

DEMOCRATIC REPUBLIC OF THE CONGO



MINISTRY OF THE ENVIRONMENT
AND SUSTAINABLE DEVELOPMENT

- GENERAL SECRETARIAT -

DIRECTORATE FOR CONSERVATION OF NATURE

NATIONAL IVORY ACTION PLAN OF THE DEMOCRATIC REPUBLIC OF THE CONGO 2015 - 2016



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ABBREVIATIONS AND ACRONYMS

ADB	African Development Bank
ANR	Agence Nationale de Renseignements
AWF	African Wildlife Foundation
BCN	Bureau Central National - National Central Office
CARPE	Central Africa Regional Program for the Environment
CBD	Convention on Biological Diversity
CENAREF	Cellule Nationale des Renseignements Financiers
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CJ	Cellule Juridique – Legal Unit
CL	Communautés Locales
CNIE	Centre National d'Information sur l'Environnement
COMIFAC	Commission for the Forests of Central Africa
DCN	Direction de la Conservation de la Nature – Directorate for Conservation of Nature
DCVI	Direction de Contrôle et Vérification Interne
DEP	Direction d'Etudes et Planification – Design and Planning Department
DGDA	Direction Générale des Douanes et Accises
DRC	Democratic Republic of the Congo
ECCAS	Economic Community of Central African States
EDD	Environnement et Développement Durable – Environment and Sustainable Development
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
GIZ	German Agency for International Cooperation
ICCN	Institut Congolais pour la Conservation de la Nature
IUCN	International Union for Conservation of Nature
JURISTRALE	Juristes pour le Renforcement et l'Application de la Loi Environnementale – Jurists for Strengthening and Enforcement of Environmental Law
MEDD	Ministère de l'Environnement et Développement Durable
NGO	Nongovernmental organization
NIAP	National Ivory Action Plan
OCC	Office Congolais de Contrôle
ONIP	Office National d'Identification de la Population – National Census Office
PAPECALF	Plan d'Action sous-régional des Pays de l'Espace COMIFAC pour le renforcement de l'Application des Législations sur la Faune sauvage
PBF	Programme Biodiversité et Forêts
PNAE	Plan National d'Action Environnemental
PNEFEB-2	Programme National Environnement, Forêts, Eaux et Biodiversité, 2 ^{ème} Génération
SADC	Southern African Development Community
SCTP	Société Congolaise de Transports et Ports – DRC Corporation for Transportation and Ports
TFP	Technical and financial partners
TRAFFIC	Joint wildlife trade monitoring programme of WWF and IUCN
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
USAID	United States Agency for International Development
WWF	World Wide Fund for Nature

SYNOPSIS

The Democratic Republic of the Congo (DRC) is a country in the Congo Basin, having one of the richest offerings of biological diversity in the world. This comprises countless and variable riches of both animals and plants.

The elephant (*Loxodonta africana africana*, *Loxodonta africana cyclotis*) is one of the most iconic species amongst those representative of the richness in wildlife diversity of the ecosystems of the Congo Basin.

However, this species is the target of intense poaching directed towards its ivory, its meat and some parts of it (genitals, tail, etc.) which has resulted in a decline in the elephant population in the DRC, from more than 100,000 at the beginning of the 1980s to a current estimated 6,000-10,000 specimens.

The present National Ivory Action Plan is intended to assist in the protection and sustainable management of pachyderms in the Democratic Republic of the Congo in general, and specifically to combat poaching and the illicit ivory trade. This document is divided into two parts: presentation and implementation.

The first part covers the vision, the overall and specific objectives, the priority measures having to do with the six main themes or strategic thrusts of action (legislation and regulations; investigations and legal proceedings, crime-related intelligence; national and international cooperation on wildlife crime; enforcement activities; and awareness-raising and communication) as well as activities and indicators for monitoring and evaluation.

The second part deals with the structure for implementing the NIAP, which will be steered by the Ministry of the Environment and Sustainable Development, through the CITES Management Authority in the DRC and the CITES Scientific Authority in the DRC, in cooperation with all stakeholders involved in combating poaching.

Successful implementation of this Plan will rely on involvement and effective buy-in on the part of all public and private stakeholders, as well as of civil society. Each of these actors will have to contribute to achieving the objectives covered by the NIAP.

1 INTRODUCTION

The Democratic Republic of the Congo (DRC) is blessed with immense natural resources. Good governance of them (rational and sustainable management) constitutes an undeniable asset for the socioeconomic development of the country. The extent of its forest coverage, the scale and density of its network of waterways, the richness of its ecosystems and its biodiversity offer the potential for the country to be one of the world's absolute environmental leaders.

The DRC is home to numerous species of fauna and flora, some of them endemic (33 reptile species, 23 bird species, 28 mammal species, and so on). The elephant (*Loxodonta africana africana*, *Loxodonta africana cyclotis*) is among the most iconic of these species.

The DRC finds itself today in a more critical situation than that facing the other countries of the Central African subregion. Notably, the elephant population, which used to be of the order of one million head at the beginning of the twentieth century, had dropped to about 100,000 by the beginning of the 1980s, and numbers only some thousands today. The most recent estimates vary between 6,000 and 10,000⁽¹⁾.

This downward trend is primarily the result of poaching, committed by various methods. Up to about ten years ago, the purpose was to satisfy local consumption needs, but the poaching is now in the hands of major national and international criminal networks using military weapons (grenades, machine guns, helicopters, etc.).

