

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

Sixty-ninth meeting of the Standing Committee  
Geneva (Switzerland), 27 November – 1 December 2017

Interpretation and implementation matters

General compliance and enforcement

Compliance matters

NATIONAL IVORY ACTION PLANS PROCESS:  
REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.
2. At its 17th meeting (CoP17, Johannesburg, 2016), the Parties adopted *Guidelines to the NIAP process*,<sup>1</sup> contained in Annex 3 to Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens*, as well as Decisions 17.70 to 17.82 on the *National ivory action plans process*. These Decisions are presented in Annex 1 to the present document.

Decision 17.75: Possible new Parties to participate in the National Ivory Action Plans (NIAP) process

3. Decision 17.75 directs the Secretariat, at the conclusion of CoP17, to commence the process of reviewing the need for possible new Parties [as identified in document CoP17 Doc. 57.6 (Rev. 1) – the Elephant Trade Information System (ETIS) Report of TRAFFIC],<sup>2</sup> to participate in the NIAP process. These Parties are Malawi, Singapore, and Togo, identified as Parties of 'primary concern', South Africa and Sri Lanka, identified as Parties of 'secondary concern', and Japan, Qatar and the United Arab Emirates, identified as Parties of 'importance to watch'.
4. In line with Step 1 paragraphs d) and e) of the *Guidelines*, the Standing Committee should, on the basis of the recommendations of the Secretariat made in accordance with Step 1 paragraph c), determine whether it is appropriate for a Party to participate in the NIAP process or not. Such determinations can also be made by postal procedure.
5. Consequently, on 3 March 2017, the Secretariat initiated a postal procedure in accordance with Rules 30 to 32 of the Rules of Procedure of the Standing Committee, to consult the Committee on whether the Parties mentioned in paragraph 3 above should participate in the NIAPs process. The Secretariat recommended that (a) Malawi and Togo should be included in the NIAP process and be requested to develop a NIAP, (b) Japan, South Africa and the United Arab Emirates should not participate in the NIAP process at this time, and (c) decisions on whether or not Qatar, Singapore and Sri Lanka should participate in the NIAP process and be requested to develop a NIAP, should be deferred until the present meeting. On 16 May 2017, the Committee agreed with the Secretariat's recommendations, and this decision was conveyed to Parties in Notification to the Parties No. 2017/042 of 2 June 2017.<sup>3</sup>

<sup>1</sup> Referred to as 'the *Guidelines*' throughout the rest of the present document.

<sup>2</sup> <https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-57-06-R1.pdf>

<sup>3</sup> <https://www.cites.org/sites/default/files/notif/E-Notif-2017-042.pdf>

6. Matters relevant to Japan, Malawi, Qatar, Singapore, South Africa, Sri Lanka, Togo, and the United Arab Emirates, as possible Parties identified in the ETIS Report prepared for CoP17 to participate in the NIAP process, are addressed in paragraphs 7 to 56 of the present document, below:

### **Japan**

7. During the postal procedure on NIAPs that followed CoP17, the Standing Committee agreed that Japan not be included in the NIAP process.
8. The Secretariat noted a number of ongoing activities and measures outlined in the additional information provided by Japan pursuant to Step 1 b) of the *Guidelines*, during the postal procedure. The Secretariat highlighted these to the Standing Committee and indicated that it would engage directly with Japan about the activities and measures, as appropriate, in accordance with the provisions of Resolution Conf. 10.10 (Rev. CoP17).
9. Subsequently, in accordance with the provisions of paragraph 9 b) of Resolution Conf. 10.10 (Rev. CoP17), the Secretariat wrote to Japan on 29 May 2017, inviting the Party to provide a report to the Secretariat on any further measures taken to combat illegal trade in ivory, including updated information on the following activities and initiatives outlined in the additional information provided by Japan during the postal procedure:
  - a) amendments to the “Law for the Conservation of Endangered Species of Wild Fauna and Flora”, including, in particular, information on amendments to strengthen regulations on business operators involved in domestic ivory trade;
  - b) activities undertaken by the “Public-Private Council for the Promotion of Appropriate Ivory Trade Measures” in the period since the last report;
  - c) measures implemented to prevent and detect illegal shipments of ivory from Japan, including information on any seizures, arrests, prosecutions and penalties imposed in the period starting from CoP17;
  - d) measures implemented and activities conducted to share information with the Chinese customs authorities and Chinese CITES Management Authorities to combat illegal trade in ivory; and
  - e) awareness raising activities to combat illegal trade in ivory.
10. Japan submitted a report to the Secretariat, containing updated information on the above-mentioned activities and initiatives. The Secretariat would like to thank Japan for the report submitted, which is available in the language received, as Annex 2 to the present document. It includes, *inter alia*, an update on the revision of the “Law for the Conservation of Endangered Species of Wild Fauna and Flora”, which was enacted on 2 June 2017 and is expected to enter into force by 1 June 2018. The report also informs about four cases of ivory seizures made by Japan since CoP17. Although no information is provided with regards to arrests, prosecutions and penalties imposed in these cases, the report states that the items seized were small pieces of ivory sent via international mail or brought into Japan as personal effects of airline passengers.
11. The additional information provided by Japan demonstrates continued progress with the implementation of activities and measures to combat illegal trade in ivory. The Party is encouraged to further build upon the progress made to date, and to closely review trends to ensure that the activities and measures it is implementing respond effectively to any ongoing illegal trade in ivory as it affects the country.

### **Malawi**

12. During the postal procedure on NIAPs that followed CoP17, the Standing Committee agreed that Malawi be included in the NIAP process as a Party of ‘primary concern’ and be requested to develop a NIAP.
13. On 29 May 2017, the Secretariat wrote to Malawi informing the Party about the decision of the Standing Committee. The Secretariat at the same time provided to the Party the NIAP template to be used in accordance with Step 2, paragraph a) 4. of the *Guidelines* for the development of the NIAP, and requested Malawi to submit its NIAP to the Secretariat in accordance with the provisions of Step 2, paragraph b) of the *Guidelines*.

14. On 13 September 2017, the NIAP of Malawi was received by the Secretariat. In accordance with Step 3 of the *Guidelines*, the Secretariat assessed the NIAP of Malawi as adequate and accepted the plan. The NIAP was not approved at national level as required by Step 2, paragraph a) 3. iii) of the *Guidelines*, but Malawi explained why its plan was not approved prior to submission, and indicated that the approved version will be submitted to the Secretariat as soon as possible. The Secretariat informed the Party that its NIAP is adequate and accepted, subject to receiving the approved version.
15. Pursuant to Decision 17.79, the Secretariat has made the NIAP of Malawi publicly available on the CITES NIAP webpage.<sup>4</sup>

## **Qatar**

16. The ETIS Report prepared for CoP17 states that Qatar is one of the world's most important air transport hubs, particularly in terms of connectivity between Africa and Asia. The Report further states that Qatar has become a key transit point for illicit ivory consignments, particularly for small 'personal effects' and mid-sized commercial consignments, but also occasional large-scale illegal movements of ivory to other destinations. The ETIS Report also states that, looking at bias-adjusted data in the most recent period 2012-2014, levels of trade have increased more than 40% for Qatar.
17. Pursuant to Step 1 b) of the *Guidelines*, the Secretariat invited Qatar, in a letter dated 19 December 2016, to submit any additional information relevant for determining whether the Party should participate in the NIAP process. Qatar did not submit any additional information in response to the Secretariat's letter.
18. Step 1 c) of the *Guidelines* directs the Secretariat to prepare a recommendation to the Standing Committee as to whether a Party identified in the ETIS Report should be included in the NIAP process.
19. In accordance with the provisions of Step 1 c) of the *Guidelines*, the Secretariat recommended in the postal procedure on NIAPs that the Standing Committee defer its decision on whether Qatar should be included in the NIAP process to the present meeting, to enable the Secretariat to further engage with Qatar in accordance with Resolution Conf. 10.10 (Rev. CoP17), about the measures it is taking to address illegal ivory trade.
20. The Standing Committee reviewed the recommendation prepared by the Secretariat, and agreed that the decision on whether Qatar should participate in the NIAP process, and be requested to develop a NIAP, be deferred until the present meeting.<sup>5</sup>
21. The Secretariat again wrote to Qatar on 26 May 2017, requesting the Party to provide the Secretariat with any information it considers relevant for determining whether it should participate in the NIAP process. In response, Qatar sent a letter to the Secretariat, which is available in the language received, as Annex 3 to the present document. The Secretariat would like to thank Qatar for the information provided.
22. The letter briefly indicates the actions and activities undertaken in Qatar to combat ivory trafficking. The information provided highlights that when illegal ivory consignments are detected, the Secretariat and CITES Management Authorities in countries of destination are informed. The Secretariat notes however, that it has not received any such reports recently. Qatar also reports that public awareness campaigns are being conducted, and that it engages with Qatar Airways to encourage stricter checks on passenger luggage from key countries known to be the source of illegal ivory consignments. Qatar further reports that it reminded customs and airport security authorities to target passenger luggage from key source countries, to combat illegal ivory trade.
23. In its letter, Qatar explains that it had already detailed the measures and actions taken in Qatar with regard to implementation of CITES provisions concerning trade in ivory in a report submitted to the Secretariat in 2015. This report is available as Annex 21 to document SC66 Doc. 29 (Rev. 1).<sup>6</sup> Qatar's 2015 report lists, *inter alia*, five cases of ivory seizures between 2005 and 2014 and briefly notes the legislation and border control efforts that relate to illegal trade in ivory. The Secretariat in document SC66 Doc. 29 (Rev. 1)<sup>7</sup> notes that one seizure of ivory of more than 150 kg was made in Qatar in 2014, while transiting

---

<sup>4</sup> <https://cites.org/eng/niaps>

<sup>5</sup> <https://cites.org/sites/default/files/notif/E-Notif-2017-042.pdf>

<sup>6</sup> <https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-29-Annex21.pdf>

<sup>7</sup> <https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-29-Rev1.pdf>

through Qatar from Mozambique to Viet Nam. The Secretariat further noted that this was the first ivory seizure in the country since 2008, and the first of this size made by authorities in Qatar. The letter from Qatar provided in Annex 3 to the present document suggests that the status quo in terms of measures and activities implemented to combat illegal ivory trade in Qatar has been maintained since SC66. Despite the measures implemented by Qatar, the Party continues to be targeted as a transit country for illegal wildlife trade, as exemplified by a recent seizure of rhinoceros horns in Malaysia, which transited through Qatar from Mozambique.<sup>8</sup> At the same time, ETIS continues to identify Qatar as a 'Party of importance to watch' and suggests that the Party plays an increasingly significant role in the illegal ivory trade chain, as indicated by the increase of more than 40% in the level of trade in ivory for Qatar.

