



NOTICE TO THE WILDLIFE IMPORT/EXPORT COMMUNITY



October 31, 2003
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Subject: Trade Restrictions on CITES-Listed Wildlife from Fiji

Background: The U.S. Fish & Wildlife Service received notice from the CITES Secretariat that Fiji failed to adopt required regulatory measures, develop appropriate coral export quotas, and satisfactorily implement and enforce the Convention on International Trade in Endangered Species (CITES) upon import, export, and re-export. This failure poses a serious threat to many endangered and threatened species. Fiji has been a member of CITES since 1997 and is engaged in significant amounts of wildlife trade. In the notice, the Secretariat recommends that all CITES countries refuse import from, and export or re-export to, Fiji of specimens of CITES-listed species.

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 regulations in Fiji and the country's failure to provide details of export quotas, the United States cannot establish legal origin or the lack of detriment of wildlife that is exported or re-exported from Fiji. Any export permits or re-export certificates issued by Fiji are considered invalid, and shipments may not be imported directly from Fiji or through an intermediary country. In addition, the United States cannot allow export or re-export of CITES-listed specimens from the United States to Fiji 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 import of CITES-listed specimens from Fiji or CITES-listed specimens with an origin of Fiji until further notice. The United States will also prohibit the export or re-export of CITES-listed specimens to Fiji or the re-export of CITES-listed specimens with an origin of Fiji until further notice. Any such shipments are subject to seizure and forfeiture.

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