

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



Seventeenth meeting of the Conference of the Parties  
Johannesburg (South Africa), 24 September - 5 October 2016

Interpretation and implementation matters

General compliance and enforcement

ENFORCEMENT MATTERS

1. This document has been submitted by the Secretariat, and includes draft decisions from the Standing Committee.

Background

2. In Resolution Conf. 11.3 (Rev. CoP16) on *Compliance and enforcement*, the Conference of the Parties:

*INSTRUCTS the Secretariat to:*

- b) submit a report on enforcement matters at each Standing Committee meeting and each regular meeting of the Conference of the Parties.*

3. At its 16th meeting (CoP16, Bangkok, 2013), the Conference of the Parties adopted Decisions 16.39 and 16.40 on *Enforcement matters*, as follows:

***Directed to the Standing Committee***

- 16.39 *At its 65th meeting, the Standing Committee shall initiate a process to assess implementation and enforcement of the Convention as it relates to the trade in species listed in Appendix I. The Committee shall report its findings at the 17th meeting of the Conference of the Parties to CITES.*

***Directed to the Secretariat***

- 16.40 *Subject to available resources, the Secretariat shall:*

- a) in cooperation with partners in the International Consortium on Combating Wildlife Crime, establish Wildlife Incident Support Teams (WISTs) consisting of enforcement staff or relevant experts. WISTs shall be dispatched at the request of a country that has been affected by significant poaching of CITES specimens, or that has made a large-scale seizure of such specimens, to assist it, and guide and facilitate appropriate follow-up actions in the immediate aftermath of such an incident. The Secretariat shall report on progress in this regard at the 65th or 66th meeting of the Standing Committee, as appropriate; and*
- b) seek invitations from Parties that have carried out significant seizures of CITES specimens, for the Secretariat, or relevant experts, to conduct assessments of the circumstances of such seizures and the follow-up actions that were taken, so that lessons may be learned and disseminated. The Secretariat shall report its findings in this regard at the 65th and 66th meetings of the Standing Committee, as appropriate.*

4. As required by Resolution Conf. 11.3 (Rev. CoP16), the Standing Committee reviewed this subject at its 65th<sup>1</sup> and 66th<sup>2</sup> meetings (SC65, Geneva, July 2014; SC66, Geneva, January 2016).
5. It is now well recognized that illegal trafficking in wildlife involves transnational organized crime groups and in some cases rebel militia and rogue elements of the military. Significant steps have been taken at national, regional and international levels since CoP16, and there is today a global collective effort underway to combat wildlife crime.<sup>3</sup> These steps included activities to: raise the profile of wildlife crime;<sup>4</sup> secure political support for combating it;<sup>5</sup> mobilize funding to combat it;<sup>6</sup> provide technical and operational support to national agencies responsible for wildlife law enforcement;<sup>7</sup> implement urgent measures to address high levels of poaching and illegal trade;<sup>8</sup> and develop and make available tools<sup>9</sup> to strengthen the capacity of national authorities to respond to wildlife crime.
6. The United Nations General Assembly (UNGA), in July 2015, unanimously adopted a Resolution on 'Tackling Illicit Trafficking in Wildlife',<sup>10</sup> the first dedicated Resolution on the topic adopted by the UNGA.<sup>11</sup> The UNGA Resolution calls for firm and strengthened national measures, and an enhanced regional and global response, including by strengthening legislation, providing for offences related to illegal trafficking in wildlife to be treated as predicate offences and taking steps to prohibit, prevent and counter corruption. On 25 September 2015, the United Nations (UN) Sustainable Development Summit adopted the new global Sustainable Development Goals (SDGs). The SDGs, which represent the agreed vision of the 193 Member States of the UN for the next 15 years, call for the protection of wild fauna and flora as well as the ecosystems that they depend on. The SDGs specifically address tackling illegal trafficking in wildlife through specific Targets under Goal 15,<sup>12</sup> as follows:
  - 15.7 *Take urgent action to end poaching and trafficking of protected species of flora and fauna and address both demand and supply of illegal wildlife products.*
  - 15.c *Enhance global support for efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities.*
7. The Secretariat proposes that Resolution Conf. 11.3 (Rev. CoP16) be amended to reflect these developments. This would further strengthen the guidance provided to Parties in the Resolution, to implement measures to address wildlife crime. The proposed amendments are presented in the revised version of the Resolution attached to the present document as Annex 2, for consideration by the Conference of the Parties.

#### Implementation of Decision 16.39

8. To implement Decision 16.39, the Standing Committee at SC65 established an intersessional working group chaired by the United States of America. At SC66, the working group introduced document SC66 Doc. 32.3<sup>13</sup> on *Implementation and enforcement of the Convention as it relates to the trade in species listed in Appendix I*, and reported on its work. Document CoP17 Doc. 31 on *Implementation and enforcement of the Convention as it relates to the trade in species listed in Appendix I* was prepared for the present meeting, and the Standing Committee will report on the implementation of this Decision under that agenda item.

<sup>1</sup> <https://cites.org/sites/default/files/eng/com/sc/65/E-SC65-27-01.pdf>

<sup>2</sup> <https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-32-01.pdf>

<sup>3</sup> <https://cites.org/sites/default/files/eng/com/sc/66/Inf/E-SC66-Inf-15.pdf>

<sup>4</sup> [https://cites.org/eng/un\\_system\\_and\\_intl\\_orgs\\_applaud\\_sust\\_dev\\_commitments\\_by\\_govs\\_to\\_battle\\_illegal\\_wildlife\\_trade\\_27092015](https://cites.org/eng/un_system_and_intl_orgs_applaud_sust_dev_commitments_by_govs_to_battle_illegal_wildlife_trade_27092015)

<sup>5</sup> [https://cites.org/eng/G7\\_declaration\\_20150610](https://cites.org/eng/G7_declaration_20150610)

<sup>6</sup> [https://cites.org/eng/qef\\_wildlife\\_prog\\_2015](https://cites.org/eng/qef_wildlife_prog_2015)

<sup>7</sup> <https://cites.org/eng/prog/iccwc.php/Action>

<sup>8</sup> <https://cites.org/eng/niaps>

<sup>9</sup> <https://cites.org/eng/prog/iccwc.php/Tools>

<sup>10</sup> [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/69/314](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/314)

<sup>11</sup> [https://cites.org/eng/unga\\_resolution\\_wildlife\\_trafficking\\_150730](https://cites.org/eng/unga_resolution_wildlife_trafficking_150730)

<sup>12</sup> <https://sustainabledevelopment.un.org/focussdgs.html#goal15>

<sup>13</sup> <https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-32-03x.pdf>

#### Implementation of Decision 16.40, paragraph a)

9. Decision 16.40, paragraph a), calls for a WIST to be dispatched to assist Parties that are affected by significant poaching of CITES specimens, or that have made a large-scale seizure of such specimens. The deployment of a WIST is subject to a formal request from a Party. The Secretariat at SC65 and SC66 reported on WISTs that had been deployed to Madagascar, Sri Lanka,<sup>14</sup> and the United Arab Emirates under the auspices of the International Consortium on Combating Wildlife Crime (ICWC).<sup>15</sup>
10. Through the deployment of WISTs, valuable support is being provided to Parties that need and request it. Subject to available resources, the Secretariat will continue to work with ICWC partner agencies to establish and dispatch WISTs upon request.
11. Parties affected by significant poaching of CITES specimens, or that have made a large-scale seizure of such specimens are encouraged to reach out to the Secretariat to request the deployment of a WIST, should expert support be needed in the immediate aftermath of such an incident.
12. The Secretariat believes that it would be appropriate to incorporate Decision 16.40, paragraph a), into Resolution Conf. 11.3 (Rev. CoP16), and a proposed amendment to this effect is presented in Annex 2, for consideration by the Conference of the Parties.

#### Implementation of Decision 16.40, paragraph b)

13. Decision 16.40 paragraph b), directs the Secretariat to seek invitations from Parties that have carried out significant seizures of CITES specimens, for the Secretariat, or relevant experts, to conduct assessments of the circumstances of such seizures and the follow-up actions that were taken, so that lessons may be learned and disseminated. Assessment missions have been conducted by the Secretariat in Bangladesh, Mozambique, Singapore, and the United Kingdom of Great Britain and Northern Ireland. The Secretariat would like to express its sincere appreciation to the authorities in the above-mentioned countries that facilitated these missions, and to the European Union for the funding it provided under a CITES project to support the implementation of CoP16 Decisions, which enabled the Secretariat to conduct the significant-seizure assessments.
14. The Secretariat reported on progress with the implementation of Decision 16.40, paragraph b) at SC65 and SC66, but the ongoing nature of this work and a significant workload, meant that it was not possible for the Secretariat to report its findings at these meetings. Since SC66 however, the Secretariat has on the basis of the information collected, prepared a report seeking to provide an overall impression of the circumstances that enabled the detection and seizure of the illegal specimens, and the steps that are taken by Parties in response to significant seizures of CITES specimens. This report does not identify the steps taken by any individual Party, and does not compare the activities conducted in different countries against each other. It rather aim to highlight the activities that work well at an operational level, or that support or inhibit ongoing investigations and national or international cooperation, as well as the challenges most often confronting frontline officers.
15. The report is presented in Annex 3 to the present document. On the basis of the findings made in the report, the Secretariat propose that text as outlined in paragraph 12 of the report, be included in Resolution Conf. 11.3 (Rev. CoP16), under *Regarding additional actions to promote enforcement*. This proposed amendment to the Resolution, is presented in Annex 2 to the present document, for consideration by the Conference of the Parties.

#### Corruption

16. Corruption is present in the environment and natural resource sectors just as it is in other policy sectors, and it is sometimes an integral component of the devastating economic, social and environmental impacts of illegal trafficking in wildlife. Effective application of CITES depends largely on control over the issuance, inspection and acceptance of CITES documentation and, although the vast majority of officials responsible for CITES implementation and enforcement are committed to their task and working diligently each day to

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<sup>14</sup> [http://www.cites.org/eng/news/sundry/2013/20130725\\_icwc\\_wist\\_SriLanka.php](http://www.cites.org/eng/news/sundry/2013/20130725_icwc_wist_SriLanka.php)

<sup>15</sup> <https://cites.org/eng/prog/icwc.php/Action>

ensure that international trade is legal, sustainable and traceable, reports of corrupt activities that undermine the effective implementation of the Convention are of increasing concern.

17. A number of CITES-listed species are high-value items targeted by organized crime groups, and this makes the officers responsible for regulating trade in specimens of these species potentially vulnerable to corruption. As recognized in the preamble to the United Nations Convention Against Corruption (UNCAC), corruption is particularly linked to organized crime and economic crime, both of which occur in the context of wildlife crime.
18. It is becoming increasingly important for Parties to ensure that adequate measures are in place to prevent, identify and address corruption. As reported at SC66, in September 2015 the Secretariat received formal confirmation from INTERPOL that the former wildlife director and head of the CITES Management Authority of Guinea had been arrested for his suspected role in corrupt and fraudulent actions in the issuance of CITES export permits.<sup>16</sup> Concerns regarding illegal trade in CITES-listed species involving Guinea have been dealt with in a thorough manner by the Standing Committee and the Secretariat.<sup>17</sup> It should be noted that, while on mission in Guinea in 2011 to investigate concerns regarding illegal trade involving Guinea, the CITES Secretariat brought suspected irregular activities to the attention of the head of the anti-corruption unit and other authorities in Guinea. Although this arrest is very encouraging and commendable, it also raises concerns about the urgency and vigour with which some countries are tackling the issue of corruption. To effectively combat corruption, the promotion of good governance and swift action to identify and act against corrupt officials are vital.
19. Article 7 of UNCAC requires States Parties to endeavour to adopt, maintain and strengthen civil service systems that promote adequate remuneration, and education and training programmes that would enable civil servants to meet the requirements for proper performance of their public functions.
20. Article 12 of UNCAC recognizes the need to prevent the misuse of procedures regulating private entities, including procedures regarding licences granted by public authorities for commercial activities. Such procedures and other administrative services, such as the registration of captive-breeding or artificial propagation or trading operations, compliance monitoring and export endorsement, can be vulnerable to bribery, influence, abuse of functions, illicit enrichment, laundering the proceeds of crime and concealment.
21. Guidance provided to Parties under the CITES National Legislation Project encourages them to consider holding government officials responsible for violations of the Convention under relevant national law. In particular, it is suggested that Parties consider making it an offence for an enforcement officer to accept any unauthorized personal payment or other form of personal compensation. Parties are also encouraged to provide incentives in their legislation for individuals to come forward with information about suspected crimes.
22. On 3 November 2015, the Secretary-General of CITES and the Executive Director of the United Nations Office on Drugs and Crime (UNODC) participated in a UNODC special high-level event on corruption and illegal trafficking in wildlife, held on the margins of the 6th Session of the Conference of the Parties to the UNCAC,<sup>18</sup> in Saint Petersburg, Russian Federation. This event presented an important opportunity to focus specifically on the often close connection between combating illegal trafficking of wildlife and corruption. The Secretary-General of CITES and the Executive Director of UNODC on the same day also released a joint statement, drawing attention to corruption as an enabler of wildlife and forest crime, and to the importance of combating it.<sup>19</sup>
23. To address corruption, adequate laws and regulations for combating it are essential. Further to this, consideration should be given to: the vetting of staff; the implementation of codes of conduct; mandatory income or asset disclosure; the establishment of integrity focal points; streamlining of administrative services; and recognizing and rewarding those who become aware of corrupt practices, refuse to engage in it, and expose it. Electronic permitting and other information technologies could also increasingly be used to make it more difficult to engage in corruption and to improve detection of corrupt practices. Most importantly, it is

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<sup>16</sup> [https://cites.org/eng/quinea\\_arrest\\_20150903](https://cites.org/eng/quinea_arrest_20150903)

<sup>17</sup> <https://cites.org/sites/default/files/eng/notif/2013/E-Notif-2013-017.pdf>

<sup>18</sup> [https://cites.org/eng/news/sq/cites\\_sq\\_presentation\\_at\\_the\\_6th\\_session\\_of\\_the\\_conference\\_of\\_the\\_parties\\_to\\_the\\_un\\_convention\\_against\\_corruption\\_03112015](https://cites.org/eng/news/sq/cites_sq_presentation_at_the_6th_session_of_the_conference_of_the_parties_to_the_un_convention_against_corruption_03112015)

<sup>19</sup> [https://cites.org/eng/joint\\_statement\\_unodc\\_cites\\_on\\_corruption\\_wildlife\\_03112015](https://cites.org/eng/joint_statement_unodc_cites_on_corruption_wildlife_03112015)

crucial to ensure that prompt and strict actions are taken to identify and act against any officials who behave in a corrupt manner.