24. The Secretariat notes that there is a presumption in Step 1 c) of the *Guidelines* that "Parties of importance to watch" are not recommended for participation in the NIAP process. However, in the light of limited new information received from Qatar on how it is responding to illegal trade in ivory transiting through the country, and considering the increasingly significant role that Qatar is playing in the illegal ivory trade chain, the Secretariat recommends that the Standing Committee include Qatar in the NIAP process, and request it to develop and implement a NIAP.

### **Singapore**

25. The ETIS Report identifies Singapore as a country of 'primary concern'. It states that Singapore is a Party that emerged as a major transit hub in the illegal ivory trade, and that illegal ivory consignments through Singapore have grown more prominent in the period 2012-2014.
26. Pursuant to Step 1 b) of the *Guidelines*, the Secretariat invited Singapore, in a letter dated 19 December 2016, to submit any additional information relevant for determining whether Singapore should participate in the NIAP process.
27. Singapore provided additional information in a comprehensive report submitted to the Secretariat on 19 January 2017. In the cover letter to the report, Singapore indicated its willingness to welcome a mission by the Secretariat to observe first-hand the measures and activities in place in Singapore to combat the illegal wildlife and ivory trade.
28. In accordance with the provisions of Step 1 paragraph c) of the *Guidelines*, the Secretariat recommended in the postal procedure on NIAPs that the Standing Committee defer its decision on whether Singapore should be included in the NIAP process, to the present meeting, so as to enable the Secretariat to undertake a mission to Singapore.
29. The Standing Committee reviewed the recommendation prepared by the Secretariat, and agreed that the decision on whether or not Singapore should participate in the NIAP process, and be requested to develop a NIAP, be deferred.
30. The Secretariat reports on the findings of its mission to Singapore in Annex 4 to the present document. Based on these findings, the Secretariat is of the opinion that Singapore has implemented and continues to implement a wide variety of measures to combat wildlife crime, including illegal ivory trade. These measures also respond to the observations made in the ETIS Report prepared for CoP17, and what is suggested as measures that could be implemented by Singapore to combat illegal ivory trade, are already in place in the country.
31. After the mission, Singapore submitted another report to the Secretariat to be made available for the present meeting, containing information on recent developments, as well as the report of 19 January 2017. This report is made available as Annex 5 to the present document. Singapore also provided the Secretariat with translated versions of the report of 19 January 2017, which are available to Parties in Annex 5.
32. In the case of Singapore as a Party that serves exclusively as transit country in the illegal ivory trade chain, the Secretariat believes that it is unlikely that requesting the Party to develop and implement a NIAP will have any significant impact beyond the measures that the Party has already put in place.

---

<sup>8</sup> <http://clubofmozambique.com/news/mozambican-police-investigating-rhino-horn-trafficking/>

33. In light of these conclusions, the Secretariat recommends that Singapore not be included in the NIAP process at present, and believes that it will be appropriate to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17).

### **South Africa**

34. During the postal procedure on NIAPs that followed CoP17, the Standing Committee agreed that South Africa not be included in the NIAP process.
35. During the postal procedure, the Secretariat noted a number of ongoing and planned activities and initiatives that were outlined in additional information provided by South Africa pursuant to Step 1 b) of the *Guidelines*. The Secretariat highlighted these to the Standing Committee and indicated that it would, in accordance with Resolution Conf. 10.10 (Rev. CoP17), engage directly with South Africa on these activities, as appropriate.
36. Subsequently, in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), the Secretariat wrote to South Africa on 29 May 2017, inviting the Party to provide the Secretariat with a report on any further measures taken to combat illegal trade in ivory, including updated information on the following activities and initiatives outlined in the additional information provided by South Africa during the postal procedure:
- a) the approval of the National Integrated Strategy to Combat Wildlife Trafficking (NISCWT) by all government structures. It was reported by South Africa, that the NISCWT will focus and direct the ability of law enforcement, supported by the whole of government and society, to address the threat wildlife trafficking poses to national security and biodiversity, and that it includes improving law enforcement; improving the government's ability to detect, prevent and combat wildlife trafficking in South Africa and beyond; and increasing national, regional and international law enforcement collaboration and cooperation. South Africa further reported that the NISCWT was at the time under discussion for approval by all national government structures that will be affected by its implementation;
  - b) continued efforts to address domestic illegal trade in ivory, in particular any targeted operations in the Johannesburg area, identified as the area most affected by this illegal trade in the report provided by South Africa, including information on any arrests, prosecutions and penalties imposed in the period starting from CoP17;
  - c) the establishment of a new Border Management Agency in South Africa; and
  - d) improved reporting to ETIS.
37. At the time of writing (September 2017), no report had been received from South Africa in response to the Secretariat's letter, and the Party may wish to provide a further update on the above-mentioned activities at the present meeting.
38. South Africa was identified as a Party of 'primary concern' in the ETIS report to CoP16, but has since moved into a group of lesser prominence. In the ETIS Report to CoP17, South Africa is identified as a Party of 'secondary concern'. This represents a positive shift since 2012. The ETIS Report states that South Africa moved into a group of lesser prominence owing to the fact that it has not been implicated in any large-scale ivory seizures since 2012. The Secretariat consulted with the authors of the ETIS Report during the NIAPs postal procedure, who at the time indicated that similarly, no such seizures were reported to ETIS in the period after the ETIS report for CoP17 was finalized.
39. A February 2017 statement by the South African Minister of Environmental Affairs,<sup>9</sup> notes with concern that in 2016, 46 elephants were poached in the Kruger National Park, South Africa. It was however also stated that the interventions being implemented to counter rhinoceros poaching are used to respond to this emerging threat. The Party may also wish to also provide a further update on this at the present meeting.
40. The Secretariat continues to believe that it will be appropriate to monitor the progress of South Africa in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and accordingly prepared a recommendation for consideration by the Standing Committee.

---

<sup>9</sup> [https://www.environment.gov.za/mediarelease/molewa\\_progressionintegrated\\_strategicmanagement\\_ofrhinoceros](https://www.environment.gov.za/mediarelease/molewa_progressionintegrated_strategicmanagement_ofrhinoceros)

## **Sri Lanka**

41. Pursuant to Step 1 b) of the *Guidelines*, the Secretariat invited Sri Lanka, in a letter dated 19 December 2016, to submit any additional information relevant for determining whether the Party should participate in the NIAP process. Sri Lanka did not submit any additional information in response to the Secretariat's letter.
42. Step 1 c) of the *Guidelines* directs the Secretariat to prepare a recommendation to the Standing Committee as to whether a Party identified in the ETIS Report should be included in the NIAP process.
43. In implementing Step 1 c) of the *Guidelines*, the Secretariat consulted with the authors of the ETIS report for additional information on Sri Lanka. They informed the Secretariat that, in addition to the seizures identified for 2012-2014, two more large seizures made in Thailand transited through Sri Lanka in 2015. The authors of the ETIS Report did not have information on whether the containers seized in Thailand were offloaded in Sri Lanka or not, and that if not, it is likely that no seizure opportunity would have occurred in Sri Lanka in these two cases.
44. In accordance with the provisions of Step 1 c) of the *Guidelines*, the Secretariat recommended in the postal procedure on NIAPs that the Standing Committee defer its decision on whether Sri Lanka should be included in the NIAP process to the present meeting, to enable the Secretariat to further engage with Sri Lanka in accordance with Resolution Conf. 10.10 (Rev. CoP17) over the measures the Party is taking concerning the implementation of the provisions of that Resolution relating to illegal ivory trade, and report its conclusion to the present meeting.
45. The Standing Committee reviewed the recommendation prepared by the Secretariat, and agreed that the decision on whether Sri Lanka should participate in the NIAP process and be requested to develop a NIAP, be deferred.
46. The Secretariat again wrote to Sri Lanka on 29 May 2017, requesting the Party to provide the Secretariat with any information it considers relevant for determining whether it should participate in the NIAP process. In response, the Secretariat received a report from Sri Lanka, made available in the language received as Annex 6 to the present document. The Secretariat would like to thank Sri Lanka for the report submitted.
47. The report submitted by Sri Lanka to a large degree refers to measures to combat illegal trade in ivory at domestic level. It demonstrates that Sri Lanka has legislation in place to regulate domestic possession of ivory. It also contains information on, *inter alia*, the establishment of the Sri Lanka Wildlife Enforcement Network, demand reduction activities such as destruction of ivory stock piles; and training and capacity-building activities for enforcement officers. The report also contains information on court cases for ivory-related offences from 2013 to 2017, but does not include information on arrests, convictions and penalties.
48. Overall, ETIS data indicates that Sri Lanka was implicated as a transit country in a maximum of four significant cases of illegal international trade in ivory in the period 2012-2015. Whether Sri Lanka had an opportunity to make seizures in two of the cases is unclear given the nature of information currently available.
49. In accordance with Step 1 c) of the *Guidelines*, there is no presumption on whether a Party of 'secondary concern' should be included in the NIAP process.
50. The Secretariat believes that it will be appropriate to continue to monitor progress in this matter in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17).

## **Togo**

51. During the postal procedure on NIAPs that followed CoP17, the Standing Committee agreed that Togo be included in the NIAP process as a Party of 'primary concern', and be requested to develop a NIAP.
52. On 6 June 2017, the Secretariat wrote to Togo, informing the Party about the decision of the Standing Committee. The Secretariat at the same time provided the NIAP template to be used in accordance with Step 2, paragraph a) 4. of the *Guidelines*, for the development of the NIAP, to the Party, and requested Togo to submit its NIAP to the Secretariat in accordance with the provisions of Step 2, paragraph b) of the *Guidelines*.
53. In accordance with the time frame set by the Conference of the Parties in Step 2, paragraph b), of the *Guidelines*, the NIAP from Togo was due to be received by the Secretariat on 13 September 2017. The NIAP

from Togo was not received by this date, and at the time of writing the NIAP from Togo had still not been received by the Secretariat.

54. In line with Step 4, paragraph f) of the of the *Guidelines*, the Standing Committee may therefore wish to instruct the Secretariat to, on behalf of the Committee, initiate a compliance process. The Secretariat accordingly prepared for consideration by the Standing Committee a recommendation aligned with the steps suggested in paragraph 39 of document CoP17 Doc. 24 on the *National ivory action plans process* to facilitate consistent and diligent handling of compliance matters as stipulated in Resolution Conf. 14.3.

