

# INTERNATIONAL TREATIES, CONVENTIONS, INITIATIVES, AND AGREEMENTS AS THEY RELATE TO STATE FISH AND WILDLIFE AGENCIES



The more knowledge that the state fish and wildlife agencies have to provide input into international treaties, conventions and other forums and the more our international partners understand and respect the role of the state fish and wildlife agencies, the better able the better able we will be to influence decisions and reduce negative impacts on the state fish and wildlife agencies.



# Table of Contents

- 4** Introduction
- 6** Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- 10** The Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention)
- 14** Convention on Migratory Species of Wild Animals (CMS)
- 16** Convention on Biological Diversity (CBD)
- 20** International Union for the Conservation of Nature (IUCN)
- 24** U.S./European Union Agreed Minute related to Humane Trapping Standards
- 27** References

International treaties, agreements, and initiatives offer opportunities and challenges to state fish and wildlife agency management. They often supersede state authority and can limit how states manage wildlife. They also can increase federal oversight of and reporting requirements by state agencies. Added regulations and oversight that results from restrictions adopted through international treaties (e.g., Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)) have had significant impact on state resources and management.

Experience has demonstrated that a general knowledge of the international arena on the part of the state agencies would significantly enhance the effectiveness of the state fish and wildlife agencies' ability to address these treaties and conventions. Understanding issues and developing working relationships with international colleagues over a sustained period are essential for effectively resolving issues and developing a working knowledge of these forums.

Increasing our international partners' understanding of the vital role state agencies play in fish and wildlife management in the U.S. is also critical to our success in influencing policies and decision. Protectionist viewpoints are becoming more prominent in international meetings and conventions. This, combined with the substantial funding to support their agenda, has increased our need to understand, engage and influence international actions. The more knowledge that the state fish

and wildlife agencies have to provide input into international treaties, conventions and other forums and the more our international partners understand and respect the role of the state fish and wildlife agencies, the better able we will be to influence decisions and reduce the impact of decisions on the state fish and wildlife agencies.

For example, state management and harvest decisions for bobcats stem from federal restrictions resulting from CITES actions more than 40 years ago. The recent collapse of the Caspian sturgeon fishery, proposed reactions by the European Union, and possible Federal regulatory actions may have significant impact on states' regulatory authority and harvest of paddlefish. Both are examples of international actions that have significant impact on states' authority. Additionally, discussion and resolutions accepted at international forums such as the International Union for the Conservation of Nature (IUCN) and Convention on Migratory Species of Wild Animals (CMS) can impact discussions in the U.S. and pressure U.S. agencies to make significant policy changes.

This document provides an overview of the conventions, treaties, agreements and initiatives that can have an impact on the state fish and wildlife agencies' ability to manage and conserve wildlife. The objective is to increase general knowledge about them and how they function, and how they can impact state fish and wildlife agencies.



## Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

DATE SIGNED: 3 March 1973

DATE ENTERED INTO FORCE: 1 July 1975

U.S. A SIGNATORY/PARTY: Yes

RESPONSIBLE U.S. FEDERAL AGENCY: U.S. Fish and Wildlife Service,  
Offices of the Scientific Authority and Management Authority

In the United States, the Endangered Species Act is the implementing legislation for Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The responsibilities of the Management and Scientific Authorities are carried out by the Office of Management Authority and the Office of Scientific Authority in the U.S. Fish and Wildlife Service in the Department of the Interior.<sup>2</sup> The mission of the Division of Scientific Authority (DSA) is to serve as the U.S. Scientific Authority for the CITES. They provide scientific advice on the issuance of permits for international trade; the listing of native and foreign species under CITES; implementation of the Wild Bird Conservation Act; and other policy matters, particularly as they may relate to international wildlife trade and exotic species.

The Division of Management Authority (DMA) implements domestic laws and international treaties to promote long-term conservation of global fish and wildlife resources. The office dedicates its efforts to conserving species at risk from trade and implementing policies that have a broad impact on conservation overall.