24. 'Integrity policies' are usually part of a country's national legislation or policy. CITES authorities should ideally also be covered by relevant integrity (or anti-corruption) policies and procedures within their national structures. At SC66, Parties agreed that the issue of corruption is increasingly relevant and important, and the Standing Committee agreed to submit a draft decision to the Conference of the Parties, requesting ICCWC, subject to external funding, to develop guidelines that could be used to promote adequate integrity policies, and to assist Parties to mitigate the risks of corruption in the trade chain as it relates to CITES-listed specimens. The draft decision is presented in Annex 1 to the present document, as draft decision 17.A, paragraph a), for consideration by the Conference of the Parties.

#### "Wildlife Crime and Anti-Money Laundering" training programme

25. The Conference of the Parties at CoP16 adopted Decision 16.78 on *Monitoring of illegal trade in ivory and other elephant specimens (Elephantidae spp.)*, in which paragraph d) directs the Secretariat to:
  - d) *develop, in cooperation with the World Bank and other ICCWC partners, an anti-money-laundering and asset recovery manual with a specific focus on wildlife crime, that can be used for the training of investigators, prosecutors and judges.*
26. As reported in document CoP17 Doc. 57.1 on *Implementation of Resolution Conf. 10.10 (Rev. CoP16) on Trade in elephant specimens*, the implementation of Decision 16.78 is not only of benefit in the context of elephants, but also for combating wildlife crime involving other species. For this reason, the Secretariat believes that it is appropriate to report in detail on the implementation of this Decision in the present document.
27. At the request of the Secretariat, the World Bank, on behalf of ICCWC, is leading on the development of a "Wildlife crime and anti-money-laundering" training programme, which will assist investigators, prosecutors and judges in overcoming the investigative, legal and procedural challenges related to money laundering cases. The programme consists of two complementary components: five anti-money-laundering training modules (covering subjects such as the fundamentals of anti-money-laundering systems, the role of the Financial Intelligence Unit (FIU), domestic and international cooperation, the planning of an anti-money-laundering investigation, and asset recovery); and an anti-money-laundering case simulation exercise based on a "real-life" case, which will help trainees follow the main steps of an anti-money-laundering investigation and prosecution. This programme is to be delivered as part of a four-day interactive face-to-face training in a classroom environment.
28. At the time of writing, this training programme was undergoing a peer review process, and it was expected to be finalized prior to the 17th meeting of the Conference of the Parties. This project was made possible through funding provided to the Secretariat by the United Kingdom and the European Union, with additional World Bank funding from a GEF project. The Secretariat will provide an oral update on this matter at CoP17.
29. Pending external funding, on-the-ground training of relevant stakeholders, tailored to regional and national contexts could be delivered by ICCWC. Such training events are considered of critical importance to build capacity, and the need for such training is highlighted by the results of the *Assessment of the circumstances of significant seizures of CITES specimens*, in Annex 3 to the present document. These suggest that officers responsible for the investigation of wildlife crimes often have limited knowledge and understanding of the use of anti-money-laundering legislation and asset forfeiture tools. In this connection, the Secretariat has prepared draft decision 17.A, paragraph b), for consideration by the Conference of the Parties, as presented in Annex 1 to the present document.

#### Global wildlife forensic capacity

30. Tackling the illegal wildlife trade requires a well-coordinated, multi-faceted approach, good international cooperation, and the increased use of all the tools and resources available, including forensic applications. A number of Decisions adopted at CoP16 encourage the increased use of forensic analysis to support the implementation and enforcement of CITES. These include, among others: Decision 16.78, paragraph b) on *Monitoring of illegal trade in ivory and other elephant specimens (Elephantidae spp.)*; Decision 16.84, paragraph d), and Decision 16.89, paragraph b) on *Rhinoceroses (Rhinocerotidae spp.)*; Decision 16.102, paragraph b), on *Snake trade and conservation management (Serpentes spp.)*; and Decision 16.136, paragraph a) i), on *Sturgeons and paddlefish (Acipenseriformes spp.)*.

31. At SC65, in relation to document SC65 Doc. 42.1 on *Elephant conservation, illegal killing and ivory trade*, the Standing Committee endorsed recommendation f) in document SC65 Com. 7 as follows:
- f) *request the Secretariat to compile a list of appropriate forensic-analysis facilities capable of reliably determining the age or origin of ivory, or both, for distribution to the Parties.*
32. As communicated to Parties in Notification to the Parties No. 2015/061 of 20 November 2015,<sup>20</sup> the Secretariat in cooperation with UNODC commissioned a global review of forensic laboratory capacity. The review was undertaken in close cooperation with the Society for Wildlife Forensic Science (SWFS),<sup>21</sup> and as part of a broader project that will be implemented by UNODC on the use of forensic sciences in combating wildlife crime. As is reported in document CoP17 Doc. 57.1 on *Implementation of Resolution Conf. 10.10 (Rev. CoP16) on Trade in elephant specimens*, prepared for the present meeting, the review of forensic laboratory capacity is relevant not only in the context of elephants, but also for other species. To ensure that the review could address the Decisions from CoP16 on elephants and rhinoceros and the recommendations from SC65, the review did however include a specific focus on laboratory capacity to conduct analyses for the identification of elephant ivory and rhinoceros horn. The global review addresses CITES-listed species, and it seems appropriate to report on it in the present document.
33. The full report on the review is contained in Annex 4 to the present document, in English only. As part of this review, data were collated from 110 institutions in 39 countries. The review provides, for the first time, a comprehensive picture of laboratory capacity at the global level, for performing forensic analysis in support of CITES implementation and enforcement.
34. Given the developing nature of wildlife forensic science and its broad community of scientific stakeholders, the purpose of the review was not to judge the quality or performance of any laboratory or practitioner, but rather to take an inclusive approach and gather information on all ongoing wildlife forensic activities, including applied research. As part of the review, information was collected on: the range of taxa analysed; the types of investigative question addressed; the principle techniques used; sources of analytical reference materials; and the measures employed by laboratories relating to quality assurance and staff training.
35. The level of confidence in any laboratory analytical result relates to the degree of quality assurance (QA) surrounding the production of the data. The report explains that QA is usually delivered through a Quality Management System, which describes a series of control processes and protocols surrounding the implementation of a test. The review of forensic laboratory capacity revealed an extremely broad spectrum of facilities, offering a diverse range of services, but also that relatively few institutions operate in full accordance with recognized international forensic best practice. The review report states that an estimate of the number of active wildlife forensic laboratories should take into account whether or not laboratories operate a QA system. It suggests that the maximum number of forensic casework laboratories that may currently be operating to at least a minimum level of quality is 41, of which 23 are subject to an external audit of their testing procedures. The report states that it should be noted that standardization and implementation of formal QA procedures in wildlife forensic science is in its relative infancy and that many laboratories are in the process of addressing this issue. It highlights that that the number of laboratories achieving the appropriate level of QA is expected to grow steadily over the next five years. The report also states that it is the responsibility of each laboratory and its parent institution to ensure that a suitable QA system is in place, but that the international community can significantly contribute to the development of global forensic capacity by supporting laboratories to put in place suitable QA systems through the roll-out of international standards, proficiency, certification and audit schemes. As concluded in the report, at the very least, laboratories conducting wildlife forensic testing should have implemented a Quality Management System and casework documentation system, available for review by investigators and the court.
36. Through activities such as the implementation of the *ICCWC Wildlife and Forest Crime Analytical Toolkit*,<sup>22</sup> the Secretariat has become aware that Parties often identify the need for a dedicated laboratory as a national priority, without conducting an assessment of the feasibility of establishing such a facility. This matter is also addressed in the report on the review of forensic laboratory capacity, which states that the most appropriate solution is not for every country to have its own dedicated laboratory. There is currently insufficient demand for casework to justify having a laboratory in every country, and many countries lack the appropriate scientific, enforcement and judicial structures required to support the production and use of forensic evidence. Unless

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<sup>20</sup> <https://cites.org/sites/default/files/notif/E-Notif-2015-061.pdf>

<sup>21</sup> <http://www.wildlifeforensicscience.org/>

<sup>22</sup> <https://cites.org/eng/prog/iccwc.php/Tools>

such structures are in place, the establishment of a wildlife forensic facility would be premature and have little or no impact. A system of regional hub facilities providing forensic services to Parties in a particular region could be considered, and currently UNODC, together with the Tools and Resources for Applied Conservation and Enforcement (TRACE)<sup>23</sup> network, is working to develop such an approach in southern Africa, which should help to maximize access to the wildlife forensic resources in the region. This could serve as an example that could be replicated in other regions.

37. In response to a question posed to laboratories as part of the review, on whether they are able to carry out wildlife forensic casework upon request from other countries, 36 laboratories replied positively. The majority of responses however suggested that the provision of analysis occurs on an ad-hoc case-by-case basis, rather than through the establishment of long-term cross-border forensic services.
38. The report on the review of forensic laboratory capacity identifies the following seven main areas for future development: species methods; reference resources; technologies; infrastructure; staff training; forensic standards and QA; communication, awareness raising and stakeholder engagement. The report also provides recommendations on how these might be prioritized. The Secretariat encourages Parties, the donor community, intergovernmental organizations and non-governmental organizations to take note of these possible areas for future development, as well as the recommendations for resource prioritization, and to take these into account when initiating activities to develop wildlife forensic science, or to promote its use to combat wildlife crime.
39. The database of laboratory responses resulting from this work provides a resource to identify forensic service providers capable of assisting in enforcement activities. The potential to maintain and update the database over time offers the opportunity to accurately gauge the development of global forensic capacity as well as to provide a source of relevant information for the enforcement community. To further build upon this work, the Secretariat recommends that an electronic directory be created, in consultation with laboratories that conduct wildlife forensic testing and that meet the minimum QA standards and validation criteria, and that are able to carry out wildlife forensic analyses upon request from other countries and to serve as regional hub facilities providing forensic services to Parties. Support for the compilation of such a directory could be provided by the ICCWC Wildlife Forensics Advisory Group, reported upon in document CoP17 Doc. 14.2 on the *International Consortium on Combating Wildlife Crime*. In this connection, the Secretariat has prepared draft decision 17.A, paragraph c), for consideration by the Conference of the Parties, as presented in Annex 1 to the present document.

#### Illegal trade in CITES-listed tree species

40. Since CoP16, the Secretariat has received a number of reports from Parties regarding large-scale illegal trade in commercially valuable CITES listed timber species. On 4 September 2013, the Secretariat issued Notification to the Parties No. 2013/039 on *Trade in Dalbergia spp. and Diospyros spp. from Madagascar*,<sup>24</sup> informing Parties about a zero export quota for these species. It sought cooperation from all Parties to assist Madagascar by checking shipments of timber from that country in order to stop any illegal trade in specimens of species of *Dalbergia* (rosewoods and palisanders) and *Diospyros* (ebonies). More than 4,600 tons of wood from *Dalbergia* species are suspected to have been illegally exported from Madagascar between November 2013 and October 2015, and authorities in various transit and destination countries made associated seizures. In response to the unprecedented levels of illegal trade in timber from Madagascar, ICCWC partner agencies provided enforcement support to Madagascar and other Parties. This included: deploying a WIST to Madagascar; engaging with Madagascar to implement the *ICCWC Wildlife and Forest Crime Analytic Toolkit*; hosting an ICCWC workshop to combat the smuggling of timber from Madagascar to Asia, in Seoul, Republic of Korea, in May 2015; developing a communication platform for law-enforcement officers regarding illegal trade in rosewood; and working closely with Parties in response to intelligence reports on timber trafficking. The Secretariat reported to the Standing Committee on this matter at SC65<sup>25</sup> and SC66,<sup>26</sup> and also reports on these activities in documents CoP17 Doc. 14.2, on the *International Consortium on Combating Wildlife Crime*, and CoP17 Doc. 55.2, on *Implementation of the Convention for trade in Malagasy ebonies (Diospyros spp.) and palisanders and rosewoods (Dalbergia spp.)*.