#### **United Arab Emirates**

55. During the postal procedure on NIAPs that followed CoP17, additional information submitted by the United Arab Emirates demonstrated that a commendable number of activities relevant to the issues identified in the ETIS Report are being conducted in the United Arab Emirates. This relates to efforts to strengthen legislation and border control, training of relevant authorities, awareness-raising campaigns at airports to combat illegal wildlife trade, working with the private sector and within the aviation sector, and internet trade control.
56. The Standing Committee agreed that the United Arab Emirates not be included in the NIAP process.

#### Decisions 17.70, 17.73, paragraph a), 17.76, 17.78 and 17.79: Parties that continue implementing their NIAPs

57. Decision 17.70 directs Parties that have been implementing NIAPs at the request of the Standing Committee to complete the implementation of any NIAP actions in accordance with the *Guidelines*. These Parties are the United Republic of Tanzania as a Party of 'primary concern', Cameroon, Congo, the Democratic Republic of the Congo, Egypt, Ethiopia, Gabon, Mozambique and Nigeria as Parties of 'secondary concern', and Angola, Cambodia and the Lao People's Democratic Republic as Parties of 'importance to watch'.
58. Decision 17.76 directs the Secretariat to commence the application of the *Guidelines* to these Parties. Decision 17.73, paragraph a), directs the Standing Committee to review the reports presented by Parties already in the NIAP process in accordance with the *Guidelines* and determine, on the basis of these reports, whether assistance is required by these Parties or if any other measures are required to ensure timely and effective completion of the NIAPs.
59. In accordance with Step 4 paragraphs a) and b) of the *Guidelines*, progress reports were received by the Secretariat from Angola, Cambodia, Congo, Gabon, the Lao People's Democratic Republic and Mozambique. The Secretariat would like to thank these Parties for the reports submitted. In accordance with Step 4, paragraphs c) and d), the Secretariat evaluated these reports. This evaluation is set out in paragraphs 65 to 91 below.
60. To facilitate the understanding of the Standing Committee regarding the status of Parties' implementation of their NIAPs, the Secretariat prepared Table 1 below, showing the self-assessment ratings of Parties at SC67 and SC69. Table 1 also shows which Parties have submitted NIAP progress reports, and indicates which Parties have moved categories in the period between CoP16 and CoP17.
61. Pursuant to Decision 17.78, the progress reports received by the Secretariat are available as Annexes 7-12 to the present document, in the language in which they were received. Pursuant to Decision 17.79, these reports are also publicly available on the NIAP webpage.
62. At the time of writing (September 2017) the United Republic of Tanzania as a Party of 'primary concern', Cameroon, Ethiopia and Nigeria as Parties of 'secondary concern', and the Democratic Republic of the Congo and Egypt as Parties of 'importance to watch', had not submitted progress reports to the Secretariat.
63. The Secretariat encourages these Parties to submit their progress reports ahead of SC69, so the Standing Committee can consider their progress with NIAP implementation alongside that of the other NIAP Parties. If progress reports are not received from any of these Parties, the Standing Committee might consider inviting the Parties, if present, to provide an oral update on their progress at the present meeting.
64. In the absence of such reports or oral updates to SC69, the Standing Committee may wish to, in line with Step 4, paragraph f) of the *Guidelines*, instruct the Secretariat to, on behalf of the Standing Committee, initiate a compliance process. The Secretariat accordingly prepared for consideration by the Standing Committee a recommendation aligned with the steps suggested in paragraph 39 of document CoP17

Doc. 24 on the *National ivory action plans process* to facilitate consistent and diligent handling of compliance matters as stipulated in Resolution Conf. 14.3.

**TABLE 1: Progress ratings of Parties requested to continue implementation of their NIAPs (Decision 17.70)**

- 1) Parties marked with an asterisk (\*) have changed categories between CoP16 and CoP17. The Democratic Republic of the Congo, Egypt and Mozambique changed to a category of lesser prominence, from Parties of 'secondary concern' to Parties of 'importance to watch'. Cambodia is the only Party that changed to a category of higher prominence, from a Party of 'importance to watch' to one of 'secondary concern'.
- 2) Percentages provided in brackets indicate assessments of the Secretariat diverging from a Party's self-assessment.
- 3) Where cells have been left blank, Parties have not submitted progress reports.

NIAP	SC67 (% of NIAP actions in each progress rating category)						SC69 (% of NIAP actions in each progress rating category)					
	Substantially achieved	On track	Limited progress	Pending completion of another action	Not commenced	Unclear	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
<b>Parties of primary concern</b>												
United Republic of Tanzania	42,5%	42,5%	-	10%	5%	-						
<b>Parties of secondary concern</b>												
Cambodia*	23%	-	54%	-	23%	-	15% (8%)	8% (15%)	-	54%	-	23%
Cameroon												
Congo	8%	50%	-	15%	27%	-	8% (4%)	- (4%)	38%	27%	-	27%
Ethiopia												
Gabon							9%	19% (13%)	19%	22% (28%)	6%	25%
Nigeria												
<b>Parties of importance to watch</b>												
Angola	28%	24%	30%	9%	-	9%	70%	-	-	18%	12%	-
Democratic Republic of Congo*	11%	56%	25%	4%	4%	-						
Egypt*	72%	12%	12%	4%	-	-						
Lao People's Democratic Republic	12%	39%	39%	5%	5%	-	-	5%	67% (55%)	23% (10%)	-	5% (30%)
Mozambique*	49%	46%	5%	-	-	-	55%	33% (30%)	5% (7%)	5%	3%	-

## Angola

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment	70% (12 of 17 actions)	0% (0 of 17 actions)	0% (0 of 17 actions)	18% (3 of 17 actions)	12% (2 of 17 actions)	0% (0 of 17 actions)
Secretariat's assessment	70% (12 of 17 actions)	0% (0 of 17 actions)	0% (0 of 17 actions)	18% (3 of 17 actions)	12% (2 of 17 actions)	0% (0 of 17 actions)

65. The [NIAP developed by Angola](#) was accepted as adequate by the Secretariat on 6 April 2015,<sup>10</sup> and Angola reported against this NIAP at SC67. It includes 33 priority activities, and Angola's self-assessment at SC67 evaluated nine activities as 'substantially achieved' and eight as 'on track' for achievement. Ten activities were rated as 'limited progress', three as 'pending completion of another action' and three as 'unclear'.
66. Following CoP17 and the adoption of the *Guidelines*, Angola seems to have revised its NIAP, and its report on NIAP implementation prepared for the present meeting no longer captures all actions in the NIAP accepted as adequate, available on the NIAP webpage.<sup>11</sup> Angola seems to have reduced its NIAP actions to a total of 17, of which it now self-assesses 12 actions as 'achieved', three as having achieved 'partial progress', and two as 'pending completion of another action'.
67. Within the pillar of *Legislation and regulations*, Angola retained all the actions as contained in its NIAP accepted as adequate in 2015. Between SC67 and SC69 the Wildlife and Forests Act is reported to have been published, however, Angola indicates no progress in the implementation of the other five actions since SC67. The Secretariat welcomes Angola's decision to add a seventh action to this pillar, namely, the *Development of legislation on implementation of CITES in Angola*, the Secretariat is aware that a draft CITES regulation has been prepared with support from the joint CITES/United Nations Environment Programme (UNEP) collaborative initiative to provide assistance to priority countries and territories, upon their request, to enhance their legislation. The Secretariat notes that all actions listed under the other four pillars of Angola's revised NIAP are new and that all have been assessed by Angola as 'achieved'. While the Secretariat concurs with the self-assessment of Angola and commends Angola for the actions taken, it is also concerned that the revised actions might not be sufficient to address illegal ivory trade in Angola. The development of Angola's NIAP accepted as adequate, as currently available on the NIAP webpage, was supported by a mission by the Secretariat and its NIAP consultant to Angola in March 2015.<sup>12</sup> The Secretariat believes that the 2015 NIAP is more comprehensive than the new revised NIAP that Angola seems to be reporting against. It should be noted that no new revised NIAP was submitted to the Secretariat by Angola, and the Secretariat bases its observations upon the contents of the report on NIAP implementation submitted by Angola for the present meeting.
68. In light of the above, the Secretariat believes that Step 4 paragraph f) of the *Guidelines* applies to Angola. It is not clear to the Secretariat why Angola has not reported against the accepted NIAP but instead against a revised NIAP that has not been submitted to the Secretariat. The Standing Committee may wish to invite Angola to clarify the background for the changed approach and to submit the revised NIAP to the Secretariat for its assessment. The Committee may further wish to encourage Angola to consider how actions in its NIAP accepted as adequate in 2015 that have not been achieved could be captured in its revised NIAP to ensure a comprehensive response to illegal ivory trade. The Committee may also wish to encourage Angola to consider the inclusion of activities to build upon the progress already made, in such a revised NIAP. This could for example include specific activities to be conducted by the ivory seizure

<sup>10</sup> <https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-29-Rev1.pdf>

<sup>11</sup> <https://cites.org/sites/default/files/common/prog/niaps/E-Angola%20NIAP%202015-2016.pdf>

<sup>12</sup> <https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-29-Rev1.pdf>

task force established in accordance with Pillar 2.2 of the progress report to the present meeting, future activities of the ivory inventory technical group described in Pillar 2.3 of its report, etc.

69. The Secretariat also notes that Angola highlights the constraints it is facing with regards to a lack of funding and resources for NIAP implementation. Parties, governmental, intergovernmental and non-governmental organizations and others are encouraged to, where possible, provide financial and technical assistance to Angola, in accordance with Decision 17.82. The Secretariat invites any Parties, governmental, intergovernmental and non-governmental organizations and others that may be able to provide such assistance, to inform it accordingly. The recommendation of the Secretariat with regard to Angola can be found in paragraph 158, recommendations l) and m), in the present document.