STATE FISH AND WILDLIFE AGENCIES REPRESENTED: Yes, CITES Technical Work Group

On the CITES Technical Work Group, the state fish and wildlife agencies have 4 representatives, with one representative from each region that represent SEAFWA, NEAFWA, WAFWA, and MAFWA.

**BACKGROUND/PURPOSE:** The Convention on International Trade in Endangered Species of Wildlife Fauna and Flora (CITES) was established as a response to growing concerns that over-exploitation of wildlife through international trade was contributing to the rapid decline of many species of plants and animals around the world.<sup>1</sup>

The aim of CITES is to ensure that international trade of wild animal and plant species does not threaten their survival. The Convention's conservation goals are to: monitor and stop commercial international trade in endangered species; maintain species under international commercial exploitation; and assist countries toward sustainable use of species through international trade. CITES parties regulate wildlife trade through controls and regulations on species listed in three appendices. Appendix I lists species endangered due to international trade. Trade in such species is permitted only in exceptional circumstances. Appendix II species are those that may become endangered if their trade is not regulated, thus they require controls aimed at preventing unsustainable use, maintaining ecosystems and preventing species from entering Appendix I. Appendix III species are those subject to domestic regulation by a party requesting the cooperation of other parties to control international trade in that species.<sup>1</sup> There are approximately 5,600 fauna species and 30,000 flora species listed under the three CITES appendices.

**STRUCTURE:** As of September 2014 there are 180 Parties that are signatures to CITES. The Conference of the Parties (COP) is the governing body of CITES. Other operational bodies of CITES include the Standing Committee, the Plants Committee and the Animals Committee. The CITES Secretariat interprets Convention provisions and assists CITES parties and committees.<sup>1</sup>

In order to list a species in Appendix I or II, a party needs to submit a proposal for approval by the COP, supported by scientific and biological data on population and trade trends. The proposal must be adopted by a two-thirds majority of parties present and voting. As the trade impact on a species increases or decreases, the COP decides whether or not the species should be transferred or removed from the appendices.<sup>1</sup>

Parties regulate international trade of CITES species through a system of permits and certificates that are required before specimens listed in its appendices are imported, exported or introduced from the sea. Each party is required to adopt national legislation and to designate two national authorities, namely, a Management Authority responsible for issuing these permits and certificates based on the advice of the second national body, the Scientific Authority.<sup>1</sup> Qualifications for granting or denying a permit vary according to the Appendix.

In general, the Party must determine that:<sup>2</sup>

1. The specimen was not obtained through the violation of any domestic laws,

2. a living specimen will be prepared and shipped in a manner not detrimental to its health or welfare,
3. an import permit has been granted for Appendix I species before an export permit can be granted, and
4. import of specimens on Appendix I is not primarily for commercial purposes.
5. the necessary advice from the Scientific Authority has been issued.

Management Authorities are also responsible for confiscated live illegal shipments of specimens (plants and animals). The specimens are to be sent to the State of origin, a rescue center, or some other suitable site, such as a zoo. Furthermore, to help prevent forgery of documents, Management Authorities must supply copies of stamps, seals, etc. used on its permits to any Party that requests a copy.<sup>2</sup>

The Scientific Authorities advise the Management Authorities about whether trade will endanger a species' survival. Management Authorities may not issue an import or export permit without first obtaining this information. In addition, the Scientific Authorities advise whether the person or entity receiving the specimen will be able to care for it properly. The Scientific Authorities also recommend to the Management Authorities measures to limit issuance of permits to avoid listing specimens on Appendix I. Advice is to be based on information on the population status, distribution, harvest, population trends, other ecological or biological information, and the

possibility for trade. The Scientific Authorities are further directed to review the qualifications of scientific organizations pursuing registration for scientific exchanges.<sup>2</sup>

### **STANDING COMMITTEE**

The Standing Committee provides policy guidance to the Secretariat concerning the implementation of the Convention and oversees the management of the Secretariat's budget. It also coordinates and oversees, where required, the work of other committees and working groups; carries out tasks given to it by the COP; and drafts resolutions for consideration by the COP.<sup>1</sup>

