, affecting some \$24 million in wildlife goods annually from Taiwan, was dramatic. Taiwan enacted a tough new wildlife trade law, established a wildlife protection unit, and launched a major consumer awareness campaign. By the end of 1994, few rhino and tiger products could be found on Taiwan's retail market, a significant change from 2 years earlier. Repercussions were felt throughout the region as well, with new laws and enforcement activities evident in China, Hong Kong, South Korea, and Singapore. The big stick used by the United States, though controversial, helped elevate wildlife trade issues on political agendas and prompted much-needed enforcement, giving some hope that trade, even in high-value products of critically endangered species, might be controllable. The long-term effect of these actions, however, has yet to be seen.

**Incentives for sustainable use.** While the rhino and tiger trade problem might be extreme examples of wildlife trade problems, they illustrate the enormous incentive to illegally trade extremely valuable wildlife products (Asian rhino horn sells for up to \$20,000/kg in some retail markets in recent years). But even for species with smaller price tags on their parts, profits associated with illegal wildlife trade are large and are generally realized by only a few middlemen, corrupt government officials, and wealthy importers.

Countering this problem requires regulation, and regulation does not come cheaply or easily. Some countries have responded to CITES regulatory de-

mands by simply banning wildlife trade altogether. This has been the chosen course in much of Latin America, and in some cases the result has been simply to promote the black market. While trade bans have been important conservation measures for some threatened species such as certain parrots, they have done little to diminish the actual trade in and demand for other species, such as spectacled and yacare caiman (*Caiman crocodilus yacare*). The reason is, in part, that caiman populations are healthy in parts of the species' range, in spite of persistent hunting over many years. In the mid-1980's, the black market trade in caiman was thought to approach 1 million skins/year, mostly from central South America—a multimillion dollar trade benefiting few. There was little incentive to conserve and manage the species. Pressure from countries like the United States and Zimbabwe, which were actively trying to manage other crocodylians such as American alligator and Nile crocodile (*Crocodylus niloticus*), finally resulted in strengthened enforcement in the main consuming countries, notably France, Italy, and Japan, that were doing little to screen imports. With the added safeguard of more reliable import checks, some Latin American countries such as Venezuela began to allow legal hunting and export of caiman through quota and licensing systems. The trade has gradually been put on a more solid, legal footing.

**Control of trade.** The caiman example underscores the benefit of having a double-check system for wildlife trade, a practice which is not yet widely applied in CITES for the vast majority of commercially-traded species. At present, control of trade in Appendix II species is left entirely to the discretion of the exporting country; the importing country is only required to ensure that a permit accompanies each imported shipment. This one-way system led to disaster in the ivory trade in the 1980's. In an effort to control the booming illegal ivory trade, a 1985 CITES agreement required African elephant range states (countries) to individually set quotas for the export of elephant ivory based on national elephant manage-

