

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Seventieth meeting of the Standing Committee
Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018

CITES MUSICAL INSTRUMENT CERTIFICATES

This document has been submitted by the United States of America in relation to agenda items 53 and 67.¹ The document does not reflect the official position of the United States. However, it presents the views of certain representatives of the private sector, which may help inform the discussion.

¹ *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

CITES Musical Instrument Certificates

Background

Musicians perform with valuable and culturally significant musical instruments legally crafted decades and even centuries ago. A number of these instruments contain small amounts of ivory, shell, reptile skin, and rosewood or other materials regulated under the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES). The international use of musical instruments by musicians and professional and student ensembles is essential to advance diplomacy, spark artistic innovation, and support vital international cultural activity. In partnership with CITES parties and the conservation community, music stakeholders have undertaken efforts to increase compliance with current permit requirements while simultaneously pursuing policy improvements that will alleviate unnecessary burdens.

Musical Instrument Certificate Created at CoP16

At the 16th Conference of the Parties (CoP16), Resolution Conf. 16.8 was adopted on *Frequent Cross-Border Non-Commercial Movements of Musical Instruments*, creating a multi-use Musical Instrument Certificate (MIC). The MIC streamlines the requirement for obtaining multiple CITES export permits when an instrument contains CITES material and is not exempted from permit requirements by an annotation or a personal effects exemption. Musicians using the MIC apply to their CITES Management Authority for issuance of single permit, which must then be credentialed by CITES enforcement officials at each port through which an instrument travels.

Clarifications and Exemptions Approved at CoP17

At the 17th conference of the parties (CoP17), unanimous approval was given to [Resolution Conf. 16.8 \(Rev. CoP17\)](#), which:

1. Clarifies that instruments loaned to musicians may qualify for CITES Musical Instrument Certificates.
2. Specifies that the non-commercial scope of the Musical Instrument Certificates includes using the permits when traveling for “paid or unpaid” performances.
3. Recommends that CITES countries not require permits when musicians are carrying certain instruments as personal effects.

Further Improvements Needed

We have been informed by individual musicians and some ensembles that the required time and financial expense of obtaining and putting to use the MIC has left no option but to forgo travel with their best musical instruments. This challenge was compounded by the listing of the *Dalbergia* genus in CITES Appendix II at the CoP17, which required a new wave of evaluation of significantly more musical instruments to assess, identify, and document each instrument’s rosewood components. While continued improvement and fine-tuning of existing permit procedures would be appreciated, the most effective way to minimize the burden of the permit process is to remove from the process altogether those activities that do not constitute a threat to the conservation of protected species.

1. CITES Parties should be reminded of provision of [Resolution Conf. 16.8 \(Rev. CoP17\)](#) related to instituting personal effects exemptions. Such exemptions are only applicable if acknowledged by all countries through which a musician must travel.

2. Allow permit exemptions for musical instruments transported by cargo under an ATA carnet – an internationally recognized customs re-export document.
3. Implement an electronic permit system.

Full recognition of the **personal effects exemption** would represent real relief for international guest soloists, small groups, and large ensemble musicians, greatly reduce the cost and time burdens related to navigating permit applications and enforcement procedures, and allow CITES authorities to dedicate limited resources to compliance and enforcement efforts that directly impact conservation goals. Nearly all orchestra musicians with CITES materials place their instruments in cargo shipments to avoid multiple, unwieldy permits in favor of a single permit and inspection procedure. If more musicians can carry instruments in cabin or as checked baggage without permits, they may practice and rehearse at their own discretion (shortly before departure and soon after landing), as well as have the ability to branch away from a tour for other solo and smaller ensemble work.

We also once again ask CITES parties to continue consideration of **permit exemptions for musical instruments transported by cargo under a carnet**. This step would allow legally crafted and legally purchased musical instruments to be transported through international ports without undergoing burdensome permit and inspection procedures. ATA carnets are internationally recognized customs documents that require re-export within an allotted timeframe and waive duties and taxes. Given that the international use of musical instruments does not contribute to trafficking in endangered species, enabling larger musical ensembles to transport instruments by cargo and travel under an ATA carnet should be given consideration for potential permit and inspection exemptions.

As we await opportunities for exemptions from the permit process, we strongly encourage CITES parties to institute an **electronic permit system**. Electronic permitting would help to streamline and make more efficient the process of acquiring, using, and invalidating musical instrument certificates. Currently, musicians holding individual permits must void them before their instruments are included on a group permit. Given the narrow timeframe between engagements, this is impractical. An electronic system would help speed the permit issuance and invalidation process, while reducing the burden on enforcement authorities.