The Government of the DRC, through the National Institute for Conservation of Nature (*Institut Congolais pour la Conservation de la Nature* - ICCN) deplores this professional poaching, which can now be observed in the country's protected areas, in particular in the national parks of Garamba, Salonga, Upemba and Virunga, and also in the Wild Animal Reserve in Okapi.

The DRC has signed on to certain international agreements and conventions in the fields of protection of the environment and conservation of nature (forests, water, wildlife and biodiversity). Part of the implementation of those international legal instruments has been the creation of the National Programme for the Environment, Forests, Water and Biodiversity (known under the French acronym PNEFEB). This is a global strategic framework of action in those various sectors. The strategic thrusts of action of the PNEFEB take into account the following directives:

- of the Economic Community of Central African States (ECCAS), developed as part of the Coordination Plan of the Commission for the Forests of Central Africa (COMIFAC) and the subregional Action Plan 2012-2017 of the COMIFAC member countries to strengthen implementation of national wildlife laws (known under the French acronym PAPECALF);
- of the Southern African Development Community (SADC) on the implementation of the action plan for the African elephant.

In line with the recommendations approved by the CITES Standing Committee at its 65th meeting in Geneva in July 2014, the DRC, as one of the eight countries "of secondary concern" with regard to poaching of elephants and illegal trade in ivory, is called upon to draw up and implement a National Ivory Action Plan (NIAP).

⁽¹⁾ Statement by the Chief Administrator of ICCN

This Plan includes:

- a vision;
- overall and specific objectives;
- priority measures for each main theme identified;
- a matrix of the priority actions and indicators for monitoring and evaluation;
- provisions for its implementation.

1. PRESENTATION OF THE ACTION PLAN

The present National Ivory Action Plan for the Democratic Republic of the Congo comprises a vision, an overall objective, specific objectives, priority measures and an implementation framework.

1.1. VISION

Poaching of elephants and trafficking in ivory significantly reduced in the national territory.

1.2. OVERALL OBJECTIVE

To strengthen the fight against elephant poaching and illicit trafficking in ivory and other elephant parts, in cooperation with all actors concerned.

1.3. SPECIFIC OBJECTIVES

- a) To strengthen the implementation of legal and regulatory instruments applicable to wild fauna in general and to elephants and ivory in particular;
- b) To strengthen the technical, material and financial capacities of the conservation commissioners and ecoguards committed to the fight against poaching and to the enforcement of the law on wild fauna as well as other sworn officials tasked with the enforcement of that law;
- c) To improve the knowledge of those working in the law (magistrates, criminal investigation police officers of generalized expertise, prosecuting and defending lawyers), of the public, of local communities and indigenous peoples, with regard to the offences and wrongdoing having to do with wildlife, in particular in terms of poaching and trafficking in ivory;
- d) To improve coordination, efficiency, communication, exchange of information and sharing of experience through the establishment of a platform of the bodies active in enforcement of wildlife law in the DRC;
- e) To improve the system of management and tracking of ivory stocks in the DRC;
- f) To facilitate the organization and the media coverage of the trials and mobile hearings of the courts and tribunals having to do with elephant poaching and trafficking in ivory and other elephant parts;
- g) To assist in raising awareness of, and disseminating knowledge about, the legal and regulatory instruments applicable to wild fauna in general and to the elephant in particular in the Democratic Republic of the Congo.

1.4. PRIORITY MEASURES

The priority measures adopted are grouped into the six main themes shown below:

- 1. Legislation and regulations;
- 2. Investigations and legal proceedings;
- 3. Intelligence;
- 4. National and international cooperation on wildlife crime;
- 5. Enforcement operations;
- 6. Awareness-raising and communication.

1.4.1. Legislation and regulations

The legislative and regulatory arsenal of the DRC is quite extensive and offers the possibility to combat poaching, illicit trafficking in wildlife and products thereof. Particular mention may be made of:

- Law No. 14/003 of 11 February 2014 on conservation of nature,
- Law No. 82/002 of 28 May 1982 regulating hunting,
- Ministerial Decree No. 056/CAB/MIN/AFF-ECN/01/00 of 28 March 2000 regulating international trade in endangered species of fauna and flora,
- Ministerial Decree No. 014/CAB/MIN/ENV/2004 of 29 April 2004 dealing with implementing measures for the aforementioned law regulating hunting.

Despite this completeness, however, implementation of this national legal framework does raise a certain number of problems, including:

- the delay in the drafting, in particular, of the implementing measures applicable to Law No. 14/003 of 11 February 2014 on the conservation of nature, making its enforcement difficult,
- the need to update certain instruments, notably Law No. 82/002 of 28 May 1982 regulating hunting.

However, it may be pointed out that the new law referred to above relating to conservation includes among its other merits that of strengthening the penalty system with the aim of ensuring the protection of species, ecosystems and natural habitats, with deterrent penalties that may go as high as 10 years in prison and a heavy fine which may reach the equivalent of US\$ 100,000.

Despite such progress as has been made, it is evidently essential and urgent to undertake the drafting of the implementing measures applicable to Law No. 14/003 of 11 February 2014 on the conservation of nature, and to revise and update Law No. 82/002 of 28 May 1982 regulating hunting, as well as the decrees referred to above.

