

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

Forty-seventh meeting of the Standing Committee
Santiago (Chile), 1-2 November 2002

Implementation of the Convention in individual countries

ENFORCEMENT MATTERS

1. This document has been prepared by the Secretariat.

United Arab Emirates

2. During its 46th meeting (SC46, Geneva, 12-15 March 2002) the Standing Committee:

agreed that its recommendation to Parties to suspend trade in specimens of CITES-listed species with the United Arab Emirates would be withdrawn in three phases, as follows:

Phase 1: With regard to trade for non-commercial purposes other than movements of live birds of prey, the recommended suspension is withdrawn immediately.

Phase 2: With regard to trade in live birds of prey for non-commercial purposes, the recommended suspension shall be withdrawn when the registration of birds of prey is complete and this has been confirmed by the Secretariat.

Phase 3: With regard to commercial trade, the recommended suspension shall be reconsidered at the 47th meeting of the Standing Committee.

3. In Notification to the Parties No. 2002/20 (9 April 2002), the Secretariat advised Parties of the above Standing Committee decision, particularly advising Parties of the partial withdrawal of the recommendation to suspend trade with the United Arab Emirates in accordance with Phase 1 of the decision.
4. A mission was undertaken by the Secretariat from 27 July to 1 August 2002 to verify that the registration system for live birds of prey was complete. Following that mission, Notification to the Parties No. 2002/049 (9 August 2002) was issued advising Parties of the fulfillment of Phase 2 of the Standing Committee's decision and the additional partial withdrawal of the recommendation to suspend trade with the United Arab Emirates.

Other developments

5. Federal legislation for the implementation of CITES, based largely on the model law and developed with the assistance of the Secretariat, has been signed by the President of the United Arab Emirates and is now in the process of being signed by the head of each of the seven Emirates.

6. Following the Secretariat's organization of a general CITES training workshop for Management and Scientific Authorities (28 February – 7 March 2002), the Secretariat organized a training workshop from 31 August to 4 September 2002 for enforcement authorities (Customs and port authorities) as well as staff from the Management and Scientific Authorities who had not been trained earlier. Two more training workshops are scheduled for 2003 for government staff responsible for CITES implementation in each of the seven Emirates.
7. A falcon 'passport' has been developed and produced, incorporating input provided by the Secretariat, which will be issued for legally-acquired, registered falcons in accordance with Resolution Conf. 10.20 (Frequent cross-border movements of personally-owned live animals). The United Arab Emirates is in communication with the Management Authorities of expected countries of destination regarding the acceptance of the 'passport'. During the CITES regional meeting for Asia (Mongolia, August 2002), a number of Parties expressed strong interest in the Secretariat's suggestion that a falcon dialogue meeting be organized in the near future among range and consumer States as well as countries where major centres of falcon-breeding are located and countries whose territory is used for hunting with falcons.

Outstanding issues

8. While under the recommendation to suspend trade described above, the United Arab Emirates allowed the shipment of more than 100 birds of prey to Pakistan for release. The Secretariat was given only two days' warning of the event by the United Arab Emirates. The Secretariat had already advised Pakistan that such a movement would be contrary to the recommendation of the Standing Committee. Relevant officials of the United Arab Emirates were advised during the Secretariat's verification mission in July/August 2002 that this incident would be brought to the attention of the Standing Committee.
9. The Secretariat remains concerned that illegal trade in caviar may still be occurring because traders implicated in such illegal trade remain in business and do not appear to have been thoroughly investigated.

Conclusions and recommendation

10. Significant, positive progress has been made with regard to institutional development and capacity building, adequate legislation and falcon registration. Additional attention, however, needs to be paid to ensuring that the United Arab Emirates no longer serves as a source of, conduit for or destination for illegal trade in caviar and other wildlife specimens. The Secretariat believes that a final assessment mission should be conducted to the United Arab Emirates once its new legislation has entered into force, particularly to be satisfied that sufficient attention has been given to the remaining caviar traders. Such a mission having been satisfactorily completed, the Secretariat suggests that it be authorized by the Standing Committee to issue a Notification to the Parties withdrawing totally the recommendation for a suspension of trade. Additionally, it believes it would be useful for the Secretariat to receive copies of all permits and certificates issued by the United Arab Emirates for a period of three months following the total withdrawal of the suspension to enable it to monitor the resumption of trade and, if appropriate, to offer advice.

Nigeria

11. The Secretariat, since late in 2001, has become increasingly concerned about Nigeria's ability to implement the Convention effectively, particularly with regard to combating and penalizing illegal trade. In 2002, four cases were brought to the Secretariat's attention involving significant illicit trade. (These can be described orally to the Standing Committee, if desired.)
12. What causes the Secretariat particular concern in relation to these incidents is the determined and very criminal behaviour of the exporters involved, who engaged in considerable fraud and falsification of documents to conduct illicit trade. In some cases, the shipments appear to have been, to some degree, subject to examination by border control or veterinary officials in Nigeria without their illegal nature being detected. Two of the cases involve Appendix-I species, including gorillas that are especially endangered, and two also involve exporters making threats and false statements to Customs authorities who intercepted the shipments. Lastly, it appears that the staff of the Management Authority of Nigeria is unable to assess applications for export permits adequately and is unable, or has insufficient coordination with relevant enforcement agencies, to undertake prompt and efficient investigations when alerted to incidents where illicit trade is suspected.
13. The Government of Nigeria has assured the Secretariat that it is taking steps to investigate these matters and to put in place measures to ensure effective implementation of the Convention. The Secretariat suggests, however, that it should undertake a technical mission to review the steps taken and to provide relevant advice and assistance. It would then report at the 49th meeting of the Standing Committee, at which time any additional appropriate measures could be discussed.