

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



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Lyon (France), 7 - 11 March 2022

CITES MUSICAL INSTRUMENTS CERTIFICATES

This document has been submitted by the United States of America in relation to agenda item 83. 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. *

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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 advancing diplomacy, sparking artistic innovation, and supporting 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 – A Consolidated Permit

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. The Musical Instrument Certificate (MIC) is not an exemption from the permit process. It is a consolidated permit. 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 designated port through which an instrument travels**. Musical instruments accompanied by a CITES Musical Instrument Certificate may be hand-carried, in checked luggage, or transported via cargo for larger ensembles. The purpose code P is indicated on a certificate for personal use by individuals, and purpose code Q is indicated on a certificate when a larger ensemble may be considered a travelling exhibition of multiple instruments on a single permit.

The process of issuing and credentialing these permits is extremely variable from country to country and is in urgent need of harmonization in order to fully facilitate non-commercial travel with musical instruments. This is an action the Secretariat and Parties can immediately support and undertake.

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 – Simplified Procedures

We have been informed by individual musicians and 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. 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 streamline it, consistent with CITES directives, to provide simplified procedures for

those activities that do not constitute a threat to the conservation of protected species. In particular:

1. Consistent with [Decision 18.171](#) on Simplified Procedures for Permits and Certificates adopted at the 18th Conference of the Parties, the Secretariat should recommend that musical instruments being transported under the Musical Instrument Certificate be added for consideration for simplified procedures.
2. CITES Parties should be reminded of the provision of [Resolution Conf. 16.8 \(Rev. CoP17\)](#) related to instituting personal effects exemptions. Such exemptions are only helpful if acknowledged by all countries through which a musician must travel.
3. Allow permit exemptions for musical instruments transported by cargo under an ATA carnet – an internationally recognized customs re-export document.
4. Implement an electronic permit system and extend the validity period from three years to ten years.

At the 18th meeting of the Conference of the Parties (CoP18), Decision 18.171 was adopted, including a directive for the Secretariat to prepare draft guidance on Simplified Procedures that “should include consideration of other types of specimens in addition to those identified in document [CoP18 Doc. 56](#), paragraph 13, with a focus on the international movement of CITES specimens where the trade will have a negligible impact on the species concerned.” Consistent with the work undertaken to establish **simplified procedures** for other specimens – we strongly urge the Secretariat and Parties to consider, before the 19th meeting of the Conference of the Parties (CoP19), opportunities to exempt noncommercial movement of musical instruments from the current full battery of permit requirements, such as being stamped at each border, which can cause delays in travel.

Full recognition of the **personal effects exemption** would represent real relief for international guest soloists, small groups, and large ensembles, 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 advance 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 musicians could carry instruments in cabin or as checked baggage without permits, they could practice and rehearse at their own discretion (shortly before departure and soon after landing), as well as have the ability to maximize the opportunities to perform additional solo and smaller ensemble work.

We also once again request that CITES parties undertake 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, allowing CITES permit and inspection exemptions for instruments transported by cargo and travel under an ATA carnet should be given consideration.

As we await opportunities for exemptions from the permit process, we strongly support the efforts among 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 the invalidation processes, while reducing the burden on enforcement authorities. Additionally, for individual musicians who retain ownership of their instruments over time, the permit burden would be lessened by **extending the Musical Instrument Certificate validity period** from three years to ten years in duration.

American Federation of Musicians of the United States and Canada
American Federation of Violin and Bow Makers
Association of British Orchestras
The Australian Music Association (AMA)
Bundesverband der deutschen Musikinstrumentenhersteller e.V.
C.F. Martin & Co.
COMUSICA
Confederation of European Music Industries (CAFIM)
Fender Musical Instruments Corporation
ForestBased Solutions
French Musical Instrument Organisation (CSFI)
International Association of Violin and Bow Makers (EILA)
International Federation of Musicians (FIM)
International Wood Products Association
Japan Musical Instruments Association (JMIA)
John Cruz Custom Guitars
League of American Orchestras
Live Performance Australia
Madinter
Music Industries Association
National Association of Music Merchants
Orchestras Canada
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Pearle Live Performance Europe
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Taylor Guitars