1.4.2. Investigations and legal proceedings

There is evidence of a degree of weakness both in the investigation of offences and in the legal action taken against the perpetrators. Reference may be made to several problems related to the legal system and procedures, such as:

- a lack of interest on the part of magistrates in matters related to wildlife crime and an inadequate understanding of the practical and social value of the country's natural heritage, which in turn is reflected in a weak understanding of the legal instruments relating to it;
- in investigations, a lack of human capacity and of technical and logistical resources for performing thorough work, as can be seen in the content of the case files produced, especially in the reports of proceedings;

- in the area of execution of judgements, acquittals of wildlife crime perpetrators based on personal favours, imposition of penalties of little deterrent effect, failures to enforce the penalties imposed, release or even organized escape of those found guilty, who benefit from various forms of assistance and support;
- in the logistical sphere, hindrances to the travel by judges to the mobile hearings, as well as difficulty in transporting the accused to the facilities for detention, trial and imprisonment.

More specifically, field studies have revealed:

- that the prosecuting attorneys were submitting to the judge in criminal court only a tiny portion (about 1%) of the cases relating to ecological offences, with the rest being closed without further action²;
- that the conservation commissioners or site supervisors, performing the functions of criminal investigative police officers with specialized expertise, were poorly preparing the case files submitted to the prosecution, were improperly reaching compromise settlements, were impeding the passage of information to the officers of the public prosecutor's office and were concealing the scale of wildlife crime³.

There is a need to enhance the abilities of the people involved in the various phases of action against wildlife crime. These people include:

- the officials and sworn agents of the National Institute for the Conservation of Nature (*Institut Congolais pour la Conservation de la Nature* - ICCN) performing the functions of criminal investigative police officers with specialized expertise (cf. Article 70 of Law No. 14/003 referred to above);
- the other personnel performing the functions of criminal investigative police officers with restricted expertise at the Internal Monitoring and Verification Department (*Direction de Contrôle et Vérification Interne* - DCVI) and the environmental coordinating bodies at provincial level;
- the magistrates at the civil and military courts and tribunals;
- the agents of other Government bodies that are also active in this area: Customs, the DRC Monitoring Office (*Office Congolais de Contrôle* - OCC), national police, border police, armed forces, immigration services, National Financial Intelligence Unit (*Cellule Nationale de Renseignements Financiers* - CENAREF) and National Intelligence Agency (*Agence Nationale de Renseignements* - ANR).

It is therefore evidently essential to bring about both an upgrading of the abilities of the people listed above, but also to ensure sound cooperation among them in order to be able effectively to combat wildlife crime. This cooperation should take place, as proposed by the PAPECALF, under the leadership of a national unit for coordinating the battle against wildlife crime, ideally reporting to the highest levels of government.

²Augustin NGUMBI AMURI, *La protection pénale du patrimoine mondial naturel de la République Démocratique du Congo*, Thesis for degree of doctor of laws, Volume 2, University of Kinshasa, 26 April 2014, p. 382.

³Idem.

1.4.3. Crime-related intelligence

In the DRC, the intelligence systems linked to wildlife crime are not very advanced. In the protected areas (parks, wildlife reserves), there are intelligence systems, often in a fragile state, covering poaching and wildlife crime in general and attacks on elephants in particular. Outside the protected areas, the Ministry of the Environment and Sustainable Development (*Ministère de l'Environnement et Développement Durable* - MEDD), through the ICCN, has received help from the intelligence systems of the National Central Interpol Office (BCN/Interpol) and of neighbouring countries (Sudan, Uganda and Rwanda) in the context of cross-border cooperation, but at national level there still are no standardized intelligence procedures covering wildlife crime.

In order to improve the intelligence system covering wildlife crime and trade in ivory in the protected areas, as indeed everywhere else in the DRC, an upgrading of qualified human resource capacities, equipped with appropriate logistical resources, remains a priority, as does linkage with other specialized services.

1.4.4. National and international cooperation on wildlife crime

In the CITES context, a protocol of agreement on administrative cooperation has been signed between the CITES Management Authority in the DRC (the *Direction de la Conservation de la Nature*) and the services assigned to the border posts, notably the Directorate-General for Customs and Excise (*Direction Générale des Douanes et Accises* - DGDA) and the DRC Monitoring Office (*Office Congolais de Contrôle* - OCC). The objective of this protocol of agreement is to improve the cooperation and consultation among the three signatory bodies with the aim of strengthening monitoring at the border posts and thus to combat illicit trade in species of wild fauna and flora listed in the CITES Annexes.

It should be noted that this partnership undertaking of monitoring at the posts on the borders of the national territory has yielded encouraging results, but is in need of technical and financial resources in order to be able to strengthen its activities.

In addition, several non-governmental organizations and/or institutions are contributing to the management of the sector: TRAFFIC, WWF, WCS, AWF, CI, Fondation Lukuru, JURISTRALE, etc. The same is true for certain specific projects: the project on sustainable management of wild fauna and bushmeat in Central Africa; the international Great Apes Survival Partnership (GRASP), the cross-border management initiative for contiguous protected areas, and so on.

As part of the strengthening of cooperation among the institutions involved in the anti-poaching struggle (DGDA, OCC, INTERPOL, etc.), the National Coordination Unit to Combat Wildlife Crime (*Unité de Coordination Nationale de Lutte contre la Criminalité Faunique* - UCN-LCF) is in the course of being created and operationalized, in the context of the implementation of the PAPECALF in the DRC. This initiative should promote cooperation among the various stakeholders in this fight and improve the enforcement of the law relating to conservation.

1.4.5. Enforcement operations

In the DRC, operations for enforcement of the law relating to the fight against poaching are undertaken with the assistance of the ICCN patrols in the protected areas, mainly in the parks and hunting reserves which enjoy technical and material support from technical and financial partners. Some patrols are organized in cooperation with units from the armed forces, the national police and other specialized services.