Signatories as of September 2018



American Federation of Musicians of the United States and Canada. The American Federation of Musicians of the United States and Canada (AFM), celebrating 120 years of existence, is the largest organization in the world dedicated to representing the working interests of professional musicians. The AFM's more than 80,000 members perform all styles of music: alternative, rock, classical, pop, gospel, jazz, country, folk, big band, reggae, contemporary Christian, to name just a few. AFM musicians can be found in recording studios for motion picture and film, as back up musicians for internationally recognized featured artists, in American and Canadian symphony orchestras, and any other venue that requires the use of highly trained professional artists. www.afm.org



American Federation of Violin and Bow Makers. The American Federation of Violin and Bow Makers was founded in 1980 to provide the musical community with a standard of work and expertise upon which they could depend. The Federation's mission is to enhance the public's understanding and appreciation of the violin and bow families, and of related areas of expertise, including the making of new instruments, as well as conservation and restoration of historical and modern instruments. Now numbering over 170 of the finest makers, dealers and restorers in the United States and Canada, the Federation has strict requirements for membership. In addition to submitting an example of his or her work for review, a prospective member must have at least nine years of experience working in the profession. www.afvbm.org



Bundesverband der deutschen Musikinstrumentenhersteller e.V. The National Association of German Musical Instruments Manufacturers is the official body representing the German Music Industry. Its principal objectives are to promote members' common interests through advice and support in commercial, technical and all other relevant issues; to cultivate exchange of experience between members and other associations in the realms of music worldwide; to represent the interests of German manufacturers of musical instruments and accessories vis-à-vis German and other European as well as supranational and overseas public authorities, associations and other institutions; and to draft expert opinions and furnish of information to public authorities in the sectors of musical instrument manufacture and the appurtenant field of accessories. www.musikinstrumente.org



C.F. Martin & Co.® C.F. Martin & Co. has been creating some of the finest musical instruments in the world since 1833. Hand-made by skilled craftsmen and women, Martin combines modern innovations with techniques developed by the company and recognized today as industry standards, including the Dreadnought shape, X-bracing, the square headstock, and the 14-fret guitar. Martin guitars and Martin strings continue to inspire musicians worldwide, from the icons of rock, pop, country, folk and bluegrass to those who strum for personal enjoyment. They can be seen across all segments of pop culture, from television to movies, Broadway, books, online, and gracing the covers of popular magazines on newsstands everywhere. www.martinguitar.com



CONFEDERATION OF
EUROPEAN MUSIC INDUSTRIES

Confederation of European Music Industries. The Confederation of European Music Industries (CAFIM) used to gather European musical instrument manufacturers only. On May 5, 1977, as unification within Europe gradually progressed, the confederation came to cover the entire branch. Today CAFIM represents the music trade in the whole of Europe including wholesalers, retailers and importers. Its general objectives are to promote and safeguard the interests of the European musical instrument industry as well as those of practicing musicians in every conceivable way. www.cafim.org



Fender Musical Instruments Corporation. Since 1946, Fender has revolutionized music and culture as one of the world's leading musical instrument manufacturers, marketers and distributors. Fender Musical Instruments Corporation (FMIC), whose portfolio of brands includes Fender®, Squier®, Gretsch® guitars, Jackson®, EVH® and Charvel®, follows a player-centric approach to crafting the highest quality instruments and musical solutions across genres. FMIC is dedicated to unlocking the power of music through electric and acoustic guitars, amplifiers, pro audio, accessories and digital products that inspire and enable musical expression at every stage, from beginners to history-making legends. www.fender.com



ForestBased Solutions, LLC. ForestBased Solutions (FBS) provides forest product due diligence services, risk assessment and comprehensive approaches to resource and supply chain management. FBS has over 25 years of experience in species-specific highend forest products from musical instruments, flooring, furniture, decking and fiber content. FBS was instrumental in moving the musical instrument manufacturing industry into stepwise approaches for integrating forest products from identified well-managed forests into their global supply chain. FBS currently works in over 15 timber producing countries. www.forestbased.com



French Musical Instrument Organisation. French Musical Instrument Organisation (La Chambre Syndicale de la Façture Instrumentale, CSFI) was founded in 1890 in Paris. It gathers companies and craftsmen who make, distribute and export musical instruments and their accessories. The CSFI also welcomes resellers and other instrument makers associations (violin, guitar, piano). Its main objectives are the protection of its members and of the musical instrument making as a whole and the development of the instrumental practice for everybody. www.csfi-musique.fr



International Association of Violin and Bow Makers. (EILA: Entente Internationale des Luthiers et Archetiers). Founded in 1950 in Europe, the Entente Internationale is an association of violin and bow makers from around the world. The Entente was established with the aim of bringing together master craftsmen on the basis of friendship and exchange and for taking any steps deemed pertinent to defending their working conditions, developing understanding of their art, perfecting teaching methods for their students and combining the strengths and talents of each member in order to promote a revival in the art of violin and bow making. www.eila.org



International Federation of Musicians. The International Federation of Musicians (FIM), founded in 1948, is the only body representing musicians' unions globally, with members in about 65 countries covering all regions of the world. FIM is recognised as an NGO by diverse international authorities such as WIPO (World Intellectual Property Organisation), UNESCO (United Nations Educational, Scientific and Cultural Organisation), the ILO (International Labour Office), the European Commission, the European Parliament or the Council of Europe. www.fim-musicians.org