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<sup>23</sup> <http://www.tracenetwork.org/about-trace-network/>

<sup>24</sup> <https://cites.org/sites/default/files/notif/E-Notif-2013-039.pdf>

<sup>25</sup> <https://cites.org/sites/default/files/eng/com/sc/65/E-SC65-48-01.pdf>

<sup>26</sup> <https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-46-01.pdf>

41. On 22 January 2014, the Secretariat, upon request from the CITES Management Authority of Burundi, issued Notification to the Parties No. 2014/005 on *Illegal trade in specimens of Osyris lanceolata (African sandalwood) from Burundi*.<sup>27</sup> Burundi reported to the Secretariat that more than 20 tonnes of illegally traded *Osyris lanceolata* had been seized by its authorities in November 2013 alone. Parties were requested to bring this illegal trade to the attention of Customs and other authorities at border control points, and to request that they strengthen control measures in relation to *Osyris lanceolata* exported from Burundi.
42. On 4 July 2014, the Secretariat, upon request from the CITES Management Authority of Thailand, issued Notification to the Parties No. 2014/032 on *Trade in Siamese rosewood (Dalbergia cochinchinensis) from Thailand*.<sup>28</sup> The Management Authority of Thailand informed the Secretariat that large shipments of timber had been intercepted while being exported illegally from its territory. Between October 2012 and September 2013, there were 1,619 seizures, amounting to 1,116 cubic metres of timber of *Dalbergia cochinchinensis*. Between October 2013 and May 2014, there were a further 1,421 seizures, amounting to 952 cubic metres of timber of this species. The authorities in Thailand also seized large volumes of timber of other *Dalbergia* species and *Pterocarpus* species. In the Notification, Parties were urged to assist Thailand by checking shipments of timber, in order to take action to prevent any illegal trade in specimens of *Dalbergia cochinchinensis*.
43. In response to the illegal logging and trafficking of Siamese rosewood, the Department of National Parks, Wildlife and Plant Conservation (DNP) of Thailand organized regional dialogues on Preventing Illegal Logging and Trade of Siamese Rosewood<sup>29</sup>, held in December 2014 and April 2016, in Bangkok, Thailand. All range States of *D. cochinchinensis*, (Cambodia, Lao People's Democratic Republic, Thailand, Viet Nam) and China, as well as the Secretariat and other intergovernmental and non-governmental organizations participated in the dialogues. These meetings identified concrete actions for range, transit and consumer countries to curb the illegal trade in Siamese rosewood. Participating countries jointly agreed on a number of counter-measures, such as: revising relevant policies and legal frameworks; strengthening capacity building; enhancing enforcement cooperation; and reducing consumer demand.
44. In consultations that the Secretariat had with relevant Management Authorities and law-enforcement agencies, a number of matters were raised that posed a challenge to effectively tackling illicit timber trafficking. These included; species identification; verification of authenticity of documents accompanying consignments; storage and disposal of illegal timber consignments and associated costs; and corruption. Enhanced enforcement efforts aimed at addressing illegal trade in CITES-listed timber species are needed, and Parties are encouraged to take action to implement measures to combat this illegal trade.
45. The *World Wildlife Crime Report* developed by UNODC, with the support of ICCWC, as reported upon in document CoP17 Doc. 14.2 on the *International Consortium on Combating Wildlife Crime*, also provides information about illegal timber trade, in particular through a case study and with a focus on rosewood. The Secretariat believes that the *World Wildlife Crime Report* will provide crucial information to Parties and the international community, in support of the design of appropriate responses to this illegal trade.
46. Given the scale of illegal trade in CITES-listed tree species, the Secretariat believes that it would be appropriate to convene a Task Force on illegal trade in CITES-listed tree species, to develop strategies to combat illegal trade in these species, including measures to promote and further strengthen international cooperation. The Secretariat has prepared draft decision to this effect, which is presented as decision 17.A, paragraph d), in Annex 1 to the present document.

#### Illegal capture of and trade in marine turtles

47. At SC66, the Standing Committee requested the Secretariat to include the issue of illegal capture of and trade in marine turtles, as outlined in document SC66 Inf. 7,<sup>30</sup> in its report on enforcement matters to the Conference of the Parties for the present meeting.
48. The information presented in document SC66 Inf. 7 shows that illegal trade in marine turtles is of concern. The document also indicates that Parties have implemented several measures to respond to this concern. For example, all 31 countries that are signatories to the Memorandum of Understanding on the Conservation

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<sup>27</sup> <https://cites.org/sites/default/files/notif/E-Notif-2014-005.pdf>

<sup>28</sup> <https://cites.org/sites/default/files/notif/E-Notif-2014-032.pdf>

<sup>29</sup> [https://cites.org/eng/news/concrete\\_measures\\_agreed\\_tackle\\_illicit\\_trafficking\\_siamese\\_rosewood\\_11042016](https://cites.org/eng/news/concrete_measures_agreed_tackle_illicit_trafficking_siamese_rosewood_11042016)

<sup>30</sup> <https://cites.org/sites/default/files/eng/com/sc/66/Inf/E-SC66-Inf-07.pdf>

and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (IOSEA Marine Turtle MOU) have enacted legislation to prohibit the direct offtake, and domestic trade in marine turtles and marine turtle derivatives. The problems with illegal trade in marine turtles have much in common with those observed for other CITES-listed species, including poor or ineffective implementation of existing regulations, lack of enforcement resources and capacity, inadequate collaboration or communication amongst enforcement officers and other stakeholders, lack of awareness, insufficient targeted enforcement actions, etc. Similar to illegal trade in other marine CITES-listed species, additional challenges are posed by factors such as the mixture of targeted and accidental catch, transshipment of animals captured, and landings in remote or distant places.

49. The Secretariat believes that the problems of illegal trade in CITES-listed wildlife such as marine turtles, and the insufficient enforcement of relevant CITES provisions, require broad and holistic responses. It notes that a taxon-specific approach may not always be possible or required, and is usually not the most appropriate manner to deploy limited law-enforcement resources. Consequently, it will be important to ensure that marine turtles feature in training and capacity-building tools for staff involved in controlling and enforcing wildlife trade and fisheries regulations, and that they are considered when developing and implementing activities that address illegal wildlife trade.
50. Document SC66 Inf. 7 concludes that all species of marine turtles are at risk from the impacts of illegal take and trade in the regions concerned, while the full extent of these threats remains largely unknown. The Secretariat addresses this issue in document CoP17 Doc. 59 on *Hawksbill turtle* (*Eretmochelys imbricata*), and proposes several draft decisions for consideration by the Conference of the Parties. The Secretariat suggests that the matter be fully discussed under agenda item 59, at the present meeting.

#### Demand reduction and enhanced community awareness to combat wildlife crime

51. At CoP16, the Conference of the Parties adopted Decision 16.85 on *Rhinoceroses (Rhinocerotidae spp.)*, as reported on in document CoP17 Doc. 68 on the same subject, prepared for the present meeting.
52. At SC66 the Secretariat reported that the work to be conducted in accordance with paragraph c) of Decision 16.85 would not only be of benefit in the context of rhinoceroses but could also benefit Parties in undertaking activities to reduce demand for illegally obtained wildlife specimens, or to enhance community awareness about trafficking in wildlife more generally.
53. The Standing Committee at that meeting agreed the text of a draft decision aimed at further enhancing the effectiveness of strategies or programmes to reduce demand for illegal wildlife specimens and to enhance community awareness about the economic, social and environmental impacts of trafficking in wildlife. The Standing Committee requested the Secretariat to forward the draft decision to the present meeting for consideration by the Conference of the Parties.
54. As the draft decision addresses the reduction of demand for illegally traded wildlife specimens and increasing awareness about illegal trafficking in wildlife in general, the Secretariat is presenting it in the present document for consideration by the Conference of the Parties. To ensure that the draft decision also address the question of whether demand reduction efforts have led to any behavioural change amongst users, the Secretariat has proposed an addition to the text agreed by the Standing Committee. The draft decision, with the additional text is presented in Annex 1 to the present document, as draft decision 17.B.

#### Transport sector

55. The Secretariat has further strengthened its cooperation with the transport industry to combat illegal trafficking in wildlife. On 8 June 2015, the Secretariat signed a Memorandum of Understanding with the International Air Transport Association (IATA),<sup>31</sup> to cooperate on reducing illegal trafficking in wildlife and wildlife products, as well as on ensuring the safe and secure transport of legally traded wildlife. The CITES Secretary-General also addressed the 71st IATA Annual General Meeting and World Air Transport Summit<sup>32</sup> held in Miami, United States of America, on the same day. On 29 September 2015, the CITES Secretary-General addressed the Air Transport Action Group (ATAG) Global Sustainable Aviation Summit 2015, held in Geneva, Switzerland.<sup>33</sup> ATAG represents the entire air transport industry and the Summit provided an

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<sup>31</sup> [https://cites.org/eng/iata\\_cites\\_mou](https://cites.org/eng/iata_cites_mou)

<sup>32</sup> [https://cites.org/eng/news/sg/71st\\_iata\\_annual\\_general\\_meeting\\_address\\_cites\\_sg](https://cites.org/eng/news/sg/71st_iata_annual_general_meeting_address_cites_sg)

<sup>33</sup> [https://cites.org/eng/news/sg/ATAG\\_global\\_sustainable\\_aviation\\_summit\\_2015\\_remarks\\_29092015](https://cites.org/eng/news/sg/ATAG_global_sustainable_aviation_summit_2015_remarks_29092015)

excellent opportunity to address air transport leaders on the “Air transport’s role in reducing illegal trafficking in wildlife”. On 15 March 2016, leading transport industry representatives signed the United for Wildlife Transport Taskforce Buckingham Palace Declaration,<sup>34</sup> which was developed and agreed amongst industry representatives, conservation groups, and intergovernmental bodies, including the CITES Secretariat. The CITES Secretary-General represented the Secretariat as member of the Transport Task Force that was established by The Royal Foundation, under the patronage of HRH the Duke of Cambridge.<sup>35</sup> The Secretariat also reports on this matter in document CoP17 Doc. 14.5 on *Cooperation with other organizations*.

### Global Environment Facility

56. In 2011, the CITES Secretariat drew to the attention of the Global Environment Facility (GEF) Council the immediate threats posed by illegal trafficking in wildlife and asked the GEF to make funding available to combat it.<sup>36</sup> Subsequently, the importance of Parties gaining access to GEF funding to combat illegal trafficking in wildlife was highlighted at CoP16, following which CITES priorities were relayed directly to the GEF Chief Executive Officer by the Secretariat. In June 2015, the Council of the GEF, at its 48th meeting, approved a USD 90 million global wildlife programme.<sup>37</sup> This programme, aimed at promoting wildlife conservation, wildlife crime prevention and sustainable development, in order to reduce the impacts of poaching and illegal trafficking on protected species, marked a significant development in providing increased access to GEF funding to support effective CITES implementation and to combat illegal trafficking in wildlife. The Secretariat currently serves as a member of the GEF programme steering committee and participated in the first meeting of this committee in New York, United States, in October 2015. The Secretariat reports on this subject in more detail in document CoP17 Doc. 7.5 on *Access to finance, including GEF funding*.

