

FAQ (Frequently Asked Questions)



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1 What is CITES and what species are listed in the CITES Appendices?

CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) and is an international agreement between governments. This environmental convention provides the international legal framework and common procedural mechanisms for regulating international trade in wild animals and plants, including live and dead specimens (whole), parts (such as animal skins) and derivatives (such as food/medicine made from such animals and plants).

The aim of CITES is to ensure that international trade in wild animals and plants does not threaten their survival. All imports, exports, and re-exports of species covered by the Convention have to be authorized through a system of permits and certificates.

States (countries) join CITES voluntarily and those States that have agreed to join CITES are known as Parties. Although CITES is legally binding on its Parties – in other words Parties have to implement the Convention – it does not take the place of national laws. Instead it provides a framework to be respected by each Party, which has to adopt its own domestic legislation to ensure that CITES is implemented nationally. There are around 28 000 plant species and 5 000 animal species covered by the provisions of CITES, and these are divided into three Appendices, depending on the degree to which they are threatened by trade:

1. Appendix I contains about 600 animal species and 300 plant species that are considered to be threatened with extinction. Trade in specimens of these species is permitted only in exceptional circumstances, such as for educational or scientific purposes.
2. Appendix II contains about 4 400 animal species and 29 000 plant species. These species are not necessarily threatened with extinction, but trade must be controlled in order to avoid utilization incompatible with their survival.
3. Appendix III contains about 160 animal species and 10 plant species that are protected in at least one country and which has asked other CITES Parties for assistance in controlling the trade.

For more information on the Appendices go to the CITES website: www.cites.org

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2 What are the differences between CITES and the EC Wildlife Trade Regulations?

All 27 European Union (EU) Member States are Parties to CITES and implement its provisions jointly through the EC Wildlife Trade Regulations (*Council Regulation (EC) No. 338/97* and *Commission Regulation (EC) No. 865/2006* as amended by *Commission Regulation (EC) No. 100/2008*). There are four Annexes (A, B, C and D) to the EC Wildlife Trade Regulations: Annexes A, B and C largely correspond to Appendices I, II and III of CITES, but also contain some non CITES-listed species that are protected under EU internal legislation. Annex D, for which there is no equivalent in CITES, is often referred to as the “monitoring list”. It contains species for which import levels are monitored to determine the level of trade and any potential threats to the species caused by trade.

The EC Wildlife Trade Regulations not only implement all the provisions of CITES (the text of the Convention) as well as a large number of recommendations adopted by the CITES Parties (CITES Resolutions), but they also go beyond the requirements of the Convention in some respects:

- The EC Wildlife Trade Regulations have stricter import conditions than those imposed by CITES.
- Import permits are not only required for species listed in Annex A, but also for species listed in Annex B. Import notifications are required for species listed in Annexes C and D.

- Some species that are listed in Appendix II of CITES are listed in Annex A of the EC Wildlife Trade Regulations, and consequently such specimens have very strict requirements for trade (i.e: no commercial trade in most circumstances).
- The EC Wildlife Trade Regulations have stricter provisions than CITES regarding the housing conditions and transport requirements for live specimens.
- The EC Wildlife Trade Regulations regulate internal (domestic) trade as well as international trade, whereas CITES regulates international trade only. Commercial trade in Annex A specimens is generally prohibited, although exemptions can be granted on a case-by-case basis and authorised with the issuance of special certificates.
- The EC Wildlife Trade Regulations authorise the EC Member States to suspend imports with regard to certain species and countries, even if trade is allowed under CITES.

Although the EC Wildlife Trade Regulations are directly applicable in all EU Member States, the necessary enforcement provisions (control and sanctions) as well as the appointment of the Management and Scientific authorities must be implemented in each Member State through the enactment of national legislation. More detailed information on the difference between CITES and the EC Wildlife Trade Regulations can be found on this website and in the Reference Guide to the EC Wildlife Trade Regulations which can be downloaded from http://ec.europa.eu/environment/cites/legislation_en.htm.

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3 How is the new EC Wildlife Trade Regulation different to the previous one?

The EC Wildlife Trade Regulations consist of *Council Regulation (EC) 338/97* and *Commission Regulation (EC) 865/2006* which was amended by *Commission Regulation (EC) No. 100/2008* in February 2008 and replaces the old *Commission Regulation (EC) 1808/2001*. This new Commission Regulation, as amended, incorporates most of the amendments which were agreed at the 14th meeting of the Conference of the Parties to CITES (CoP14). For example, the new Regulation includes new provisions regarding issuance and rejection of permits, the control of travelling exhibitions and travelling with personal pets of species listed in the Annexes, and the control of personal and household effects.

