

Cross-border trade in wildlife species, parts, and derivatives

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Abstract: International trade of wildlife species specimens, parts and derivatives, including *Crocodylus moreletii*, requires regulation by the General Department for Wildlife (DGVS), Administrative Authority of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in Mexico, which is part of the structure of the Ministry of Environment and Natural Resources (SEMARNAT), this regulatory procedure is based on the said Convention and the General Law of Wildlife (LGVS). The LGVS and its Regulations establishes in its articles 53, 54 and 55, as well as 12, 62, 63, 64, 65, 66 and 67, respectively, the regulations to comply to be able to carry out cross-border movements, such as export, re-export and import; complementing other regulatory instruments such as the General Law on Sustainable Fisheries and Aquaculture (LGPAS), the General Law on Sustainable Forestry Development (LGDFS), the General Law on Ecological Balance and Environmental Protection (LGEEPA), among others, the Official Mexican Standard NOM-059-SEMARNAT-2010 and the Agreement that Establishes the Classification and Codification of Goods whose import and export is subject to regulation by SEMARNAT. These instruments aim to establish what is regulated and how it should be done, emphasizing that the use of natural resources has been carried out in a sustainable manner. The LGVS in its article 1, paragraph 2 allows to discern the attribution to regulate timber and non-timber forest species, as well as those whose total livelihood is water, since in this case it only applies to those species or populations in risk. The NOM-059-SEMARNAT-2010 and its Amendment to Normative Annex III, establishes the native Mexican species of wild flora and fauna-Risk categories and specifications for their inclusion, exclusion, or change-List of species at risk. Species at risk are those identified by the Secretariat as probably extinct in the wild (E), endangered (P), threatened (A) or subject to special protection (Pr). CITES was established in 1973 with the signature of 23 countries, entering into force in 1975. On June 24, 1991, the accession of Mexico was approved and on September 30 of the same year it entered into force. The DGVS as the Administrative Authority before the Convention is responsible for issuing permits, certificates, annual and biennial reports on trade, as well as establishing communication with the countries that are part of CITES; the Scientific Authority rests with the National Commission for the Knowledge and Use of Biodiversity (CONABIO) and the Law Enforcement Authority oversees the Federal Attorney for Environmental Protection (PROFEPA). Finally, it should be noted that the regulatory purposes to carry out international trade were conceived to regulate it and not as a prohibition on exploitation as perceived by many sectors. There are prohibitions for cross-border movements of wildlife, indicated in the LGVS, which were made known through Decrees published in the Official Gazette of the Federation (DOF) and which are indicated below: Article 55 Bis.- Importation is prohibited , export and re-export of specimens of any species of marine mammal and primate, as well as their parts and derivatives, with the exception of those intended for scientific research, prior authorization from the Secretariat. Article 60 Bis 2.- The import, export and re-export of any specimen of bird corresponding to Psittacidae family whose natural distribution is within the national territory is prohibited and Article 27 Bis 1.- The import of invasive exotic species shall not be authorized or wild species that are carriers of said invasive species that represent a threat to

biodiversity, the economy or public health, the Secretariat published for this purpose the AGREEMENT by which the List of Invasive Alien Species for Mexico is determined in the DOF on December 7, 2016.

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