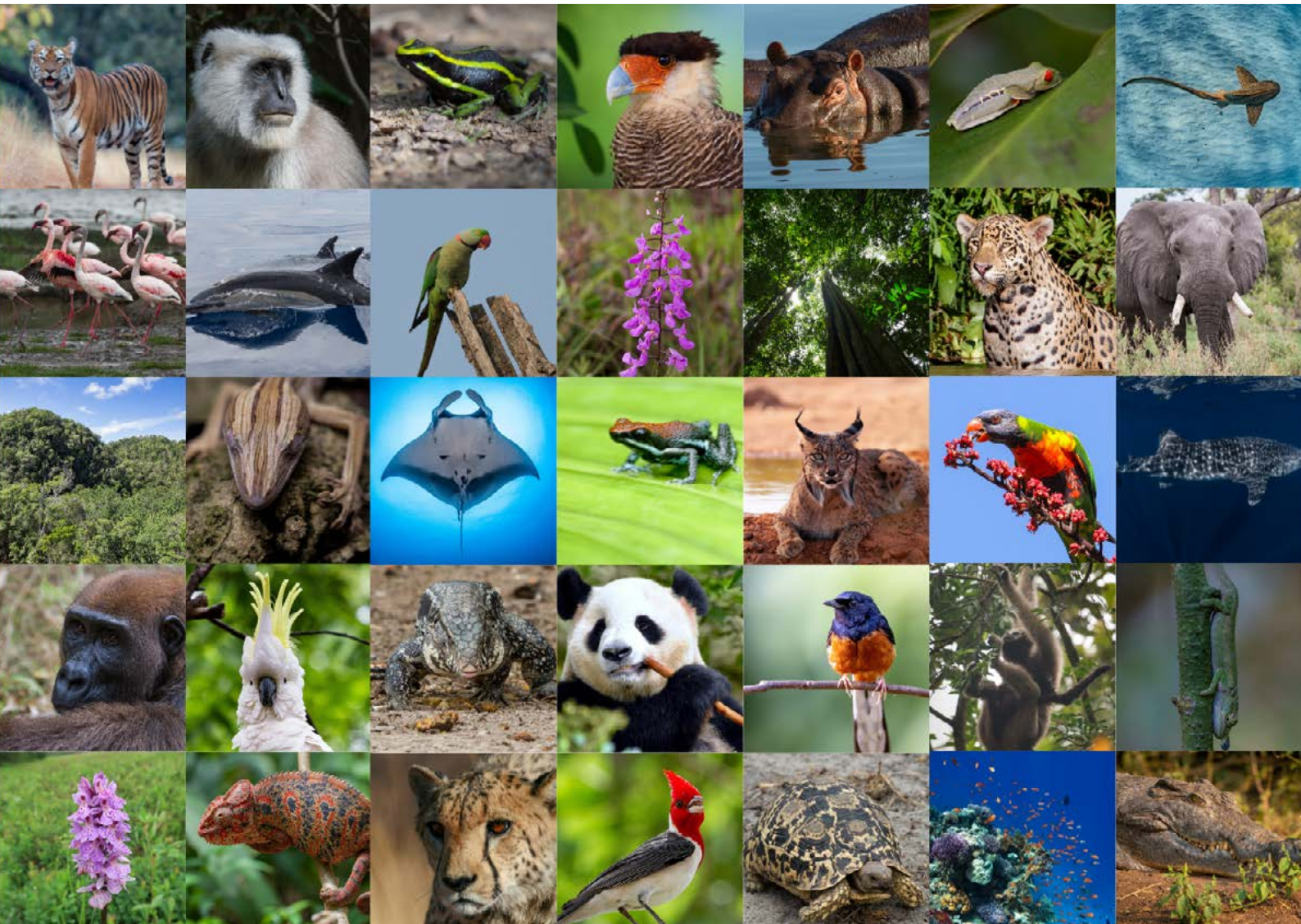




# NON-DETRIMENT FINDINGS GUIDANCE

2024



Convention on International Trade in Endangered Species of Wild Fauna and Flora



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## CONTENTS

1. Introduction . . . . .	.2
2. NDFs – Important considerations . . . . .	.4
3. What NDF guidance and case studies are already available . . . . .	.5
4. The CITES NDF project: A global collaborative effort to improve CITES NDF guidance . . . . .	.6
5. Structure of this guidance . . . . .	.7

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This guidance has been developed by the CITES Secretariat in response to Decisions at the 18th and 19th meetings of the CITES Conference of the Parties (Geneva, 2018 and Panama, 2022).

