

CITES FAQ

Version 23/02/2023



© Jean-Louis Doucet – on the left: doussie *Azelia bipindensis* and on the right: padouk *Pterocarpus soyauxii*

At the 19th meeting of the Conference of the Parties of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which took place from November 14 to 25, 2022 in Panama, new species of wood were listed in Appendix II of CITES with important consequences for their exploitation and international trade.

In particular, for the African species **doussie, padouk and mahogany**, there are new obligations for all **vessels shipped from 23/02/2023, starting with the obligation to have an export permit from the country of origin**. Imports into the European Union will also be subject to the issuance of **import permits** with an implementation date yet to be specified (probably mid-April). For the South American species **ipe and cumaru**, the new obligations will come into force on **23/11/2024**.

Therefore, many **practical questions** arise regarding the deadlines, procedures and documents to be provided for the export and import of these species. **ATIBT is working with representatives of exporting countries and companies as well as importing countries and companies, including LCB and FEDUSTRIA, to facilitate the implementation of these new measures, to provide all the necessary information and to answer all the questions asked.**

This FAQ provides answers to questions you may have following the listing of these new species in Appendix II with general information on CITES, management bodies in exporting and importing countries and the new obligations that come into force from 23/02/2023 and 23/11/2024.

In particular, you will find a summary diagram recalling the key dates and requirements associated with pre-convention (wood cut before 23/02/2023) and post-convention wood.

Also what are Non-Detriment Findings (NDFs), export quotas, import and export permits (issuance, validity period, documents to be provided etc.), information on transitional measures (how to deal with re-exports, what to do with wood shipped that will not arrive until after the new CITES listing comes into force), etc.

This FAQ will be updated as new information becomes available and as questions arise.

1 General information about CITES

1.1 What is CITES ?

The Convention on International Trade in Endangered Species of Wild Fauna and Flora, known by its acronym CITES or as the Washington Convention, is an international agreement between states. Its purpose is to ensure that international trade in wild animal and plant specimens does not threaten the survival of the species to which they belong. [Learn more about CITES here.](#)

1.2 What does the listing in Appendix II of CITES mean ?

CITES controls and regulates international trade in specimens of species listed in its Appendices. Any import, export, re-export (export of an imported specimen) of specimens of species covered by the Convention must be authorized under a **permit system**. Species covered by CITES are listed in one of the [three Appendices](#) of the Convention according to the degree of protection they require. **Appendix II** includes all species that are not necessarily threatened with extinction but whose trade must be regulated to avoid exploitation incompatible with their survival.

Therefore, these specimens are covered by :

1. **An export permit or re-export certificate** issued by the Management Authority of the country of export or re-export.
The export permit is issued only if the specimen was obtained legally and the export is not detrimental to the survival of the species.
The re-export certificate is issued only if the specimen was imported in accordance with the provisions of the Convention.
2. Live plants and animals must be conditioned and transported in such a way as to avoid the risk of injury, disease or harsh treatment.
3. **An import permit*** if required by national law.

* For EU member countries, an import permit issued by the Member State is required for imports of CITES Appendix II species. This import permit is in addition to the CITES export permit or CITES re-export certificate (issued by the third country).

[Read more here](#)

1.3 Who are the CITES authorities in each country and what is their function?

The agency responsible for the implementation of CITES in each country is called the Management Authority. [You can find the contact information for each Management Authority here.](#)

For France, the national management body is the **Ministry of Ecological Transition and Territorial Cohesion** and the local management bodies are the Regional Directorates for the Environment, Development and Housing. For Belgium the national management authority is the **Federal Public Service of Public Health, Public Safety, Food Chain Safety and Environment.**

1.4 What is the difference between the Management Authority and the Scientific Authority?

The Management Authority and Scientific Authority are the designated CITES authorities within each country.

1. The **Management Authority** has two main roles: (i) to communicate with the CITES Secretariat and other Parties, and (ii) **to issue permits and certificates** under the Convention.
2. The **Scientific Authority**, in turn, (i) advises the Management Authority whether the export of specimens would be detrimental to the survival of the species in the wild, (ii) also advises the Management Authority on other important matters.