### Enforcement Authorities Forum

57. The restricted access area on the CITES website entitled the Enforcement Authorities Forum, was formerly the primary means that the Secretariat used to reach out to the law-enforcement community. The Secretariat posted alerts, manuals, handbooks, enforcement-related messages, and other materials on the Forum.
58. At SC66, the Secretariat reported that, to encourage increased information sharing, communication and cooperation amongst authorities responsible for wildlife law enforcement, it worked closely with the World Customs Organization (WCO), one of its ICCWC partners, to integrate the CITES Enforcement Authorities Forum with the WCO’s ENVIRONET.<sup>38</sup> ENVIRONET is a secure global communication tool for information exchange and cooperation, managed and coordinated by the WCO Secretariat. It is accessible to all authorities responsible for wildlife and other environmental law enforcement, including Customs, police and wildlife authorities, as well as other enforcement authorities with similar responsibilities.
59. The integration of the Enforcement Authorities Forum with ENVIRONET provides access to the ENVIRONET library which contains comprehensive information on CITES and other relevant enforcement matters. The Secretariat believes that ENVIRONET offers a more user-friendly, comprehensive and secure platform for users, and that this integration will help to avoid unnecessary duplication of information on different platforms.
60. The Enforcement Authorities Forum on the CITES website was discontinued on 30 June 2015, and all active users of that Forum have been migrated to ENVIRONET with new login details. The Secretariat communicated information on this integration to Parties through Notification to the Parties No. 2015/039 of 25 June 2015.<sup>39</sup>
61. ENVIRONET is a restricted-access forum, accessible to governmental authorities responsible for wildlife law enforcement only. Any potential new users are invited to contact the CITES Secretariat to request access, following the guidelines provided in Notification to the Parties No. 2015/039. The Secretariat invites Parties

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<sup>34</sup> <http://www.unitedforwildlife.org/#!/2016/03/the-buckingham-palace-declaration>

<sup>35</sup> [https://cites.org/eng/news/pr/transport\\_sector\\_steps\\_up\\_to\\_fight\\_illicit\\_wildlife\\_trafficking\\_14032016](https://cites.org/eng/news/pr/transport_sector_steps_up_to_fight_illicit_wildlife_trafficking_14032016)

<sup>36</sup> [https://cites.org/eng/news/sg/2011/20111108\\_GEF.php](https://cites.org/eng/news/sg/2011/20111108_GEF.php)

<sup>37</sup> [https://cites.org/eng/gef\\_wildlife\\_prog\\_2015](https://cites.org/eng/gef_wildlife_prog_2015)

<sup>38</sup> <http://www.wcoomd.org/en/topics/enforcement-and-compliance/instruments-and-tools/-/~/media/28A0305B4CC9427E8B07CF72276A60B8.ashx>

<sup>39</sup> <https://cites.org/sites/default/files/notif/E-Notif-2015-039.pdf>

to encourage officials from their national agencies responsible for wildlife law enforcement, to request access.

#### Directory of enforcement focal points

62. To facilitate increased collaboration and timely communication between agencies responsible for wildlife law enforcement in different countries and regions, a number of national focal points on specific wildlife enforcement issues have been identified. At SC66, the Secretariat reported that it had created a specific web page for easy reference to these focal points, with the latest information as provided to the CITES Secretariat.<sup>40</sup> The Secretariat communicated information about the directory of enforcement focal points to Parties through Notification to the Parties No. 2015/040 of 3 July 2015,<sup>41</sup> and encourages Parties to draw upon this resource.

#### World Wildlife Day

63. On 20 December 2013, the UN General Assembly proclaimed 3 March as World Wildlife Day. During the first ever World Wildlife Day celebrations on 3 March 2014,<sup>42</sup> the UN Secretary-General urged all sectors of society to end illegal wildlife trafficking and to commit to trading and using wild plants and animals in a sustainable and equitable manner.

64. The theme for the second World Wildlife Day, celebrated on 3 March 2015, was “It’s time to get serious about wildlife crime”.<sup>43</sup> On this day, the CITES Secretary-General participated in a high-level stakeholder dialogue on illegal wildlife trade hosted by the Permanent Missions of Gabon, Germany and Thailand at the Wildlife Conservation Society Central Park Zoo in New York, United States.<sup>44</sup> The CITES Secretary-General also delivered an intervention at an informal plenary meeting<sup>45</sup> convened by the UN General Assembly on 4 March 2015 to celebrate World Wildlife Day. Numerous other events took place across the globe, and together Parties, UN agencies, international and national organizations of all persuasions joined a collective effort in support of the theme. The benefits of these collective efforts resulted in millions of people being reached through national events, social media and other avenues, which included reaching over 150 million people through Twitter alone.<sup>46</sup>

65. The theme for the third World Wildlife Day, celebrated on 3 March 2016, was “The future of wildlife is in our hands”.<sup>47</sup> On this day, a Global Coalition campaign to combat illegal trade in wildlife, was announced, as a collaboration between the United Nations Environment Programme, the United Nations Development Programme, UNODC, CITES Secretariat and other partners. At the time of writing, a campaign against the illegal trade in wildlife was under development, and the Secretariat will provide an update at the present meeting on activities conducted. The Secretariat reports in more detail on World Wildlife Day in document CoP17 Doc. 19 on the *United Nations World Wildlife Day*.

#### Resolution Conf. 11.3 (Rev. CoP16)

66. At SC66, the Standing Committee agreed to the text of a proposed amendment to Resolution Conf. 11.3 (Rev. CoP16), under *Regarding the application of Article XIII*, to be submitted for consideration at the present meeting, as follows (proposed new text is underlined):

- c) *if major compliance matters concerning particular Parties are brought to the attention of the Secretariat, the Secretariat, in consultation with the Chair of the Standing Committee and as expeditiously as possible, work with the Parties concerned to try to solve the matter and offer advice or technical assistance and required.*

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<sup>40</sup> [https://cites.org/eng/resources/enforcement\\_focal\\_points](https://cites.org/eng/resources/enforcement_focal_points)

<sup>41</sup> [https://cites.org/eng/resources/enforcement\\_focal\\_points](https://cites.org/eng/resources/enforcement_focal_points)

<sup>42</sup> [http://www.cites.org/eng/news/pr/2014/wild\\_for\\_wildlife-20140302.php](http://www.cites.org/eng/news/pr/2014/wild_for_wildlife-20140302.php)

<sup>43</sup> [https://cites.org/eng/wwd\\_2015](https://cites.org/eng/wwd_2015)

<sup>44</sup> [https://cites.org/eng/cites\\_sq\\_wwd\\_ny\\_2015](https://cites.org/eng/cites_sq_wwd_ny_2015)

<sup>45</sup> [https://cites.org/eng/cites\\_sq\\_unqa\\_wwd2015](https://cites.org/eng/cites_sq_unqa_wwd2015)

<sup>46</sup> <http://www.wildlifeday.org/>

<sup>47</sup> [https://cites.org/eng/news/pr/world-wildlife-day-un-implores-urgent-action-end-poaching-crisis\\_03032016](https://cites.org/eng/news/pr/world-wildlife-day-un-implores-urgent-action-end-poaching-crisis_03032016)

This proposal is included with other proposed amendments to the Resolution, presented in Annex 2 to the present document.

67. In addition to the suggested Resolution Conf. 11.3 (Rev. CoP16) amendments described above, the Secretariat proposes to reorder some of the paragraphs in the Resolution to improve its flow and structure. This proposal is also reflected in Annex 2 to the present document, for consideration by the Conference of the Parties.

#### Final remarks

68. It is encouraging to note that there is currently a global collective effort underway across governments, the UN, international and national organizations, the private sector, local communities and others, to combat illegal trafficking in wildlife. However, despite this, the threat posed by illegal trafficking in wildlife continues to be a reality and a lot of work still needs to be done urgently. Efforts that are already being made to enhance enforcement and tackle corruption, must continually be increased.
69. The adoption of the UNGA Resolution on 'Tackling Illicit Trafficking in Wildlife' reflects the heightened level of political concern over the devastating impacts of poaching and illegal trade in wildlife. Similarly, the adoption of the UN Sustainable Development Goals, with specific targets on ending poaching and trafficking in wildlife is a powerful expression of political determination to end these highly destructive crimes.
70. There is a need for Parties to further strengthen the implementation of commitments under binding legal instruments such as CITES, UNCAC, and the UN Convention against Transnational Organized Crime. Commitments made in various other fora must be fully implemented. Collectively these commitments must filter through to the front lines, ensuring that Customs, police and wildlife authorities are adequately trained, resourced and equipped, to deal with the multifaceted challenges posed by illegal trafficking in wildlife.

#### Recommendations

71. The Conference of the Parties is invited to:
- a) note this document and its Annexes;
  - b) adopt the draft decisions in Annex 1 to the present document;
  - c) adopt the proposed amendments to Resolution Conf. 11.3 (Rev. CoP16) in Annex 2 to the present document;
  - d) agree to the deletion of Decision 16.40, paragraph a), as it has been incorporated into the amendments proposed to Resolution Conf. 11.3 (Rev. CoP16) in Annex 2; and
  - e) agree to the deletion of Decision 16.40, paragraph b), as it has been implemented.

## DRAFT DECISIONS TO BE CONSIDERED AT CoP17

### ENFORCEMENT MATTERS

#### Directed to the Secretariat

17.A The Secretariat shall, subject to external funding:

- a) request ICCWC to develop guidelines that could be used to promote adequate integrity policies, and assist Parties to mitigate the risks of corruption in the trade chain as it relates to CITES-listed specimens;
- b) work with the World Bank and other ICCWC partner organizations to mobilize the “Wildlife crime and anti-money laundering” training programme developed under the auspices of ICCWC, to enhance capacity amongst law-enforcement agencies, prosecutors and judges, to detect and investigate illegal transactions and suspicious activities associated with wildlife crime, and to effectively prosecute and adjudicate money-laundering cases associated with wildlife crime;
- c) in consultation with identified laboratories, and in collaboration with ICCWC partner organizations and the ICCWC Wildlife Forensics Advisory Group, compile an electronic directory of laboratories that conduct wildlife forensic testing, that meet the minimum quality assurance standards, that are able to carry out wildlife forensic analyses upon request from other countries, and that could serve as regional hub facilities, providing forensic services to Parties; and
- d) convene a Task Force on illegal trade in specimens of CITES-listed tree species, consisting of representatives of Parties affected by illicit trafficking in such specimens, ICCWC partner organizations, other intergovernmental organizations, such as the Food and Agriculture Organization of the United Nations, regional enforcement networks, other Parties and experts. The Task Force should develop strategies to combat illegal trade in specimens of CITES-listed tree species, including measures to promote and further strengthen international cooperation.

17.B The Secretariat shall:

- a) subject to external funding, contract a consultant to:
  - i) engage with Parties that reported against Decision 16.85 paragraph c) and any other Parties as may be appropriate to identify best practices and challenges experienced by these Parties in their development and implementation of long-term demand reduction strategies or programmes to combat trafficking in wildlife;
  - ii) engage with Parties that reported against Decision 16.85 paragraph c) and any other Parties as may be appropriate to identify best practices and challenges experienced by these Parties in their implementation of strategies or programmes to enhance community awareness about the economic, social and environmental impacts of trafficking in wildlife, and to encourage the general public to report wildlife trafficking to appropriate authorities for further investigation;
  - iii) conduct a review of existing demand-reduction studies and material, and the outcomes of demand-reduction workshops and other initiatives that have taken place in recent years;
  - iv) conduct a review of existing strategies or programmes to enhance community awareness; and
  - v) prepare a report on the basis of the findings made through the activities outlined in paragraphs i) to iv) in this decision, together with advice on whether demand reduction

and community awareness programmes led to behavioural change, and recommendations, on how to further enhance the effectiveness of such strategies or programmes to reduce demand for illegal wildlife specimens and to enhance community awareness.

- b) report on progress on the implementation of the present Decision at the 69th and 70th meetings of the Standing Committee.

PROPOSED AMENDMENTS TO RESOLUTION CONF. 11.3 (REV. COP16~~7~~)<sup>\*</sup>

*NB: Text proposed to be deleted is crossed out. Proposed new text is underlined.*

**Compliance and enforcement**

RECALLING Resolutions Conf. 6.3 and Conf. 7.5, adopted by the Conference of the Parties at its sixth and seventh meetings (Ottawa, 1987; Lausanne, 1989), Resolution Conf. 2.6 (Rev.), adopted at its second meeting (San José, 1979) and amended at its ninth meeting (Fort Lauderdale, 1994), Resolution Conf. 3.9 (Rev.), adopted at its third meeting (New Delhi, 1981) and amended at its ninth meeting, Resolution Conf. 6.4 (Rev.), adopted at its sixth meeting and amended at its ninth meeting, and Resolution Conf. 9.8 (Rev.), adopted at its ninth meeting and amended at its 10th meeting (Harare, 1997);

AWARE that, in the past, several cases of violation of the Convention have occurred because of inadequate or insufficient implementation by Management Authorities in both exporting and importing countries regarding surveillance, issuance of documentation and control of compliance with the provisions regulating trade in live and dead animal and plants, and their parts and derivatives;

CONSIDERING that it is of utmost moral, biological, ecological and economic interest for all Parties to the Convention that such violations not re-occur and that the mechanisms established for the Convention to this end are fully implemented, so as to ensure their normal and efficient functioning to control trade in, and afford effective protection to, endangered animal and plant species;

AWARE that there is considerable variability among Parties in their capacity to implement and enforce the provisions of the Convention;

RECOGNIZING that the developing countries, because of their special socio-economic, political, cultural and geographic circumstances have major difficulties in meeting appropriate control requirements, even though this does not exempt them from observing the highest possible degree of effectiveness;

RECOGNIZING the extreme difficulties that all producer countries are facing in implementing their own CITES controls, and that such difficulties exacerbate enforcement problems in other Parties, while there are still consumer countries that have taken inadequate measures ~~continue allowing illegal imports~~ as a result of a lack of adequate CITES control;

RECOGNIZING that illegal exports from producing countries of specimens of species included in the Appendices cause serious damage to the valuable resources of wildlife, and reduce the effectiveness of their management programmes;

WELCOMING the establishment of the International Consortium on Combating Wildlife Crime (ICWC);

