



## NOTICE TO THE WILDLIFE IMPORT/EXPORT COMMUNITY



December 23, 2004  
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### **Subject: Trade Restrictions on CITES-Listed Wildlife from India**

**Background:** The U.S. Fish & Wildlife Service received notice from the CITES Secretariat that India failed to adopt required CITES legislation or submit an adequate CITES legislative plan to satisfactorily implement and enforce the Convention on International Trade in Endangered Species upon import, export, and re-export. This failure poses a serious threat to many endangered and threatened species. India has been a member of CITES since 1976.

The Endangered Species Act prohibits trade (import, export, re-export) in specimens traded contrary to the CITES Convention. Articles II and VIII of CITES require that countries take appropriate measures to enforce the provisions of the treaty and to prohibit trade in specimens that are in violation. CITES permits and certificates may only be issued and considered valid when it is determined that the specimens have been legally acquired.

As a member of CITES, the United States is committed to carrying out decisions and policies approved by CITES countries that reflect appropriate interpretations of the treaty. Based upon the lack of implementing legislation in India, the United States cannot establish legal origin of wildlife that is exported or re-exported from India. Any export permits or re-export certificates issued by India for commercial shipments are considered invalid, and such shipments may not be imported directly from India or through an intermediary country. In addition, the United States cannot allow commercial export or re-export of CITES-listed specimens from the United States to India since there are no enforcement provisions in place to ensure that the Convention is being implemented.

**Action:** Effective immediately, the United States will prohibit the commercial import of CITES-listed specimens from India, or CITES-listed specimens with an origin of India. The United States will also prohibit the commercial export-or re-export of CITES-listed specimens to India, or the commercial re-export of CITES-listed specimens with an origin of India, until further notice. Any such shipments are subject to seizure and forfeiture.

### **Contact:**

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