1.5 What is CoP 19 and what decisions were taken?

The Parties to CITES collectively are known as the "Conference of the Parties". Every two to three years, the Conference of the Parties (also known as the CoP) meets in session to review how the Convention is being implemented. In particular, they provide an opportunity for the Parties to consider (and if necessary adopt) proposals to amend the listings of species in Appendices I and II. COP19 was therefore the nineteenth Conference of the Parties. The main decisions taken at COP 19, which was held in Panama and ended on November 25, are published [here](#).

They concern in particular the listing of groups of African wood species in Appendix II of CITES, namely *Azelia* (doussié), *Khaya* (African mahogany) and *Pterocarpus* (padouk), for an **entry into force on 23/02/2023**. Groups of South American wood species are also affected by this classification in Appendix II of CITES. These are the species *Handroanthus* spp. and *Roseodendron* spp. and *Tabebuia* spp. (common name ipe) and *Dipteryx* spp. (common name cumaru) for an **entry into force on 23/11/2024**.

1.6 What is the difference between the CITES and EU listings?

The Member States of the European Union do not apply CITES itself, but regulations that harmonize and reinforce its application on the territory of the EU. Thus, all species listed in CITES (Appendices I, II or III) are included, depending on the degree of protection applicable, in

one of the four appendices (A, B, C and D) of the European regulation 338/97. Species listed in EU Annex B are species that require, in addition to the CITES export permit or CITES re-export certificate (issued by the third country), an import permit issued by the EU Member State. EU Appendix D species are species that are not listed in CITES, but for which the EU considers that the import volumes warrant monitoring. As such, EU importers must complete an "Import Notification".

2 CITES Appendix II species

2.1 Which commercial species are listed in CITES Appendix II?

About 33,000 plant species and 6,000 animal species are covered by the provisions of the Convention. Appendix II includes approximately 5,000 animal species and 32,000 plant species. You can find all the species in Appendix II of CITES [here](#).

2.2 What is the date of implementation of the CoP19 decisions regarding the new African species included in Appendix II?

As of February 23, 2023, any shipment of these new African timber species that is exported from the countries of origin or re-export must be covered by a CITES export permit or a CITES re-export certificate.

However, to import these woods into the EU no CITES import permit will be required until the species of these woods are listed in Annex B of EC Regulation 338/97 expected in mid-April (we will inform you of the exact date of this listing as soon as it becomes available).

If there is no CITES export permit or CITES re-export certificate present, EU customs may verify on the basis of the Bill of Lading or other document that the timber was loaded onto the vessel before 23.02.2023.

2.3 Which wood products are concerned?

The annotations #17 (e.g. for the genera *Afzelia*, *Khaya* and *Pterocarpus* listed in Appendix II) correspond to logs, sawn wood, veneer, plywood and more broadly processed wood.

2.4 What is the difference between pre-convention and post-convention wood?

Pre-convention timber is timber from trees felled before 23.02.2023 in the country of origin. The export permit or re-export certificate then mentions the source code "O/W": the CITES import permit is issued on the basis of the CITES export permit or re-export certificate (unless it is indicated that the wood was harvested from 23/02/2023).

Post-Convention timber is timber cut from 23.02.2023 in the country of origin. The import permit is issued on the basis of the CITES export permit or re-export certificate and a positive opinion from the scientific authority of the country concerned and/or SRG (Scientific Review Group of all member states). The decisions taken by the SRG are published on <https://circabc.europa.eu/ui/group/4e7fd22f-d9b1-44a8-a0f0-68225ac209d6/library/b46ce9b8-0fe6-4aab-b420-0c31527ad866?p=1>

Here is the summary diagram of the implications of these dates for imports (African populations of *Afzelia*, *Pterocarpus* and *Khaya*):

