

Statement of the CITES Enforcement Expert Group

In compliance with Decision 12.88 adopted by the Conference of the Parties at its 12th meeting (Santiago, 2002), enforcement experts, including representatives of CITES Management Authorities, the CITES Tiger Enforcement Task Force, Customs authorities, fishery protection authorities, intelligence agencies, the Interpol Wildlife Crime Working Group, the Lusaka Agreement Task Force, police and wildlife authorities, from each of the CITES regions of the world, met in Shepherdstown, West Virginia, United States of America, from 2 to 5 February 2004. The meeting resulted in the following statement.

CONSIDERING that, from 2 to 14 October 2004, the 13th meeting of the Conference of the Parties will be held in Bangkok, Thailand;

RECALLING Resolution Conf. 11.3 (Compliance and enforcement) adopted at the Conference of the Parties at its 11th meeting (Gigiri, 2000), especially the following paragraphs from its preamble;

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

...

*CONVINCED that enforcement of the Convention must be a constant concern of the Parties 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;*

CONSCIOUS that its discussions related to the combating of illegal trade in wild fauna and flora and not to compliance with the provisions of the Convention;

THE CITES ENFORCEMENT EXPERT GROUP

CONCLUDES that:

- a) illegal trafficking of wild fauna and flora continues to be a matter of great concern, which increasingly involves organized crime and organized criminal networks using sophisticated poaching and smuggling techniques, the fraudulent use of permits and certificates, corruption of relevant officials, threats and violence towards enforcement personnel, and that insufficient attention is being given to this subject by the Parties;
- b) many CITES Management Authorities are not suitably resourced or experienced to address illegal trafficking of wild fauna and flora and that this challenge must be combated by adequately staffed, trained and equipped professional law enforcement officers and agencies;
- c) insufficient liaison occurs between and among national CITES authorities and national wildlife law enforcement agencies to coordinate the efforts of Parties to combat illegal

trafficking of wild fauna and flora. In particular, there is insufficient dissemination of enforcement-related information, such as CITES Alerts and Notifications to the Parties;

- d) insufficient consultation is made with relevant national, regional and international law enforcement agencies prior to meetings of the CITES technical committees and the Conference of the Parties, which may lead to the adoption of resolutions and decisions that are difficult or impossible to enforce;
- e) insufficient information regarding illegal trade is being exchanged at national, regional and international levels and that the majority of Parties are failing to implement the recommendations relating to the provision of information and support to the Secretariat outlined in Resolution Conf. 11.3; and

RECOMMENDS that:

- a) the Parties recognize the seriousness of illegal trade in wild fauna and flora and identify it as a matter of higher priority for their national law enforcement agencies. In particular, wildlife law enforcement officials should have parity in training, status and authority with their counterparts in Customs and police;
- b) the Parties, inter-governmental and non-governmental organizations implement the recommendations in Resolution Conf. 11.3 with regard to the provision of financial support to the Secretariat to enable the appointment of additional officers to work on enforcement-related matters, to assist in the development of regional law-enforcement agreements and to provide training and technical assistance to the Parties;
- c) the Parties review and, where appropriate, implement or use the following enforcement-related information distributed by the Secretariat, ICPO-Interpol, the CITES Tiger Enforcement Task Force and the World Customs Organization:
  - the Practical Guide for National Central Bureaux and CITES Management Authorities;
  - the draft Memorandum of Understanding for Customs Authorities and CITES Management Authorities;
  - the Guidance of the CITES Tiger Enforcement Task Force distributed in Notification to the Parties No. 2001/047 of 9 July 2001; and
  - the availability of forensic science support from the Clark R. Bavin National Fish and Wildlife Forensics Laboratory of the U.S. Fish and Wildlife Service, such as is described in Notification to the Parties No. 2002/075 of 19 December 2002;
- d) the 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;
- e) the Parties that have not already done so consider nominating officials from relevant national enforcement agencies to participate in the Interpol Wildlife Crime Working Group and that this group be represented at meetings of the Conference of the Parties;
- f) the Parties, inter-governmental and non-governmental organizations provide funds to enable the Secretariat to organize regular meetings of the CITES Tiger Enforcement Task Force, to enable its initial work to continue and to aid the development of networks that are considered vital to the exchange of information, coordination of international investigations

and maintenance of confidentiality of law enforcement information. Consideration should also be given to expanding the remit of the Task Force, when appropriate, beyond issues relating to Asian big cats;

- g) the Parties, inter-governmental and non-governmental organizations provide funds and expertise to enable enforcement-related training or the provision of training materials, which is urgently needed in many developing countries and countries with economies in transition, preferably on a regional or sub-regional basis, and provide funds to ensure that wildlife law enforcement personnel in such countries are adequately trained and equipped; and
- h) an international association of wildlife law enforcement officers be established, to assist the dissemination of technical advice and information to wildlife law enforcement staff;
- i) a dedicated officer specializing in wildlife crime be appointed, seconded or funded within the ICPO-Interpol General Secretariat in Lyon, France;
- j) national law enforcement agencies, as allowed by national legislation, share information collected during investigations of illegal trafficking in wild fauna and flora among the enforcement agencies of the Parties to detect, investigate and prosecute violators. Where appropriate, the ECOMESSAGE (described in Notification to the Parties No. 999 of 7 March 1997) should be used.