## Cambodia

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment	15% (2 of 13 actions)	8% (1 of 13 actions)	0% (0 of 13 actions)	54% (7 of 13 actions)	0% (0 of 13 actions)	23% (3 of 13 actions)
Secretariat's assessment	8% (1 of 13 actions)	15% (2 of 13 actions)	0% (0 of 13 actions)	54% (7 of 13 actions)	0% (0 of 13 actions)	23% (3 of 13 actions)

70. [Cambodia's NIAP](#) includes 13 priority actions. Cambodia's self-assessment evaluates two actions as 'achieved', one as 'substantially achieved', seven as of 'partial progress' and three as 'not commenced'.
71. Cambodia's progress report to SC69 also covers the previous reporting periods, between SC65 and SC67. As in its report to SC67, Cambodia therefore reports on large-scale jurisdictional changes affecting the administrative mandates of the Forestry Administration in the Ministry of Agriculture, Forestry and Fisheries and the Ministry of Environment. However, no explanation on progress in clarifying mandates or a future outlook on the matter is provided. Cambodia used the template provided by the Secretariat and adjusted previous ratings, allocating a rating of 'achieved' to two of the three actions previously rated as 'substantially achieved'.
72. Under action 1.2, the Secretariat failed to see how the mentioned activities contribute to the issuance of a ministerial proclamation on the management of ivory seizures, as provided by the action. Similarly, in regard to action 2.4, the Secretariat is concerned that the stated activities may not contribute to the establishment of a system for the management of ivory seizures. The Secretariat commends Cambodia for the development of a national action plan to conserve elephants in Cambodia, as provided in action 4.1. Yet, it believes that the rating of 'achieved' may be premature in light of the plan not having been approved by relevant ministries and that the previous rating of 'substantially achieved' would be more appropriate.
73. Since CoP17, Cambodia has been categorized as a Party of 'secondary concern', compared to its categorization at CoP16 as a Party of 'importance to watch'. Also, there has been no progress in implementing its NIAP since SC67. The recommendation of the Secretariat with regard to Cambodia can be found in paragraph 158, recommendation n), in the present document.

## Congo

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment	8% (2 of 26 actions)	0% (0 of 26 actions)	38% (10 of 26 actions)	27% (7 of 26 actions)	0% (0 of 26 actions)	27% (7 of 26 actions)
Secretariat's assessment	4% (1 of 26 actions)	4% (1 of 26 actions)	38% (10 of 26 actions)	27% (7 of 26 actions)	0% (0 of 26 actions)	27% (7 of 26 actions)

74. The [NIAP of the Congo](#) includes 26 priority actions. Congo's self-assessment evaluates two actions as 'achieved', 10 as 'on track', seven as having achieved 'partial progress' and seven as 'not commenced'.
75. The report from the Congo suggests that the Party has progressed the implementation of a number of actions and entered into cooperation with a number of partners to support NIAP implementation. Using the new template provided by the Secretariat, the Congo adjusted the ratings of three actions to 'partial progress' where it had previously rated those actions as 'on track'. This indicates a more realistic assessment by the Party of the progress made. No or little progress since SC67 is shown with regard to six actions (1.2, 2.1, 2.2, 6.1, 6.2 and 6.3) relating to the potential harmonization of penalties within the Commission for the Forests of Central Africa (COMIFAC), awareness raising and networking on addressing wildlife crime among prosecutors and judges and awareness raising and communication to the public. As the Congo reported the same activity in relation to action 2.2 as it did for SC67, it is unclear whether the round table in 2016 did actually take place or not. If it has not taken place, the rating of 'on track' for this action might better be exchanged with 'partial progress'. The information provided on action 3.3 is limited and therefore is not sufficient for the Secretariat to assess progress in that action. As in its report to SC67, the Congo reports on action 3.6 that a mission is planned to Kenya and the United Republic of Tanzania to exchange experience. Since this has not taken place, the rating of 'achieved' might be premature and a rating of 'substantially achieved' be more appropriate. Congo reports that implementation of actions 3.1. and 4.1 is dependent on the adoption of the *National strategy and action plan against the illegal exploitation and trade of Congo's wildlife species and products*. The Secretariat commends the Congo for the adoption of the Strategy in June 2017 and encourages the Party to move on with the implementation of actions 3.1 and 4.1. In relation to action 5.2, the Secretariat is uncertain as to how the reported activity contributes to the implementation of the set action. Further information on the number of anti-poaching staff trained, areas and partners under action 5.3 would be useful in order to understand the progress made in implementing this action. More details would also be useful on the implementation of action 5.4 for a better understanding of the rating allocated.
76. The Standing Committee may wish to consider an overall rating of 'limited progress' in line with Step 4 of the *Guidelines*, given the number of actions that have not yet been commenced. Congo is encouraged to further increase cooperation with relevant partners for support with the implementation of its NIAP. The recommendation of the Secretariat with regard to Congo can be found in paragraph 158, recommendation o), in the present document.

## Gabon

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment	9% (3 of 32 actions)	19% (6 of 32 actions)	19% (6 of 32 actions)	22% (7 of 32 actions)	6% (2 of 32 actions)	25% (8 of 32 actions)
Secretariat's assessment	9% (3 of 32 actions)	13% (4 of 32 actions)	19% (6 of 32 actions)	28% (9 of 32 actions)	6% (2 of 32 actions)	25% (8 of 32 actions)

77. The [NIAP of Gabon](#) includes 32 priority actions. Gabon's self-assessment evaluates three actions as 'achieved', six as 'substantially achieved', six as 'on track', seven as having achieved 'partial progress', two as 'pending completion of another action' and eight as 'not commenced'.
78. Using the new template provided by the Secretariat, Gabon down-rated a number of actions which it had previously rated higher. This indicates a more realistic assessment by the Party of the progress made. Gabon also inserted indicators for the various activities, as suggested by the template, which will help to better understand progress made.
79. The Secretariat commends Gabon for its progress in action A.1, relating to the revision of the Penal Code and Forest Code, upon which the implementation of several other actions depends. The Secretariat is uncertain, however, about the exact status of the revision of the Penal Code and whether actions B.1 and B.3 can be rated as 'achieved' and 'substantially achieved' respectively, if the Forest Code has not been approved by the National Assembly and the Senate. As regards to action B.2, the Secretariat welcomes the progress made. It notes, however, that Gabon's NIAP foresees the establishment of a monitoring plan, which is not being reported upon. If such a plan is still required, Gabon might adjust the rating of this action from 'achieved' to 'substantially achieved'. The Secretariat also recognizes the activities undertaken regarding action C.2. Yet, it notes that Gabon's NIAP foresees the establishment of a system, which is not being reported upon. To address wildlife crime sustainably and in the long-term, it is necessary to put into place effective systems rather than acting on an ad hoc basis. With regard to action C.3, the Secretariat is wondering which other action this action depends on for realization and suggests that Gabon might provide more details on such links in future progress reports. The same applies to action D.4, upon which Gabon reports awaiting the start of an elephant project, which is not explained in the NIAP or the report. The Secretariat welcomes the establishment of a working group to monitor the implementation of Gabon's NIAP. As regards action E.4, the Secretariat observes that the reported activities do not address the action stated in the NIAP and believes that a rating of 'partial progress' might be more appropriate than that of 'substantially achieved'. It is noted that Gabon's NIAP foresees the burning of ivory as part of action E.9, also rated as 'substantially achieved'. The Secretariat wonders whether this is still being planned by Gabon. The Secretariat is of the opinion that the statement made in the first bullet point of action F.4 would lead to the conclusion that a rating of 'substantially achieved' is not appropriate and should be exchanged with one of 'partial progress'.
80. Gabon's NIAP is very comprehensive. In light of this, the Secretariat believes that Gabon has made good progress on a number of actions. Lesser progress has been observed with regard to awareness raising and education of the public.
81. The Standing Committee may wish to consider an overall rating of 'limited progress' in line with Step 4 of the *Guidelines*, given the number of actions that have not yet been commenced. Gabon is encouraged to further increase cooperation with relevant partners for the implementation of its NIAP. The recommendation of the Secretariat with regard to Gabon can be found in paragraph 158, recommendation o), in the present document.

**Lao People's Democratic Republic (Lao PDR)**

<b>% OF NIAP ACTIONS IN EACH CATEGORY</b>						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment	0% (0 of 18 actions)	5% (1 of 18 actions)	67% (12 of 18 actions)	23% (4 of 18 actions)	0% (0 of 18 actions)	5% (1 of 18 actions)
Secretariat's assessment	0% (0 of 18 actions)	5% (1 of 18 actions)	55% (10 of 18 actions)	10% (2 of 18 actions)	0% (0 of 18 actions)	30% (5 of 18 actions)

82. The [NIAP of Lao PDR](#) includes 18 priority actions. Lao PDR's self-assessment evaluates one action as 'substantially achieved', 12 actions as 'on track', four as having achieved 'partial progress', and one as 'not commenced'.
83. The Secretariat notes that good progress with some NIAP activities is reflected in the report. The Party down-rated some of its actions, providing a more realistic assessment of progress. It is to note that the Lao PDR has not used the new template for progress reports on NIAP implementation developed by the Secretariat, and that the limited information provided against some actions impeded the ability of the Secretariat to make its own assessment. It should also be noted that the progress reported in some cases does not seem to respond to the action it is reported against.
84. The Secretariat is pleased to note that the review of the Wildlife and Aquatic law as anticipated in action 1.1 of the NIAP is ongoing. Information provided is however too limited to fully understand the progress made since SC67. Action 1.2 in the NIAP is dependent on the completion of action 1.1. Although good progress on matters such as the review of Lao-WEN Terms of References and Operating Procedures are reported, it would seem that a rating of 'not commenced' would be appropriate for this action, or alternatively, for the action to be revised as appropriate. The Lao PDR reports that important amendments to the Penal Code have been approved, and that implementation of this amended Penal Code, which strongly focuses on compliance with CITES and makes provision for strict penalties, is expected to commence shortly. While action 1.3 was rated by the Lao PDR at SC67 as 'substantially achieved', the Party re-rated the action now as 'not commenced'. It would be helpful if the Lao PDR could clarify this change in rating orally at SC69. The Secretariat commends Lao PDR for the training activities conducted in relation to actions 2.1 a) and 2.3. For action 2.1 a) and b) collectively, a rating of 'partial progress' would seem to be appropriate. Based on the information provided with regard to actions 2.2, 2.5 and 2.6, it is difficult for the Secretariat to assess progress in the implementation of these actions. It would however seem that progress is being made with action 2.2, and the Secretariat allocated a rating of 'partial progress' to it. With regards to actions 2.5 and 2.6, the Lao PDR allocated a rating of 'limited progress'. The Secretariat believes that, with the information provided, a rating of 'not commenced' might be more appropriate. Given the information currently available about illegal wildlife trade in domestic markets in the Lao PDR, and considering that the Party is still significantly targeted by organized crime groups as a transit country for illegal wildlife consignments, the Secretariat believes that it is crucial for the Lao PDR to scale up its efforts in particular with regards to these two actions in its NIAP, to ensure progress with implementation. Reporting against action 2.5 focuses only on the closure of domestic ivory markets, and the Secretariat believes that, until this is achieved, it is essential for the Lao PDR to initiate inspections and enforcement actions as anticipated by the activities listed against actions 2.5 and 2.6 in its NIAP. With regards to action 6.1, rated by the Lao PDR as 'limited progress', based on the fact that no information is provided, the Secretariat believes that a rating of 'not commenced' will be more appropriate.
85. The Secretariat is of the opinion that the Lao PDR has made progress with the implementation of its NIAP. However, the limited information provided in some cases made it challenging for the Secretariat to fully assess the progress made. The Secretariat believes that strongly focusing on the implementation of the amended Penal Code, and progressing the implementation of actions 2.5 and 2.6 in the NIAP by initiating inspections and enforcement actions in domestic markets, and scaling up inspections at ports and border checkpoints, would significantly contribute to the efforts of the Lao PDR in combatting illegal trade in ivory. The Standing Committee may wish to consider an overall rating of 'limited progress' in line with Step 4 of the *Guidelines*. The recommendation of the Secretariat with regard to the Lao PDR can be found in paragraph 158, recommendation p), in the present document.

