

September 17, 2025

Public Comments Processing
U.S. Fish and Wildlife Service Headquarters
MS: PRB (JAO/3W)
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Falls Church, VA 22041-3803

Submitted Via Internet: www.regulations.gov

Docket Number: FWS-HQ-IA-2024-0033

Re: Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Twentieth Regular Meeting: Provisional Agenda

We are pleased to submit this statement in response to the request by the U.S. Fish and Wildlife Service (90 FR 40075) for comments on negotiating positions on proposed resolutions, decisions, and amendments to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), as well as other agenda items that have been submitted by other Parties, the permanent CITES committees, and the CITES Secretariat for consideration at the 20th Conference of the Parties (CoP20). As representatives of musicians, performing arts presenters, and instrument manufacturers and retailers, we appreciate the dialogue the U.S. government has facilitated in prior CITES proceedings regarding transportation and commerce with musical instruments, and we request that the agency take a strong leadership role in advancing ongoing policy improvements at CoP20.

A great many of the legally crafted and legally purchased musical instruments in use by musicians contain CITES listed species. For example, very small amounts of ivory and tortoise shell may be found in an array of older string, wind, percussion, and brass instruments. Reptile skin may be found on the grips of bows for stringed instruments, and a variety of woods including rosewood and neo-tropical species have been used in the construction of musical instruments. We support reasonable policy solutions that will facilitate international cultural activity and legal trade while at the same time protecting endangered species.

We urge the U.S. Fish and Wildlife Service (USFWS) to make every effort to ensure – through its leadership and engagement throughout CITES negotiations and policy formation – that CITES actions prevent potential unintended consequences for trade, allow appropriate timeframes for implementation, and can be supported through harmonized interpretations across CITES parties. **As the U.S. prepares to consider CoP20 species proposals and policy decisions, we encourage our government to sustain its ongoing leadership toward outcomes that will support sustainability and music sector activity.** These comments build on comments previously submitted to the USFWS by music stakeholders in [May 2024](#) and [January 2025](#) regarding CoP20, and [July 2025 comments](#) in response to Executive Order 14199 in which music stakeholders urged the Administration to maintain robust U.S. engagement in CITES.

Musical instruments have a long lifespan, are in use and are resold over many years, are essential tools of the trade for professional musicians, and are frequently transported internationally for performances. We are fully committed to the goals of conservation and combatting illegal trade in protected species, and we appreciate the leadership the U.S. government has demonstrated in advancing consideration of musical instruments within CITES.

Several proposals under consideration at CoP20 would significantly impact musical activity. We ask U.S. representatives to consider the following specific actions:

Paubrasilia Echinata – Pernambuco

Brazil (Prop 46) is proposing to list *Paubrasilia echinata* – pernambuco - on Appendix I. Policies related to the species will also be considered under CoP20 Doc. 97 on Brazilwood (*Paubrasilia Echinata*) and Annex 2, the report *Paubrasilia echinata* Bows: Fine Tuning Traceability Systems.

Virtually all fine bows used by professional musicians worldwide are made from pernambuco wood. The quality of these bows is integral to their technique and the quality of the music they perform for listeners internationally, and it is essential to the progress of musicians in their careers, from advanced students to seasoned professionals.

The music sector condemns any illegal harvesting and trafficking of pernambuco, and we applaud Brazil's enforcement actions. We respectfully disagree, however, that uplisting the species to Appendix I will serve as an effective enforcement mechanism when all exports from Brazil, the only range state for the species, are now already subject to both domestic and CITES permit requirements.

Brazil's proposal greatly underestimates the impact of an Appendix I listing, which would impose massive new permit requirements for traveling string musicians. An Appendix I listing would also curtail the sale, resale, and repair of new bows as well as the many hundreds of thousands (or more) of existing bows made over the course of the last 240 years, long before the trees came under protected status. An Appendix II listing that regulates all finished products would have similar impacts, and apply a permit burden for both commercial and noncommercial movement across borders.

On average, a single touring orchestra will travel with more than 70 bows for stringed instruments. CITES permits for simply traveling with a musical instrument are difficult to obtain and exceedingly difficult to use. They require credentialing at a limited number of qualified U.S. ports, and procedures for putting the permits to use globally are not harmonized. Requiring permits for every border crossing will harm musicians, performing arts institutions, and the music industry overall, while also creating a massive new burden for permit and enforcement officials.

Musicians, orchestras, and artisanal makers depend on the ability to buy, sell, and repair the bows that are relied on as professional tools and that are essential for performances. An Appendix I listing would make trade virtually impossible, and the centuries-long cultural and artistic tradition of bow making would face extinction.

