

MEMORANDUM OF UNDERSTANDING BETWEEN
THE GENERAL SECRETARIAT OF ICPO-INTERPOL AND
THE SECRETARIAT OF THE CONVENTION
ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA (CITES)

RECOGNIZING that offences against a nation's criminal legislation, particularly the illegal trafficking in endangered species of wild fauna and flora included in the CITES appendices, are prejudicial to the planet's natural heritage and to the economic interests of States;

RECOGNIZING also that international co-operation is essential to protect endangered species of wild fauna and flora;

RECOGNIZING that INTERPOL is responsible for providing and developing the widest possible mutual assistance between all the criminal police authorities within the limits of the laws existing in the different countries and in the spirit of the Universal Declaration of Human Rights;

NOTING that the increase in illegal trafficking of endangered species of wild fauna and flora included in the CITES' appendices necessitates that Police authorities intensify their surveillance and enforcement measures;

NOTING that the 45th session of the General Assembly of ICPO-Interpol urged the National Central Bureaux to assist in cases involving illegal trafficking in specimens of wild fauna and flora, by either taking enforcement action or, where appropriate, asking other authorities to intervene;

NOTING that in July 1988, the CITES Secretariat, in co-operation with ICPO-Interpol, prepared and distributed to CITES Parties and NCBs a booklet on the collaboration by CITES Management Authorities with NCBs; in 1998 this booklet was updated by the Interpol Subgroup on Wildlife, Crime and distributed as previously mentioned;

NOTING that the 62nd session of the General Assembly (1993) of ICPO-Interpol recommended that the members of ICPO-Interpol urge their governments to do their utmost to ensure that measures are taken to control the illegal wildlife trade;

NOTING that the first meeting of the ICPO-Interpol Sub-Group on Wildlife Crime took place in February 1994 and recommended that among the main objectives of the Sub-Group should be the dissemination of information on illegal wildlife trade and the making of appropriate recommendations to the CITES Secretariat and to bodies responsible for the enforcement of laws for the protection of wild fauna and flora;

NOTING that the ICPO-Interpol Working Party on Environmental Crime, at its second meeting, in Lyon in May 1994, recommended, among other things, that a Memorandum of Understanding should be developed between ICPO-Interpol and the CITES Secretariat, and that on several occasions the Sub-Group on Wildlife Crime has urged that such a document should be signed as soon as possible;

AWARE that in February 1996 the Secretariats of ICPO-Interpol and CITES, through an exchange of letters, established a procedure for co-operation between them;

AWARE that in March 1997 the CITES Secretariat urged Management Authorities of Parties to use the ECOMESSAGE format designed by ICPO-Interpol to inform the CITES Secretariat of all infractions against the Convention and advised that the form would be used to allow an interchange of information between enforcement agencies;

TAKING account of Resolution Conf. 9.8 (Rev.), adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, United States of America) and amended at the tenth meeting (Harare, Zimbabwe, June 1997), which directs the CITES Secretariat to pursue closer international liaison between the Convention's institutions, national enforcement agencies, and existing intergovernmental bodies, particularly the World Customs Organization and ICPO-Interpol;

BELIEVING that increased co-operation between nature conservation authorities and Police authorities will increase the effectiveness of implementation and enforcement of the Convention;

ICPO-INTERPOL AND THE CITES SECRETARIAT have agreed as follows:

1. In order to strengthen the co-operation between them, the ICPO-Interpol General Secretariat and the CITES Secretariat will send each other general information of common interest.
2. The two Secretariats will invite each other as observers to meetings of common interest that they organize.
3. To combat the illicit trafficking in species listed in the CITES appendices, the two Secretariats will jointly draft and implement, each in its own field of competence, measures to improve collaboration, co-operation and information exchange between Police authorities and CITES Management Authorities.
4. The CITES Secretariat will provide ICPO-Interpol with information to help the Police better understand the importance of issues related to the trade in fauna and flora and the implementation of the Convention.
5. The ICPO-Interpol Secretariat will provide the CITES Secretariat with information to give nature conservation authorities a better understanding of Police services' tasks and their problems.
6. The two Secretariats will jointly devise publications and other promotional material to raise the awareness of and inform the services responsible for combating wildlife crime.
7. The two Secretariats will jointly devise training materials on combating wildlife crime and will, within the limits of their respective resources, organize joint training activities for Police and other enforcement officers, or participate in relevant training seminars for enforcement personnel.
8. The CITES Secretariat will send the General Secretariat of ICPO-Interpol all the information and intelligence relating to infractions against the Convention in its possession that it considers appropriate to send. Upon receipt of the

information, the specialized officers at the General Secretariat will exploit it and, if necessary, communicate it to relevant NCBs. The CITES Secretariat's Enforcement Assistance Unit reserves the right to communicate information solely for the use of the General Secretariat of ICPO-Interpol that must not be released to NCBs or other agencies without the prior approval of the CITES Secretariat.

9. The General Secretariat of ICPO-Interpol will work in close co-operation with the CITES Secretariat to disseminate to the relevant enforcement authorities general information on the trafficking, taking and trade in specimens of CITES-listed species of wild fauna and flora and, and when considered appropriate and with the prior approval of the NCBs concerned, will communicate to the CITES Secretariat information on violations of national laws for the implementation of the Convention, including any final results of investigations into such violations.
10. Any information received by the CITES Secretariat from ICPO-Interpol will be processed and stored by its Enforcement Assistance Unit and will be treated as strictly confidential. Such information will not be released to any person or organization without the prior approval of the General Secretariat of ICPO-Interpol.
11. The General Secretariat of ICPO-Interpol may seek information from the intelligence database maintained by the CITES Secretariat's Enforcement Assistance Unit but may not release any information obtained without consent.
12. The General Secretariat of ICPO-Interpol will assist, where appropriate and within the limits of its resources, in the collection and communication to the CITES Secretariat of data relating to specific areas of wildlife crime, to enable better targeting of enforcement efforts and the dissemination of intelligence.
13. The CITES Secretariat will assist, where appropriate and within the limits of its resources, in the collection and communication to the General Secretariat of ICPO-Interpol of data relating to specific areas of wildlife crime, to enable better targeting of enforcement efforts, to support the work of ICPO-Interpol's Crime Analysis Section, the work of the Sub-Group on Wildlife Crime and the general dissemination of intelligence.
14. Each organisation will nominate a contact person who will be responsible for liaison between the Secretariats and who will assure implementation of this Memorandum of Understanding.

The two Secretariats resolve that nothing in this Memorandum of Understanding will exclude any act done in the best interests of the enforcement of the Convention on International Trade in Endangered Species of Wild Fauna and Flora or of the principles of the International Criminal Police Organization (Interpol), if authorized by the Secretaries General of CITES and ICPO Interpol, and neither shall

it be interpreted to alter the rules and procedures of either body. This Memorandum may be revoked by either signatory organization by giving three months' notice to the other in writing.

Signed:

Reuben Olembo
Interim Secretary General
CITES

Date: 15 October 1998

Signed:

R.E. Kendall Q.P.M., M.A
Secretary General
ICPO-Interpol

Date: 15 October 1998