## Mozambique

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment	55% (22 of 40 actions)	33% (13 of 40 actions)	5% (2 of 40 actions)	5% (2 of 40 actions)	3% (1 of 40 actions)	0% (0 of 40 actions)
Secretariat's assessment	55% (22 of 40 actions)	30% (12 of 40 actions)	7% (3 of 40 actions)	5% (2 of 40 actions)	3% (1 of 40 actions)	0% (0 of 40 actions)

86. Mozambique is the only Party that was requested by the Standing Committee to develop a NIAP, and a National Rhinoceros Action Plan. As a result, Mozambique prepared a combined National Ivory and Rhinoceros Action Plan ([NIRAP](#)). The NIRAP of Mozambique includes 40 priority actions for rhinos and elephants. Mozambique's self-assessment, including an addendum dated 3 October 2017, evaluates 22 actions as 'achieved', 13 as 'substantially achieved', two as 'on track', two as having achieved 'partial progress', and one as 'pending completion of another action'.
87. The Secretariat commends Mozambique for the further progress in implementing its NIRAP. As foreseen by the new NIAP template provided by the Secretariat, Mozambique added the pillar of 'reporting' to its progress report. The Party down-rated a number of actions which it had previously rated higher. This indicates a more realistic assessment by the Party of the progress made. Overall, the progress report of Mozambique is very comprehensive, showing the dedication of the Party to implement its NIRAP. The Secretariat further notes that ETIS data submitted to CoP17 identified Mozambique as a Party of 'importance to watch' compared to its previous classification as Party of 'secondary concern'.
88. In accordance with the provisions of Decision 17.137 on Rhinoceroses (*Rhinocerotidae* spp.), the Secretariat conducted a mission to Mozambique from 17-20 July 2017, also in the context of its NIRAP. The Secretariat reports in more detail on this in the document on Rhinoceroses (*Rhinocerotidae* spp.), prepared for the present meeting.
89. While the activities reported in action C.1 are welcome, the Secretariat notes that they do not directly report on the implementation of action C.1. The Secretariat is thus wondering whether an action plan is still being developed as foreseen under action C.1. While welcoming cooperation between Mozambique and Viet Nam, the Secretariat is uncertain as to why these activities are being reported under action D.6. With regard to action E.2, the Secretariat commends Mozambique for the progress made. However, the Secretariat notes that more than half of the villages in question seem to be still awaiting resettlement and the Secretariat would thus propose replacing the rating of 'substantially achieved' with 'on track'. The Secretariat commends Mozambique for the activities reported on action E.8 and E.13, yet, is wondering whether there might be possibilities to institutionalize the patrols, aerial surveys and enforcement operations. Relating to actions E.9 and E.10, the Secretariat commends Mozambique for acknowledging difficulties implementing these actions. The Secretariat commends Mozambique for the public awareness raising activities reported under action F.1 and is wondering whether these activities are part of a communication plan as set out in the NIRAP.
90. The Secretariat is of the opinion that Mozambique has made good progress on a number of actions. It also notes the significant efforts of Mozambique in finding financial support through partnering with other organizations and projects to implement its NIRAP.
91. The Standing Committee may wish to consider an overall rating of 'partial progress' in line with Step 4 of the *Guidelines*, noting however that Mozambique is close to 'substantially achieving' its NIRAP. The recommendation of the Secretariat with regard to Mozambique can be found in paragraph 158, recommendation q), in the present document.

Decisions 17.70, 17.73, paragraph b) and 17.76: Parties that have 'substantially achieved' their NIAPs

92. China, including Hong Kong Special Administrative Region (SAR) of China, Kenya, Malaysia, Uganda and Viet Nam as Parties of 'primary concern', Thailand as Party of 'secondary concern', and the Philippines as Party of 'importance to watch' all meet the criteria set out in Step 5 paragraph a) of the *Guidelines*, and the Secretariat, in accordance with Decision 17.76, applied Step 5 of the *Guidelines* to these Parties.
93. For its evaluation of NIAP implementation by Parties that substantially achieved their NIAPs in accordance with Step 5 paragraph b) of the *Guidelines*, the Secretariat conducted a review of the reports from Parties and documents prepared for SC65, SC66 and SC67. The Secretariat also took into consideration any additional information that came to its attention, and consulted with relevant experts in accordance with the provisions of Step 5 paragraph b).
94. To facilitate its reporting to the Standing Committee, the Secretariat prepared an overview on each of the Parties concerned (available in English only). This overview contains a summary of the key findings of the ETIS Report prepared for CoP17 as it relates to the Party, an overview of NIAP implementation by the Party, and a summary of the results of the Secretariat's consultation with relevant experts. These overviews are available in Annex 13 to the present document.
95. The Secretariat's observations on Parties that 'substantially achieved' their NIAPs are as follows:

**China**

96. The Standing Committee recognised the progress made by China with the implementation of its NIAP and, at both SC66 and SC67, commended China for this progress. At SC67, the Standing Committee also commended China for the policy developments to combat elephant poaching and illegal ivory trade that have taken place since SC66. Following SC67 and CoP17, on 31 December 2016, the General Office of the State Council published Notification No. 103 to close the domestic ivory markets in China by the end of 2017. In March 2017, the State Forestry Administration made public a schedule for the implementation of the closure that affects all of the ivory carving entities and retail outlets across the country, with 67 having been closed already at the time. The Secretary-General of CITES witnessed some of the first tranche of closures in Beijing on 31 March 2017. The remaining 105 carving entities and retail outlets are scheduled to be closed before 31 December 2017. Although the effects of the closure of domestic ivory markets in China remains to be seen, this represents a very significant development, in particular taking into consideration that the ETIS Report states that since 2002, successive ETIS analyses identified China's domestic ivory market as the key driver behind illicit trade in ivory.
97. The ETIS Report also states that Chinese nationals based in Africa are identified in most market surveys as active ivory consumers in Africa's unregulated ivory markets. China, following CoP17, reported to the Secretariat that the work programme of its Management Authority foresees information and education for Chinese workers and citizens abroad about illegal ivory trade, making an appeal to these Chinese nationals to abide by the domestic laws of foreign countries. China also reported that it plans to further intensify its use of forensic applications to combat wildlife crime, and to carry out law enforcement training interventions with other Asian and African countries. The China Enterprise Chamber of Commerce in Uganda, in June 2017, issued a statement committing that Chinese enterprises will strictly abide by the relevant laws and regulations of both Uganda and China, and inform their employees about relevant laws and regulations. The Secretariat welcomes this initiative as an important step towards supporting the implementation of the mentioned work programme.
98. China has taken significant steps and implemented multiple measures in recent years to address illegal trade in ivory. The ETIS Report states that although the many proactive actions taken by the authorities in China since CoP16 are not yet showing consequential impact sufficient to displace its position as country of 'primary concern' in the CoP17 analysis, deeper assessment of the ETIS Transaction Index suggests some measure of positive change, and that the proportion of trade activity that concerns China and Hong Kong SAR collectively against that for all other countries has not grown further and has dropped below 30% for the first time in 2014 (Figure 9 in the CoP17 ETIS Report). This suggests that the measures being taken in China could be starting to produce positive results, and the significant further steps taken by China since CoP17 demonstrate that the Party remains firmly committed to building upon this positive progress through sustained action to combat illegal trade in ivory.
99. The fact that the ETIS analysis prepared for CoP17 continues to identify China as a country of 'primary concern' significantly affected by illegal trade in ivory is also noted. The importance of continued vigilance

and sustained enforcement action to combat illegal ivory trade must be emphasized. This is vital to ensure that ongoing criminal activities do not undermine the commendable progress that has been made by China to date. The ETIS Report states that evidence from on-going market monitoring suggests that illegal channels for retail ivory trade are progressively moving away from physical markets to e-commerce through the internet, including exclusive social media platforms that function on an invitation-only basis, using courier delivery services to move products to consumers. The Report further states that active cross-border wildlife markets in the Lao PDR, Myanmar and Viet Nam have developed primarily for Chinese consumers. Recent reports produced by civil society organizations that were presented to the Secretariat corroborate this and, for example, suggest that organized crime groups involved in illegal ivory trade continue to be operating from China, in particular from Guangdong Province. These reports also suggest that with the ongoing closure of the Chinese domestic ivory market, illegal trade seems to be displaced to countries neighbouring China as criminals seek out locations where it might be easier to conduct this illegal trade. This is reported to be in particular driven by Chinese retailers as well as buyers. The use of social media, in particular the App WeChat, as a tool to facilitate illegal trade is also highlighted.

100. The Secretariat believes that the significant and comprehensive measures that have and continue to be implemented by China demonstrate the firm commitment of the Party to address illegal ivory trade. The full impact of these measures remains to be seen and as pointed out above, sustained action to address those criminal activities that continue to exist remains essential. China has 'substantially achieved' its NIAP actions, yet ETIS analysis continues to identify it as Party of 'primary concern'. The Secretariat recommends that, in accordance with Decision 17.76, Step 5 paragraph d) of the *Guidelines* be applied to China.
101. It may be premature to recommend that China exit the NIAP process at this stage. Given the ongoing nature of activities and measures being implemented by China, requesting the Party to revise or update the completed NIAP would also not be appropriate. The Secretariat believes that it will be appropriate to continue to monitor progress in this matter in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17).