### **ANIMALS AND PLANTS COMMITTEES**

The Animals and Plants Committees were established at COP-6 (1987, Ottawa, Canada) to fill gaps in biological and other specialized knowledge regarding species of animals and plants subject to CITES trade controls. Their role is to provide technical support to decision making about these species. Their terms of reference include: providing scientific advice and guidance to the COP, the other committees, working groups and the Secretariat; dealing with nomenclatural issues; undertaking periodic reviews of species in order to ensure appropriate categorization in the CITES appendices; advising when certain species are subject to unsustainable trade and recommending remedial action (through a process known as the "Review of Significant Trade"); and drafting resolutions on animal and plant matters for consideration by the COP. The Animals and Plants Committees meet twice between COP meetings. They report to the COP



and, if so requested, provide advice to the Standing Committee. Their members are experts from the six major geographical regions (Africa, Asia, Europe, North America, Central and South America and the Caribbean, and Oceania) as well as a specialist on nomenclature.<sup>1</sup>

### **CONFERENCE OF THE PARTIES**

The first CITES COP was held in Bern, Switzerland, in November 1976, and subsequent COPs have been held every two to three years. The COP meets to, inter alia: review progress in the conservation of species included in the appendices; discuss and adopt proposals to amend the lists of species in Appendices I and II; consider recommendations and proposals from parties, the Secretariat, the SC and the scientific committees; and recommend measures to improve the effectiveness of the Convention and related to the functioning of the Secretariat. The COP also periodically reviews the list of resolutions and decisions, as well as the species listed in its appendices.<sup>1</sup>

### **IMPACT OF TREATY TO STATE FISH AND WILDLIFE AGENCIES:**

The United States government, acting through the U.S. Fish & Wildlife Service (USFWS), is a signatory to CITES. The Treaty and its implementation directly impact state fish & wildlife agencies. Because this is a treaty, state fish & wildlife agencies do not have direct negotiation powers or voting authority. Some of the species which are listed in the CITES Appendices are abundant game species in the United States, including bobcats, river otters, black bears, and paddlefish.

Since the United States is a signatory to CITES, state fish and wildlife agencies are bound by the terms of the treaty. This can impact the ability of state fish and wildlife agencies to manage fish and wildlife if harvested species are in international trade. Examples include the requirement to tag bobcat pelts and the monitoring of native turtle harvest to meet the food demand in China. In order to effectively provide input into CITES, the state agencies must participate on a regular basis in the decision meetings of the federal government and attend CITES meetings, which are typically outside of the United States.

# **The Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention)**

DATE SIGNED: 2 February 1971

DATE ENTERED INTO FORCE: 21 December 1975

U.S. A SIGNATORY/PARTY: Yes

RESPONSIBLE U.S. FEDERAL AGENCY: U.S. Fish and Wildlife Service, International Affairs Division, Wildlife without Borders Global program.

STATE FISH AND WILDLIFE AGENCIES REPRESENTED: Yes

AFWA has a representative on the U.S. National Ramsar Committee and on the U.S. Delegation to the Ramsar Conference of the Parties.

**BACKGROUND/PURPOSE:** The Convention on Wetlands of International Importance especially as Waterfowl Habitat, called the Ramsar Convention, provides a framework for national action and international cooperation for the conservation and wise use of wetlands and their resources.<sup>3</sup> As of September 2014, 168 parties have signed. The convention has a total of 2,177 wetland sites, covering over 208 million hectares, that are in the Ramsar List of Wetlands of International Importance.<sup>4</sup>

The Convention's mission is "the conservation and wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world." The Convention uses a broad definition of the types of wetlands covered in its mission, including lakes and rivers, swamps and marshes, wet grasslands and peatlands, oases, estuaries, deltas and tidal flats, near-shore marine areas, mangroves and coral reefs, and human-made sites such as fish ponds, rice paddies, reservoirs, and salt pans.<sup>4</sup>