More detailed information about the new EC Wildlife Trade Regulation can be found in the Reference Guide to the EC Wildlife Trade Regulations which can be downloaded from http://ec.europa.eu/environment/cites/legislation_en.htm.

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4 How do I know whether I need a permit to import or export wildlife specimens into or out of the European Union?

Import, export and re-export of any live animal or plant (or any part or derivative of an animal or plant) listed in the EC Wildlife Trade Regulation Annexes into or out of the EU requires a CITES permit or certificate. The first step is therefore to find out whether a

species is listed in the Annexes. This can be done by looking at the EC Annexes (most recent version is *Commission Regulation (EC) No. 318/2008* of 31 March 2008) or via the “EU Wildlife Trade Reference Database” of the UNEP-World Conservation Monitoring Centre (UNEPWCMC) website <http://sea.unep-wcmc.org/eu/Taxonomy/index.cfm>?

You should also check with the national CITES Management Authority (see Question 7) of your country as the Management Authority is in charge of administering the licensing system, as well as national coordination for the implementation of CITES, and will advise whether the species you are interested in needs a permit/certificate.

More detailed information about permits can be found on this website, in the section called ‘Permits, certificates and notifications needed for trade into, from and inside the EU’.

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5 Do I need permits to move an EC Wildlife Trade Regulation-listed species between European Union Member States?

Due to the establishment of the EC single market, there are no internal border controls in the EU and, generally, goods can be moved and traded freely inside the EU. Consequently, no permits or certificates are needed for the movement inside the EU of specimens of a species listed in Annexes B, C or D. However, specimens of species listed in Annex A are generally not allowed to be traded for commercial purposes and their movement inside the EU is also strictly controlled. Commercial trade in specimens of species listed in Annex B is allowed within the EU provided that the specimen was imported or acquired in accordance with relevant laws.

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6 Are permits required to trade animals bred in captivity, or for artificially propagated plants?

To qualify as an animal bred in captivity or as an artificially propagated plant, there are strict requirements which must be met. The national CITES Management Authority and the Scientific Authority will be able to advise whether an animal/plant meets these definitions. Specimens of species listed in Annex A that were born and bred in captivity or were artificially propagated are treated as specimens of species listed in Annex B, meaning that they can be imported into, exported or re-exported from the EU providing that they have a certificate from the Management Authority confirming that the specimen was indeed bred in captivity or artificially propagated in accordance with the definition provided in the EC Wildlife Trade Regulations. Internal trade within the EU of captive-bred or artificially propagated specimens of species that are listed in Annex A requires an internal trade certificate, which is issued on a case-by-case basis.

More detailed information about permits can be found on this website, in the section called ‘Captive breeding and artificial propagation: definitions and regulations’

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7 Where can I find contact details of the national agency responsible for the implementation of CITES/issuing permits?

The national agency in charge of implementing CITES in each country is called the Management Authority. The CITES website www.cites.org contains a section called 'National contacts & information' where contact details can be found for the CITES Management Authority (who issue permits & certificates), the CITES Scientific Authority (who advise the Management Authority on issuance of permits in relation to the status of the species) and enforcement authorities such as Customs or police, for each CITES Party.

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8 I want to buy a pet or a plant in the EU, how do I know what the requirements are?

Before you purchase your pet or plant, the first step is to check whether the species is listed in the Annexes of the EC Wildlife Trade Regulations. This can be done by looking at the EC Annexes (last version is *Commission Regulation (EC) No. 318/2008* of 31 March 2008) or via the "EU Wildlife Trade Reference Database" of the UNEP-World Conservation Monitoring Centre (UNEP-WCMC) website <http://sea.unep-wcmc.org/eu/Taxonomy/index.cfm>?

If the species is listed in the EC Wildlife Trade Regulation Annexes, then you should consult your national CITES Management Authority who should be able to advise you on requirements relating to the purchase of the pet or plant. The Management Authority will also be able to advise which documents the dealer should provide you with. The CITES website www.cites.org contains a section called 'National contacts & information' (http://www.cites.org/common/directy/e_directy.html), where contact details can be found for the CITES Management Authorities. It would also be worthwhile to confirm whether the species is wild or captive-bred/artificially propagated, since there are different requirements for these two groups. Bear in mind, that in addition to document requirements regarding species listed in the CITES Appendices or the Annexes, there may also be sanitary, veterinary or other document requirements. More information on this topic as well as the contact details for hobbyist and commercial associations, both at national and international level, can be found on www.eu-wildlifetrade.org. Finally, as far as possible, make sure that you are buying from a reputable dealer. If in doubt, do not buy!