### **Hong Kong SAR of China**

102. The Standing Committee recognised the progress made by Hong Kong SAR with the implementation of its NIAP, and at both SC66 and SC67 commended Hong Kong SAR for this progress. At SC67, the Standing Committee also commended Hong Kong SAR for the further measures taken to implement its NIAP, and the initiatives and policy developments that have taken place since SC66. The ETIS Report states that, apart from functioning primarily as a transit intermediary for ivory destined for the Chinese mainland, Hong Kong also harbours one of the world's largest domestic ivory markets. A significant development in this regard is that Hong Kong announced its intention to phase out domestic trade in ivory by the end of 2021.
103. Hong Kong SAR is taking significant and commendable steps to respond to illegal trade in ivory. Good law enforcement action is being taken by authorities in Hong Kong SAR, a fact that is also highlighted in the ETIS Report. The ETIS Report however continues to identify Hong Kong SAR as a country of 'primary concern' significantly affected by illegal trade in ivory. It is important to note that Hong Kong SAR is not only affected as a destination for illegal ivory consignments, but also as a transit point. Acknowledging the excellent actions taken by law enforcement authorities in Hong Kong SAR in relation to recent seizures of ivory as well as rhinoceros horn, it should also be noted that these seizures suggest that Hong Kong SAR continues to be heavily targeted by organized crime groups involved in this illegal trade. A recent report produced by a civil society organization that was presented to the Secretariat also suggests that Hong Kong SAR continues to be targeted as a transit hub for illegal ivory shipments originating from East and West Africa to mainland China. Another such report suggests that it was found during a recent survey that only 38% of retailers in Hong Kong SAR displayed a license permitting their trade, while 36% of local ivory dealers were willing to sell small ivory products to buyers intending to depart from Hong Kong. The ETIS Report states that, in recent years, mainland Chinese buyers are reported to dominate retail ivory sales. With the ongoing closure of domestic ivory markets in mainland China, there is a risk that illegal trade might be displaced to Hong Kong SAR as well as other countries neighbouring China. For this reason, the urgent need to remain vigilant and sustain strong enforcement action to combat illegal ivory trade continues to exist in the case of Hong Kong SAR. Such action should build upon the strong and commendable enforcement actions that have been taken by authorities in Hong Kong SAR to date. It should continue to target illegal consignments from other countries destined to Hong Kong SAR, and also include strong domestic enforcement to prevent illegal ivory consignments from transiting from Hong Kong SAR to mainland China. Further, it is crucial to ensure that measures remain effective and are quickly adapted to respond to any newly identified trends, with a particular focus on addressing any displacement of crime as a result of the closure of domestic ivory markets in mainland China.

104. Hong Kong SAR has ‘substantially achieved’ its NIAP actions as reported, yet ETIS analysis continues to identify it as Party of ‘primary concern’. The Secretariat recommends that, in accordance with Decision 17.76, Step 5 paragraph d) of the *Guidelines* be applied to Hong Kong SAR.
105. It is premature for Hong Kong SAR to exit the NIAP process at this stage, but given the ongoing nature of activities and measures being implemented, requesting the Party to revise or update the completed NIAP would also at present not be appropriate. The Secretariat believes that it will be appropriate to continue to monitor progress in this matter in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17).

## **Kenya**

106. Reporting to SC67 by Parties that ‘substantially achieved’ their NIAPs on further measures taken to implement their NIAPs and any other initiatives or policy developments to combat elephant poaching and illegal ivory trade, was not compulsory. Kenya in the light of this did not report to SC67. It should be noted that the lack of further information from Kenya since SC66, impeded the ability of the Secretariat to, in accordance with the provisions of Decision 17.76, apply the *Guidelines* to Kenya.
107. The ETIS Report prepared for CoP17 states that since 2013, Kenya has been interdicting with greater success, large-scale ivory consignments prior to export abroad. Positive action continues to be taken in Kenya. In July 2016, a sentence of 20 years’ imprisonment was imposed on Feisal Mohamed Ali, a key player in the illegal ivory trade who was found guilty of possessing more than two tonnes of ivory.<sup>13</sup> More recently, in June 2017, it was reported in open sources that the police in Kenya arrested six offenders that were in possession of 216 kilograms of ivory.<sup>14</sup> It was reported in July 2017 that authorities arrested ten suspects and seized more than 200 kilograms of ivory and 96 kilograms of pangolin scales in a joint operation targeting known dealers and poachers.<sup>15</sup> These and other similar media reports suggest commendable efforts in Kenya to address illegal ivory trade, which must be acknowledged. However, it should also be noted that the ETIS Report states that, since the CoP16 analysis, the organised criminal elements operating in Kenya, the United Republic of Tanzania and Uganda have continued to move large quantities of ivory into, between, and out of these three East African countries, which collectively constitute the greatest illicit ivory trade flows out of Africa in the period 2009 through 2014. Information obtained from other open sources suggest that a well-established criminal organisation that is smuggling drugs as well as ivory and rhino horn from Kenya might still be active in the country.<sup>16</sup>
108. In light of the absence of further information from Kenya since SC66, and taking into consideration the contents of the ETIS Report and the open source information that came to the attention of the Secretariat, the Secretariat recommends that, in accordance with Decision 17.76, Step 5 paragraph d) of the *Guidelines* be applied to Kenya.
109. Individuals and organised crime groups in Kenya continue to play a significant role in the illegal ivory trade chain, and the urgent need to remain vigilant and sustain strong enforcement action to combat poaching and illegal ivory trade continues to exist in Kenya. In this regard, the Party may wish to further build upon the positive progress made in targeting known dealers and poachers, by further enhancing its efforts to gather information and intelligence on organized crime groups that remain active in the country. This could be done with a particular focus on mapping out these networks and to identify and address those individuals that continue to manage and organize ongoing illegal activities. Law enforcement action against these offenders should be taken as appropriate, by deploying conventional investigation techniques, or the use of specialized investigation techniques such as controlled deliveries and covert investigations against them.
110. In light of the above, it is premature for Kenya to exit the NIAP process at this stage, but it would also be inappropriate to request the Party to revise or update the completed NIAP. The Secretariat believes that it will be appropriate to continue to monitor progress in this matter in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17).

---

<sup>13</sup> <http://www.economist.com/news/middle-east-and-africa/21716651-emerging-links-between-two-nasty-trades-do-dope-smugglers-also-peddle-ivory>

<sup>14</sup> <https://www.standardmedia.co.ke/article/2001245082/police-recover-ivory-worth-sh21m-in-utawala-nairobi>

<sup>15</sup> <https://www.standardmedia.co.ke/business/article/2001247206/10-key-dealers-nabbed-and-289-kilos-of-ivory-seized>

<sup>16</sup> <http://www.economist.com/news/middle-east-and-africa/21716651-emerging-links-between-two-nasty-trades-do-dope-smugglers-also-peddle-ivory>

## Malaysia

111. Malaysia in the report it submitted to SC67, placed strong emphasis on the fact that it considers itself purely as a transit country for illegal ivory consignments. This is supported by the ETIS analysis prepared for CoP17, which states that Malaysia remains the leading transit destination for large ivory consignments, and that the scale of the trade directed to Malaysia has increased recently, although law enforcement authorities in the country have made fewer seizures than was the case in the period 2009-2012.
112. Continued seizures of large-scale illegal ivory consignments transiting through Malaysia, such as the large-scale seizure made by authorities in Hong Kong SAR in July 2017,<sup>17</sup> suggest that organized crime groups continue to target the Party as a transit hub for such illegal consignments. Seizures such as the August 2017 seizure of ivory and pangolin scales<sup>18</sup> made by customs authorities in Malaysia shows that good work is being done, but criminals and organised crime groups targeting Malaysia continue to play a significant role in the illegal ivory trade chain, and the urgent need to take strong enforcement action to combat illegal ivory trade transiting through Malaysia continues to exist.
113. The Secretariat, in its observations prepared for SC67, as outlined in Annex 1 to document SC67 Doc. 13, noted that Malaysia reported upon a wide range of activities that have been conducted in relation to Actions 1.1, 2.1, 3.1, 3.2, 5.1, 5.2, 5.3 and 5.5 in its NIAP, all actions of particular relevance in the context of illegal ivory trade as it affects Malaysia. The Secretariat however also noted that very limited information about the on-the-ground impacts of these activities were provided.
114. Malaysia has 'substantially achieved' its NIAP actions as reported, yet ETIS analysis continues to identify it as Party of 'primary concern'. The Secretariat recommends that, in accordance with Decision 17.76, Step 5 paragraph d) of the *Guidelines* be applied to Malaysia.
115. Malaysia submitted a report for the present meeting, which is available as Annex 14 to the present document. The Secretariat would like to thank Malaysia for the report submitted. The document highlights a number of activities conducted by Malaysia, which includes a proposal to amend penalties under the Wildlife Conservation Act 2010; investigations of seven ivory seizure cases between June 2016 and August 2017; a series of local, regional and international capacity-building workshops for enforcement and prosecution officers; cooperation in forensic analysis with Hong Kong SAR and the University of Washington; and improved marking and safekeeping of government-held ivory.
116. In its report for the present meeting, Malaysia indicates that it would like to revise its NIAP, and the report suggests that such a revision has already been done, since the actions addressed in the report differ from the actions contained in the NIAP Malaysia reported against for previous meetings.
117. In light of the continued role of Malaysia as a transit hub for illegal ivory consignments, the Secretariat believes that it would be appropriate for Malaysia to revise and update its NIAP to ensure that its actions respond to current ongoing illegal activities especially as they affect Malaysia as transit country. Updating the NIAP could, in addition to activities currently included in the report provided, focus in particular on scaling up enforcement operations at sea ports and airports, intelligence gathering activities, improving risk assessment, enhanced targeting with respect to containerised sea and air cargo moving between Africa and prominent destinations in Asia and the use of controlled deliveries. To build upon the progress made to date, it will be important for such a revision to focus in particular on further enhancing on-the-ground operations that will facilitate the sharing of information and collaboration in support of combatting illegal ivory trade. As noted by the Secretariat in Annex 1 to document SC67 Doc. 13, the ivory seizures which resulted from the ivory surveillance operations conducted, and from the information received from enforcement agencies of the countries of the Association of Southeast Asian Nations (ASEAN) exemplify the types of activities that a revised NIAP could include.
118. Malaysia, in its progress report to SC67, as well as in its report for the present meeting, states that the actions in its NIAP are not one-off activities, but sustained efforts that need to be strengthened to ensure that it becomes part of the standard operating procedures or priorities of Management Authorities and enforcement agencies. Malaysia reported that it will continue to take part in regional collaboration activities and special joint enforcement operations, as well as domestic multi-agency operations. As was also noted in Annex 1 to document SC67 Doc. 13, the Secretariat believes that the continuation of such activities will be key for Malaysia. Updating its NIAP using the new NIAP template and continuing implementation could

---

<sup>17</sup> <https://www.theguardian.com/environment/2017/jul/06/hong-kong-authorities-seize-record-ivory-haul>

<sup>18</sup> <http://www.reuters.com/article/us-malaysia-trafficking-wildlife-idUSKBN1A10DU>

further support embedding these issues as standard operating procedures or priorities for Management Authorities and enforcement agencies in Malaysia.