AWARE of the important role of ICWC in bringing coordinated support to the national wildlife law-enforcement agencies and to the subregional and regional networks that, on a daily basis, act in defence of natural resources;

RECOGNIZING that the ICWC *Wildlife and forest crime analytic toolkit* can assist Parties in conducting a comprehensive analysis of possible means and measures to protect and monitor wildlife and forest products, and in identifying technical assistance needs;

RECOGNIZING that the *ICWC Indicator framework for wildlife and forest crime* provides an important framework of indicators that cover the major components of a law-enforcement response to wildlife and forest crime, for national-level use by Parties to measure and monitor the effectiveness of their own law-enforcement responses to these crimes;

ATTENTIVE to the fact that the reservations made by importing countries allow loopholes through which specimens illegally acquired in the countries of origin can find legal markets without any control whatsoever;

OBSERVING that some importing countries that maintain reservations refuse to take into consideration the recommendations of the Conference of the Parties in Resolution Conf. 4.25 (Rev. CoP14), adopted at its fourth

meeting (Gaborone, 1983) and amended at its 14th meeting (The Hague, 2007), weakening in that way the conservation policies of producing countries that wish to protect their wildlife resources;

RECOGNIZING that illegal trafficking in wild fauna and flora continues to be a major concern;

RECOGNIZING the rapid growth in e-commerce of specimens of CITES-listed species;

NOTING the conclusions and recommendations of the meeting on e-commerce of specimens of CITES-listed species in Vancouver (Canada) in February 2009;

CONSIDERING that the countries that take inadequate measures to prevent the import of these illegally obtained resources are directly responsible for encouraging illegal trade worldwide, and in this way the natural heritage of producing countries is damaged;

CONSIDERING that it is essential for the success of the Convention that all Parties implement and comply effectively with all the regulations established by the Convention;

CONVINCED that enforcement of the Convention must be a constant concern of the Parties at the highest level if they are to succeed in fulfilling the objectives of the Convention;

CONVINCED of the need to strengthen enforcement of the Convention to address serious problems caused by the illegal trafficking of wild fauna and flora, and that the available resources for enforcement are negligible when compared to the profits gained from such trafficking;

RECALLING that Article VIII, paragraph 1, of the Convention provides that the Parties shall take appropriate measures to enforce the provisions of the Convention and to prohibit trade in specimens in violation thereof, and that these shall include measures to provide for the confiscation or return to the States of export of specimens illegally traded;

RECOGNIZING that the Preamble of the Convention states that international cooperation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

AFFIRMING the obligation of Parties to collaborate closely in the application of the Convention, through expeditious exchange of information on cases and situations related to wildlife trade suspected to be fraudulent, so as to enable other Parties concerned to apply legal sanctions;

WELCOMING the adoption of Resolution 2011/36 on *Crime prevention and criminal justice responses against illicit trafficking in endangered species of wild fauna and flora* by the United Nations Economic and Social Council in 2011, in which it expresses concern about the involvement of organized criminal groups in the trafficking of endangered species, recognizes the efforts made at the international level and the work of ICCWC, urges the Member States of the United Nations to strengthen international, regional and bilateral cooperation, and invites the member States of the United Nations to consider making trafficking in endangered species a serious crime;

WELCOMING the outcome document, *The Future We Want*, of the United Nations Conference on Sustainable Development (Rio de Janeiro, June 2012), in which it recognizes in paragraph 203 the important role of CITES, the economic, social and environmental impacts of illicit trafficking in wildlife and the need for firm, and strengthened action to be taken on both the supply and demand sides, and emphasizes the importance of effective international cooperation among relevant multilateral environmental agreements and international organizations;

WELCOMING the declaration entitled *Integrate to Grow, Innovate to Prosper* that the leaders of the Asia-Pacific Economic Cooperation (APEC) adopted in 2012 and where they "recognize that natural resources and the ecosystems upon which they depend are important foundations for sustainable economic growth"; "commit to strengthen [their] efforts to combat illegal trade in wildlife, timber, and associated products, to implement measures to ensure sustainable marine and forest ecosystems management, and to facilitate sustainable, open, and fair trade of non-timber forest products"; and commit to "take meaningful steps to promote sustainable management and conservation of wildlife populations while addressing both the illegal supply and demand for endangered and protected wildlife, through capacity building, cooperation, increased enforcement, and other mechanisms";

WELCOMING the Resolution on *Tackling Illicit Trafficking in Wildlife*, adopted by the United Nations General Assembly in July 2015, which reflects the heightened level of political concern over the devastating impacts of poaching and illegal trade in wildlife, and which, amongst other actions, calls for firm and strengthened national measures, and an enhanced regional and global response, including by strengthening legislation, providing for illegal trafficking in wildlife offences to be treated as predicate offences and taking steps to prohibit, prevent and counter corruption;

WELCOMING the Sustainable Development Goals adopted at the United Nations Sustainable Development Summit in September 2015, which call for the protection of wild fauna and flora as well as the ecosystems that they depend on, and specifically address the need for urgent action to end poaching and illegal trafficking in wildlife through specific Targets under Goal 15;

RECOGNIZING the contribution to enhancing enforcement of CITES made by the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora;

RECOGNIZING that the use of dogs in combination with other tools will increase the chance of detections and seizures, that detector dogs can detect items that can not be detected by other tools, and that a dog-handler team is highly effective in searching people and cargo or luggage in a short time;

AWARE of the need for improved cooperation and coordination among CITES authorities and wildlife-law enforcement agencies at the national, regional and international levels;

CONSIDERING that Article XIII does not specify a time-limit for a Party to respond to a request for information from the Secretariat, and that such a deadline is necessary in order that the absence of response not be interpreted as a refusal to respond;

CONSIDERING that the use of certain terms to designate the parts and derivatives of wildlife may give rise to certain offences;

RECOGNIZING the important role the Secretariat can play in the enforcement process, and the means provided by Article XIII of the Convention;

CONSCIOUS of the Secretariat's role in promoting enforcement of the Convention, as provided in Article XIII, and of the measures that the Secretariat has taken with the International Criminal Police Organization (ICPO-INTERPOL) and the World Customs Organization to facilitate the exchange of information between enforcement bodies and for training purposes;

AGREEING on the need for additional measures to reduce further the illegal trade in species covered by the Convention;

ACKNOWLEDGING that, owing to such high levels of trade in wildlife, it is incumbent upon consumer nations together with producer countries to ensure that trade is legal and sustainable and that enforcement measures adopted and implemented by Parties support conservation in producer countries;

RECOGNIZING that illegal trade in specimens of species included in the Appendices of the Convention can cause serious damage to wildlife resources, reduce the effectiveness of wildlife management programmes, and undermine and threaten legal and sustainable trade particularly in the developing economies of many producing countries;

## THE CONFERENCE OF THE PARTIES TO THE CONVENTION

### Regarding compliance, control and cooperation

URGES all Parties to strengthen, as soon as possible, the controls on trade in wildlife in the territories under their jurisdiction, and in particular controls on shipments from producing countries, including neighbouring countries, and to strictly verify the documents originating from such countries with the respective Management Authorities; and

RECOMMENDS that:

a) all Parties:

- i) recognize the seriousness of illegal trade in wild fauna and flora and identify it as a matter of high priority for their national law-enforcement agencies;
  - ii) if appropriate, consider formulating national and regional action plans, incorporating timetables, targets and provisions for funding, designed to enhance enforcement of CITES, achieve compliance with its provisions, and support wildlife-law enforcement agencies;
  - iii) provide officials who have wildlife-law enforcement responsibilities with equivalent training, status and authority to those of their counterparts in Customs and the police;
  - ~~iv) if appropriate, make use of the ICCWC *Wildlife and forest crime analytic toolkit*;~~
  - iv) ensure strict compliance and control in respect of all mechanisms and provisions of the Convention relating to the regulation of trade in animal and plant species listed in Appendix II, and of all provisions ensuring protection against illegal traffic for the species included in the Appendices;
  - vi) in case of violation of the above-mentioned provisions, immediately take appropriate measures pursuant to Article VIII, paragraph 1, of the Convention in order to penalize such violation and to take appropriate remedial action; and
  - vii) inform each other of all circumstances and facts likely to be relevant to illegal traffic and also of control measures, with the aim of eradicating such traffic;
- b) Parties should advocate sanctions for infringements that are appropriate to their nature and gravity;
  - c) Parties that are not yet signatories to, or have not yet ratified, the UN Convention against Transnational Organized Crime and the UN Convention against Corruption consider doing so;
  - d) importing Parties in particular not accept under any circumstances or pretext, export or re-export documents issued by any authority, irrespective of its hierarchical level, other than the Management Authority officially designated as competent by the exporting or re-exporting Party and duly notified to the Secretariat;
  - e) if an importing country has reason to believe that specimens of an Appendix-II or -III species are traded in contravention of the laws of any country involved in the transaction, it:
    - i) immediately inform the country whose laws were thought to have been violated and, to the extent possible, provide that country with copies of all documentation relating to the transaction; and
    - ii) where possible, apply stricter domestic measures to that transaction as provided for in Article XIV of the Convention; and
  - f) Parties remind their diplomatic missions, their delegates on mission in foreign countries and their troops serving under the flag of the United Nations that they are not exempted from the provisions of the Convention;

***Regarding trade in Appendix-II or -III species***

RECOMMENDS that, if any Party deems that an Appendix-II or -III species is being traded by another Party in a manner detrimental to the survival of that species, it:

- a) consult directly with the appropriate Management Authority;
- b) in the case of an Appendix-II species, if there is no satisfactory response, call upon the assistance of the Secretariat, in the context of its responsibilities in Article XIII of the Convention and Resolution Conf. 14.3 on *CITES compliance procedures*;
- c) make use of the provisions of Article XIV, paragraph 1. a), of the Convention to take stricter measures as they see fit;

### **Regarding application of Article XIII**

RECOMMENDS that:

- a) when, in application of Article XIII of the Convention and Resolution Conf. 14.3 on *CITES compliance procedures*, the Secretariat requests information on a potential compliance matter, Parties reply within one month or, if this is impossible, acknowledge within the month and indicate a date, even an approximate one, by which they consider it will be possible to provide the information requested;
- b) when, within six months, the information requested has not been provided, Parties provide the Secretariat with justification of the reasons for which they have not been able to respond;
- c) if major compliance matters concerning particular Parties are brought to the attention of the Secretariat, the Secretariat, in consultation with the Chair of the Standing Committee and as expeditiously as possible, work with the Parties concerned to try to solve the matter and offer advice or technical assistance as required;
- d) if it does not appear a solution can be readily achieved, the Secretariat bring the matter to the attention of the Standing Committee, which may pursue the matter in direct contact with the Party concerned with a view to helping to find a solution; and
- e) the Secretariat keep the Parties informed as fully as possible, through Notifications to the Parties, of such compliance matters and of actions taken to solve them, and include such matters in its reports for meetings of the Standing Committee and the Conference of the Parties;

### **Regarding enforcement activities of the Secretariat**

URGES the Parties, intergovernmental and non-governmental organizations to provide additional financial support for the enforcement of the Convention, by providing funds for the enforcement assistance work of the Secretariat;

DIRECTS the Secretariat to utilize such funds towards the following priorities:

- a) the appointment of additional officers to the Secretariat to work on enforcement-related matters;
- b) assistance in the development and implementation of regional and subregional law-enforcement agreements; and
- c) training and technical assistance to the Parties;

URGES the Parties to offer secondment of enforcement officers to assist the Secretariat in addressing law-enforcement issues; and

DIRECTS the Secretariat to:

- a) pursue closer international liaison between the Convention's institutions, regional and subregional wildlife enforcement networks and national enforcement agencies, and to work in close cooperation with ICPO-INTERPOL, the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization as ICCWC partner organizations; and
- b) submit a report on activities that have been conducted under the auspices of ICCWC at each meeting of the Standing Committee and each regular meeting of the Conference of the Parties;

### **Regarding communication of information and coordination**

RECOMMENDS that:

- a) Management Authorities coordinate with governmental agencies responsible for enforcement of CITES, including Customs and the police, and, where appropriate, sectoral non-governmental organizations, by arranging training activities and joint meetings, and facilitating the exchange of information;
- b) Parties establish inter-agency committees at the national level, bringing together Management Authorities and governmental agencies responsible for the enforcement of CITES, including Customs and the police;