Mention should also be made of occasional cooperation with other Government services: such as that between the national armed forces and the Customs services. It may be noted that the national armed forces recently deployed an entire battalion in the Salonga national park.

The managers of the protected areas, the inspectors from the Internal Monitoring and Verification Department (*Direction de Contrôle et Vérification interne* - DCVI) and the provincial coordinators are assigned the powers of criminal investigative police officers with restricted expertise, in particular the authority to take note of all offences committed in connection with poaching and the illicit ivory trade, and to enforce the law.

The ICCN, in cooperation with the Customs service and the national police, has carried out several seizures of ivory stocks in the past 12 months, securing more than 700 kg. The most recent seizure was on 31 January 2015, securing 272.5 kg of ivory. However, it should be mentioned that the operations are severely hampered by a lack of appropriate infrastructures, transportation and communication facilities and deterrence materials. Additionally, there is a shortage of manpower and of financial resources coming from subsidies by the State.

The ivory seized in the DRC is entrusted to the ICCN⁴, stored in its facilities and then moved to the Central Bank (*Banque Centrale du Congo*), which currently holds several tens of tonnes.

It should be stressed that the criminals are organized into genuine armed bands, much better equipped (in weapons, munitions, vehicles, and so on) than the units assigned to the anti-poaching struggle.

Support to and reinforcement of the capacities of the services and units assigned to the fight against wildlife crime are absolutely indispensable if it is intended to halt the massacres of elephants and illicit trafficking in ivory and derived products.

1.4.6. Awareness-raising and communication

Generally speaking, the population of the DRC is not sufficiently informed or aware of the sustainable use of natural resources nor of the relevant laws. Consequently, a considerable number of people, including some in positions of responsibility, are unaware that these resources can be exhausted given the way that they are currently used.

⁴ Article 83 of Law No. 14/003 provides: "In addition to the criminal penalties provided for in Articles 71 to 81 of the present law and without prejudice to the legislation on firearms, specimens and products and also objects which have contributed to the commission of offences under the present law shall be confiscated and entrusted to the public body tasked with conservation".

There is an Association of Artists Working in Ivory (*Association des Artistes Ivoiriers du Congo - UNARICO*) whose members have several workshops for processing ivory, both in Kinshasa and in various of the country's provinces. Complaints have been laid, and several people have been brought before the courts and tribunals by the ICCN trying to bring an end to these activities, so far without success.

The combination of this ignorance and the growing desire to amass wealth results in poor management and waste of resources which in the long term could result in elephants becoming extinct.

Furthermore, the national education and training system dealing with the environment does not cover the various aspects of the conservation of biological diversity.

Raising awareness in the population as a whole would promote an understanding of the importance of safeguarding biological diversity in general and elephants in particular.

1.5. MATRIX OF THE ACTIONS TO BE UNDERTAKEN

Main themes	Priority Measures	Responsible for implementation	Scheduling			
			April-July 2015	August-December 2015	January-May 2016	June-December 2016
A. LEGISLATION	A.1 Re-examine certain articles of Law 082/002 of 28 May 1982 regulating hunting	Responsible: CJ/MEDD Jointly responsible: President's Office, Office of the Prime Minister, General Secretariat of the Government, DCN, ICCN, Parliament and stakeholders	Preparation of ToRs	Examination of the wording of the law	Preparation of the draft law	Approval and adoption by the stakeholders and submission to Parliament
	A.2 Draw up at least 4 measures for enforcement of Law 14/003 of 11 February 2014 on conservation of nature.	Responsible: CJ/MEDD Jointly responsible: President's Office, Office of the Prime Minister, General Secretariat of the Government, DCN, ICCN, Parliament and stakeholders	Preparation of ToRs and establishment of the group of experts	Preparation and submission of proposals for wording	Examination and approval of the wording	Entry into force and enforcement
	A.3 Draw up provincial decrees to close the ivory markets	Responsible: Concerned Governors' Offices Jointly responsible: MEDD (CJ, DCN), ICCN, TRAFFIC and other NGOs involved	Preparation of ToRs and establishment of the groups of experts Make a review of existing instruments	Propose a draft decree suitable for each province and adapt it for each province	Review and signature of the decree	Entry into force and enforcement
	A.4 Work towards harmonization at regional level (COMIFAC, SADC, etc.) of the criminal provisions relating to combating poaching and the ivory trade	Responsible: MEDD (CN-COMIFAC) Jointly responsible: MEDD (DCN, DEP, CJ), National and foreign experts on wildlife crime, ICCN, BCN/INTERPOL, Experts from the Ministries of Foreign Affairs and Justice, CENAREF and other stakeholders (TRAFFIC, etc.)	Place submissions from the DRC on poaching and combating the illicit trade in ivory on the agendas of various subregional meetings, in particular the conference on poaching in Brazzaville, The Congo, in April 2015.			
B. INVESTIGATIONS AND LEGAL PROCEEDINGS	B.1 Strengthen the abilities of the court and tribunal magistrates and of the prosecuting attorneys, the judicial personnel and management in the public administrations and services having to do with combating poaching and illicit trafficking in ivory	Responsible: MEDD (DCN/ICCN) Jointly responsible: Ministry of Justice, High Council of the Judiciary, ANR and other stakeholders (TRAFFIC, WWF, WCS, AWF, GIZ, JURISTRALE, etc.)	Identification of the target zones for poaching and illicit trafficking in ivory	Training of at least 50 persons from the court system	Training of at least 100 persons from the court system	Training of at least 100 persons from the court system