### **Philippines**

119. The Standing Committee recognised the progress made by the Philippines with the implementation of its NIAP and, at both SC66 and SC67, commended the Philippines for this progress. At SC67, the Standing Committee also commended the Philippines for the policy developments to combat elephant poaching and illegal ivory trade that have taken place since SC66.
120. Most notable is the shift of the Philippines from a country of 'primary concern' in the CoP16 ETIS analysis, to a country of 'importance to watch' in the CoP17 ETIS analysis. This represents the most significant shift into a group of lesser prominence among all NIAP Parties to date. It is also important to note that the ETIS Report prepared for CoP17 states that the Philippines is now an 'occasional' transit country with a role in at least one recent large ivory seizure case, yet rarely otherwise involved in the trade chains of seizures reported by other countries, thus pointing to a major shift in the Philippines contemporary connection to evolving ivory trade dynamics. It is further stated that the report considers the Philippines to be a country of 'importance to watch' in order to raise attention and track existing and emerging developments which could potentially become problematic in terms of sources, trade routes or markets in future iterations of the ETIS analysis.
121. In light of the above, in accordance with the provisions of Decision 17.76, Step 5 paragraph d) of the *Guidelines* apply to the Philippines. Given that the ETIS report prepared for CoP17 still identifies the Philippines as a Party of 'importance to watch', it may be premature to recommend that the Philippines exit the NIAP process at this time, but it would also be inappropriate to request the Party to revise or update the completed NIAP. The Secretariat believes that it will be appropriate to continue to monitor progress in this matter in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17).

### **Thailand**

122. The Standing Committee recognised the progress made by Thailand with the implementation of its NIAP and, at both SC66 and SC67, commended Thailand for this progress. At SC67, the Standing Committee also commended Thailand for the policy developments to combat elephant poaching and illegal ivory trade that have taken place since SC66.
123. Most notable is that Thailand shifted from a Party of 'primary concern' in the CoP16 ETIS analysis to a group of lesser prominence in the CoP17 ETIS analysis, which identifies it as a Party of 'secondary concern'. The ETIS report prepared for CoP17 states that the domestic ivory market in Thailand has experienced a major decline following implementation of new legislation. This is also corroborated by the rapid assessment report of the United Nations Office on Drugs and Crime (UNODC) entitled *Criminal justice response to wildlife crime in Thailand*.<sup>19</sup> This report states that based on research undertaken by TRAFFIC in 2016, a 96% reduction in ivory on sale in the domestic market compared with 2012 was observed as a consequence of Thailand's NIAP implementation. The same report states however that continued success is dependent on further law enforcement action as well as anti-corruption measures targeted at wildlife trafficking.
124. In light of the above, the Secretariat recommends that, in accordance with Decision 17.76, Step 5 paragraph d) of the *Guidelines* be applied to Thailand.
125. The ETIS Report prepared for CoP17 states that Thailand was not the destination for any large-scale ivory seizures in the period 2012-2014 and that, in the context of its NIAP, a series of far-reaching changes in policy, legislation, law enforcement and awareness initiatives have been rolled out by the Government. Although there is work that remains to be done, the substantial efforts made by Thailand to implement its NIAP and the progress made to date must be fully recognized. As is stated in the ETIS report prepared for CoP17, given the past positioning of Thailand in ETIS analyses, it has arguably made the most impressive strides of any country in addressing illegal ivory trade problems since CoP16.
126. It may however be premature to recommend that Thailand exit the NIAP process at this time, but it would also be inappropriate to request the Party to revise or update the completed NIAP. The Secretariat believes

---

<sup>19</sup> [https://www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Thai\\_Assessment\\_13\\_16\\_May\\_2017.pdf](https://www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Thai_Assessment_13_16_May_2017.pdf)

that it will be appropriate to continue to monitor progress in this matter in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17).

127. Thailand submitted a report for the present meeting, which is available as Annex 15 to the present document. The Secretariat would like to thank Thailand for the report submitted.

### **Uganda**

128. The Secretariat, in Annex 1 to document SC67 Doc. 13, noted that Uganda provided ample information in its report to SC67, to justify progress ratings allocated to its NIAP actions, and that Uganda was at SC67 able to report that it has 'substantially achieved' its NIAP.
129. Since SC67, positive action continued to be taken in Uganda to combat illegal ivory trade. In February 2017 for example, Ugandan authorities made a large-scale seizure of illegal ivory and arrested three West Africans after monitoring them for several weeks.<sup>20</sup> Other developments include a declaration issued by the China Enterprise Chamber of Commerce Uganda (CECCU) in June 2017, in which the CECCU commits to strong support for wildlife conservation and action against illegal trade in wildlife by Chinese enterprises in Uganda.<sup>21</sup>
130. The ETIS Report prepared for CoP17 states that, since 2013, Uganda has been interdicting with greater success, large-scale ivory consignments prior to export abroad, and that the Party has greatly increased the number of seizures being made and reported to ETIS during the period 2012-2014. The Report further states that, since the CoP16 analysis, organised criminal elements operating in Kenya, the United Republic of Tanzania and Uganda have continued to move large quantities of ivory into, between, and out of these three East African countries, which collectively constitute the greatest illicit ivory trade flows out of Africa in the period 2009 through 2014. Importantly, it also states that Uganda has more frequently been implicated in seizures made by others.
131. In light of the above, the Secretariat recommends that, in accordance with Decision 17.76, Step 5 paragraph d) of the *Guidelines* be applied to Uganda.
132. Uganda continues to be a Party of 'primary concern' in the ETIS analysis prepared for CoP17, and it would be premature for Uganda to exit the NIAP process. Individuals and organised groups in Uganda continue to play a significant role in the illegal ivory trade chain, noting that the ETIS Report states that Uganda has more frequently been implicated in seizures made by others. The urgent need to remain vigilant and sustain strong enforcement action to combat poaching and illegal ivory trade continues to exist in Uganda. The Secretariat believes that, to build upon the excellent progress made to date, it would be appropriate for Uganda to update its NIAP to ensure that its actions respond to current threats. This could be done with a particular focus on mapping out the criminal networks that remain active in the country and on identifying and addressing those individuals that continue to manage and organize the ongoing illegal activities. Law enforcement action against these offenders should be taken by, as appropriate, deploying conventional investigation techniques, or the use of specialized investigation techniques such as controlled deliveries and covert investigations against them. Where legislation has been amended or new regulations adopted, the revised NIAP could focus on actions to promote the implementation of new legislation and regulations.

### **Viet Nam**

133. The Standing Committee recognised the progress made by Viet Nam with the implementation of its NIAP and, at both SC66 and SC67, commended Viet Nam for this progress. At SC67, the Standing Committee also commended Viet Nam for the policy developments to combat elephant poaching and illegal ivory trade that have taken place since SC66.
134. The ETIS Report prepared for CoP17 continues to identify Viet Nam as a Party of 'primary concern' significantly affected by illegal trade in ivory, and states that, during the period 2012-2014, the number of seizures made and reported by Viet Nam has declined, while Viet Nam was more frequently implicated in seizures made by others.

---

<sup>20</sup> <http://www.dailymail.co.uk/wires/ap/article-4237400/Uganda-seizes-ton-ivory-arrests-2-West-African-suspects.html>

<sup>21</sup> <http://www.busiweek.com/index1.php?Ctp=2&pl=5868&pLv=3&srI=57&spl=23&cl=19>

135. It is important to note that Viet Nam no longer seems to be affected as a transit country for illegal ivory consignments only and that information increasingly suggests that it is also a destination country for such consignments. The ETIS Report states that evidence suggests that local ivory processing in Viet Nam has been escalating over the last three years, especially for cross border ivory markets primarily catering to Chinese tourists. The Report indicates that a series of villages in the vicinity of Hanoi are of particular concern, and that ivory is found for sale in considerable quantities in places such as Buon Ma Thuot City in Dak Lak province in the central highlands, noting that these places have not previously been identified as locations for significant domestic ivory trade. The report also notes that the open display of ivory (and other wildlife products such as rhinoceros horn) in these markets indicates a lack of targeted law enforcement action in Viet Nam, and that not a single ivory seizure case reported to ETIS by Viet Nam in the 2012-2014 period concerns law enforcement action in the market place. The ongoing closure of domestic ivory markets in China creates the risk that illegal trade might be displaced to its neighbouring countries, including Viet Nam. Given the findings of the ETIS Report, this might already be the case.
136. Viet Nam, in its report to SC67, stated that, according to a survey, no significant market for ivory exists in the country. However, as highlighted in document SC67 Doc. 13 on the *National Ivory Action Plans Process* and further elaborated upon in paragraph 23 of document SC67 Doc. 22.1 on *Conservation of and trade in African and Asian rhinoceroses (Rhinocerotidae spp.)*, information received by the Secretariat aligns with the findings of the ETIS Report, and indicates that criminal syndicates heavily involved in the trafficking in rhinoceros horn, ivory, tiger and other illicit wildlife specimens continue to operate in Viet Nam. It hence remains crucial for Viet Nam to further scale up law enforcement efforts and to continue to initiate operations to combat illegal wildlife trade, both in its domestic markets and at the international level.
137. In accordance with the provisions of Decision 17.135 on Rhinoceroses (*Rhinocerotidae spp.*), the Secretariat conducted a mission to Viet Nam from 18-22 September 2017. The Secretariat reports in more detail on this in the document on Rhinoceroses (*Rhinocerotidae spp.*), prepared for the present meeting. Viet Nam also prepared a report for the present meeting, which is available as an Annex to the same document.
138. The Secretariat recommends that, in accordance with Decision 17.76, Step 5 paragraph d) of the *Guidelines* be applied to Viet Nam.
139. A significant number of commendable measures and activities have been undertaken and implemented by Viet Nam to date, including commitments made at the highest level. In November 2016, the Party hosted the Hanoi Conference on Illegal Wildlife Trade,<sup>22</sup> which played an important role in supporting efforts to combat wildlife crime more effectively, to raise the profile of wildlife crime, and to secure political support for combating it.
140. Despite the commendable progress made with NIAP implementation, individuals and organised groups in Viet Nam seem to continue to play a significant role in the illegal ivory trade chain. Similarly, the Party continues to be significantly affected by illegal rhinoceros horn trade. The urgent need to remain vigilant and sustain strong enforcement action to combat this illegal trade continues to exist in Viet Nam. The positive progress made by the Party is seriously undermined by the activities of individuals and organised groups involved in illegal wildlife trade.
141. Indications are that the new amended Penal Code scheduled to enter into force in Viet Nam on 1 January 2018, will enable authorities take strong action against wildlife crime. For the new amended Penal Code to have the desired impact, effective implementation will however be essential.
142. Given the role of Viet Nam as a transit point for illegal ivory consignments, and increasingly as a destination country for such illegal consignments, the Secretariat believes that it would be appropriate for the Party to update its NIAP to ensure that its actions respond to current and emerging threats, and support and complement ongoing policy developments. In this regard, the Standing Committee may wish to request Viet Nam to, similar to Mozambique, develop a combined National Ivory and Rhinoceros Action Plan (NIRAP).
143. The Secretariat believes that it will be essential for Viet Nam to include actions to promote the implementation of the new revised Penal Code in such a revised NIRAP. Equally, with regard to illegal domestic trade, developing a NIRAP could focus in particular on enhancing intelligence gathering activities, mapping out criminal networks operating within the country to identify and address those individuals that continue to manage and organize the ongoing illegal activities. With regard to illegal international trade, Viet