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9 How can I know what souvenirs I can buy when I am on holiday, and which are illegal or need a permit?

When you are on holiday, think twice before you buy souvenirs made from wildlife products, such as animal skins, tortoiseshell, teeth, feathers or coral – they could be illegal. CITES regulates international trade in threatened species, as well as products and derivatives thereof, and the EC Wildlife Trade Regulations regulate international trade into and from the EU as well as internal trade within the EU. If the souvenir you are interested in is made from a species listed in Annex A or B of the EC Wildlife Trade Regulations, you may need a permit or certificate to bring this home. The Management Authority of the country where you are on holiday should be able to advise you on permit requirements. The CITES website www.cites.org contains a section called 'National

contacts & information' where contact details can be found for the CITES Management Authorities (who issue permits), CITES Scientific Authorities (who advise the Management Authorities on the effects of trade on the status of the species) and enforcement authorities such as Customs or police.

Countries also have national legislation which protects some species of animals and plants. Therefore, the purchase of wildlife souvenirs is not simply a matter of whether the species is regulated in international trade, as the specimen may also be protected under national law, but not regulated under CITES or the EC Wildlife Trade Regulations.

This website also contains information and advice for tourists and travellers, in the section called 'Wildlife Souvenirs Guide'. This includes information such as the type of wildlife souvenir that will require a permit, and those that you should avoid buying because international trade is banned for these species.

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10 Do I need to take any special measures if I travel with a pet that is listed in the Annexes of the EC Wildlife Trade Regulations?

Special certificates can be obtained if you wish to travel with a legally acquired pet animal of a species listed in Annexes A, B or C. These certificates are referred to as "personal ownership certificates" and can be used more than once, thereby preventing the need to apply for a CITES permit each time an international border is crossed.

Where do I get documents from, and what conditions are there for issuance?

If your pet originates from within the Community, the certificate is issued by the Management Authority of the Member State from which the specimen originates. If your pet originates from a country outside of the Community, the Management Authority of the EU Member State that was the first country of destination in the EU for the specimen issues the personal ownership certificate, on the condition that equivalent documentation from the country of export has been provided by the holder to that Management Authority. Specimens are only eligible for personal ownership certificates if they were legally acquired, are for personal non-commercial use, and were born and bred in captivity (in accordance with the EC Wildlife Trade Regulations) or acquired or introduced into the Community before CITES provisions or Community Regulations were applicable to them.

Other conditions

All live animal specimens must be uniquely and permanently marked in accordance with Article 66 – Marking Methods of *Commission Regulation (EC) No. 865/2006*, as amended by Article 18 of *Commission Regulation (EC) No. 100/2008*, so that the authorities may verify that the animal covered by the personal ownership certificate corresponds to the animal being imported or exported. The animal must also be registered by the certificate-issuing authority.

Personal ownership certificates shall cease to be valid if the specimen is sold, lost, or stolen or if ownership of the specimen is otherwise transferred. The certificate is also no longer valid if the animal has died, escaped or been released to the wild.

What happens if I travel with a pet within the EU?

You do not need a permit or certificate to travel within the EU with a pet that is a species listed in the Annexes. The only exemption is if you have a pet of an Annex A-listed species which is not of captive-bred origin, for which the CITES Management Authority has prescribed in the import permit or relevant certificate a location at which it is to be kept. In those cases you need a special certificate from the Management Authority of the country in which the specimen is located that allows you to move the animal from the prescribed location to another location..

What happens if I travel out with a pet of the EU and then back into the EU e.g. if I go on holiday?

Provided that the animal covered by this certificate is accompanied by its legal owner, the personal ownership certificate may be used as an import permit or as an export permit or re-export certificate as long as the country of destination so agrees.

Other measures

Some additional national measures may apply for certain species. In addition, owners should check whether there are other requirements for travelling with a pet, such as legal veterinary requirements (*Commission Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC*) and animal health requirements (*Commission Regulation (EC) No 18/2006 of 6 January 2006 amending Annex II to Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the list of countries and territories*).

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11 How do I find information on endangered species?