Main themes	Priority Measures	Responsible for implementation	Scheduling			
			April-July 2015	August-December 2015	January-May 2016	June-December 2016
	<i>B.2 Set up a system for collection of data on the prosecutions and sentences relating to poaching and the illicit trade in ivory and other elephant by-products, as well as a mechanism for management and tracking of disputes on wildlife in general</i>	Responsible: ICCN Jointly responsible: MEDD (DCVI, DCN), Ministry of Justice, ICCN, Interpol and other stakeholders (TRAFFIC, WWF, WCS, AWF, CI, JURISTRALÉ, etc.)	Collection of existing information Design of the mechanism	Implementation of the tools		
	<i>B.3 Administer the oath to those at management level responsible for the anti-poaching effort.</i>	Responsible: MEDD (DCN-ICCN) Jointly responsible: National Prosecution Service of major jurisdiction, TRAFFIC and other supporting partners	Drawing up of case files and lists of the agents concerned in the various institutions and services	Administration of the oath		
	<i>B.4 Increase the frequency of mobile hearings of trials concerning poaching and trafficking in ivory and other elephant products. Ensure that these hearings are covered in the media and that there is wide publicity about the sentences passed on perpetrators of poaching and trafficking in ivory and other elephant products</i>	Responsible: ICCN Jointly responsible: MEDD (CJ), Ministry of Justice, Ministry of Communication, official media, TRAFFIC and other stakeholders	Collection of basic information	Updating	Updating	Updating

Main themes	Priority Measures	Responsible for implementation	Scheduling			
			April-July 2015	August-December 2015	January-May 2016	June-December 2016
C. INTELLIGENCE AND INVESTIGATIONS	<i>C.1 Nominate focal points in the Administration and the ICCN in the provinces and enhance their abilities in the area of intelligence and investigation relating to poaching-related crimes</i>	Responsible: SG/EDD-ICCN Jointly responsible: DCN, DPSG, ANR	Nomination of the focal points	Training in investigatory and intelligence techniques	Operationalization of the focal points	Implementation
	<i>C.2 Establish a specialized multidisciplinary unit for destruction of the ivory trafficking networks (identification and elimination of the poachers and the ivory markets, as well as the sources of supply of arms and munitions throughout the territory)</i>	Responsible: MEDD Jointly responsible: Office of the President, Office of the Prime Minister, Ministries of Justice, the Interior, Defence, Transport, Foreign Affairs, Culture and the Arts, ICCN, National police, National Intelligence Agency, Directorate-General for Customs and Excise (DGDA), DG for Migration, DG for Taxation, CENAREF, Air Traffic Control (ascertain the service involved), BCN/INTERPOL, TRAFFIC and other partners	Terms of reference for creation of a National Coordination Unit to Combat Poaching and Illicit Trade in Ivory	Identification of the target areas (product transfer locations, markets and workshops of the ivory workers, elephant killing zones, etc.)	Operationalization of the National Coordination Unit	
	<i>C.3 Mobilize the material and financial resources needed for implementation of intelligence and investigative operations</i>	Responsible: MEDD Jointly responsible: TFP, Ministry of Budget and Finance, ICCN, National Intelligence Agency, CENAREF	Drafting of a budget	Resource mobilization		
	<i>C.4 Inventory the existing stocks of ivory and develop at national level a reliable system for storage and management of confiscated ivory</i>	Responsible: MEDD (DCN, DCVI)-ICCN Jointly responsible: Central Bank, TFP, ANR, BCN/INTERPOL, etc.	Definition of a methodology and of the terms of reference	Establishment of the team of experts	Completion of the mission and publication of the audit report and its recommendations	Establishment of a system for reliable management of stocks

Main themes	Priority Measures	Responsible for implementation	Scheduling			
			April-July 2015	August-December 2015	January-May 2016	June-December 2016
D. NATIONAL AND INTERNATIONAL COOPERATION	<i>D.1 Set up a National Coordination Unit (NCU) for the fight against wildlife crime in accordance with the recommendations of the PAPECALF (This activity already covered in C2)</i>	Responsible: MEDD Jointly responsible: Office of the President, Office of the Prime Minister, MEDD, Ministries of Justice, the Interior, Defence, ICCN, other Government institutions, TRAFFIC and other partners	Terms of reference of the Unit	Creation of the NCU	Implementation	
	<i>D.2 Improve cooperation in the area of detection of contraband wildlife at the border posts</i>	Responsible: MEDD Jointly responsible: MEDD, Ministries of Justice, the Interior, Defence, ICCN, Border police, ANR, DGDA, DG for Migration, CENAREF, OCC	Consultations with all government departments concerned	Application		
	<i>D.3 Prepare and set up at least 2 partnership agreements between the anti-poaching departments of the DRC and those of bordering countries (Uganda, Tanzania, etc.)</i>	Responsible: MEDD Jointly responsible: Ministries of Justice, the Interior, Defence, Foreign Affairs, Transport, ICCN, DGM, ANR, DGDA, CENAREF, OCC and stakeholders	Coordination meetings including on the sidelines of major subregional meetings	Preparation of protocols	Implementation	
	<i>D.4 Support the anti-poaching departments with equipment and materials for detecting contraband at strategic locations</i>	Responsible: MEDD Jointly responsible: Ministry of Budget and Finance, MEDD, ICCN and supporting partners	Identification of needs	Implementation		
	<i>D.5 Create a framework for exchange and sharing of experiences among countries at subregional level</i>	Responsible: MEDD Jointly responsible: MEDD, Ministries of Justice, the Interior, Defence, Foreign Affairs and International Cooperation, ICCN, Border police, ANR, DGDA, DG for Migration, CENAREF, OCC	Coordination meetings with the other countries of the sub-region			Implementation