International Wood Products Association. Established in 1956, IWPA is the leading international trade association representing the North American imported wood products industry, with over 200 companies and trade organizations engaged in the import of hardwoods and softwoods from sustainably managed forests in more than 30 nations across the globe. Association members consist of three key groups involved in the import process: U.S. importers and consuming industries, offshore manufacturers and the service providers that facilitate trade. www.IWPAwood.org



League of American Orchestras. The League of American Orchestras leads, supports, and champions America's orchestras and the vitality of the music they perform. Its diverse membership of more than 2,000 organizations and individuals across North America includes world-renowned symphonies, community orchestras, festivals, and youth ensembles. Founded in 1942 and chartered by Congress in 1962, the League links a national network of thousands of instrumentalists, conductors, managers and administrators, board members, volunteers, and business partners. www.americanorchestras.org



Madinter. Madinter, founded in 2001, is a Spanish company based in Madrid, Spain, specializing in the supply of wood for making musical instruments. It is a young, modern, and dynamic business dedicated to supplying products of the highest quality standards. The value of these products is the result of a maximized efficiency in both the processing and adequate treatment of the wood. Since the beginning, Madinter is committed to innovation, internationalization, and the use of clean energies, from the search and implementation of sustainable forestry practices in its supply chain, to the establishment of sustainability protocols in manufacturing and waste management in the company. www.madinter.com



Music Industries Association. The Music Industries Association (MIA) is the trade body for the UK musical instrument industry. Our members are the manufacturers, distributors, publishers and retailers of musical instruments and associated products. We exist to promote, protect and support the UK music making industry. We do this by: Providing leadership and guidance to the industry, Promoting the substantial and wide ranging benefits of music making, Representing the sector at all levels of government, its agencies and other interest groups, Creating pro-active public relations and communications internally and externally, Supporting our members with advice, best practice and money saving offers. www.mia.org.uk



National Association of Music Merchants. The National Association of Music Merchants represents more than 10,000 worldwide manufacturers and retailers of musical instruments and related accessories. NAMM is dedicated to promoting the joys of making music. www.namm.org



Orchestras Canada. Orchestras Canada is the national association for Canadian orchestras, helping orchestras achieve together what they cannot accomplish alone, and serving Canadian orchestras in both official languages, through research, knowledge-sharing, convening, and advocacy. Orchestras Canada was founded in 1972, and represents over 130 Canadian orchestras and their diverse stakeholders. orchestrascanada.org



Paul Reed Smith. Paul Reed Smith Guitars is one of the world's premier guitar and amplifier manufacturers. Since our humble beginning in 1985, PRS Guitars has always strived to create the highest quality instruments possible. Guitar and amplifier building are very personal things here, as most of us are dedicated players, refining our craft as builders, musicians, and artists of all kinds. Our deep commitment to the craft and our culture of quality are what drives PRS in the workplace and the marketplace. www.prsguitars.com



PEARLE*. Pearle* Live Performance Europe, is the 'Performing Arts Employers Associations League Europe'. Pearle* represents through its member associations the interests of more than 10000 organisations in the music, performing arts and live entertainment sector. This includes profit as well as non-profit organisations, ranging from micro-enterprises to organisations with over 250 employees. Pearle* is recognised by the European Commission as a European sectoral social partner, representing the employers in the European sectoral social dialogue committee live performance. www.pearle.ws



The Recording Academy. Best known for the GRAMMY Awards®, the Recording Academy is the only organization that exists to champion the voices of performers, songwriters, producers, and engineers. With no corporate members, the Recording Academy directly and solely represents music creators, working tirelessly to protect their rights and interests. From strong representation in Washington, to mobilizing the industry and organizing grassroots movements across all 50 states, we use advocacy, education, and dialogue to raise awareness about pressing music issues, develop policy, and advance key legislation. Our purpose is to give back to music makers by making sure that they're compensated fairly for their work today and have greater opportunities to prosper tomorrow. www.grammy.com/recording-academy



Society of Music Merchants. The SOMM - Society of Music Merchants e. V. SOMM represents the cultural and commercial interests of the musical instrument and music equipment industry in Germany and throughout Europe. The association was founded in February 2005 by leading companies from various sectors of the musical instrument industry in Germany, with the aim of organising a strong general association that represents the entire industry across all sectors (Manufacturer, Distributors, Retailer and Media). SOMM sees itself as a lobby, service provider and communications link for all trade and economic relations within and outside the musical instrument and music equipment industry. The association coordinates matters within the industry and to the outside, and cultivates close ties with political bodies, public authorities, institutions and other business associations and market partners. www.somm.eu



Taylor Guitars. Founded in 1974, Taylor Guitars is one of the world's leading manufacturers of premium acoustic guitars. Renowned for blending an innovative use of modern technology with a master craftsman's attention to detail, Taylor guitars are widely considered among the best sounding and easiest to play in the world. www.taylorguitars.com