#### Major wildlife exporting countries

##### North America

Canada  
Mexico  
United States

##### Central/South America

Argentina  
Guyana  
Nicaragua  
Venezuela

##### Africa

Madagascar  
Senegal  
South Africa  
Sudan  
Tanzania  
Togo

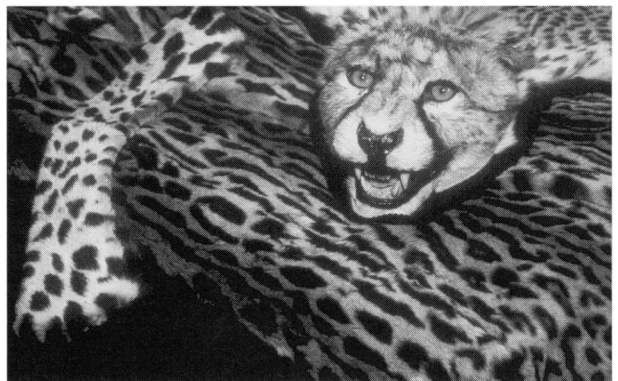
##### Eurasia

China  
India  
Indonesia  
Russian Republics  
Thailand  
Turkey  
Vietnam

Source: CITES Annual Reports

ment plans. There were no external controls on the export quotas or management plans. Ultimately, most ivory allowed into trade came from illegally-killed elephants. Ivory quotas were effectively determined by the amount of confiscated illegal ivory controlled by the government, a problem exacerbated by corruption. By the late 1980's, nearly 90% of the elephant ivory leaving Africa, equivalent to an estimated 50,000–70,000 elephants/year, came from poached animals; there was very little managed exploitation except in 2 or 3 southern African countries. In 1989, CITES responded to the crisis by banning all international trade in ivory, and the supply of illegal ivory from the African continent officially stopped, allowing decimated elephant populations to begin to recover.

The ivory trade experience, as with the caiman trade, highlights the importance of external controls on wildlife exports. More important, however, is the growing realization that such controls can serve as incentives for managed use and strict export regulation. In the spirit of free trade, CITES has generally not intruded on the trade decisions of exporting countries, even though many CITES signatory countries have been ill-equipped or unwilling to follow CITES rules. The practice of accepting trade deci-



Wild felids have been the focus of much CITES concern. Photo credit: Ginette Hemley.

sions at face value has begun to change. Through more targeted reviews of problems at the species and country level, CITES is increasingly using political pressure and technical guidance to encourage countries to better manage wildlife use and trade.

When countries do not respond to opportunities for international cooperation, which can include the provision of modest funding for conservation programs, trade may be officially stopped. This general approach has been used for the African leopard (*Panthera pardus*), for which national export quotas for hunting trophies are reviewed and approved by the CITES Conferences of the Parties every 2 years. If problems become evident with a leopard population or trade control regime, quotas are not granted. CITES has developed a similar system for some crocodilian species such as the Nile and saltwater crocodiles (*Crocodylus porosus*). Countries seeking to export crocodile products are provided a reasonable amount of time to develop a national management plan, and exports depend on approval and biannual review by the CITES Conference of the Parties. The system requires regular reports from the exporting country and provides for an international feedback loop to make adjustments in allowable trade levels, when needed. The success of these programs depends to a large extent on regular dialogue with each country and independent reviews of their management programs. The main limiting factor is, not surprisingly, funding to undertake regular reviews; but increasingly, these costs are covered at least in part by the user industry.

**More effective incentives.** In spite of continuing problems with illegal wildlife trade, the previous examples illustrate that CITES has begun to provide incentives for controlled wildlife trade along with the

teeth to make the system work. The general approach discussed previously is now being applied to a number of Appendix II-listed mammal, bird, and reptile species that are significantly traded, but for which few management programs exist to ensure that harvest and trade are not detrimental. Exporting countries are given a reasonable period to undertake basic population surveys and begin developing wildlife management regimes, often with funding assistance from the CITES Secretariat or major consumers like the United States, the European Union, or Japan. If countries fail to act, import moratoria are imposed for the affected species until the problem is addressed. With conditions like these, countries are encouraged to implement conservation programs and can be assisted in doing so. Countries that fail to act risk losing their trading privileges. While it is too soon to know how effective the new system will be, it is one of CITES' most promising developments. The first 20 years of CITES provide promise as well as important learning experiences for effectively implementing major international policy that recognizes the importance of sustainable use of wildlife resources.

**Ginette Hemley** is the Director of International Wildlife Policy for the World Wildlife Fund-US (WWF-US). She is responsible for initiating international policy relating to endangered and threatened species and for integrating species protection efforts in WWF policy and field programs. Ms. Hemley also directed TRAFFIC USA, the wildlife trade monitoring program of WWF-US. Prior to joining the WWF, Ms. Hemley worked with the law enforcement division of the U.S. Fish and Wildlife Service and with Defenders of Wildlife. Ms. Hemley received a B.S. in Biology from the College of William and Mary.