Main themes	Priority Measures	Responsible for implementation	Scheduling			
			April-July 2015	August-December 2015	January-May 2016	June-December 2016
D. NATIONAL AND INTERNATIONAL COOPERATION (continued)	<i>D.6 Strengthen the existing collaboration, with regard to a system covering information exchange, intelligence service and coordination, with the specialized agencies (CITES/ETIS, INTERPOL, etc.)</i>	Responsible: MEDD Jointly responsible: MEDD, Ministries of Justice, the Interior, Defence, Foreign Affairs and International Cooperation, ICCN, BCN/INTERPOL, Border police, ANR, DGDA, DG for Migration, CENAREF, OCC, CITES/ETIS, TRAFFIC and stakeholders	Coordination meetings		Implementation	
	<i>D.7 Draw up at least 5 agreement protocols with carriers (airlines, land and water transport companies, etc.) covering the automatic seizure of equipment and vehicles found to have been involved in the transport of ivory</i>	Responsible: MEDD (DCN) Jointly responsible: Ministry of Justice, Transport, Air Traffic Control, Civil Aviation Authority, SCTP (formerly National Transport Office), DGDA, DGM, OCC, ANR, CENAREF, DGI, ONIP, PNC, targeted companies, partners	Contact and networking meetings		Drawing up of draft protocols	Approval of the protocols and implementation
	<i>D.8 Strengthen bilateral and multilateral cooperation to help in combating elephant poaching in the cross-border protected areas</i>	Responsible: ICCN Jointly responsible: MEDD, TFP, Ministries of Foreign Affairs and International Cooperation, Justice, the Interior, Tourism, COMIFAC, ICCN, DGM, International Conference on the Great Lakes Region (ICGLR), Greater Virunga Transboundary Collaboration (GVTC), Association of European Parliamentarians with Africa (AWEPA)	Strengthen bilateral and multilateral contacts		Carry out joint activities	

Main themes	Priority Measures	Responsible for implementation	Scheduling			
			April-July 2015	August-December 2015	January-May 2016	June-December 2016
E. ENFORCEMENT OPERATIONS	<i>E.1 Enhance the capacity for action of the patrol teams and the decentralized services (equipment, software, etc.)</i>	Responsible: ICCN Jointly responsible: MEDD, Ministries of Budget and Finance, the Interior, Defence, TFP and stakeholders	Enhancement of capacity		Implementation	
	<i>E.2 Reinforce the training of the personnel managing the protected areas in the effective use of the tracking data collected in managing the protected areas (SMART)</i>	Responsible: ICCN Jointly responsible: MEDD, TFP	Drafting of terms of reference	Proposal of new modules	Implementation	
	<i>E.3 Dismantle the networks and markets for ivory (ivory workers' workshops) and dissolve the association of ivory workers' unions in the DRC (AUAIC)</i>	Responsible: MEDD Jointly responsible: MEDD, Ministries of Justice, the Interior, Culture and the Arts, National police, ANR, CENAREF, concerned Governors' Offices, BCN/Interpol, ICCN, TRAFFIC and other partners	Identification and prioritization of the major ivory markets to be dismantled	Preparation of the dismantling operations	Launching of the dismantling operations and dissolution of UNARICO	Evaluation of the operations

Main themes	Priority Measures	Responsible for implementation	Scheduling			
			April-July 2015	August-December 2015	January-May 2016	June-December 2016
F. AWARENESS-RAISING AND COMMUNICATION	<i>F1. Draw up a communications plan on the fight against poaching and illicit trafficking in ivory</i>	Responsible: MEDD (CNIE, DCN)-ICCN Jointly responsible: Ministry of the Media, TFP	Drafting of ToRs	Creation of the draft communications plan	Approval of the communications plan	Implementation of the communications plan
	<i>F.2 Promote incentives to encourage aware and active participation by local populations and indigenous peoples in the fight against poaching and illicit trafficking in ivory</i>	Responsible: ICCN Jointly responsible: MEDD, Ministry of the Media, TFP, NGOs, Civil society and other partners	Awareness-raising in the local communities and indigenous peoples Development of income-generating activities		Implementation	
	<i>F.3 Undertake awareness-raising missions on the validity of the reasoning on sustainable use of biological diversity, with specific reference to elephants, using audio-visual supports</i>	Responsible: MEDD (CNIE) Jointly responsible: DCN, Ministry of the Media, ICCN, TFP, Civil society	Production of the supports and identification of the communications structures (audiovisual media)	Signature of at least 10 contracts for broadcasting awareness-raising programmes with the audiovisual media	Programme broadcasts	
	<i>F.4 Support the holding of activities related to environmental education in the villages within the elephants' range and have it included in school curricula</i>	Responsible: MEDD (CNIE) Jointly responsible: Ministry of Education, Ministry of the Media, DCN, ICCN, TFP, Civil society and partners	Implementation			
	<i>F.5 Set up a unit for managing man-animal conflicts in Katanga</i>	Responsible: ICCN Jointly responsible: MEDD (CJ, DCN), Ministry of the Media, Provincial Governors' offices, ICCN, Local communities, Civil society	Organization of meetings to review the project and draft the document creating the unit		Implementation	