	Pre-agreement wood (cut before 23/02/2023)			Post-agreement wood (cut from 23/02/2023)
	Vessel leaves the country of export before 23/02/2023 Vessel arrives in the EU after 23/02/2023 (i.e. after CITES Appendix II listing) but before Appendix B listing of EC Regulation 338/97 (expected mid April)	Vessel leaves the country of export from 23/02/2023 Vessel arrives in the EU from 23/02/2023 (i.e. after the listing in Appendix II of CITES) but before the listing in Appendix B of EC Regulation 338/97 (expected mid-April)	Vessel leaves the country of export from 23/02/2023 Vessel arrives in the EU from 23/02/2023 (i.e. after the listing in Appendix II of CITES) and after the listing in Appendix B of EC Regulation 338/97	
CITES export permit required ?	NO	YES	YES	YES
CITES import permit required ?	NO	NO	YES	YES
Import requirements	Proof that the vessel left the country of export before 23/02/2023 (e.g. on the basis of the Bill of Lading)	CITES export permit with source code O/W	CITES export permit with source code O/W + CITES import permit of the importing member state	CITES export permit with source code W + CITES import permit of the importing Member State
Exporting Country Scientific Opinion ("Non-Detriment Finding") or NDF	NO	NO	NO	YES
Scientific opinion national authority/EU	NO	NO	NO	YES

2.5 What to do with existing stocks?

You can register these stocks (acquired in France before 23.02.2023) by submitting a voluntary declaration to the online electronic counter 4 and this from 23.02.2023.

Go to : <https://cites.application.developpement-durable.gouv.fr/accueilInternaute.do>

Details of the registration process will be sent to you in the coming weeks.

3 NDF

3.1 What is a NDF ?

The Non-Detriment Finding (NDF) is a crucial tool in the trade and conservation of CITES-listed species. CITES requires that a non-detriment finding be issued prior to the issuance of any trade permit. This is a scientific study that assesses whether trade would have a detrimental effect on the survival of the species concerned. In addition, it is a determination of whether or not such trade would maintain populations of the species throughout its range and at a level "consistent with its role in the ecosystems in which it occurs". [For more information click here.](#)

3.2 Who prepares a NDF ?

The NDFs are prepared by the scientific authority of each country. [Find the national contact information here.](#)

3.3 Can the private sector be involved in the development of NDFs?

Yes, the private sector (forestry companies) can be involved in the elaboration of NDFs, mainly through inventory data allowing a better characterization of the resource. These inventories contribute to the development of export quotas.

3.4 What is an export quota?

Before a Party issues a permit to authorize the export of specimens of species listed in Appendix I or II, its Scientific Authority must be satisfied that the export will not be detrimental to the survival of the species. Unless otherwise specified, the established quotas represent the maximum number of specimens of wild origin that may be exported during the current calendar year (January to December). Explanatory notes for export quotas [can be found here](#). To view the export quotas for each species/country [click here](#).

3.5 How export quotas are established?

The definition of harvesting quotas responds to a concern to ensure the sustainable management of natural resources. These quotas are the result of a decision by the competent authorities, in particular the CITES-Flora Scientific Authority, through a process of analysis taking into account a set of technical and scientific parameters of forest management. These include industrial processing, relevant considerations of management plans (when available) and the management parameters of the species, on a historical basis in each of the legal titles of the country considered.

3.6 How compliance with export quotas is monitored?

Exporting and importing countries share responsibility for ensuring that export quotas are met. This activity is the responsibility of the CITES Management Authority of each country. Full contact information for the national and regional management bodies can be found by [following this link](#).

To view the export quotas for each species/country [click here](#).

4 Export permits

4.1 What is a CITES export permit?

An export permit is an official document issued by a Management Authority of a [Party](#) to authorize the export of specimens of species listed in Appendix I or II, or the export of specimens of species listed in Appendix III from the listing State, or the import of specimens of species listed in Appendix I.

Permits must comply with the provisions of the Convention and the [Resolutions](#) of the [Conference of the Parties](#) to be valid.

4.2 Is a CITES export permit required?

Yes, when species are listed in one of the three appendices of the Convention according to the degree of protection they need.

