

The NA Model of Fish and Wildlife Conservation

Prohibition Against Commerce

Legal Redress

- **Lacey Act of 1900:** Prohibited commerce in illegally taken fish, wildlife, and plants.
- **Migratory Bird Treaty Act of 1918:** Federal prohibition to ...pursue, hunt, capture, kill, sell, purchase... any migratory bird, part, nest, or egg (unless provided for by regulation).

State Contribution

- States narrowed pathways to commerce with collection, importation, and possession regulations for fish and wildlife.
-

Georgia

- “It is unlawful to take, possess, or transport state wildlife or the plumage skin, body, nests, or eggs of such, for scientific purposes without a scientific collecting permit.”

Tennessee

- “It is unlawful to possess, transport, import, export, buy sell, barter, propagate or transfer any wildlife except as provided by law and Commission regulations.”

Elimination of Markets for Wildlife

“Elimination of legal trafficking in meat, parts, and products of game animals and nongame birds, while maintaining markets for less vulnerable furbearer species, was critical in halting what would have been a “tragedy of the commons.”

Geist, Mahoney, and Organ, 2001

Relevancy Today

- “State, provincial and territorial wildlife agencies [should] remain **diligent** in meeting their obligations pertaining to importation, possession and use of wildlife....
-

-
-For example, such duties should **not be outsourced** to other government agencies, like departments of agriculture, for convenience or lack of operational resources....
-

-
- Likewise these efforts should continue to include law enforcement programs that **combat** illegal trafficking, market hunting, and commercialization of wildlife....”

Prukop and Regan 2005

Application Challenges

- Jurisdiction wildlife versus domestic animals
 - Full taxonomic spectrum
 - The fisheries dimension
-



Fisheries Dimension

- Principles are transferrable.
- New paradigms offer an opportunity for more vigorous discussion:

Focus on sustainable systems

Catch shares

Recommendations

- Embrace the importance. Promote the need, internally, for engagement on the commerce issues. Create an organizational culture that values this Model principle.
-

Recommendations

- Review existing laws and regulations to identify legal loopholes or gaps in jurisdiction that may need attention. Work with other government agencies and constituents unto that end.
-

Recommendations

- Give staff the resources they need to make that implementation or oversight a reality.