- c) Parties, as a matter of urgency, inform the Secretariat of contact details of their relevant national law-enforcement agencies responsible for investigating illegal trafficking in wild fauna and flora;
- d) Parties, when informed by the Secretariat of the fraudulent use of documents issued by them, carry out an inquiry to identify the instigators of the crime, calling on ICPO-INTERPOL where necessary;
- e) when presented with a false document, Parties do everything in their power to determine where the specimens are and where the false document originated and inform the Secretariat and other Parties involved where appropriate;
- f) Parties work together within their regions to develop appropriate mechanisms for cooperation and coordination between wildlife-law enforcement agencies at the regional level;
- g) the Secretariat, in consultation with the Standing Committee, establish *ad hoc* CITES enforcement task forces as needed focusing initially on species included in Appendix I;
- h) Parties that have not already done so consider nominating officials from relevant national enforcement and prosecuting agencies to participate in the ICPO-INTERPOL Wildlife Crime Working Group;
- i) Parties with existing detector-dog programmes share knowledge and experience with those Parties that may be interested in developing and implementing such programmes;
- j) Parties provide to the Secretariat detailed information on significant cases of illegal trade; and
- k) Parties inform the Secretariat, when possible, about convicted illegal traders and persistent offenders;
- l) Parties put in place, or further enhance, national measures and communication channels to ensure that the required level of real-time support can be provided to park rangers, and other wildlife and enforcement personnel who are confronted by heavily armed groups and exposed to serious risk of attack; and
- m) Parties raise awareness amongst military personnel, to sensitize them to the negative consequences of poaching and consumption of illegal wildlife products;

DIRECTS the Secretariat to communicate ~~such information~~ quickly to the Parties, information received in accordance with paragraph j) or k) above;

Regarding e-commerce of specimens of CITES-listed species

RECOMMENDS that Parties:

- a) evaluate or develop their domestic measures to ensure that they are sufficient to address the challenges of controlling legal wildlife trade, investigating illegal wildlife trade and punishing the perpetrators, giving high priority to the offer for sale of specimens of species listed in Appendix I;
- b) establish, at the national level, a unit dedicated to investigating wildlife crime linked to the Internet or incorporate wildlife trade issues into existing units that investigate or monitor computer- or cyber-crime; and
- c) establish at the national level a mechanism to coordinate the monitoring of Internet-related wildlife trade and to provide for the timely sharing between designated contact points in CITES Management and Enforcement Authorities of information that results from these activities;

RECOMMENDS further that Parties and ICPO-INTERPOL:

- a) submit information to the Secretariat on methodologies used by other agencies that may assist in the evaluation of mechanisms to regulate legal commerce of CITES-listed species via the Internet;
- b) ensure that sufficient resources are directed to the investigation and targeting of illegal Internet-related trade in specimens of CITES-listed species;
- c) use the data acquired during monitoring activities to establish strategies regarding enforcement, capacity building and public awareness; and

- d) consider ways in which funding may be provided for the establishment of a full-time position, dedicated to e-commerce aspects of wildlife crime, within the General Secretariat of ICPO-INTERPOL. The responsibilities of such a position should include ensuring that all information or intelligence regarding e-commerce is consistently collected and disseminated to the relevant Enforcement Authorities designated by Parties; and

***Regarding additional actions to promote enforcement***

RECOMMENDS further that the Parties:

- a) take the necessary measures to develop a comprehensive strategy for border controls, audits and investigations, by:
- i) taking into account the different procedures for Customs clearance of goods and Customs procedures such as transit, temporary admission, warehouse storage, etc.;
  - ii) ensuring that officers in charge of control are aware of and trained in CITES matters regarding, for example, CITES requirements, identification of specimens and the handling of live animals;
  - iii) implementing document control in order to ensure the authenticity and validity of CITES permits and certificates, especially, if necessary, by requesting the Secretariat to confirm their validity;
  - iv) conducting physical examinations of goods, based on a policy of risk assessment and targeting;
  - v) using wildlife detector dogs and scanning equipment, as appropriate, in support of the detection of illegal wildlife shipments;
  - vi) increasing the quality of controls at the time of export and re-export; and
  - vii) providing the necessary resources in order to achieve these objectives;
- b) encourage national agencies responsible for wildlife-law enforcement to establish informer networks, or expand existing networks, to combat wildlife crime, in accordance with relevant legislation regulating such matters, including putting in place or maintaining strict procedures for managing covert human intelligence sources;
- c) affected by significant poaching of CITES specimens, or that have made a large-scale seizure of such specimens, communicate with the Secretariat to request the deployment of a Wildlife Incident Support Team (WIST), if expert support is needed in the immediate aftermath of such an incident;
- d) promote and increase the use of wildlife forensic technology and specialized investigation techniques, such as controlled deliveries, in the investigation of wildlife crime offences;
- e) implement national legislation to combat money laundering and facilitate asset forfeiture to ensure that criminals do not benefit from the proceeds of their crimes;
- f) prosecute criminals involved in wildlife crime, in particular those identified as members of organized crime groups, under a combination of relevant legislation that carries appropriate penalties that will act as effective deterrents, whenever possible;
- g) make use of the different tools available through ICCWC in order to strengthen enforcement-related aspects of the implementation of the Convention;
- h) whenever appropriate and possible, liaise closely with CITES Management Authorities and law-enforcement agencies in consumer, source and transit countries to help detect, deter and prevent illicit trade in wildlife through the exchange of intelligence, technical advice and support;
- i) promote incentives to secure the support and cooperation of local and rural communities in managing wildlife resources and thereby combating illegal trade;
- je) where appropriate, evaluate and utilize for enforcement purposes, information from non-governmental sources while maintaining standards of confidentiality;

- ~~ke)~~ consider the formation, at national level, of specialized wildlife-law enforcement units or teams;
- le) use the CITES Virtual College, which provides access to courses and training materials to build enforcement capacity;
- mf) explore innovative means of increasing and improving national enforcement capacity;
- n) as appropriate, initiate intelligence-driven operations, and participate in the operations initiated at international level by organizations such as ICPO-INTERPOL and the World Customs Organization, to mobilize resources and initiate targeted activities to combat wildlife crime; and
- og) carry out focused national and regional capacity-building activities with a particular focus on fostering inter-agency cooperation and improving knowledge of legislation, species identification, risk analysis, and investigation of criminal actions;
- ~~h) whenever appropriate and possible, liaise closely with CITES Management Authorities and law enforcement agencies in consumer, source and transit countries to help detect, deter and prevent illicit trade in wildlife through the exchange of intelligence, technical advice and support;~~
- ~~i) promote and increase the use of wildlife forensic technology and specialized investigation techniques, such as controlled deliveries, in the investigation of wildlife crime offences; and~~
- ~~j) implement national legislation to combat money laundering and facilitate asset forfeiture to ensure that criminals do not benefit from the proceeds of their crimes;~~

URGES the Parties and the donor community to provide financial support to ICCWC, to ensure that the Consortium can achieve its goals of bringing coordinated support to national wildlife-law enforcement agencies and to subregional and regional networks, and of delivering capacity-building activities;

URGES the Parties, intergovernmental and non-governmental organizations to provide, as a matter of urgency, funds and expertise to enable enforcement-related training or the provision of training materials, focusing on developing countries and countries with economies in transition, preferably on a regional or subregional basis, and provide funds to ensure that wildlife-law enforcement personnel in such countries are adequately trained and equipped;

ENCOURAGES Parties to give priority to the enforcement of CITES and prosecution of violations of the Convention;

ENCOURAGES States to offer rewards for information on illegal hunting and trafficking of specimens of Appendix-I species leading to the arrest and conviction of the offenders;

URGES ICPO-INTERPOL to support the attendance of a representative from its Wildlife Crime Working Group at meetings of the Conference of the Parties to CITES; and

INSTRUCTS the Secretariat to:

- a) cooperate with ICCWC partner organizations, regional and subregional wildlife enforcement networks, and competent national authorities to:
  - i) prepare and distribute appropriate training material; and
  - ii) facilitate the exchange of technical information between the authorities in charge of border controls; and
- b) submit a report on enforcement matters at each Standing Committee meeting and each regular meeting of the Conference of the Parties; and

REPEALS the Resolutions or parts thereof listed hereunder:

- a) Resolution Conf. 2.6 (Rev.) (San José, 1979, as amended at Fort Lauderdale, 1994) – *Trade in Appendix-II and -III species* – paragraph b) and paragraph under 'REQUESTS';

- b) Resolution Conf. 3.9 (Rev.) (New Delhi, 1981, as amended at Fort Lauderdale, 1994) – *International compliance control*;
- c) Resolution Conf. 6.3 (Ottawa, 1987) – *The Implementation of CITES*;
- d) Resolution Conf. 6.4 (Rev.) (Ottawa, 1987, as amended at Fort Lauderdale, 1994) – *Controls on illegal trade*;
- e) Resolution Conf. 7.5 (Lausanne, 1989) – *Enforcement*; and
- f) Resolution Conf. 9.8 (Rev.) (Fort Lauderdale, 1994, as amended at Harare, 1997) – *Enforcement*.

## Assessment of the circumstances of significant seizures of CITES specimens

### Decision 16.40, paragraph b)

#### Background

1. At its 16th meeting (CoP16, Bangkok, 2013) the Conference of the Parties to CITES adopted Decision 16.40 paragraph b) on *Enforcement matters*, as follows:

#### ***Directed to the Secretariat***

16.40 *Subject to available resources, the Secretariat shall:*

...

- b) *seek invitations from Parties that have carried out significant seizures of CITES specimens, for the Secretariat, or relevant experts, to conduct assessments of the circumstances of such seizures and the follow-up actions that were taken, so that lessons may be learned and disseminated. The Secretariat shall report its findings in this regard at the 65th and 66th meetings of the Standing Committee, as appropriate.*

2. To implement Decision 16.40 paragraph b), the Secretariat identified seizures that involved significant quantities of different CITES listed species, and requested the Parties in whose territories these seizures were made to welcome a Secretariat mission, for the Secretariat to meet with and interview officers that were involved in such seizures and any associated investigations.
3. The key objective of the assessments conducted was to collate information from Parties on: the circumstances of the identified seizures; any follow-up actions that were taken in relation to the seizures; any lessons learned and experiences arising from the seizures; and the key successes or challenges experienced in relation to the seizures. To ensure consistency in its approach to this work, the Secretariat developed a seizure assessment guide which sets out a series of questions, and which it drew upon during its assessment missions. The Secretariat shared this guide with relevant Parties prior to the missions.
4. The present report has been prepared by the Secretariat on the basis of information collected during the assessment missions it conducted. The aim of this report is to provide an overall impression of the circumstances that enabled the detection and seizure of the illegal specimens, and the steps that are taken by Parties in response to significant seizures of CITES specimens. The report also seeks to identify any common capacity-building needs. The report does not identify the steps taken by any individual Party, and does not compare the activities conducted by different Parties against each other. Rather, it aims to highlight the activities that work well at an operational level, and that support or inhibit investigations and national or international cooperation, as well as the challenges most often confronting frontline officers.
5. The Secretariat would like to express its sincere appreciation to authorities in Bangladesh, Mozambique, Singapore and the United Kingdom of Great Britain and Northern Ireland, for welcoming the Secretariat missions to assess the circumstances of significant seizures of CITES specimens, and for facilitating access to relevant officers during these missions. Funds to support such activity was generously provided by the European Union under a CITES project to support the implementation of CoP16 Decisions.
6. The assessments of significant seizures were conducted by interviewing representatives from the different authorities who were directly involved in effecting each seizure, or responsible for the investigations that followed, and included interviews with representatives from customs, police, CITES Management Authorities, wildlife and forest departments, as appropriate.

#### Seizure assessments conducted

7. In total six different seizures which occurred between May 2012 and October 2015, were assessed. These seizures each involved significant quantities of either CITES Appendix I or II listed specimens, or both, and included live birds, iguanas, hard corals, clams, turtles and tortoises, as well as elephant ivory and rhinoceros

horns. One of the seizures included live Appendix I listed turtles and Appendix II listed tortoises, as well as a large number of non-CITES listed live turtles, only protected by domestic legislation. Three of the seizures were made at international airports, two at residential premises, and one at a business premises.

8. Most of the seizures assessed were made, as would be expected, during routine day-to-day enforcement work. Information provided by the public or gathered through the effective use of informant networks, combined with risk profiling, played a crucial role in five of the six seizures, whilst only one seizure was made in the absence of intelligence, through X-ray scanning. National and international law enforcement operations contributed to the seizures made in two of the seizure incidents assessed.
9. Information provided indicated that in four of the seizures assessed, the specimens were seized whilst in transit to other countries. In one incident, the specimens seized were primarily destined for domestic markets in the country where the seizure occurred, although authorities reported that it is also suspected that some of these specimens might have been destined for export to other countries. In one incident the country of seizure was the country of final destination for all the seized specimens. Information obtained from the seizure assessments is included in the Appendix to this report. Below are highlighted the key findings and recommendations.