The development of this guidance has been a collaborative process that involved online meetings of 11 workstreams, one global expert workshop with 11 working groups, and guidance by a technical advisory group (TAG) of the CITES Plants and Animals Committees.

The Secretariat thanks the innumerable contributors in workstreams, working groups, and the global expert workshop, who provided their time and expertise on a pro-bono basis. The Secretariat particularly appreciates the crucial role of consultants, rapporteurs, working group chairs, and TAG Chairs, who facilitated this work through the agreements reached by their respective groups: **Adrian Lombard, Amy McDougall, Damian Wrigley, Dana Leaman, Daniel Natusch, Dilys Roe, Ernest Cooper, Flore Koumba Pambo, Julian McAlpine, Lee FitzGerald, Matthew Gollock, Matthias Lörtscher, Mohammad Irham, Mona van Schingen-Khan, Oliver Tallowin, Patrick Aust, Ronald Orenstein, Roseline Mandisodza-Chikerema, Samuel Kingsley Oppong, Sara Oldfield, Sonia Dhanda, Thomasina Oldfield, Vincent Fleming, Xiaoge Ping, Yan Zeng.**

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Sumatran orangutan (*Pongo abelii*)

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## 1. INTRODUCTION

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) requires that export permits for specimens of species included in CITES Appendices I and II shall be granted only when a Scientific Authority of the State of export has advised that such export will **not be detrimental to the survival of the species** (following a determination known as a ‘**non-detriment finding**’) and in the case of Appendix I imports, that the purpose of the import will not be detrimental to the survival of the species.

This document provides guidance to CITES Parties – primarily the CITES Scientific Authorities – on how to determine whether or not trade of CITES-listed specimens is detrimental. In addition to offering guidance on undertaking non-detriment findings for direct exports of CITES-listed specimens, guidance is also provided to assist CITES Parties to ensure non-detriment in relation to the following focal areas:

### APPENDIX I – IMPORTS

*Sensu Article III Paragraph 3a – a Scientific Authority of the State of import has advised that the import will be for purposes which are not detrimental to the survival of the species involved;*

### INTRODUCTION FROM THE SEA

*Sensu Articles III 5(a) and IV 6(a) – The introduction from the sea of any specimen of a species included in Appendix I or II shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved.*

