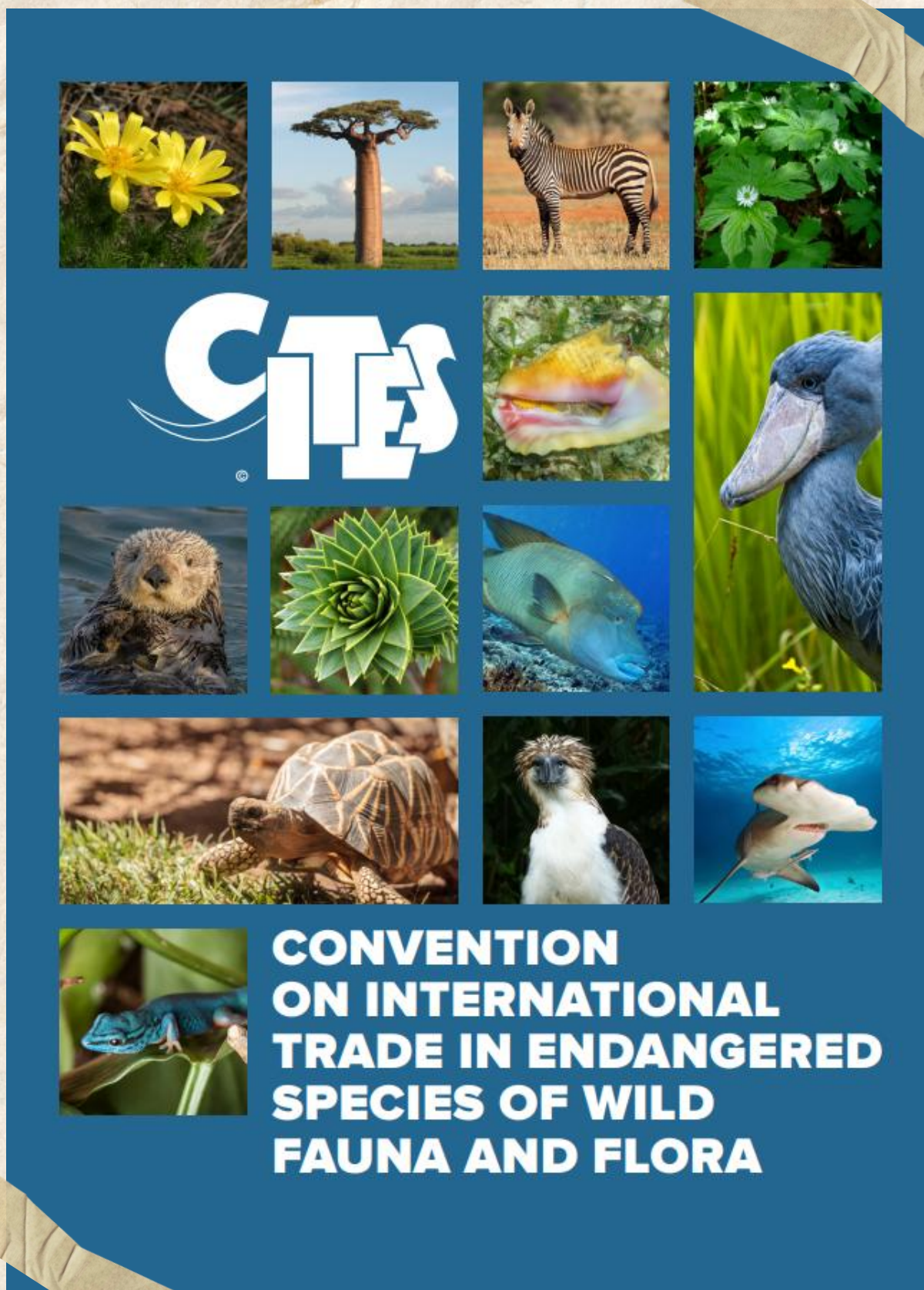


CITES



Academic Year: 2025-2026

University of Palermo – Department of Law

Master's Degree Programme in Law – Course: "Ecological Transition and Law"

Module I: Prof. G. Torta – Module II: Prof. N. Gullo.