At the centre of the Ramsar philosophy is the "wise use" concept. The wise use of wetlands is defined as "the maintenance of their ecological character, achieved through the implementation of ecosystem approaches, within the context of sustainable development." "Wise use" therefore has at its heart the conservation and sustainable use of wetlands and their resources, for the benefit of humankind.<sup>4</sup>

Originally emphasizing the conservation and wise use of wetlands primarily to provide a habitat for waterbirds, the Convention

has subsequently broadened its scope to address all aspects of wetland conservation and wise use. This shift in focus reflects the increasing recognition of the importance of wetlands as ecosystems that contribute to both biodiversity conservation and human well-being.<sup>3</sup>

**STRUCTURE:** The Conference of the Parties (CoP) occurs every three years to assess progress in implementing the Convention and wetland conservation, share knowledge and experience on technical issues, and plan for the next triennium. In addition to the COP, the Convention's work is supported by a Standing Committee, a Scientific and Technical Review Panel, and the Ramsar Bureau, which carries out the functions of a Secretariat.<sup>4</sup>

Parties to the Convention commit themselves to: designating at least one site that meets the Ramsar Criteria for inclusion in the Ramsar List and ensuring maintenance of the ecological character of each Ramsar site; including wetland-conservation within national land-use planning in order to promote the wise use of all wetlands within their territory; establishing nature reserves on wetlands and promoting training in wetland research and management; and consulting with other parties about Convention implementation, especially with regard to transboundary wetlands, shared water systems, shared species and development projects affecting wetlands.<sup>4</sup>

The Standing Committee, made up of Parties representing the six Ramsar regions of the world, meets annually to guide the

Convention between meetings of the COP. The Scientific and Technical Review Panel provides guidance on key issues for the Convention. The Ramsar Secretariat, in Gland, Switzerland, manages the day-to-day activities of the Convention. Nationally, each Contracting Party designates an Administrative Authority as its focal point for implementation of the Convention. Countries are encouraged to establish National Wetland Committees, involving all government sectors dealing with water resources, development planning, protected areas, biodiversity, tourism, education, and development assistance. Participation by NGOs and civil society is also encouraged. Ramsar Sites facing problems in maintaining their ecological character can be placed by the country concerned on a special list, the “Montreux Record,” and technical assistance to help solve the problems can be provided. Eligible countries can apply to a Ramsar Small Grants Fund and Wetlands for the Future Fund for financial assistance to implement wetland-conservation and wise use projects.<sup>4</sup>

### **IMPACT OF CONVENTION ON STATE FISH AND WILDLIFE AGENCIES:**

The U.S. joined the Ramsar Convention on 18 April 1987 and as of September 2014 has successfully nominated and received the Ramsar designation for 37 sites. Ramsar has no regulatory teeth in the U.S. Wetland-conservation in the U.S. is regulated by the Clean Water Act. As a result, the Ramsar Convention does not directly impact state fish and wildlife agency ability to manage resources. However, the Convention does offer opportunities to help

protect and conserve wetlands in the U.S. through designations of wetlands of international importance and through state agency input into convention decisions.

The U.S. Ramsar National Committee (USNRC) was established around 1990 as a voluntary organization devoted to promoting the goals and objectives of the Ramsar Convention on Wetlands. The USNRC provides support and advice to initiatives that promote the conservation and wise, sustainable use of domestic and international wetlands. In particular, the USNRC and its member organizations promote the designation and conservation of Wetlands of International Importance within the U.S. (also known as Ramsar sites), foster linkages among different sectors of domestic and international wetland communities, and support wetland education and public awareness efforts.