Musicians, bowmakers, performing arts organizations, and listening audiences value the pernambuco tree as a uniquely essential resource for stringed music and an iconic and invaluable part of Brazil's Atlantic Rainforest ecosystem. The music community is actively

engaged and is committed to supporting the work of conserving pernambuco for future generations. In response to development pressures on the Atlantic Rainforest and pernambuco, bow makers formed the International Pernambuco Conservation Initiative in 2000. Since that time, they have invested in supporting science, conservation, and the planting of over 340,000 seedlings in cooperation with Brazilian governmental and environmental counterparts – work that continues to this day. After CoP19, and in cooperation with USFWS, music stakeholders have implemented extensive education, awareness and compliance training efforts, and launched a campaign entitled *Know Your Bow* to bring awareness among musicians and bow makers across the globe, including musician partners within Brazil. A [July statement by international music stakeholders](#) deeply engaged in pernambuco conservation and compliance was submitted to the CITES Secretariat, for reference.

At CoP19, the Parties agreed to amend Annotation #10 and to a set of Decisions designed to strengthen implementation of pernambuco's Appendix II listing. During the 78th meeting of the CITES Standing Committee (SC78), the Standing Committee proposed new draft Decisions that would sustain and extend the work begun in Panama. This pathway includes:

- increasing the awareness of global parties so that they carefully examine any exports out of Brazil and ensure exports are accompanied by valid CITES permits;
- promoting the voluntary registration of pernambuco stocks and the establishment of a global traceability system for newly made bows; and
- developing the management and regulatory tools to enable the sustainable use of existing and future plantation-grown wood, which, in turn, will help to conserve the species, sustain livelihoods for local farmers, and, with traceability, create a verifiably legal supply of wood for the creation of bows.

By continuing forward on this path in partnership with Brazil and using the flexible conservation-focused tools available under Appendix II, we are confident that a solution can be achieved that would strengthen legal compliance, conserve the species, sustain local farmers and other associated livelihoods, and preserve global musical and cultural traditions that are essential to the human experience.

Music sector stakeholders urge the U.S. to take actions as soon as possible and during CoP20 to prevent an Appendix I listing and to support the solutions available under an Appendix II listing that were agreed during CoP19 and SC78.

Annotations and Annotation #15

We recognize with gratitude that USFWS was a global leader in securing amendments to Annotation #15 at the CoP18 that resulted in solutions for both commercial and noncommercial trade of musical instruments made from various species of rosewood by creating an exemption for finished musical instruments, parts, and accessories. The CoP20 discussion of Annotations under Doc. 103 and Annotation #15 under Doc. 104, reinforces the effectiveness of those exemptions and supports the broader principle that annotations for plants should focus on commodities that first enter trade from range states and primarily drive demand for the wild resource. We support the recommendations that CITES definitions, to the extent possible, be based on the existing tariff classifications of the Harmonized System of the World Customs Organization. The revised Annotation #15, as agreed at CoP18, has proven to significantly reduce the permit burden on National Management Authorities, restore confidence in musical

instrument travel and trade, and reassure the musical instrument community of the value and effectiveness of CITES. Discussions initiated to simplify what might be construed as redundancy in annotations #5, #6, and #17 should take care to ensure that any effort to improve efficiency does not result in expanding the scope of the three existing annotations if reformulated into something new. **We seek support from the U.S. to engage in planned next steps on wider traceability efforts. Musical instrument stakeholders will also be offering continued participation in the renewed establishment of an Annotations working group.**

Dalbergia Melanoxylon

Dalbergia melanoxylon is in use for crafting woodwind instruments. Instrument makers and musicians are committed to sustainable practices in order to continue accessing this vital resource. The consumption of *Dalbergia melanoxylon* by the musical instrument industry represents a small and stable volume (approximately 2% of the global trade in this species), unchanged for decades. This sustainable and minimal impact, combined with the industry's willingness to contribute to conservation efforts, exemplifies a responsible and collaborative approach to preserving this iconic species. Musical instrument makers and musicians stand ready to participate in the preservation and conservation of *Dalbergia melanoxylon* so that current and future generations can benefit from high-quality clarinets, oboes, flutes, and bagpipes made from this species. CITES action can support the conservation status of *Dalbergia melanoxylon* and ensure its long-term survival and sustainable use. In 2023, *Dalbergia melanoxylon* from Mozambique and Tanzania was included in the Review of Significant Trade (RST). **We seek consideration of the inclusion of *Dalbergia melanoxylon* the CITES Trees Species Programme under the decisions that will be taken related to Doc. 23.**