1.6.MATRIX OF FOLLOW-UP INDICATORS AND SOURCES OF VERIFICATION

MAIN THEMES	INDICATORS	BASIC DATA AND SOURCES OF VERIFICATION
A. LEGISLATION AND REGULATIONS	<ul style="list-style-type: none"> - Number of legal instruments planned and drafted - Number of management personnel sworn - Number of provinces with provincial decrees to close ivory markets 	<ul style="list-style-type: none"> - Decree documents and other texts - Notices of nomination of sworn management personnel - Provincial decrees closing ivory markets
B. INVESTIGATIONS AND JUDICIAL PROCEEDINGS	<ul style="list-style-type: none"> - Database on wildlife-related disputes, amplified and accessible - Number of officers of the court system having received additional specialized training - Number of poachers and traffickers sentenced and networks dismantled - Number of trials organized as mobile hearings - Number of trial reports published in the media 	<ul style="list-style-type: none"> - Levels of the database - Lists of recipients and reports of the training sessions - Reports of arrests, judgement and sentencing, and materials and by-products seized - Sentences handed down at the mobile hearings - Recordings of broadcasts and articles published
C. INTELLIGENCE	<ul style="list-style-type: none"> - Database created, then amplified with regard to criminal poaching and ivory trafficking networks - Audit performed on the management of stocks - Reliable storage system set up 	<ul style="list-style-type: none"> - Levels of the database - Reports of missions and meetings for exchange of information among the bodies concerned - Audit report published - Periodic reports on stock levels
D. NATIONAL AND INTERNATIONAL COOPERATION ON WILDLIFE CRIME	<ul style="list-style-type: none"> - Number of contributions made by DRC delegations to the coordination meetings and joint missions - Equipment and materials for detection of contraband acquired and in use; - Funds provided to the departments 	<ul style="list-style-type: none"> - Texts of the contributions made to the meetings and missions; - List of detection equipment and materials; - Statements from the bank accounts of the using departments.
E. ENFORCEMENT OPERATIONS	<ul style="list-style-type: none"> - Training plan drawn up - Number of training sessions held and number of people 	<ul style="list-style-type: none"> - Draft of the training plan - Schedule of the sessions

MAIN THEMES	INDICATORS	BASIC DATA AND SOURCES OF VERIFICATION
	attending - Number of operations (missions) undertaken - Number of offences and crimes recorded - Number of ivory markets closed and quantities of ivory seized	- Lists of people trained; - Mission reports - Court records of offences
F. AWARENESS-RAISING AND COMMUNICATION	- Number of awareness-raising missions on the topic - Number of broadcasts through the media on wildlife crime	- Reports of the awareness-raising missions - Supports produced

2. IMPLEMENTATION OF THE NIAP

2.1. MANAGEMENT STRUCTURE

The NIAP is implemented by the MEDD, through the Directorate for Conservation of Nature, the CITES Management Authority in the DRC, and the National Institute for Conservation of Nature, the CITES Scientific Authority. The latter is a public body tasked managing the protected areas in the DRC, in cooperation with all the stakeholders involved in combating poaching and ivory trafficking.

To this end, a National Technical Committee (CTN) will be set up by a Decree of the Minister for the Environment and Sustainable Development, for tracking and executing the NIAP. This committee will supply guidelines and opinions on technical aspects and will ensure that the activities comprising the NIAP are executed in line with the proposed schedule.

2.2. TERMS OF REFERENCE OF THE BODIES AND PEOPLE OPERATING UNDER THE NIAP

➤ The National Technical Committee (CTN)

The CTN will comprise representatives of the following institutions: MEDD / DCN, ICCN, INTERPOL, Ministry of Justice (Chancelley Division), Ministry of Trade (DRC Monitoring Office), Ministry of the Interior (Directorate-General for Migration, National police, Border police, National Intelligence Agency, National Census Office), Ministry of Finance (DGDA / Anti-fraud Brigade, Directorate-General for Taxation, CENAREF, Central Bank), Ministry of Transport (Air Traffic Control, Public Transport Corporation (formerly ONATRA), Civil Aviation Authority), and other stakeholders.

The tasks of the Committee will be:

- to provide guidance on technical aspects;
- to ensure that activities are performed in accordance with the provisions of the work plan;
- to ensure synergy among the various departments involved in the implementation of the NIAP

The Committee will work closely with the National Coordination Unit to Combat Wildlife Crime in the DRC.

➤ **National Focal Point**

In line with the recommendations of the 65th meeting of the CITES Standing Committee held in Geneva in July 2014, the NIAP/DRC focal point is a manager appointed by the MEDD as the CITES Management Authority. This officer has the task of coordinating and tracking the implementation of the National Ivory Action Plan. He is supported by two assistants appointed respectively by the CITES Management Authority in the DRC and the CITES Scientific Authority in the DRC.

The National Focal Point, with the support of the two assistants, will perform the following tasks:

- carrying out the recommendations of CITES and the National Technical Committee;
- preparing the legal instruments and disseminating them once adopted;
- planning the performance of the activities on the ground;
- taking part in coordination meetings with other institutions involved in the implementation of the NIAP at local, national and subregional level.