A species can be considered to be endangered either at the global, regional, national or population level. The most widely recognised classification for globally endangered species is the Red List of Threatened Species [www.redlist.org] produced by IUCN – The World Conservation Union. The IUCN Species Survival Commission (IUCN/SSC) [www.iucn.org/themes/ssc/index.htm] has for four decades been assessing the conservation status of species, subspecies, varieties and even selected sub-populations on a global scale in order to highlight taxa threatened with extinction, and therefore promote their conservation. The Red List of Threatened Species classifies species into different categories, such as Critically Endangered, Endangered, Vulnerable and Lower Risk. It is important to remember that unsustainable trade is only one of many factors that may threaten species. Hence, CITES does not cover all “threatened” species, only those which are threatened or potentially threatened by international trade. Additional information on species regulated by CITES can be found on the CITES website www.cites.org or in the Species Database (www.unep-wcmc.org) of the United Nations Environment Programme – World Conservation Monitoring Centre (UNEP-WCMC).

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12 If a species is endangered then why allow trade? Should trade not simply be banned to protect the species?

CITES and related wildlife trade regulations, such as the EC Wildlife Trade Regulations, were put in place to regulate trade to within sustainable levels, in order to prevent species becoming extinct due to overexploitation. This applies to both species which are known to be threatened with extinction, as well as species which, although not necessarily now threatened with extinction, may become so unless trade is strictly regulated.

Species listed in Annex A of the EC Wildlife Trade Regulations include those that are, for the most part, under immediate threat of extinction. “Trade” in wild specimens of Annex A-listed species is usually allowed only in very few exceptional circumstances, such as for educational, scientific or conservation purposes. Trade for primarily commercial purposes is not allowed. Exemptions are in place for captive-bred or artificially propagated specimens of these species.

However, the vast majority of trade occurs in species listed in Annex B of the Regulations, which are not currently threatened with extinction but may become so unless trade is strictly regulated. Regulating trade in these species provides a means of monitoring trade to make sure that it is conducted at sustainable levels. Trade can generate income for local communities and provide funds for governments to ensure that the species is not over-exploited. Conversely, banning all trade in these species will not necessarily diminish demand and may even lead to trade going “underground” and increasing illegal trade. Once this happens, there is no means of regulating or monitoring the trade and the species may become even more threatened.

These trade regulations therefore are not just a means to stop international trade when other conservation efforts have failed. They are also vital tools to assist countries in managing their natural resources so that populations of species do not reach the point where trade bans could be the only option left. Sustainable trade can itself contribute to the survival of a species by providing value and therefore economic incentives to local people and governments, which can help to ensure conservation of the species.

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13 How can I find trade data on a particular CITES-listed species?

If you are looking for import, export or re-export data for a species that is listed in the CITES Appendices, you can search the UNEP-WCMC CITES Trade Database at www.unep-wcmc.org/citestrade/trade.cfm. Data can be extracted from this database by species, year, export and import countries, terms (i.e. product type), source of specimen in trade, and purpose of the trade transaction. UNEP-WCMC has also posted a Guide to Interpreting Outputs from the UNEP-WCMC CITES Trade Database on this website, which will help interpret the data.

To find information on CITES-listed species, see also the Trade Information Query Tool, run by UNEP-WCMC at <http://quin.unep-wcmc.org/isdb/extra/index.cfm>. This is a useful tool that can provide information about CITES quotas, other CITES restrictions, EC trade

suspensions and other decisions (Positive or Negative Opinions) regarding species listed in the Annexes.

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14 How do I know whether the Internet sale of an animal or plant of an endangered species is legal?

To find out whether a species offered for sale on the Internet can legally be sold, the first step is to check whether the species is listed in the Annexes of the EC Wildlife Trade Regulations. This can be done by looking at the EC Annexes (last version is *Commission Regulation (EC) No. 318/2008* of 31 March 2008) or via the “EU Wildlife Trade Reference Database” of the UNEP-World Conservation Monitoring Centre (UNEP-WCMC) website <http://sea.unep-wcmc.org/eu/Taxonomy/index.cfm?>. If the species is listed, trade restrictions and permit requirements apply. Also, to find out more information on the Internet posting itself, you can contact the administrator of the website that is hosting the sale. Some websites, such as eBay, have a ban on sales of certain wildlife products such as ivory.

If the species is listed in the EC Wildlife Trade Regulation Annexes and you are considering purchasing it, then you should consult your national CITES Management Authority who can advise you on document requirements, including those the seller should provide the buyer. The CITES website www.cites.org contains a section called ‘National contacts & information’, where contact details can be found for the national CITES Management Authorities. It would also be worthwhile asking the seller whether the species is wild or captive-bred/artificially propagated, since there are different requirements for these two groups. Bear in mind, that in addition to trade-related requirements, there may be sanitary, veterinary, agricultural or other documentary requirements.

It is worth noting that in many cases, specimens listed on the Internet are simply cases of Internet fraud, and the specimens may not even be real but merely a false transaction to get people’s money. As with any sale of animals or plants: if in doubt, do not buy!

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