CITES Musical Instrument Certificate

The CITES Musical Instrument Certificate (MIC) is not an exemption from the permit process. It is a consolidated permit. The MIC streamlines the requirements 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 the issuance of a 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 carried by hand or 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 traveling exhibition with multiple instruments on a single 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. At the 17th Conference of the Parties, clarifications were adopted in Resolution Conf. 16.8 (Rev. CoP17) to improve and clarify related procedures. 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." At the 19th Conference of the Parties, Decision 19.160 directed the Standing Committee to:

“consider the need for the development of further appropriate mechanisms, including guidance and capacity-building on simplified procedures in accordance with the recommendations in Part XIII of Resolution Conf. 12.3 (Rev. CoP19) on Permits and certificates, to facilitate the efficient international movement of wildlife samples for diagnostic purposes and/or conservation purposes and the non-commercial movement of musical instruments for purposes of performance, display or competition, for consideration by the 20th meeting of the Conference of the Parties”

Musical Instrument stakeholders have participated in the working group on Rapid Movement of Wildlife Diagnostic Samples and of Musical Instruments and support the decisions in the Annex to Doc. 61, which would gather essential information about the implementation of permit requirements and exemptions, identify relevant challenges Parties are facing, and develop for publication on the CITES website a webpage bringing together information on the available mechanisms for noncommercial movement of musical instruments. This resource would include a register of Parties' existing arrangements with a link to country-specific information. The proposed one-page simplified guidance would be a helpful resource to musicians and ensembles attempting to navigate these procedures. The music stakeholder community stands ready to partner in these potential next steps.

However, additional steps are urgently needed. The process of issuing and credentialing these permits is extremely variable from country to country. Limited ports are available for credentialing permits, which can prevent musicians from traveling through the ports that are efficient and affordable. The process is in urgent need of harmonization in order to fully facilitate noncommercial travel with musical instruments. In fact, an increasing number of CITES parties, including the European Union, no longer recognize U.S.-issued traveling exhibition certificates that are compliant with the terms of a Musical Instrument Certificate. We therefore request that the U.S. seek an expansion of the draft decisions proposed under Doc. 61 Annex A to examine Resolution Conf. 16.8 (Rev. CoP17) on *Frequent Cross-Border Non-Commercial Movements of Musical Instruments*, Resolution Conf. 12.3 (Rev. CoP19) on *Permits and Certificates*, Resolution Conf. 13.7 (Rev. CoP17) on *Control of Trade in Personal and Household Effects*, any other relevant resolutions for possible amendments to advance for consideration at CoP21.

As we await opportunities for improvements to 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 the process of acquiring, using, and invalidating musical instrument certificates more efficient. Currently, musicians holding individual permits must void them before their instruments are included on a group permit. This is impractical, given the narrow timeframe between engagements. 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 streamlining the permit renewal process. Electronic systems also hold potential for relieving the burden posed by the requirement to physically credential permits at each border crossing. We support the draft decision proposed in Doc. 56.1, 20.BB., (f), which would renew and extend consideration of ways that simplified procedures for non-commercial movement of musical instruments can be supported by electronic CITES permitting systems.

We ask the U.S. to once again take a leadership role and expand the mandate for future work on simplified procedures for the Rapid Movement of Musical Instruments during consideration of Doc. 61, monitor plans for future action on the code “P” during

discussions of purpose codes under Doc. 55, and support the mandate for consideration of musical instruments in next steps on e-permitting under Doc. 56.1.

Thank you for the opportunity to provide comments on the positions that the U.S. is preparing on proposals and agenda items under consideration at CoP20. We look forward to providing further comments as the U.S. announces its tentative negotiating positions in the coming weeks. We appreciate the opportunity to partner with USFWS and the conservation community to seek reasonable solutions that support conservation, combat illegal activity, and protect the domestic and international use, production of, and trade in musical instruments.

Sincerely,

**American Federation of Musicians of the United States and Canada
American Federation of Violin and Bow Makers
The American String Teachers Association, Inc.
Carnegie Hall
Chamber Music America
Chorus America
Fender Musical Instruments Corporation
Folk Alliance International
International Alliance of Violin and Bow Makers for Endangered Species
International Association of Violin and Bow Makers (EILA)
International Pernambuco Conservation Initiative USA
League of American Orchestras
C.F. Martin & Co., Inc.
National Association of Music Merchants
OPERA America
Paul Reed Smith Guitars
Performing Arts Alliance
Recording Academy
Taylor Guitars
Theatre Communications Group
Yamaha Guitar Group, Inc.**