#### Key findings and recommendations

10. The key findings and recommendations made on the basis of information collected by the Secretariat during the assessment missions are as follows:
  - i) Information provided by the public or gathered through the effective use of informant networks, combined with risk profiling, played a crucial role in five of the six seizures. This demonstrate the value of effective informer networks, as well as the importance and value of effective risk profiling. National agencies responsible for wildlife law enforcement should actively seek to establish informer networks, or to expand existing networks. This must however be done in accordance with applicable national legislation, and strict procedures for managing covert human intelligence sources should be put in place. Informer networks can for example be facilitated by means of reward schemes and confidential information 'hotlines' to allow the supply of information. Parties are reminded of the provisions of Resolution Conf. 11.3 (Rev. CoP 16) on *Compliance and enforcement*, which in paragraphs a) iv) and c) under *Regarding additional actions to promote enforcement* recommends that Parties:
    - a) *take the necessary measures to develop a comprehensive strategy for border controls, audits and investigations, by:*  
...
    - iv) *conducting physical examinations of goods, based on a policy of risk assessment and targeting;*  
...
    - c) *where appropriate, evaluate and utilize for enforcement purposes, information from non-governmental sources while maintaining standards of confidentiality;*

Resolution Conf. 11.3 (Rev. CoP 16) further:

*ENCOURAGES States to offer rewards for information on illegal hunting and trafficking of specimens of Appendix-I species leading to the arrest and conviction of the offenders;*

- ii) In the absence of information and intelligence, scanning equipment at ports of entry and exit could play an important role in the detection of illegal wildlife shipments.
- iii) Of the seizures assessed, two were made by customs, two by wildlife authorities, and one by the police, whilst the remaining seizure was made during a joint operation between the police and wildlife authorities. It should importantly be noted that for five of the six seizure incidents assessed, the authority that made the seizure was not the authority mandated and ultimately responsible for the associated investigation that followed. Overall, respondents interviewed identified good multiagency cooperation as a key aspect of an effective response to wildlife crime, the seizure incident in which the wildlife authority that responded to information received from an informant could not complete the task

independently, and had to engage with the police for authorization to enter and search a premises, is a perfect example of why there is a need for good inter-agency collaboration. One of the respondents interviewed noted that good interagency cooperation had resulted in a 56% increase in seizures in the country. The Secretariat believes that the importance of establishing capacity amongst all national agencies responsible for wildlife law enforcement, and the need for strong inter-agency collaboration drawing upon the collective expertise and mandates of multiple law enforcement agencies when needed, cannot be over emphasized. These elements are very often crucial for an effective response to wildlife crime. As also reported, respondents from some countries noted a lack of engagement by the judiciary as a challenge to combating wildlife crime effectively, whilst the excellent work of the judiciary was praised by respondents from other countries. This further emphasizes the need for strong inter-agency collaboration at all levels. The establishment of appropriate platforms to foster interaction, communication and collaboration between investigators and prosecutors could make a pivotal contribution to securing successful prosecutions and convictions. Parties are reminded of the provisions of Resolution Conf. 11.3 (Rev. CoP 16), which in paragraph a) under *Regarding compliance, control and cooperation* recommends that all Parties:

i) *recognize the seriousness of illegal trade in wild fauna and flora and identify it as a matter of high priority for their national law enforcement agencies;*

...

iii) *provide officials who have wildlife-law enforcement responsibilities with equivalent training, status and authority to those of their counterparts in Customs and the police;*

Resolution Conf. 11.3 (Rev. CoP 16), under *Regarding communication of information and coordination* further recommends that:

b) *Parties establish inter-agency committees at the national level, bringing together Management Authorities and governmental agencies responsible for the enforcement of CITES, including Customs and the police;*

Under *Regarding additional actions to promote enforcement*, Resolution Conf. 11.3 (Rev. CoP 16) recommends further that the Parties:

g) *carry out focused national and regional capacity-building activities with particular focus on fostering inter-agency cooperation and improving knowledge of legislation; species identification; risk analysis and investigation of criminal actions;*

- iv) In cases where seizures were followed by thorough investigations, these investigations revealed very important information about for example additional syndicate members, modus operandi, illegal trade routes, and in one incident it led to the identification of properties owned by the offenders, which were searched and these searches resulted in the seizure of more smuggled goods. Thorough investigations beyond the point of detection or seizure are essential, in particular when significant quantities of wildlife specimens are seized. Such investigations could provide further insights on those involved, and enable authorities to target the entire crime chain. Whenever possible and appropriate, and in accordance with the provisions of national legislation regulating such matters, for example cell phones and documents found in the possession of offenders, their bank accounts, assets and business associates should be scrutinized, and databases at national and international level should be consulted for information about possible previous convictions or other offences committed. The Secretariat would like to take this opportunity to once more draw the attention of Parties to the specific training materials developed for the wildlife law enforcement community by INTERPOL and the WCO with the assistance of the Secretariat. These include a handbook describing and illustrating wildlife smuggling concealment techniques, a manual on how to question wildlife smugglers and a manual on controlled deliveries.
- v) National and international law enforcement operations contributed to two of the seizure incidents assessed. Such operations could significantly contribute to mobilizing resources and initiating targeted activities to combat wildlife crime, and Parties are encouraged to as appropriate, initiate intelligence driven operations, and to participate in the operations initiated at international level by organizations such as INTERPOL and the WCO.
- vi) The range of minimum and maximum penalties that could be imposed in accordance with the national legislation under which offenders were prosecuted in the seizure cases assessed, varied significantly

between countries, from only a low administrative fine and up to a maximum of 2 years imprisonment in some countries, to an unlimited fine and up to 12 years imprisonment in others. Penalties imposed in relation to the seizure cases assessed, varied quite significantly between countries, with for example a sentence of nine months' imprisonment following the seizure of 3 700 turtles and 500 tortoises in a single case, compared to a 15 months' imprisonment sentence imposed in another country following the seizure of 206 turtles. Adequate national legislation which carry appropriate penalties that will act as an effective deterrent to offenders, are key to the effective implementation of the Convention, and to combat wildlife crime. Parties are reminded of the provisions of Resolution Conf. 11.3 (Rev. CoP 16) on Compliance and enforcement, which in paragraphs b) and c) under *Regarding compliance, control and cooperation* recommends that:

- b) *Parties should advocate sanctions for infringements that are appropriate to their nature and gravity;*
- c) *Parties that are not yet signatories to, or have not yet ratified, the UN Convention against Transnational Organized Crime and the UN Convention against Corruption consider doing so;*

Parties are also encouraged to draw upon all appropriate and relevant national legislation to prosecute criminals involved in wildlife crime, in particular those identified as members of organized crime groups, by prosecuting offenders under a combination of relevant legislation, which could for example include drawing upon legislation related to animal welfare, the illegal possession of weapons or ammunition, racketeering, money laundering, or others as may be appropriate.

- vii) Resources available to authorities differed between departments within countries, and sometimes significantly between similar authorities in different countries. The importance of a healthy and secure work environment and adequate resources can in no way be under estimated, and those authorities that are well equipped and resourced displayed high levels of motivation and had greater capacity to engage in detailed investigations and follow up. The Secretariat commends all authorities interviewed for the seizures and arrests made, including the successful prosecution of offenders. Some of these large scale seizures were made under difficult circumstances with authorities involved lacking basic equipment, a sufficient operational budget, adequate training and human resources. It is crucial for governments to make every effort to ensure that national agencies responsible for wildlife law enforcement are adequately funded and resourced and that investment in these agencies reflects commitment to combating wildlife crime. Budgetary and human resources commensurate with the activities that these authorities are required to undertake should be secured and sustainably maintained. This will contribute to well-motivated and dedicated staff, strong preventative responses, thorough investigations and successful prosecutions, and limit the risk of corruption.
- viii) The concept of “dedicated CITES champions”, who are law enforcement officers that receive intensive training on CITES matters and species identification, presents a best practice which make officers with appropriate knowledge and expertise available at national level, to any authorities involved in a wildlife seizure or confronted with an associated investigation. Such “dedicated CITES champions” can play an important role in supporting authorities that might not be familiar with cases involving wildlife specimens, in particular where large quantities are involved. Parties might wish to consider implementing a similar system.
- ix) In one of the seizures assessed, the authorities involved noted that the deployment of a WIST would have greatly assisted them, but that a WIST was not requested due to the fact they were not aware that such support was possible. Parties affected by significant poaching of CITES specimens, or that have made a large-scale seizure of such specimens are encouraged to reach out to the Secretariat to request the deployment of a WIST, should expert support be needed in the immediate aftermath of such an incident. Parties are further encouraged to take steps to ensure that national authorities are aware that such support are available to them if needed.
- x) In only two of the seizure cases assessed (both in the same country), anti-money-laundering legislation or asset forfeiture tools were mobilized, which in one of these cases resulted in the successful seizure of assets. The majority of officers interviewed seemed to have limited knowledge and understanding of the use of anti-money-laundering legislation or asset forfeiture tools.
- xi) Resolution Conf. 11.3 (Rev. CoP 16) in paragraph i) under *Regarding additional actions to promote enforcement* recommends that Parties:

- i) *promote and increase the use of wildlife forensic technology and specialized investigation techniques, such as controlled deliveries, in the investigation of wildlife crime offences;*

It is encouraging to note that samples were collected for forensic analyses to support investigations, in most of the seizure cases assessed.

- xii) A significant challenge identified by officers interviewed in the different countries, for both live and dead specimens seized, was the difficulty of putting in place logistical arrangements for the swift transport of large quantities of seized specimens from the place of seizure to appropriate facilities. It is also worth noting that officers in one country reported that even though they had state-of-the-art facilities, some seizures had been so large that it posed a challenge, as all seized specimens could not be accommodated by these facilities. From interviews it was evident that large scale seizures could pose a challenge to any authorities, whether well-equipped and resourced or not. Never the less, where established protocol existed and officers that were knowledgeable about procedures that had to be followed were available, it significantly assisted authorities to effectively deal with large scale seizure cases. The Secretariat would like to remind Parties, in particular those that may not yet have adequate protocol or standard operating procedures in place that could be mobilized when a large scale seizure occur, about the *Guidelines to develop an action plan on seized and/or confiscated live specimens*, available in Annex 3 to Resolution Conf. 10.7 (Rev. CoP15) on *Disposal of confiscated live specimens of species included in the Appendices*. Parties may also wish to consider to put in place similar guidelines for seizures that do not include live specimens.
- xiii) Where foreign nationals were arrested, language barriers were noted as a challenge that could significantly delay and influence investigations, in particular because suitable interpreters are in many cases not readily available.
- xiv) In four of the six seizure incidents assessed, efforts were made to inform the countries of origin, transit or destination about the seizure. The sharing of information about seizures, in particular large scale seizures, are essential. This could assist the initiation of investigations as appropriate, in countries of origin, transit and destination, to ensure that the entire crime chain is addressed. Depending on the prevailing circumstances in each case, information associated with seizures that could be shared in support of investigations in countries of origin, transit and destination, could include information on modus operandi, documents that accompanied the illegal shipment and information contained in such documents, any identification marks on the seized specimens, the details of the offenders involved, or any other relevant information. Parties are reminded of the provisions of Resolution Conf. 11.3 (Rev. CoP 16), which in paragraph h) under *Regarding additional actions to promote enforcement* recommends that Parties:
  - h) *whenever appropriate and possible, liaise closely with CITES Management Authorities and law enforcement agencies in consumer, source and transit countries to help detect, deter and prevent illicit trade in wildlife through the exchange of intelligence, technical advice and support;*

- xv) In four of the six seizure incidents assessed, the seizures were reported to intergovernmental organizations for inclusion in their databases, in all four cases to INTERPOL, in two of the four cases also to the CITES Secretariat, and in one case also to the WCO. Parties are encouraged to remind their national authorities responsible for wildlife law enforcement about the importance of providing information about wildlife offences and seizures, and where appropriate, arrested offenders, to the relevant intergovernmental organizations through their respective channels. As reported in document CoP17 Doc. 14.2 on the *International Consortium on Combating Wildlife Crime*, the United Nations Office on Drugs and Crime (UNODC) was at the time of writing in the process of finalizing the first ever *World Wildlife Crime Report*, which will take stock of the present wildlife crime situation with a focus on illicit trafficking of specific protected species of wild fauna and flora. This report is being developed by UNODC with data provided by ICCWC partner organizations, and will be rooted in the best data and case studies available, and backed by in-depth analysis. The report will play an important role in making available crucial information to Parties, to inform decision making and assist in the development appropriate law enforcement responses to wildlife crime. The development of such a report is only possible through the data submitted by Parties, and it is hoped that future similar reports will benefit from more and better data, in particular also gathered through the new annual illegal trade report made available to Parties in Notification to the Parties No. 2016/007 dated 5 February 2016.

- 11. The Secretariat note the value of assessments such as those conducted in accordance with the provisions of Decision16.40 paragraph b), and described in the present document. The Secretariat had access to

limited funds for the implementation of this Decision, and as a result it was not possible to secure the services of external consultants or experts to support this work. To maximize the use of the available resources, the Secretariat where possible conducted assessment missions back-to-back with other missions. With its current resources, the Secretariat was only able to conduct six seizure assessments in four countries. The statistical significance of assessments could be enhanced through the assessment of a larger number of seizure incidents, but further assessment missions should only be considered if additional extra budgetary financial and human resources are allocated for this task. An analyses of information received from Parties through the new implementation report as contained in the Annex of Notification to the Parties No. 2016/006 dated 5 February 2016, might provide a less resource intensive and more cost effective alternative, to gather similar information in future.