More information about the USNRC is available at <http://usnrc.net/>



## **Convention on Migratory Species of Wild Animals (CMS)**

DATE SIGNED: 1979

DATE ENTERED INTO FORCE: 1 November 1983

U.S. A SIGNATORY/PARTY: No

RESPONSIBLE U.S. FEDERAL AGENCY: n/a

STATE FISH AND WILDLIFE AGENCIES REPRESENTED: No

**BACKGROUND/PURPOSE:** As a result of international concern over the threats faced by migratory species on their nonbreeding, migration, and breeding areas, the Convention on Migratory Species of Wild Animals (CMS), also known as the Bonn Convention, aims to conserve terrestrial, marine and avian migratory species throughout their ranges.<sup>5</sup>

**STRUCTURE:** As of September 2014 CMS has 120 parties.<sup>5</sup> Migratory species threatened with extinction are listed on Appendix I of the Convention. CMS Parties strive toward strictly protecting these species, conserving or restoring the places where they live, mitigating obstacles to migration and controlling other factors that might endanger them. Migratory species that need or would significantly benefit from international cooperation are listed in Appendix II, and CMS encourages the Range States to conclude global or regional agreements. These agreements may range from legally binding treaties (Agreements) to less formal instruments (Memoranda of Understanding (MOU)), and can be adapted to the requirements of particular regions. The Agreements and MOUs are open to all Range States of the species, regardless of whether they are parties to the Convention.<sup>5</sup>

To date, seven Agreements have been developed under the auspices of CMS. They include ACAP (Albatrosses and Petrels), EUROBATS (European Bats) and AEWA (African-Eurasian Migratory Waterbirds). Some Memoranda of Understanding (MOU) concluded to date aim to conserve Birds of Prey (Raptors) in Africa and Eurasia, Siberian Crane, West African Elephant, Cetaceans of Pacific Island States, Sharks and High Andean Flamingos.

In addition, the CMS Secretariat has launched a number of Action Plans for certain species or flyways. Examples of Action plans include Central Asian Flyway, Sahelo-Saharan antelopes, and White-headed Duck.<sup>5</sup>

CMS operational bodies include the Conference of the Parties (CoP), the Standing Committee, the Scientific Council and a Secretariat provided by the United Nations Environment Programme (UNEP). The CoP is the decision-making body of the Convention. It meets every two to three years to review the conservation status of migratory species and the implementation of the Convention, and provide guidance and make recommendations to the parties.<sup>5</sup>

#### **IMPACT OF CONVENTION ON STATE FISH AND WILDLIFE AGENCIES:**

The U.S. is not a Party to CMS. However, it has signed some of the side agreements such as the MOU on shark conservation. Because the U.S. is not a party to CMS, decisions made at the CoP do not directly impact state fish and wildlife agencies. However, CMS does have the opportunity to impact state management indirectly. Two examples include the CMS Minimizing Poisoning Working Group and the CMS Global Flyways Working Group. The poisoning working group is addressing lead and has developed resolutions and recommendations reducing lead ammunition use, which could impact state authority to manage lead in ammunition if global pressure is exerted on the U.S. government. The Global Flyways Working Group provides an opportunity for U.S. state agencies to be a partner in the Western Hemisphere on full lifecycle conservation of migratory birds that are a shared priority.

## **Convention on Biological Diversity (CBD)**

DATE SIGNED: June 1992

DATE ENTERED INTO FORCE: 29 December 1993

U.S. A SIGNATORY/PARTY: No

RESPONSIBLE U.S. FEDERAL AGENCY: n/a

STATE FISH AND WILDLIFE AGENCIES REPRESENTED: No



**BACKGROUND/PURPOSE:** The Convention on Biological Diversity (CBD), negotiated under the auspices of the United Nations Environment Programme (UNEP) is a legally binding instrument that aims to promote “the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising out of the utilization of genetic resources.”<sup>6</sup>

A landmark in international law, the CBD establishes the principle of national sovereignty over natural resources. It recognizes for the first time that the conservation of biological diversity is a common concern of humankind and an integral part of the development process. It covers all ecosystems, species and genetic resources, and also addresses the field of biotechnology, including technology transfer and development, benefit sharing and biosafety.<sup>6</sup>

Sustainable use of biological diversity is one of the three objectives set out in the Convention. Various measures are to be undertaken by signatories to promote sustainable use of biological diversity. These include integrating consideration of the conservation and sustainable use of biological resources into national decision-making; adopting measures for the use of biological resources which avoid or minimize adverse impacts on biological diversity; supporting local populations to develop and implement remedial action in degraded areas; and encouraging co-operation between governmental authorities and the private sector in developing methods for the sustainable use of biological resources.

