

Trading and moving endangered species protected by CITES if there's no Brexit deal

Summary

How trading in endangered species (CITES) would be affected if the UK leaves the EU with no deal.

Detail

If the UK leaves the EU in March 2019 without a deal, find out how this would affect anyone who trades in, or travels with, endangered animals or plants or products, between the UK and EU countries. These are usually referred to as Convention in International Trade in Endangered Species of Wild Fauna and Flora (CITES) species or rules.

A scenario in which the UK leaves the EU without agreement (a 'no deal' scenario) remains unlikely given the mutual interests of the UK and the EU in securing a negotiated outcome.

Negotiations are progressing well and both we and the EU continue to work hard to seek a positive deal. However, it's our duty as a responsible government to prepare for all eventualities, including 'no deal', until we can be certain of the outcome of those negotiations.

For two years, the government has been implementing a significant programme of work to ensure the UK will be ready from day 1 in all scenarios, including a potential 'no deal' outcome in March 2019.

It has always been the case that as we get nearer to March 2019, preparations for a no deal scenario would have to be accelerated. Such an acceleration does not reflect an increased likelihood of a 'no deal' outcome. Rather it is about ensuring our plans are in place in the unlikely scenario that they need to be relied upon.

This series of technical notices sets out information to allow businesses and citizens to understand what they would need to do in a 'no deal' scenario, so they can make informed plans and preparations.

This guidance is part of that series.

Also included is an [overarching framing notice](<https://www.gov.uk/government/publications/uk-governments-preparations-fo>

r-a-no-deal-scenario/) explaining the government's overarching approach to preparing the UK for this outcome in order to minimise disruption and ensure a smooth and orderly exit in all scenarios.

We are working with the devolved administrations on technical notices and we will continue to do so as plans develop.

Purpose

This notice sets out how people who trade in, or travel with, endangered animals or plants, or their products, would be affected if the UK leaves the EU in March 2019 without a deal.

It outlines how the UK would continue to comply with its international obligations under the Convention in International Trade in Endangered Species of Wild Fauna and Flora (CITES) if no deal is reached with the EU. CITES is an international treaty which protects wildlife from unsustainable trade.

Before 29 March 2019

Global trade and movement of endangered animals or plants, or their products (for example skin, fur, teeth, shell, feathers, blood or seeds) is controlled under CITES. In the EU, CITES is implemented via the EU Wildlife Trade Regulations, which set requirements for trade in certain species within, to and from the EU and the rest of the world.

All CITES-listed species are contained within Annexes A to D of the EU Wildlife Trade Regulations. The [Species+ database](<https://www.speciesplus.net/>) includes details of all CITES-listed species.

Annex A species have the highest level of protection - in the EU, their commercial use is prohibited except where a certificate has been issued for a specific prescribed purpose, for example for an antique-[worked](<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A52017XC0517%2802%29&from=EN>) artefact. The Animal and Plant Health Agency (APHA) is responsible for issuing permits and certificates.

Annex B, C and D species can currently be freely traded in the EU. Commonly traded Annex B items include caviar, snowdrops, orchids, corals, reptiles (for example pythons), and many animal skins used in the manufacture of bags and watch straps (for example alligator skin). Permits are currently needed to move or trade Annex B, C and D species outside the EU.

As the UK is a party to CITES in its own right, it will continue to be bound by the obligations of the Convention after leaving the EU, regardless of the outcome of negotiations. Through transferring the EU Wildlife Trade Regulations into UK law, the UK will continue to comply with its international obligations under CITES.

After March 2019 if there's no deal

If the UK leaves the EU without a deal, species that are currently freely moved and traded between the UK and the EU (those listed in Annexes B - D) would require a CITES permit or import/export notification. This would mean movement of all species controlled under CITES between the UK and the EU would need to follow the same processes as those currently in place for movement between the UK and non-EU countries.

The exact process would depend on the Annex under which the species is listed.

Businesses or individuals trading in or moving endangered species outside the UK would need to check the specific requirements with the intended import or export country on the [Global CITES website](<https://www.cites.org/eng>), and either apply to the Animal and Plant Health Agency (APHA) for a CITES permit or request and complete an import notification form.

For Annex A and B listed species:

- imports to the UK from the EU would need an export permit (or re-export certificate) from the EU country the item is moving from, and an import permit from APHA.
- exports from the UK to the EU would need an export permit (or re-export certificate) from APHA and an import permit from the relevant EU member state.

For Annex C listed species:

- imports to the UK from the EU would need an export permit (or re-export certificate) from the relevant EU country and an import notification on entry to the UK.
- exports from the UK to the EU would need an export permit (or re-export certificate) from APHA and an import notification on entry to the EU country.

For Annex D listed species:

- imports to the UK from the EU would need an import notification on entry to the UK.

- exports from the UK to the EU would need an import notification on entry to the EU member state.

Those importing species from the EU would need to consider the routes and points of entry to the UK that are allowed for import and export of species, including making sure that suitable facilities are in place for handling live animals and ensuring they use an appropriate land, sea or air port for the shipment. Further information and instructions will be published around border entry points in due course.

In certain prescribed circumstances, there are [exemptions](http://ec.europa.eu/environment/cites/pdf/referenceguide_en.pdf) from needing to comply with CITES regulations, meaning a simplified process. For example, a permit is often not required for captive-bred and artificially-propagated plants, [personal and household effects](<https://www.cites.org/sites/default/files/document/E-Res-13-07-R17.pdf>) and exchanges between scientific institutions.

Further information

Details of how to obtain a CITES permit in the UK are available on [GOV.UK](<https://www.gov.uk/guidance/cites-imports-and-exports>), as are current details of [fees for CITES permits](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/602751/cites-gn11.pdf) and [designated CITES points of entry](http://ec.europa.eu/environment/cites/pdf/list_points_of_entry.pdf).

Information on Border inspection Posts (BIPs), which are approved facilities for carrying out checks on animals and animal products from third countries, can be found [here](<https://www.gov.uk/guidance/importing-live-animals-or-animal-products-from-non-eu-countries>).

This notice is meant for guidance only. You should consider whether you need separate professional advice before making specific preparations.

It is part of the government's ongoing programme of planning for all possible outcomes. We expect to negotiate a successful deal with the EU.

The UK government is clear that in this scenario we must respect our unique relationship with Ireland, with whom we share a land border and who are co-signatories of the Belfast Agreement. The UK government has consistently placed upholding the Agreement and its successors at the heart of our approach. It enshrines the consent principle on which Northern Ireland's constitutional status rests. We recognise the basis it has provided for the deep economic and social

cooperation on the island of Ireland. This includes North-South cooperation between Northern Ireland and Ireland, which we're committed to protecting in line with the letter and spirit of Strand two of the Agreement.

The Irish government have indicated they would need to discuss arrangements in the event of no deal with the European Commission and EU Member States. The UK would stand ready in this scenario to engage constructively to meet our commitments and act in the best interests of the people of Northern Ireland, recognising the very significant challenges that the lack of a UK-EU legal agreement would pose in this unique and highly sensitive context.

It remains, though, the responsibility of the UK government, as the sovereign government in Northern Ireland, to continue preparations for the full range of potential outcomes, including no deal. As we do, and as decisions are made, we'll take full account of the unique circumstances of Northern Ireland.

Norway, Iceland and Liechtenstein are party to the Agreement on the European Economic Area and participate in other EU arrangements. As such, in many areas, these countries adopt EU rules. Where this is the case, these technical notices may also apply to them, and EEA businesses and citizens should consider whether they need to take any steps to prepare for a 'no deal' scenario.