12. Despite the limited number of cases of significant seizures assessed, it was possible to conclude a number of key findings as described in paragraph 10, i) to xv) above. Based upon these findings, the Secretariat propose that the text below, as underlined, be included in Resolution Conf. 11.3 (Rev. CoP 16), under *Regarding additional actions to promote enforcement*:
- a) v)using wildlife detector dogs and scanning equipment, as appropriate, in support of the detection of illegal wildlife shipments;
  - b) encourage national agencies responsible for wildlife-law enforcement to establish informer networks, or expand existing networks, to combat wildlife crime, in accordance with relevant legislation regulating such matters, including putting in place or maintaining strict procedures for managing covert human intelligence sources;
  - f) prosecute criminals involved in wildlife crime, in particular those identified as members of organized crime groups, under a combination of relevant legislation that carries appropriate penalties that will act as effective deterrents, whenever possible;
  - n) as appropriate, initiate intelligence-driven operations, and participate in the operations initiated at international level by organizations such as ICPO-INTERPOL and the World Customs Organization, to mobilize resources and initiate targeted activities to combat wildlife crime;

## **Appendix: Information obtained from the seizure assessments**

### Agencies involved and inter-agency collaboration

1. Of the seizures assessed, two were made by customs, two by wildlife authorities, and one by the police. The remaining seizure was made during a joint operation between the police and wildlife authorities, and the police was in this case ultimately responsible for the investigation that followed. Where cases were transferred to the responsible agency for further investigation, the agency that did the initial seizure in most cases, as appropriate, provided a supportive role during the investigations that followed.
2. In one seizure incident assessed, there was no interaction between different authorities regarding the seizure, but for the remaining five seizure incidents respondents indicated that cooperation and interaction between the different authorities involved was either 'very good' (for 3 seizure incidents) or 'good' (for 2 seizure incidents).
3. In one seizure incident a wildlife authority that responded to information received from an informant could not complete the task independently, and it had to engage with the police for authorization to enter and search the premises where the illegal specimens were found.
4. The benefits of having periodic multi- and inter-agency meetings and strong support from relevant scientific institutions, intergovernmental organizations, the private sector and civil society were noted by respondents interviewed. It was noted by one of the respondents interviewed that good interagency cooperation had resulted in a 56% increase in seizures in the country.

### Securing the seized specimens

5. Respondents from all countries indicated that regulations or standard operating procedures are in place for the management and storage of seized wildlife specimens. For all the seizure incidents assessed, authorities involved reported that they secured the seized specimens as soon as possible after the seizure. Live animals seized were taken to appropriate facilities, which included a safari park, wildlife centres and zoos, and some of these animals were subsequently released into the wild. In one case, the animals were successfully returned to the country of origin. Officers from one national agency interviewed however noted that since regulations for the management and storage of seized wildlife specimens had only recently been adopted in the country, they were 'unsure' about what exactly the national regulations entail.
6. In five of the six seizure incidents assessed, it was reported that appropriate and in some cases dedicated facilities to ensure adequate control of the seized specimens were available. Officers in one country noted that even though they had state-of-the-art facilities, some seizures had been so large that it posed a challenge, as all seized specimens could not be accommodated by these facilities. For one seizure incident that involved no live specimens, respondents indicated that an appropriate and well secured storage facility was not available to them, which posed significant challenges and resulted in some of the seized specimens being stolen.
7. A significant challenge identified by officers interviewed in the different countries, for both live and dead specimens seized, was the difficulty of putting in place logistical arrangements for the swift transport of large quantities of seized specimens from the place of seizure to appropriate facilities. Respondents from one country however indicated that based upon the lessons learned during the large scale seizure it was involved in, protocol and pro-active arrangements have now been put in place in cooperation with appropriate organizations, to facilitate such arrangements should similar seizures be made in future.
8. Whilst some animals were dead at the time of seizure, mainly due to exposure during trafficking, more than 5000 live animals were seized in the seizures assessed. Limited losses of live animals were recorded in the period immediately after the seizure, until their arrival at appropriate facilities to take care of them. From all the interviews conducted, only three birds were reported to have perished between the points of seizure and the facilities where the seized live animals were taken to. Information provided however indicated that animals from some seizures died from stress and dehydration after their arrival at these facilities. It is not known how many may animals from each individual seizure incident perished, as this information was not

included in the seizure assessment guide and was not readily available when the assessments were conducted.

### Investigations

9. Due to the fact that investigations into one of the seizures that was assessed were at the time of the Secretariat mission still ongoing, it was for understandable reasons not possible for officers investigating the case to answer some of the questions that were posed to them.
10. It is worth noting that for five of the six seizure incidents assessed, the authority that made the seizure was not the authority mandated and responsible for the associated investigation that followed. Officers from authorities that were involved in some of the seizure incidents and interviewed, as a result indicated that they were unsure about what kind of follow up investigations had been conducted after the case was handed over to the agency mandated to conduct the investigation, since they had not received any feedback. This is however understandable, as the sharing of such information by the lead agency might not always be appropriate.
11. In four of the seizures assessed, follow up investigations were conducted, although not all in the same level of detail and thoroughness. In one case, the investigation consisted of questioning the arrested offenders and a thorough investigation of the crime scene. In another case, there was excellent cooperation between the lead agency and other agencies involved, and investigations also included computer forensics, and an investigation into the properties owned by arrested offenders, which resulted in the search of these properties and the seizure of more smuggled goods. As part of investigations into other seizure incidents assessed, cell phones of offenders were scrutinized, which resulted in the retrieval of valuable information about additional syndicate members, modus operandi and illegal trade routes used. Seizing and scrutinizing documents found in the possession of offenders in one case revealed fake business trip documentation, which was provided to the couriers by syndicate leaders to facilitate their entry into some countries. Where foreign nationals were arrested, language barriers were noted as a challenge. In some cases it was necessary to secure the services of interpreters to facilitate interviews with the arrested offenders, and investigations could be progressed after suitable translators were identified.
12. In one case, no follow up investigation was conducted, because the offender was swiftly prosecuted and convicted. Interviews suggested that the lead agency responsible for the investigation did not show interest in pursuing any further investigation, although such further investigation might have been feasible.

### Arrests, prosecutions and national legislation

13. Authorities in all countries where seizures were assessed, held the view that their national legislation adequately empowers law enforcement agencies to inspect shipments containing wildlife specimens and to seize and confiscate illegal shipments.
14. Offenders were arrested and prosecuted in all six seizure incidents assessed. In three cases the offenders were only charged under the principal law that applied to wildlife crime. In the three remaining cases a combination of relevant national legislation were used. This in two of these cases contributed to a stronger and more deterrent penalty, which in one case also included the seizure of assets.
15. The range of minimum and maximum penalties that could be imposed in accordance with the national legislation under which offenders were prosecuted in the cases assessed, varied significantly between countries, from only an minimal administrative fine and up to a maximum of 2 years imprisonment in some countries, to an unlimited fine and up to 12 years imprisonment in others.
16. In all five the assessed seizure cases that were finalized in court, convictions were secured. Penalties imposed varied quite significantly between countries, with for example a sentence of nine months' imprisonment following the seizure of 3 700 turtles and 500 tortoises in a single case, compared to a 15 months' imprisonment sentence imposed in another country following the seizure of 206 turtles.
17. Respondents from some countries noted a lack of engagement by the judiciary as a challenge to combating wildlife crime effectively. Conversely, the excellent work of the judiciary was praised by respondents from other countries.

### National capacity to combat wildlife crime

18. At the 65th and 66th meetings of the Standing Committee (SC65, Geneva, July 2014; SC66, Geneva, January 2016), the Secretariat reported that the convening of a number of major political events and the implementation of a number of important measures and activities in recent years, have contributed to efforts to combat illegal trafficking in wildlife more effectively, to raise the profile of illegal trafficking in wildlife and to secure political support for combating it, which for example included the unanimous adoption of a *Resolution on Tackling Illicit Trafficking in Wildlife*, by the United Nations General Assembly in July 2015. It was encouraging to note that, in response to a question on whether wildlife crime is a matter of high priority for national law enforcement agencies, respondents reported that customs and police are increasingly aware of wildlife crime and becoming more involved in combatting it. This suggests that efforts are beginning to impact at the ground level. It should however also be noted that a number of respondents expressed the view that wildlife crime is not yet sufficiently prioritized by police and customs in their countries.
19. For three of the seizure incidents assessed, officers interviewed indicated that the lead agency who dealt with the seizure incident was adequately resourced to do so. In one seizure incident, the most significant challenge that faced the lead agency investigating the case, was a lack of appropriate and adequately secured storage facilities for the large number of the seized specimens, as mentioned in paragraph 6 above. In another country, authorities highlighted that the lead agency lacked resources and expertise to take care of and store seized wildlife specimens, but that this agency draw upon experts and facilities available through another governmental department, which offered a suitable solution. In one country officers interviewed indicated that their authorities have access to “dedicated CITES champions”, who are law enforcement officers that receive intensive training on CITES matters and species identification. This was highlighted as a best practice, which make available officers with appropriate knowledge and expertise, to any authorities involved in a wildlife seizure or confronted with an associated investigation, that might not be familiar with such cases.
20. A lack of basic equipment was raised as a concern by respondents in some countries, for example a lack of radios and cell phones to facilitate communication. Some respondents also indicated that further training on crime scene investigation, preparation of case files for court, the collection of samples for forensic analyses and species identification, could assist them to deal in a more efficient way with such seizures and the offenders involved.
21. Respondents from two countries expressed the view that not enough officers who are aware of and trained in CITES matters are deployed at their ports of entry and exit, also highlighting the lack of adequate equipment, for example scanners to detect and respond to wildlife crime. Respondents from the two remaining countries noted that its ports are staffed with a sufficient number of trained officers, who have access to adequate equipment, tools and materials.
22. Respondents from a department in one country identified a lack of promotion schemes and motivated staff as two issues that negatively impact on wildlife law enforcement. These same respondents noted that their department receives limited core funding from the government for its activities, and that a large portion of its staff must be supported through external funding. Respondents from the same country identified corruption as an issue that negatively affect efforts to combat wildlife crime.
23. Respondents from a department in one country indicated that they are not allowed to carry firearms in the execution of their duties, and that incidents occurred where their staff members were confronted by armed poachers, which resulted in the authorities not being able to act and the poachers fleeing the scene with their loot before the relevant agencies who were armed and better equipped were able to reach the scene. It should however be noted that this information was provided as a general remark, and not in the context of any of the seizures assessed.

#### The use of specialized investigation techniques

24. In most cases it was reported that specialized investigation techniques such as controlled deliveries were not used. This was mainly because the prevailing circumstances of the case did not lean it towards the use of such techniques, for example, in two cases controlled deliveries were considered, but not conducted because live specimens were involved and the welfare of the animals had to be taken into consideration.
25. In only two of the seizure cases assessed (both in the same country), anti-money-laundering legislation or asset forfeiture tools were mobilized, which in one of these cases resulted in the successful seizure of assets. It should be noted that with regard to the question on whether anti-money-laundering legislation or asset forfeiture tools were mobilized against offenders, the majority of officers interviewed seemed to have limited knowledge and understanding of the use of anti-money-laundering legislation or asset forfeiture tools.

### The use of wildlife forensics

26. Samples were collected and sent to appropriate facilities for forensic analyses, from four of the six seizures assessed. At the time of the assessments, it was reported that: for one seizure incident the results of the forensic analyses were not available yet; in one instance the authorities was not able to share information about the results of the forensic analyses with the Secretariat as it was being used in an ongoing investigation; in one incident the forensic analyses assisted authorities to identify the species of the specimens that were seized, and; in one instance information about the outcomes of and the use of the forensic analyses results were not known to the respondents interviewed. Authorities investigating one seizure case concluded that the collection of samples for forensic analyses was not needed, and in one instance it was not done because the offender was prosecuted and convicted shortly after his arrest.

### International cooperation and support

27. In four of the six incidents assessed, efforts were made to inform the countries of origin, transit or destination about the seizure. The INTERPOL National Central Bureau in each of the countries concerned was primarily engaged to facilitate communication. In one case the authorities that made the seizure requested an impact statement from the country of origin, which was successfully presented in aggravation of sentence in court.
28. Information about the seizures assessed was in one case reported to the CITES Secretariat, INTERPOL and the World Customs Organization (WCO), in one case only to the CITES Secretariat and INTERPOL, in two cases to INTERPOL only, and in two cases the seizures were not reported to any intergovernmental organizations for inclusion in their databases, and as appropriate, further analyses.
29. In one instance, authorities noted that the deployment of a Wildlife Incident Support Team (WIST) as described in Decision 16.40 paragraph a) would have greatly assisted them, since they lacked adequate capacity to deal with a seizure of the scale and nature that confronted them, but that a WIST was not requested due to the fact they were not aware that such support could be requested.

TENTATIVE BUDGET AND SOURCE OF FUNDING  
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

In Resolution Conf. 4.6 (Rev. CoP16) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decides that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding.

**Draft decisions 17.A and 17.B**

Implementation of draft decisions 17.A and 17.B contained in Annex 1 would be subject to the provision of external funds and would not therefore require the use of core funds. Supervision of the work would require some time from the Secretariat, but should be a core part of the Secretariat's work and accommodated within its regular work programme.