The Convention also adopted the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity (AAPGs), a set of fourteen practical principles and operational guidelines, designed

to ensure and enhance the sustainability of uses of the components of biodiversity.

At the tenth meeting of the Conference of the Parties (CoP), held in 2010, Parties adopted a revised and updated Strategic Plan for Biodiversity, including the Aichi Biodiversity Targets, for the 2011-2020 period.

Some examples of the Aichi Biodiversity Targets are:

- At least halve and, where feasible, bring close to zero the rate of loss of natural habitats, including forests
- Establish a conservation target of 17% of terrestrial and inland water areas and 10% of marine and coastal areas
- Restore at least 15% of degraded areas through conservation and restoration activities

**STRUCTURE:** The CBD has 194 Parties as of September 2014. The CoP, the CBD’s governing body, consists of all governments and regional organizations that have ratified the Convention. The CoP reviews progress, identifies new priorities and adopts work programmes, advancing implementation of the Convention through its decisions.<sup>6</sup>

The CoP has initiated work on a number of thematic work programmes, addressing topics such as marine and coastal biodiversity, agricultural biodiversity, forest biodiversity, and mountain biodiversity.<sup>6</sup>

At the same time, the COP has addressed a number of other items covering key cross-cutting issues of relevance to all thematic areas, including: access to genetic resources and benefit-sharing; invasive alien species; traditional knowledge; biodiversity and tourism; climate change and biodiversity; incentive measures; protected areas; and sustainable use.<sup>6</sup>

The Convention's Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) is an intergovernmental advisory body established to provide the COP with "timely advice" relating to implementation of the Convention. Its functions include: assessments of the status of biological diversity, and of the effects of the types of measures taken in accordance with the Convention; identification of technologies relating to the conservation and sustainable use of biodiversity; and response to questions that the COP may put to the body.<sup>6</sup>

Parties to the Convention are required to develop a National Biodiversity Strategies and Action Plans (NBSAPs). NBSAPs are national strategies, plans or programmes for the conservation and sustainable use of biological diversity that integrate, as far as possible and as appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies.

**IMPACT OF CONVENTION ON STATE FISH AND WILDLIFE AGENCIES:** The U.S. is not a party to the CBD; therefore, the state fish and wildlife agencies are not directly impacted by decisions made by the CBD. However, the strong stance on sustainable use of biodiversity makes this convention potentially useful to the state fish and wildlife agencies as they promote and advocate for sustainable use of wildlife.



## **INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE (IUCN)**

DATE FOUNDED: 1948

U.S. A SIGNATORY/PARTY: No

RESPONSIBLE U.S. FEDERAL AGENCY: N/A

STATE FISH AND WILDLIFE AGENCIES REPRESENTED: Yes

The Association of Fish and Wildlife Agencies (Association) is a member of IUCN on behalf of the state fish and wildlife agencies. State fish and wildlife agency and Association staff have contributed to IUCN specialists groups in the past such as the Amphibian Specialist Group and Sustainable Use and Livelihoods Specialist Group (SULi). The work of SULi includes highlighting the importance of wild species for providing community benefits; analyzing and communicating best-practice in aspects of sustainable use; promoting innovation in adaptive responses to the challenges of sustainable use; and developing practical tools and approaches to support sustainability and resilience in resource use. Association staff also participate in IUCN meetings when needed.