➤ **Stakeholders**

The implementation of the NIAP in the DRC involves a large number of partners. These include:

- Nongovernmental organizations both national and international (WWF, IUCN, TRAFFIC, WCS, AWF, JURISTRALÉ, etc.)
- Technical and financial partners (TFP), among which one should mention "Biodiversity conservation and sustainable forest management"/GIZ and KfW, CARPE-USAID, the World Bank, ADB, and so on;
- National NGOs, one of them representing the local communities and indigenous peoples.

These stakeholders will be particularly involved in the following fields:

- Disseminating knowledge of laws;
- Raising awareness in the communities;
- Providing technical support to the various actors;
- Assisting in resource mobilization and financing certain activities.

2.3. TRACKING AND EVALUATION

The Directorate for Conservation of Nature, the CITES Management Authority in the DRC, and the ICCN, the Scientific Authority, through the NIAP focal point and in cooperation with other concerned partners, in particular the Office of the President and the Office of the Prime Minister, will have to report regularly to the National Technical Committee and to the CITES Secretariat on the progress of the actual implementation of the National Ivory Action Plan.

3. CONCLUSION

Poaching and illicit trade in ivory constitute a scourge which, in the long run, could result in the disappearance of pachyderms from the DRC unless appropriate measures are taken.

The present National Ivory Action Plan, which is a sectorial guiding framework, reveals the urgent need to apply rational and sustainable management to elephants for the wellbeing of both present and future generations.

In order to achieve this, and in line with the recommendations of CITES, the Plan provides for priority and urgent measures to be performed on the basis of five main themes: legislation and regulations; investigations and judicial proceedings; intelligence; national and international cooperation on wildlife crime; enforcement operations; together with specific awareness-raising and communication measures.

Implementation of these priority measures will result in a strengthening of the fight against elephant poaching and better control of trafficking in ivory, with all of the actors involved in the sector cooperating together.

4. BIBLIOGRAPHY

1. CITES:

- Elephant conservation, illegal killing and ivory trade SC65 Doc. 42.1
- Elephant poaching and ivory smuggling figures released today, accessible at: www.cites.org/eng/elephant_poaching_and_ivory_smuggling_figures_for_2013_released
- Decision-making mechanisms and necessary conditions for a future trade in African elephant ivory, Annex to SC62 Doc. 46.4
- Summary record of the Fourth African elephant meeting, Gigiri, Kenya 26-27 April 2012
- Status of elephant populations, levels of illegal killing and the trade in ivory: a report to the Standing Committee of CITES, SC61 Doc. 44.2 (Rev. 1), Annex 1

2. CITES, IUCN and TRAFFIC, Status of African elephant populations and levels of illegal killing and the illegal trade in ivory: A report to the African Elephant Summit, 2013

3. COMIFAC, Communiqué final, session extraordinaire du conseil des ministres de la COMIFAC, N'djamena, 06 juin 2012

4. COMIFAC, Communiqué final, VI^{ème} session ordinaire du comité des ministres, Kinshasa, novembre 2010

5. COMIFAC, Secrétariat Exécutif, Plan d'action sous-régional des pays de l'Espace COMIFAC pour le renforcement de l'Application des législations nationales sur la faune sauvage, 2012-2017. Yaoundé, Cameroun, 2012

6. Déclaration de Marrakech: un plan d'action en 10 points pour lutter contre le trafic illicite d'espèces de faune et de flore sauvages, accessible sur: <http://www.afdb.org/fileadmin/uploads/afdb/Documents/Generic-Documents/D%C3%A9claration%20de%20Marrakech%20-%20Un%20plan%20d%E2%80%99action%20en%2010%20points%20pour%20lutter%20contre%20le%20trafic%20illicite%20d%E2%80%99esp%C3%A8ces%20de%20faune%20et%20de%20flore%20sauvages.pdf>

7. Kelvin A., La faune sauvage, cible privilégiée des groupes rebelles, février 2014, accessible sur: <http://www.ifaw.org/france/actualites/la-faune-sauvage-cible-privil%C3%A9gi%C3%A9e-des-groupes-rebelles>, 01/06/2014

8. Mashini C., Shabani N. at alii, Guide juridique sur la faune en DRC: Dispositions pertinentes des textes nationaux réprimant le braconnage et le trafic illicite des espèces protégées, JURISTRALE, Kinshasa, 2014

9. NGUMBI AMURI Augustin, La protection pénale du patrimoine mondial naturel de la République Démocratique du Congo, Thesis for degree of doctor of laws, Volume 2, University of Kinshasa, 26 April 2014

10. OMD, Rapport sur les trafics illicites 2013, accessible sur: http://www.wcoomd.org/fr/topics/enforcement-and-compliance/~/_media/WCO/Public/FR/PDF/Topics/Enforcement%20and%20Compliance/Activities%20

20and%20Programmes/Illicit%20Trade%20Report/ILLICIT%202013%20-%20FR_LR_final2.ashx,
consulté le 02/06/2014

11. Report of the Secretary-General of the United Nations of 20 May 2013, S/2013/297, United Nations Security Council resolution 2121 (2013)
12. Rapport sur l'empreinte écologique de l'Afrique: infrastructures vertes pour la sécurité écologique en Afrique, published jointly by WWF – World Wide Fund for Nature and the African Development Bank, May 2012
13. République démocratique du Congo:
 - Stratégie Nationale de Conservation de la Biodiversité dans les Aires Protégées de la République Démocratique du Congo, septembre 2012
 - Document de stratégie pour la réduction de la pauvreté, juillet 2013
14. SADC, Meeting of SADC ministers responsible for natural resources management and environment, Maputo, Mozambique, 3 October 2013.