

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



Sixty-third meeting of the Standing Committee
Bangkok, (Thailand), 2 March 2013

Interpretation and implementation of the Convention

Compliance and enforcement

ENFORCEMENT MATTERS

1. This document has been prepared by the Secretariat.

Implementation of CITES in Guinea – Background

2. At the 61st meeting of the Standing Committee (Geneva, August 2011), the Secretariat reported its concerns regarding illegal trade in CITES-listed species involving Guinea. The Committee noted these concerns and agreed that the Secretariat should undertake a mission to Guinea. This mission was conducted in September 2011 and significant problems were identified in the implementation of the Convention. Consequently, a comprehensive list of recommendations was formulated in consultation with the relevant Guinean authorities.
3. During the mission, the CITES Management Authority of Guinea provided the Secretariat with copies of all export permits issued from 2009 to 2011. The Secretariat consequently hired a consultant to analyse these permits and the data on recent trade involving Guinea. This analysis identified the following problems:
 - a) a large number of permits had been issued for specimens declared as bred in captivity, even though there are no commercial captive-breeding facilities for CITES-listed species in Guinea;
 - b) wrong source codes had been used;
 - c) commercial quantities of Appendix-I species had been traded;
 - d) the submission of annual reports had been inconsistent and not all trade had been reported; and
 - e) CITES permits had not been issued in numerical sequence.
4. On the basis of information provided by Guinea, the Secretariat reported to the Standing Committee at its 62nd meeting (SC62, Geneva, July 2012) that limited progress had been made with the implementation of the recommendations referred to in paragraph 2 above. The Secretariat further reported that it was evident that the challenges faced by Guinea in implementing CITES related not only to enforcement issues, but also to broad compliance issues, such as the adoption of adequate legislation, the efficient issuance of permits, the monitoring of significant levels of trade and the making of non-detriment findings.
5. The Committee expressed concern about the situation in Guinea and emphasized that urgent action should be taken by Guinea to implement the Convention effectively. In compliance with paragraph 29 g) of the Annex to Resolution Conf. 14.3 (*CITES compliance procedures*), the Committee instructed the Secretariat to issue a warning to Guinea requesting it to take urgent measures to implement the recommendations made during the 2011 mission of the Secretariat. The Committee also instructed the Secretariat to provide Guinea with a clear set of minimum actions that should be undertaken. It requested Guinea to implement these actions and to

provide a progress report to the Secretariat by 31 December 2012. Finally, it asked the Secretariat to evaluate that report and make a recommendation at the present meeting of the Standing Committee.

Developments since SC62

6. The Secretariat issued the warning to Guinea on 17 September 2012 and provided a set of minimum actions that should be undertaken at the same time. In compliance with the instructions of the Standing Committee, Guinea was also requested to provide a detailed report to the Secretariat by 31 December 2012.
7. At the time of writing this document (late January 2013), the report from Guinea had not been received.
8. The Secretariat has brought the present document to the attention of Guinea, inviting the Party to provide a written report at the present meeting.
9. On 4 October 2012, the Secretariat received email correspondence from the Guinean CITES Management Authority, indicating that the *Ministre délégué à l'environnement et aux eaux et forêts* (Minister for the Environment, Waters and Forests) had received the warning and set of minimum actions that should be undertaken, as provided by the Secretariat. The message also indicated that Guinea intended to implement measures to improve implementation of the Convention in the country.
10. Given the findings of the CITES Secretariat's mission in September 2011 that there were no commercial captive-breeding operations for CITES-listed species in Guinea, supported by formal confirmations from the Management Authority of Guinea, the Secretariat advised Parties to refuse permits and certificates from Guinea for purportedly 'captive-bred' specimens (see Notification to the Parties No. 2011/040 of 26 September 2011). Since SC62, nevertheless, the Secretariat has continued to receive requests from Parties to confirm the authenticity of CITES permits issued by Guinea. Apparently, Guinean CITES documents for 'captive-bred' specimens continue to be issued.
11. The Secretariat believes that significant measures still need to be implemented by the Guinean authorities to implement the Convention effectively, and that the minimum actions referred to in paragraphs 5 and 6 above have not been implemented yet.

Recommendation

12. The Standing Committee is invited to consider recommending that all Parties suspend commercial trade in specimens of CITES species with Guinea, pursuant to paragraph 30 of the Annex to Resolution Conf. 14.3.