**BACKGROUND/PURPOSE:** The International Union for Conservation of Nature (IUCN) is the world's oldest and largest global environmental organization (<http://www.iucn.org/>). IUCN's vision is a just world that values and conserves nature. Its mission is to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable.<sup>8</sup>

The IUCN Red List is an information source on the global conservation status of animal, fungi and plant species and their links to livelihoods. It provides information on population size and trends, geographic range and habitat needs of species.<sup>8</sup>

**STRUCTURE:** Today the IUCN has more than 1,200 member organizations. These include more than 200 government and 900 non-government organizations and almost 11,000 voluntary scientists and experts, grouped in six Commissions in some 160 countries. IUCN's work is supported by over 1,000 staff in 45 offices and hundreds of partners in public, NGO and private sectors around the world. The Union's headquarters are located in Gland, near Geneva, in Switzerland. It is a neutral forum for governments, NGOs, scientists, business and local communities to find practical solutions to conservation and development challenges. The organization is governed by a Council elected by member organizations every four years at the IUCN World Conservation Congress. IUCN funding comes from governments, bilateral and multilateral agencies, foundations, member

organizations and corporations.<sup>8</sup>

Members meet every four years at the IUCN World Conservation Congress to express their views, guide IUCN's policy and approve its program of work. The six Commissions, networks of volunteer scientists and experts, are principal sources of guidance on conservation knowledge, policy and technical advice, and implement parts of IUCN's work program. The priorities and work of the Commissions are also set every four years at the IUCN World Conservation Congress.<sup>8</sup>

The Commissions are:

- *Ecosystem Management* guiding the management of natural and modified ecosystems
- *Education and Communication* promoting sustainability through education and communication
- *Environmental, Economic and Social Policy* advising on economic and social factors that affect natural resources
- *Environmental Law* advancing environmental laws and its application
- *Protected Areas* advising and promoting terrestrial and marine reserves, parks and protected areas
- *Species Survival* supporting species conservation and protecting endangered species

All of IUCN's work is framed by a Global Programme, developed with and approved by IUCN member organizations every four years. The current programme runs from 2012 to 2016. IUCN's Global Programme is coordinated by IUCN's Secretariat and delivered in conjunction with IUCN member organizations, Commissions and IUCN's theme-based programmes which include topics such as Ecosystem management, Environmental law, Gender, Global policy and Science and Knowledge.<sup>8</sup>

**IMPACT OF ORGANIZATION ON STATE FISH AND WILDLIFE AGENCIES:** Although IUCN is not a treaty or convention it is an important ally of the state fish and wildlife agencies in promoting sustainable use principles around the globe.



*Photo credit: Tim Torrell*



## **U.S./European Union Agreed Minute related to Humane Trapping Standards**

DATE SIGNED: 18 December 1997

DATE ENTERED INTO FORCE: N/A

RESPONSIBLE U.S. FEDERAL AGENCY: USDA APHIS Wildlife Services

Authority to regulate traps and trapping methods for U.S. terrestrial and semi-aquatic mammals resides in the State fish and wildlife agencies. Therefore, the state fish and wildlife agencies work closely with APHIS Wildlife Services as the lead federal agency on trapping issues.

STATE FISH AND WILDLIFE AGENCIES REPRESENTED: Yes

The state fish and wildlife agencies are represented on the U.S. Delegation to the Joint Management Committee (JMC). The U.S. Delegation is an observer at the JMC meetings. State fish and wildlife agencies are also represented on trapping issues by the AFWA Sustainable Use of Wildlife Committee.



**BACKGROUND/PURPOSE:** In 1991, the European Economic Community (now the European Union (EU)), with the encouragement of animal rights groups, promulgated a trade regulation banning fur imports from countries using “inhumane traps.” This regulation was subsequently modified (through negotiations by the U.S. Trade Representative with the full and active leadership and participation of the Association of Fish and Wildlife Agencies (Association), including official membership on the U.S. negotiation team) to permit imports from countries using traps evaluated using international humane standards. The major fur exporting countries — the United States, Canada, and Russia — worked with the EU to develop such standards. Canada, Russia, and the EU subsequently signed an agreement, the Agreement on International Humane Trapping Standards (AIHTS), to formalize the standards and to require the use of non-conforming traps to be phased out. The AIHTS ultimately entered into force in July 2008.