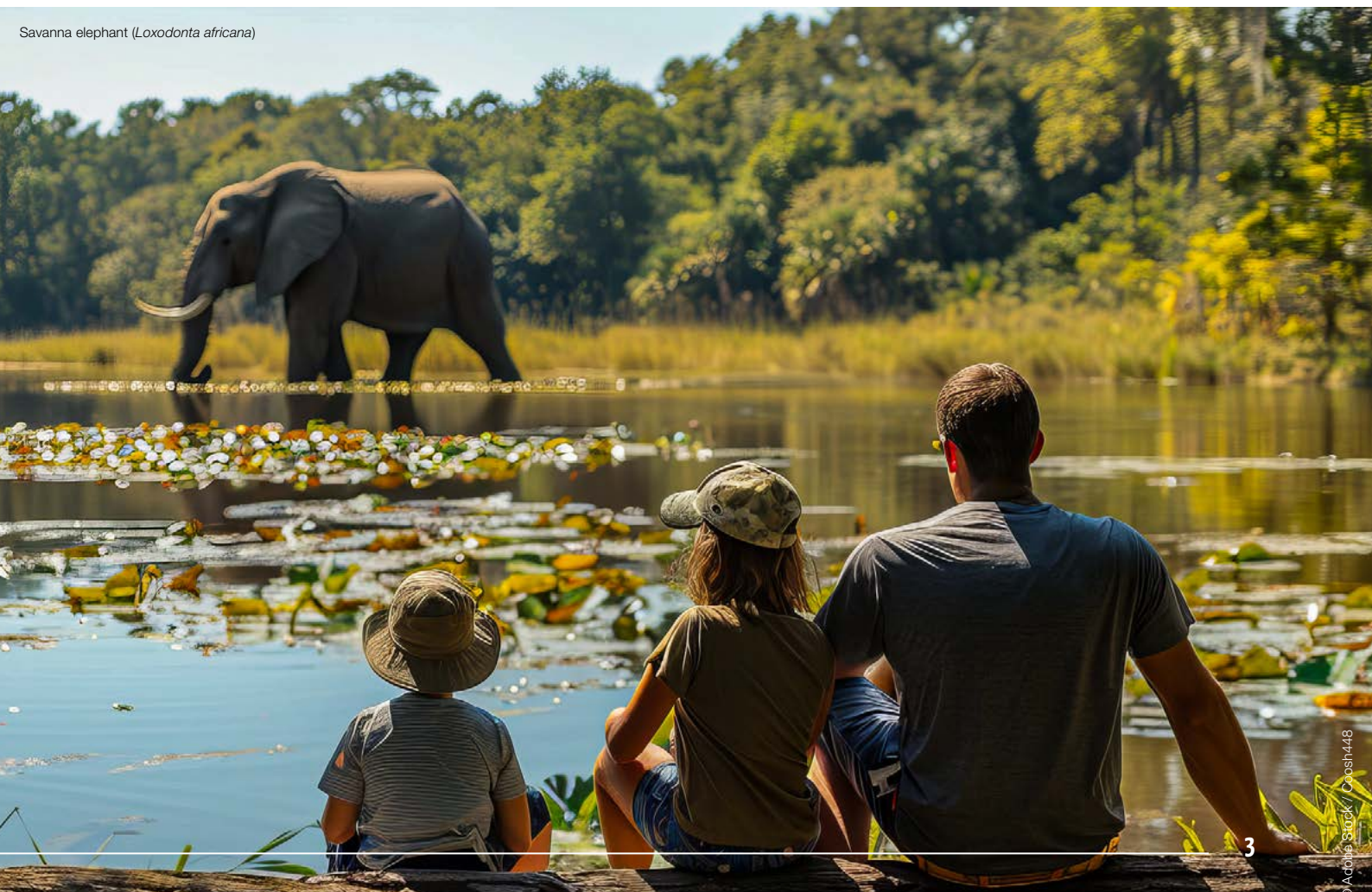
## ROLE IN THE ECOSYSTEM

*Sensu Article IV Paragraph 3 – Whenever a Scientific Authority determines that the export of specimens of any such species should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I, the Scientific Authority shall advise the appropriate Management Authority of suitable measures to be taken to limit the grant of export permits for specimens of that species.*

Although the preambular text to the Convention refers to non-detriment and non-detriment finding (NDF), it was not until CoP16 that resolution [Res. Conf. 16.7 \(Rev. CoP17\) on Non-detriment Findings](#) was adopted.

To make non-detriment findings, all Parties are required to designate Scientific Authorities ([Res Conf. 10.3\\* on Designation and role of the Scientific Authorities](#)). Scientific Authorities are tasked with undertaking the assessments for whether or not trade in CITES-listed specimens may be detrimental to their survival in the wild. The work of CITES Scientific Authorities takes place in close coordination with the work of CITES Management Authorities (MA), and specifically the need to undertake [Legal Acquisition Findings](#) ([Res Conf. 18.7 \(Rev. CoP19\)](#)) led by the CITES MA to ensure specimens in trade have been legally acquired.