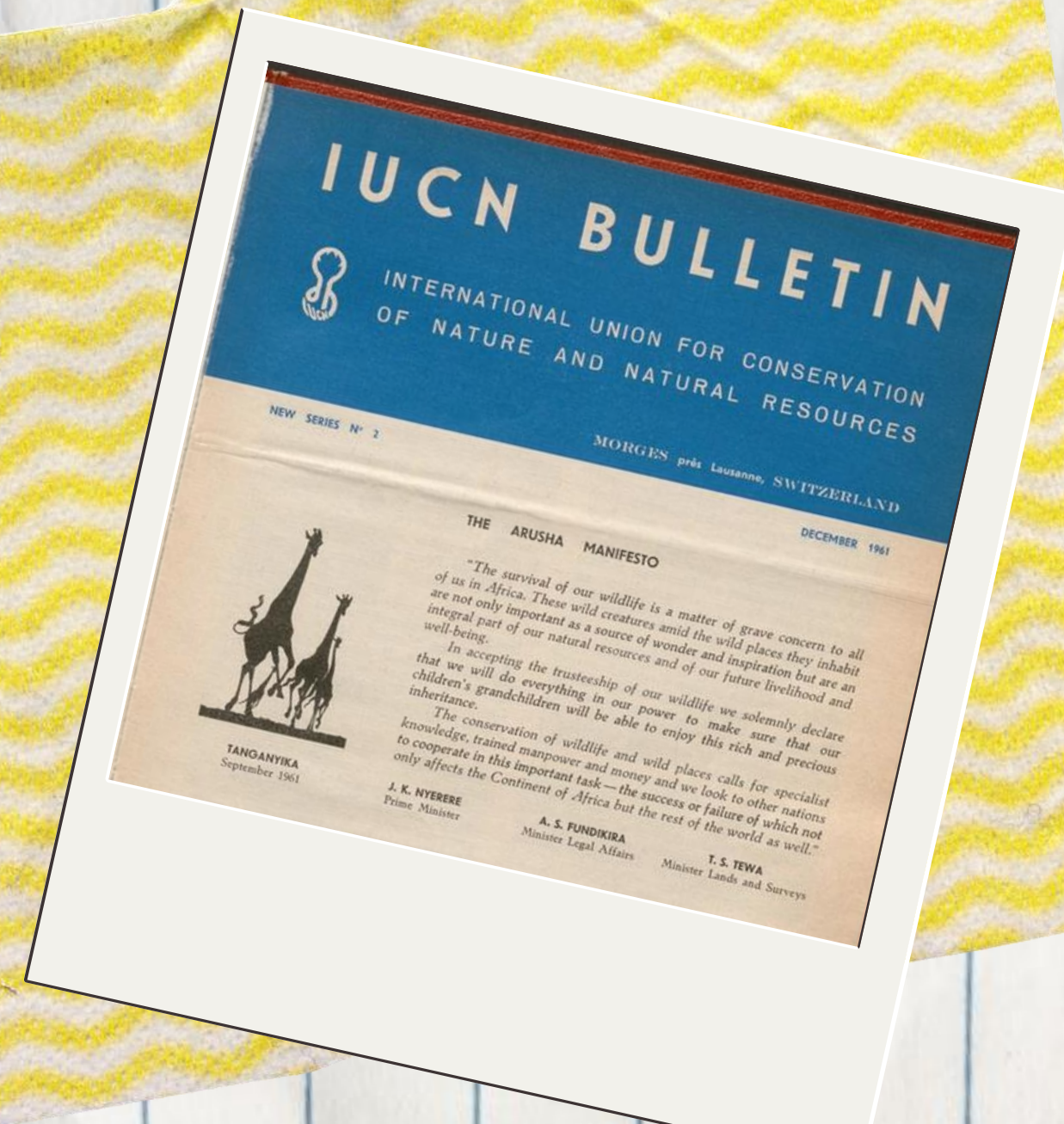
VIRGINIA RICHIUSA

What is it?



The *Convention on International Trade in Endangered Species of Wild Fauna and Flora* is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten the **survival of the species**.

CITES was drafted as a result of a resolution adopted in 1963 at a meeting of members of IUCN (International Union for Conservation of Nature), opened for signatures in Washington D.C. on **March 3, 1973** - that is now celebrated annually as World Wildlife Day - and entered into force on July 1, 1975.



The need for a convention

At the time when the ideas for CITES were first formed, in the 1960s, international discussion of the **regulation of wildlife trade** for conservation purposes was something relatively new. Annually, international wildlife trade is estimated to be worth billions of dollars and to include hundreds of millions of plant and animal specimens. The trade is diverse, ranging from live animals and plants to a vast array of wildlife products derived from them, including food products, exotic leather goods, wooden musical instruments, timber, tourist curios and medicines.

Because the trade in wild animals and plants crosses borders between countries, the effort to regulate it requires **international cooperation** to safeguard certain species from over-exploitation. CITES was conceived in the spirit of such cooperation. Today, it accords varying degrees of protection to more than **40,000 species** of animals and plants, whether they are traded as live specimens, fur coats or dried herbs.