The United States, while a full party in the negotiations, did not sign the AIHTS because primary authorities for management of resident wildlife rest with the individual states and tribes, not with the Federal Government. Rather, a cooperative effort among the state wildlife agencies, the Association, and the U.S. Department of Agriculture was devised to improve animal welfare in U.S. trapping programs and to avoid the threatened EU trade ban. This effort was designed to build upon existing state agency efforts in maintaining trapping programs in the face of increased pressure from animal rights groups. In December 1997, with the EU regulation about to come into force, the United States and the

EU developed a non-binding understanding, memorialized as an “Agreed Minute,” referencing the international humane standards in the AIHTS, and noting the similar standards subsequently certified by the International Organization for Standardization (ISO). In brief, the Agreed Minute committed the competent authorities (the states) to develop best management practices (BMPs) and to phase out certain conventional foothold traps. The U.S. Government conveyed the plans and existing programs of state wildlife agencies and stated its good faith intent to encourage and support the study, research, testing, and monitoring of the use and application of humane traps for 23 species of furbearing mammals. As documented in annual meetings held with the European Union and the other countries, the United States has faithfully fulfilled these commitments.

The ensuing U.S. program, led by the Association, began development of BMPs to advance the goal of sustaining and improving trapping and furbearer management in the United States, while concurrently meeting the non-binding commitments made in the Agreed Minute. The BMPs concentrate on animal welfare issues and identify the most effective tools and techniques relevant to trapping. All types of traps used on land to hold live animals were evaluated using five performance criteria: animal welfare, efficiency, selectivity, practicality, and safety. The program builds on efforts undertaken by states, which hold constitutional authority for management of resident wildlife. Because regional differences in animal habits and habitat are of substantial importance in trapping, five U.S. regions are identified to further refine the BMP guidelines. Extensive outreach and

education efforts using the trap evaluation results are being conducted by AFWA and state wildlife agencies. The BMPs, which provide information on trapping devices approved through the process, are provided to state and federal wildlife agencies, trapper associations, and state agency trapper education programs via web-based curricula, now available nationally. Also, workshops have been held throughout the United States to educate State agency personnel and other wildlife professionals about BMPs.

BMPs for humane trapping standards are a series of free handbooks developed by wildlife management professionals, researchers, and trappers that describe the most effective, selective and humane methods and techniques for capturing furbearer species in the United States. The recommendations contained in the BMPs include practices, equipment and techniques that ensure the welfare of trapped animals, avoid unintended captures of other animals, increase the safety for the trapper, improve public confidence in trappers and wildlife managers, and help maintain public support for trapping and wildlife management.

**STRUCTURE:** A U.S. delegation attends the AIHTS annual meeting, called the Joint Management Committee (JMC), as observers. At each meeting, the U.S. presents on its implementation of the Agreed Minute. The Agreed Minute and implementation of the BMPs is of critical importance to state fish and wildlife agencies. The Agreed Minute and our implementation of it maintains the fur market between the

U.S. and the EU. Studies have shown that costs to state fish and wildlife agencies for managing furbears could rise into the millions of dollars if private trappers do not have a market to sell furs. More information on the BMP program and reports from past JMC meetings are available on the Association's website, [www.fishwildlife.org](http://www.fishwildlife.org).

**IMPACT OF AGREED MINUTE TO STATE FISH AND WILDLIFE AGENCIES:**

The Agreed Minute on international humane trap standards between the U.S. and the EU is a critical agreement to maintain state agencies authority and ability to trap wildlife for conservation and management purposes. The Agreed Minute allows wild fur from the United States to be traded with the EU, which is a major market. Most state fish and wildlife agencies rely on licensed trappers to assist with managing furbearer populations through regulated trapping. Trappers assist state agency furbearer management partly for the economic benefit derived from the sale of fur skins. Without this economic incentive to trappers, the ability of the states to manage furbearers will be greatly compromised. As a result, protecting and ensuring the future of the U.S. fur trade with the EU is of vital importance to state fish and wildlife agencies. Understanding the importance of this agreement will aid state agencies in implementing best management practices and trapping education programs at the state level.

# References

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[www.fishwildlife.org](http://www.fishwildlife.org)