The guidance developed in terms of [Decisions 19.132 to 19.134 on Non-detriment findings](#) will be made available to the CITES Parties based on the recommendations to be made by the Animals and Plants Committees as per Decision 19.133 paragraph c).







## 2. NDFs – IMPORTANT CONSIDERATIONS

### 2.1 NON-BINDING GUIDANCE

*CITES Resolution Conf. 16.7 (Rev. CoP17) on Non-Detriment Findings states that because of the great variety of taxa, life forms and biological characteristics of species included in Appendices I and II, there are various ways a Scientific Authority can make non-detriment findings. Consequently, this NDF guidance is non-prescriptive. It is normal that Parties may wish to use certain aspect of the CITES NDF guidance and not others, and some Parties may decide not to use any NDF guidance in their system. The Convention does not dictate that Parties must follow the particular frameworks or systems provided in this NDF guidance. The guidance is provided to assist Parties, as appropriate, and there is no requirement that Parties utilise or follow the NDF guidance in the modules of this document.*

Parties should note that the case studies contained throughout all modules of this guidance serve as illustrative examples of specific considerations relating to the making of non-detriment findings. These case studies are not endorsed by the CITES Secretariat, or the governing and scientific bodies of the Convention, not necessarily considered to satisfy all criteria relevant to the making of NDFs, and should not be considered as such.

### 2.2 STRICTER DOMESTIC MEASURES

Users of the NDF guidance provided within the modules of this document should be aware that Parties may wish to implement *Stricter Domestic Measures* for trade in CITES-listed species in their country. Parties completing NDFs using the guidance provided herein should be aware that does not replace or subsume the rules of Article IV of the Convention concerning trade in Appendix II species.

### 3. WHAT NDF GUIDANCE AND CASE STUDIES ARE ALREADY AVAILABLE?

Multiple guidance materials have been developed by CITES Parties and stakeholders and the CITES Secretariat provides a dedicated database on the CITES Virtual College ([CITES NDF database](#)) in which NDF materials can be shared, accessed, and searched by taxonomic group and country. An [NDF capacity building](#) page on the CITES website also facilitates access to training material and guidance developed by CITES Parties and stakeholders. Existing NDF guidance includes:

SPECIES GROUP	COMPILERS
All species	<a href="#">Rosser and Haywood (2002)</a>
Sharks	<a href="#">Mundy-Taylor et al. (2014)</a>
Seahorses	<a href="#">Foster and Vincent (2016)</a>
Tortoises and Freshwater Turtles	<a href="#">van Dijk (2015)</a>
Snakes	<a href="#">Natusch et al. (2015)</a>
Perennial Plants	<a href="#">Wolf et al. (2016)</a>
Trees	<a href="#">Wolf et al. (2018)</a>



## 4. THE CITES NDF PROJECT: A GLOBAL COLLABORATION TO ELABORATE CITES NDF GUIDANCE

Based on decisions adopted by the CITES Conference of the Parties at its 18th meeting (CoP18, 2018, Geneva), the CITES Secretariat inventoried available NDF materials previously developed by CITES Parties and observers and identified apparent gaps and weaknesses. The inventoried materials are available in the [CITES NDF database](#), and the inventory is published in document [AC31 Doc. 14.1/PC25 Doc. 17](#).

Reflecting the views from the CITES Animals and Plants Committees and from Parties, document [AC31 Doc. 14.1/PC25 Doc. 17 Add.](#) proposed workstreams to address the identified gaps and weaknesses in existing NDF guidance. The Committees also agreed to establish a technical advisory group (TAG) to advise the CITES Secretariat throughout the implementation of the CITES NDF project. The TAG was co-chaired by the Chairs of the CITES Animals and Plants Committees, and consisted of a balanced selection of Committee members, Parties and Observers from all CITES regions ([CoP19 Doc. 43.1](#)).

