





# **Ivory Action Plan – Cambodia (DRAFT)**

## **1. Background**

Cambodia ratified the Convention on International Trade in Endangered Species of Wild Fauna and Flora in 1997. Since 1994, trade in new elephant ivory has been prohibited in Cambodia, and there has been a significant reduction in the domestic trade and domestic demand for ivory between 2001 and 2013 as a result of law enforcement efforts (Martin & Martin, 2013).

In the last two years there has been an increase in seizures and reports of trafficking of African ivory through Cambodia. In 2013, three small seizures (<30kg) were made in Cambodia of ivory products suspected to be of African origin, smuggled by Vietnamese nationals. In early 2014, two more relatively small (<300kg) seizures of ivory were made, again both suspected to have been of African origin and destined for Vietnam.

More recently, a large-scale (3008kg) seizure in May 2014 by Customs and Excise located three tonnes of ivory in shipping containers from Malaysia (originally from Kenya) at Sihanoukville port, the largest ever ivory seizure recorded for the country. Furthermore, authorities in Hong Kong and Thailand have intercepted large shipments of ivory from Africa, bound for Cambodia in 2014.

Cambodia was identified by CITES in Document CoP16 Doc. 53.2.2 (Rev 1) as a Party of “importance to watch” with regard to monitoring the illegal trade in ivory and other elephant specimens. At the 16<sup>th</sup> meeting of the Conference of the Parties to CITES (CoP16, Bangkok, 2013), Decision 16.8 was adopted, to seek clarification on the implementation of CITES and other provisions concerning control of trade in elephant ivory and ivory markets, and report its findings and recommendations at the 65<sup>th</sup> meeting of the Standing Committee. The 65<sup>th</sup> meeting of the Standing Committee subsequently requested Cambodia to work with the Secretariat and its consultants to finalize the development of a national ivory action plan (NIAP) in 2014.

The priorities for Cambodia to address in its Ivory Action Plan are to strengthen law enforcement efforts to prevent illegal trafficking of African ivory through Cambodia, and to enhance prosecution rates for wildlife crimes. A secondary priority is to safeguard the country’s wild elephant populations from poaching and trade.

## **2. Action Plan**

The Royal Government of Cambodia’s Forestry Administration (FA), of the Ministry of Agriculture, Forestry and Fisheries (MAFF), is the agency responsible for the management of wildlife and the forest estate. MAFF is the designated CITES Management Authority of Cambodia, and FA the national CITES Scientific Authority for terrestrial species.

The Forestry Administration has prepared this Ivory Action Plan and is the key coordinating/implementing agency of the plan. The Ivory Action Plan has been endorsed and approved by MAFF.

We followed the format of the International Consortium on Combating Wildlife Crime's Wildlife and Forest Crime Analytic Toolkit in the development of this plan, which is broken down into the following categories:

- **Legislation**

Currently, domestic legislation does not cover wildlife, which has originated from outside of Cambodia (e.g. African ivory). Consequently we will revise the ministerial proclamation to include African elephants on the list of Endangered species. Possession, stocking, transporting, trading, exporting-importing Endangered species is prohibited. Trade and export of Endangered species is considered a class I offense subject to five to ten years in prison; any individuals who have committed such offenses multiple times will be penalized double the punishment (10-20 years in prison). Any individuals who possess, stock, process, transport, import Endangered wildlife species or specimens will be punishable via a class II offense subject to one to five years in prison and or court fines of 10 million to 100 million riel (circa US\$2450 to 24,500).

Furthermore, the management of ivory seizures will be clarified through development of a new Ministerial proclamation, giving Forestry Administration full authority to manage all ivory seizures, according to CITES recommendations. The proclamation will be distributed to all relevant law enforcement agencies.

- **Enforcement**

In order to enhance the implementation and effectiveness of law enforcement, we aim to establish a specialized Wildlife Crime Investigation Unit within the Forestry Administration, which will be tasked with investigating wildlife crime, including cases of international trafficking of wildlife products, such as African ivory. Furthermore, we will take steps to increase inter-agency (and transboundary) cooperation for investigating and prosecuting cases of wildlife crime, and ensure Customs and border control agencies are well trained and equipped to detect wildlife trafficking. Lastly we will establish appropriate procedures for the management of ivory seizures, including the development and maintenance of a national database, processes for registering and inventorying ivory seizures and managing a centralized ivory stockpile securely.

- **Judiciary and prosecutions**

There is a need in Cambodia to enhance the awareness of the judiciary and prosecutors of the seriousness of wildlife crime, and to increase the capacity of law enforcement agencies to gather evidence, investigate and prepare cases of wildlife crime for the court.

- **Drivers and prevention**

Cambodia does not have a significant domestic market for the consumption of ivory, of African or Asian origin. The domestic market and trade has declined over the last 10-15 years. In order to prevent domestic poaching of Cambodia's Asian elephant population, to effectively manage human-elephant conflict, and implement other protective measures for Asian elephants in Cambodia, the Forestry Administration and other relevant government and non-government organisations are preparing an Asian Elephant Conservation Action Plan for Cambodia, with implementation of the plan scheduled for mid 2015.

- **Data, [reporting] and analysis**

We will increase reporting to the CITES Secretariat on the implementation of the Ivory Action Plan and provide regular reports on ivory seizures and cases. Furthermore, we

will investigate and develop mechanisms through which we can increase the sharing of information related to wildlife crimes, to support intelligence-led enforcement action.

Lastly, we will explore the possibility of implementing the ICCWC Wildlife and Forest Analytic Toolkit in Cambodia, or other similar framework, to conduct a review of Cambodia's legislation, law enforcement, judiciary and prosecution, drivers and prevention, data and analysis, to help strengthen Cambodia's response to wildlife crime.

**Ivory Action Plan Framework (see attachment)**

### **3. Expenditure**

The Forestry Administration will work with technical partners, including the Wildlife Conservation Society (WCS) in order to implement the Ivory Action Plan. We have highlighted actions in the Ivory Action Plan for which completion will be contingent on securing additional funding.

### **4. Monitoring and evaluation**

The implementation of the Ivory Action Plan will be monitored by the Ministry of Agriculture, Forestry and Fisheries to ensure activities are implemented as planned and within the timeframe provided.

### **5. References**

CoP 16. Doc. 53.2.2 (Rev. 1). Monitoring of illegal trade in ivory and other elephant specimens. ETIS report of TRAFFIC. Sixteenth meeting of the conference of the parties, Bangkok (Thailand) 3-14 March 2013.

Martin, E. & Martin, C. 2013. The decline in Cambodia's ivory trade. TRAFFIC bulletin 25; vol. 2. TRAFFIC International, Cambridge, UK.

SC65, Doc. 42.1. Elephant conservation, illegal killing and ivory trade. 65<sup>th</sup> meeting of the Standing Committee Geneva (Switzerland), 7-11 July 2014.