MEMBERSHIP AND GOVERNANCE

CITES currently has **184 member parties** (including EU), making it one of the most widely adopted environmental treaties. It is **legally binding** on all parties, meaning nations must pass their own domestic legislation to implement it (art.8).

The supreme decision-making body is the **Conference of the Parties (CoP)**, which meets roughly every three years. At CoPs, countries vote on:

- Adding or removing species from the appendices.
- Changing the protection level of species (uplisting or downlisting).
- Adopting resolutions and decisions on implementation.

A **Standing Committee** and **Animals and Plants Committees** continue the administrative and scientific work.

THE 3 APPENDICES

Appendix III — Species protected in at least one country, which has requested CITES assistance in controlling their trade. Any party can unilaterally add a species here to ask other nations to help monitor trade flows.



The Convention doesn't always ban trade. Instead, it regulates international trade through a **system of permits** and controls (art. 6). In this way, the Convention tries to balance economic activities with biodiversity conservation. Whenever a listed species (or its parts or derivatives) is traded across international borders, specific documentation must accompany it.

Each country that joins CITES must designate:

- A **Management Authority** — the government body that issues permits.
- A **Scientific Authority** — the body that advises on whether trade will be detrimental to the species' survival.

This dual-authority model ensures that decisions are grounded in both policy and science.



ITALY'S POV

Italy ratified the Washington Convention with Law no. 874/1975.

- Management Authority: Direzione Generale per l'Europa e la Politica Commerciale Internazionale — Ufficio XI-CITES, within the **Ministry of the environment and energy security**.
- Scientific Authority: **ISPRA** (Istituto Superiore per la Protezione e la Ricerca Ambientale).

They both relies on the Command for Forestry, Environmental and Agri-food units (CUFA) of the **Carabinieri Corps**, that plays a dual role: it is both an administrative authority for re-export documentation and the primary enforcement arm on the ground, conducting inspections, seizures, and anti-trafficking operations across Italy.



OPERATION THUNDER



Operation Thunder is a **joint annual operation coordinated by INTERPOL and the World Customs Organization (WCO)**, with the backing of the CITES Secretariat and the International Consortium on Combating Wildlife Crime (ICCW). It was initiated by the INTERPOL Wildlife Crime Working Group and the series was launched in 2017.

The operation involves customs, police, border control, environment, wildlife and forestry officials working together across borders. The **preparation** is intensive: long before the first seizure takes place, participating countries spend months exchanging intelligence, identifying smuggling routes, monitoring online marketplaces, and coordinating inspections across borders.

Each edition reveals new criminal patterns. About 60% of wildlife trafficking cases were linked to **transnational organized crime groups** operating along routes also used for smuggling other illegal products. **Online sales platforms** are still being used to sell wildlife, timber and marine goods, and illegal and legal timber are blended to make illicit origins difficult to detect. Document fraud is widespread, including forged CITES permits and permit reuse.



WHAT HAPPENS AFTER AN IS SEIZED?



After an animal protected under CITES is seized, its management follows a structured legal and scientific process aimed at ensuring both **animal welfare** and **species conservation**, rather than simply releasing it back into the wild.

Legal basis:

- CITES (art. 8)
- Regulation (EC) No. 338/97
- In Italy, Law No. 150/1992.

These frameworks establish that confiscated specimens must be handled by competent authorities and managed in a way that does not harm the survival of the species.

Immediately after the seizure, the animal is placed under the responsibility of national authorities (such as the Carabinieri CITES in Italy). The animal is then transferred to a suitable facility, such as a wildlife rescue center, a certified zoological institution, or another authorized structure.

At this point, a **scientific evaluation** becomes essential.





Based on this assessment, authorities decide the most appropriate final destination for the animal, in line with CITES guidelines and EU regulations:

- Reintroduction into the wild
- Permanent care (*Pablo Escobar's hippos*)
- Repatriation
- Conservation or educational purposes

In exceptional circumstances, euthanasia may be authorized, but only when strictly necessary—for example, in cases of severe illness, incurable suffering, or serious sanitary risks. Such decisions must always be supported by scientific and veterinary justification.

A fundamental legal principle is that **confiscated specimens must never re-enter commercial trade**. This rule, clearly established in EU law and CITES provisions (art. 8, par.4; Resolution Conf. 17.8), is essential to prevent illegal activities from being indirectly legitimized.





THANK YOU
FOR YOUR
ATTENTION