At the 19th meeting of the Conference of the Parties (CoP19, 2022, Panama City), the Secretariat launched the CITES NDF project. In collaboration with the International Union for the Conservation of Nature (IUCN), the Secretariat set up 11 workstream expert groups, each consisting of 10-30 experts from Parties and Observers from all CITES regions with background and experience relevant to the respective workstream mandate. Each workstream expert group was supported by IUCN and the CITES Secretariat and met several times online to develop draft NDF guidance that addressed the respective mandates ([PC26 Doc. 17 / AC32 Doc. 16](#)). Draft guidance was subsequently revised and compiled by IUCN and the Secretariat.

More than 150 participants from 42 Parties and 25 organizations, including 19 sponsored delegates, attended the [international expert workshop on NDFs](#) (4-8 December 2023, Nairobi, Kenya). In plenary sessions and 12 working groups, workshop participants proposed further improvement of all modules of the CITES NDF guidance. IUCN and the Secretariat finalized the CITES NDF guidance taking into consideration the inputs made during the workshop, and the TAG agreed to publish the present version 1.0 on the CITES website in advance of the 27th meeting of the Plants Committee (PC27, Geneva, July 2024) and the 33rd meeting of the Animals Committee (AC33, Geneva, July 2024) where the draft guidance will be discussed. Overall, version 1.0 of this guidance thus integrates the views and the expertise of far more than 200 representatives, experts and NDF practitioners from Parties and organizations from all CITES regions.

Future updates are expected through reviews of the Animals and Plants Committees, additional follow-up work on specific modules, field-testing, and feedback from Parties and the wider CITES community on experiences with using version 1.0 of the CITES NDF guidance.



## 5. STRUCTURE OF THIS GUIDANCE

This NDF guidance is comprised of a generic section, which provides general guidance on the principles for making NDFs ([module 1](#)) and on practical considerations for making NDFs ([module 2](#)). The generic guidance is accompanied by nine thematic modules ([modules 3 – 11](#)) that provide additional guidance on specific topics to assist the making of NDFs following the core NDF framework. Each of the different modules has been created to address specific needs and gaps identified by Parties, Observers, and relevant experts. Each module links back closely to the general NDF guidance located in modules 1 and 2. In addition to the NDF guidance modules, a module on online tools and certification is provided ([module 12](#)), and a template for completing Simplified NDF Assessments is provided ([module 13](#)), along with several case studies that illustrate how simplified and more comprehensive NDF Assessments can be made for a range of species ([module 14](#)). Explanations of the terminology used throughout this document can be found in the [CITES Glossary](#) as well as in a glossary module specific to this NDF guidance ([module 15](#)).

GENERIC GUIDANCE	<a href="#">Module 0</a>	Introduction and preambular text (this module)
	<a href="#">Module 1</a>	Principles and concepts of NDFs
	<a href="#">Module 2</a>	Practical considerations for making NDFs
THEMATIC MODULES	<a href="#">Module 3</a>	Incorporation of local and traditional knowledge and participatory species monitoring in NDF making
	<a href="#">Module 4</a>	NDFs for Appendix I imports
	<a href="#">Module 5</a>	NDFs for aquatic species
	<a href="#">Module 6</a>	NDFs for migratory species and transboundary populations
	<a href="#">Module 7</a>	NDFs for terrestrial invertebrates
	<a href="#">Module 8</a>	NDFs for birds
	<a href="#">Module 9</a>	NDFs for reptiles
	<a href="#">Module 10</a>	NDFs for tree species
	<a href="#">Module 11</a>	NDFs for perennial plants
SUPPORTING MODULES	<a href="#">Module 12</a>	Online tools and certifications and their relevance to NDFs
	<a href="#">Module 13</a>	Templates
	<a href="#">Module 14</a>	Case studies
	<a href="#">Module 15</a>	Glossary

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), also known as the “Washington Convention”, was signed in Washington, D.C., the United States of America, on 3 March 1973 and entered into force on 1 July 1975.

CITES regulates international trade in specimens of species of wild fauna and flora. It plays an important role in supporting sustainable development by ensuring that trade in wild animals and plants is legal, sustainable and traceable.



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