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# Why are invasive alien species still legal?

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## Abstract

Trade of threatened species around the world is controlled by the Convention on International Trade in Endangered Species (CITES) in order to avoid threatening the survival of such species. However, invasive alien species (IAS), recognized as the second largest threat to biodiversity worldwide, are registered in banned "black" lists only at regional governance levels based upon different levels of measure, leading to inconsistencies in their global regulation. We identify both the advances and remaining gaps and issues regarding legal and policy systems related to IAS and their global trade and movement. We raise three major issues that affect the efficiency and obligation to preserve biodiversity from IAS. First, the historical lack of a standardized framework to classify IAS, which leads to a profound confusion of species status with no consensus definitions. Consequently it remains impossible to produce a legal and global scheme. Second, the implementation of laws and policies at multiple hierarchical and governance scales prevent a clear and efficient legal management of IAS, which occur across geographical borders and thus often political and legal ones. This hierarchy leads to multiple and different laws and policies that are often mismatched between themselves. Lastly, IAS lie at the interface of conflicts among sectors such as trade, culture, ethics and conservation. Each of these sectors operates with different aims and policies that can act in contradiction. We will focus on key examples that illustrate these specific points and outline how we might move towards a global analogue to CITES for IAS.

**Keywords:** invasive species, legal framework, policies, governance, international conflict

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