4.3 Who issues a CITES export permit?

An export permit or re-export certificate is issued by the **Management Authority** of the country of **export** or **re-export**. The export permit is only issued if the specimen was legally obtained. You can find the complete contact details of the national and regional management bodies by following this [link](#).

4.4 What is the validity of a CITES export permit?

Export permits and re-export certificates have a **maximum validity of six months**. The export and corresponding import into the country of destination must take place within six months.

5 Import permits

5.1 What is a CITES import permit?

It is a document necessary **to import** a specimen **from a third country**. In the European Union this document is necessary to import an animal or plant (live or dead, part or product) of a species of **Appendix A or B** of the regulation **from a third country**. The import permit can only be issued if a **copy of the CITES permit of the exporting country** has been attached to the application.

5.2 Is a CITES import permit required?

Each country is free to impose a CITES import permit or not.

For EU member countries, an import permit issued by the Member State is required for imports of CITES Appendix II species. This import permit is in addition to the CITES export permit or CITES re-export certificate (issued by the third country).

5.3 Who issues a CITES import permit?

An import permit is issued by the **Management Authority of the importing country**. Please note that the import permit can only be issued if a **copy of the CITES permit of the exporting country** has been attached to the application.

You will find the complete contact details of the national and regional management bodies by following this [link](#).

For France, the national management body is the **Ministry of Ecological Transition and Territorial Cohesion** and the local management bodies are the Regional Directorates for the Environment, Development and Housing. **For Belgium**, the national management authority is the **Federal Public Service of Public Health, Public Safety and Food Chain Safety**.

5.4 What must a company submit to obtain a CITES import permit?

When the specimen leaves the country of origin outside the EU, the original foreign export permit or re-export certificate must be presented to the customs office of exit in that third country.

If it is a species listed in Annex A or Annex B of Regulation (EC) No. 338/97: the importer must also present the 3 original sheets (grey, yellow and green) of the corresponding EU import permit, which must be obtained prior to the shipment of the specimens on the basis of a copy of the above-mentioned foreign CITES (re-)export document. Customs at the point of entry of the specimen into the European Union then endorse the grey, yellow and green sheets of the EU import permit in box 27 and notifies the actual quantities imported. The customs officer then sends the original of the foreign export permit (or re-export certificate), as well as the grey and green copies of the import permit to the management authority that issued the import permit. He returns to the operator the yellow copy of the import permit duly completed in box 27 and stamped by him. This yellow sheet must be carefully kept by the importer (and not by the forwarder or agent), as it is then considered proof of legal importation.

NB: only if this yellow slip is duly completed and stamped by customs in box 27 does it attest to the legality of the import.

5.5 What is the validity of a CITES import permit?

Import permits may have a maximum validity of **12 months**.

5.6 Can different species of wood be grouped together when applying for a CITES import permit?

Yes, as long as it is a single shipment from an exporter to an importer.

6 Transitional measures

6.1 How to handle re-exports?

Re-exports apply to all exports of imported specimens.

- For specimens covered by Appendix I: the re-export certificate is issued only if the specimen was imported in accordance with the provisions of the Convention and, in the case of live plants or animals, an import permit has been issued.
- For specimens covered by Appendix II: the re-export certificate shall only be issued if the specimen was imported in accordance with the provisions of the Convention.
- For specimens covered by Appendix III: the re-export certificate issued by the country of re-export is required

To learn more about the resolutions concerning permits and certificates [click here](#)

For re-exports from France [click here](#)

For re-exports from Belgium [click here](#)

6.2 What should be done with wood that is already being shipped in Africa but will not arrive until after the new CITES listing comes into effect?

For timber loaded onto vessels that have not arrived at their destination before the date of entry into force of the new CITES measures, the Management Authority of the exporting country will issue pre-convention permits as a regularization.

For more information:

<https://cites.org/fra/disc/what.php>

For France :

<https://cites.application.developpement-durable.gouv.fr/accueilInternaute.do>

<https://www.ecologie.gouv.fr/commerce-international-des-especes-sauvages-cites>

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