---

<sup>22</sup> [https://cites.org/eng/Intervention\\_CITES\\_Secretary-General\\_at\\_Hanoi\\_Conference\\_on\\_Illegal\\_Wildlife\\_Trade\\_17112016](https://cites.org/eng/Intervention_CITES_Secretary-General_at_Hanoi_Conference_on_Illegal_Wildlife_Trade_17112016)

Nam could consider including actions in its NIRAP with a particular focus on the implementation of measures to address the activities of organized crime groups involved in cross-border tourist trade. The Secretariat believes that Viet Nam could benefit from including actions in its NIRAP that would, as appropriate, make provision for deploying conventional investigation techniques, or the use of specialized investigation techniques such as controlled deliveries and covert investigations against the crime groups involved in wildlife crime.

#### ETIS methodology

144. During the Secretariat's consultation with possible new Parties to participate in the NIAP process identified in the [ETIS Report](#) prepared for CoP17, and during the postal procedure on NIAPs that followed CoP17, several Parties indicated that they do not agree with the methodology, findings and conclusions of the Report. This is also a matter highlighted in reports received from Parties for the present meeting, such as for example the report received from Malaysia.
145. Singapore engaged a statistician from the National University of Singapore and an economist from the Singapore Management University to undertake a preliminary analysis of the ETIS Report's methodology. The analysis raised several questions about the methodology and conclusions of the Report.
146. The Secretariat conveyed the concerns regarding the ETIS Report methodology raised by Singapore and Standing Committee members to TRAFFIC.
147. At SC66, the Committee already noted the Monitoring the Illegal Killing of Elephants (MIKE) and ETIS Subgroup's recommendation that the MIKE and ETIS Technical Advisory Group (TAG) should review some of the ETIS data classification and analysis (see document SC66 Com. 9).
148. Under Resolution Conf. 10.10 (Rev. CoP17), the MIKE and ETIS TAG is established by the Standing Committee and supports the development and implementation of ETIS. The Secretariat therefore suggests that the MIKE and ETIS TAG reviews the concerns raised, and believes it would be appropriate to invite other Parties that would be interested to provide inputs on this matter, to provide such inputs to the Secretariat by 1 February 2018 for forwarding to the MIKE and ETIS TAG to enable the TAG to consider these inputs together with those already available. The Secretariat further suggests that the TAG provides guidance to the Standing Committee, including on whether additional expertise is needed to address these issues. As a co-opted member of the TAG, the ETIS statistician will need to recuse herself from this review.

#### Decision 17.74: Review of current names of the categories used in the ETIS Report

149. In accordance with Decision 17.74, the Secretariat consulted with TRAFFIC in order to review current names of the categories used to group Parties identified in the ETIS Report. Based on this consultation, the Secretariat proposes that the current names of the categories be changed to more generic names, accompanied by an additional layer of description.
150. The Secretariat suggests that:
  - a) Parties of 'primary concern' become 'Category A Parties'. Category A consists of Parties most affected by the illegal trade in ivory;
  - b) Parties of 'secondary concern' become 'Category B Parties'. Category B consists of Parties markedly affected by the illegal trade in ivory"; and
  - c) Parties of 'importance to watch' become 'Category C Parties'. Category C consists of Parties affected by the illegal trade in ivory.
151. The Secretariat recommends that the Standing Committee request ETIS to use any new names agreed for the categories at the present meeting in future ETIS Reports, and request the Secretariat to amend Annex 3 to Resolution Conf. 10.10 (Rev. CoP17) accordingly to reflect these changes, for consideration by the Committee and onward submission to the 18th meeting of the Conference of the Parties.

#### Decisions 17.77: Templates for NIAPs and progress reports

152. The Secretariat in accordance with the provisions of Decision 17.77 developed a template for NIAP development, as well as a template for progress reports on NIAP implementation. Both these templates are

available in English, French and Spanish, on the NIAP webpage.<sup>23</sup> The Secretariat also distributed the templates to all relevant Parties.

#### Decisions 17.80 to 17.82: Liaison with the International Consortium on Combating Wildlife Crime (ICCWC), NIAP meeting, and financial and/or technical assistance

153. At the time of writing the Secretariat was exploring options for convening a meeting of representatives of Parties concerned with the development and implementation of NIAPs, as described in Decision 17.80, in the first half of 2018. The Secretariat will provide further reporting to the Standing Committee on this at its 70th meeting.
154. Pursuant to Decision 17.81, the Secretariat actively encouraged ICCWC partner agencies to support NIAP implementation, and to take NIAPs into consideration when developing their work plans in NIAP countries. A number of NIAP Parties have to date benefitted from ICCWC support, for example through the implementation of the ICCWC *Wildlife and Forest Crime Analytic Toolkit*.<sup>24</sup> Other examples include UNODC's rapid assessment on *Criminal justice response to wildlife crime in Thailand*,<sup>25</sup> the ICCWC anti-money laundering training in Kenya delivered by the World Bank,<sup>26</sup> and the work done by Singapore together with INTERPOL on analyses, as described in Singapore's report for the present meeting. Other ongoing ICCWC activities that will also benefit NIAP Parties, are for example the development of anti-corruption guidelines and the anticipated work to develop an electronic directory of laboratories that conduct wildlife forensic testing, as reported upon in the document on *Enforcement matters* prepared for the present meeting.
155. In the context of Decision 17.82, the Secretariat would like to thank the United States of America for its generous funding to support NIAP implementation in a number of Southeast Asian countries. The Secretariat will engage with relevant Parties shortly to discuss the support that could be provided and to work with these Parties to identify the actions that are of highest priority to be addressed.
156. The Secretariat notes that the work on NIAPs continues to place significant additional administrative and substantive tasks on the Secretariat, including coordinating communication with Parties and undertaking a large amount of intersessional work as required by the Standing Committee. The Secretariat's activities have only been possible through the provision of external resources coming from Germany and the United States of America. The funds provided by the United States of America allowed the Secretariat to appoint a full-time consultant as a NIAP Support Officer. Additional support is also provided by Germany through the provision of a joint CITES-CMS staff member. The Secretariat expresses its gratitude to the donors for their generous and very timely contributions.

#### Final remarks

157. Elephant poaching and illegal trade in ivory continue to be a matter of significant concern. Although data available through MIKE continues to indicate a slight decline in the levels of illegal killing of elephants, illegal killing continues at unsustainably high levels that exceed the natural rate of population increase. As a result, the need for urgent steps to be taken to address high levels of elephant poaching and illegal ivory trade continues to exist.

#### Recommendations

158. The Secretariat recommends that the Standing Committee:
- a) Note this document and its Annexes, and consider the reports submitted by Parties and the evaluations and recommendations of the Secretariat.

---

<sup>23</sup> [https://cites.org/eng/prog/niaps/Guidelines\\_templates](https://cites.org/eng/prog/niaps/Guidelines_templates)

<sup>24</sup> [https://cites.org/sites/default/files/eng/prog/iccwc/ICCWC\\_Toolkit\\_implementation\\_table\\_rev12July17-web.pdf](https://cites.org/sites/default/files/eng/prog/iccwc/ICCWC_Toolkit_implementation_table_rev12July17-web.pdf)

<sup>25</sup> cf. paragraph 123 above

<sup>26</sup> Cf. the document on *Enforcement matters prepared for the present meeting*

## Possible new Parties to participate in the National Ivory Action Plans (NIAP) process

### **Japan**

- b) The Secretariat recommends that the Standing Committee:
  - i) note the report received from Japan;
  - ii) encourage Japan to remain vigilant in its efforts to combat illegal trade in ivory, and to closely review trends to ensure that the activities and measures it is implementing respond effectively to illegal trade in ivory as it affects the country; and
  - iii) request the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at its 70th meeting (SC70).

### **Qatar**

- c) The Secretariat recommends that the Standing Committee:
  - i) include Qatar in the NIAP process; and
  - ii) request the Party to develop and implement a NIAP in accordance with the *Guidelines*.

### **Singapore**

- d) The Secretariat recommends that the Standing Committee:
  - i) not include Singapore in the NIAP process at present;
  - ii) request the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at SC70.

### **South Africa**

- e) The Secretariat recommends that the Standing Committee:
  - i) request the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at SC70; and
  - ii) in the absence of any report or oral update to SC69 by South Africa, on any further measures taken to combat illegal trade in ivory, including updated information on the activities and initiatives outlined in paragraph 36 above, request South Africa to submit a report to the Secretariat, 90 days before the 70th meeting of the Standing Committee, so that the Secretariat can make the report available to the Standing Committee at SC70, together with any recommendations it may have.

### **Sri Lanka**

- f) The Secretariat recommends that the Standing Committee:
  - i) not include Sri Lanka in the NIAP process at present;
  - ii) note the report received from Sri Lanka;
  - iii) encourage Sri Lanka to remain vigilant in its efforts to combat illegal trade in ivory, and to closely review trends to ensure that the activities and measures implemented respond effectively to illegal trade in ivory as it affects the country; and

- iv) request the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at SC70.

## **Togo**

- g) The Secretariat recommends that the Standing Committee request the Secretariat to, in accordance with Step 4, paragraph f) of the *Guidelines*, on behalf of the Committee:
  - i) issue a 'written caution' to Togo in accordance with paragraph 29 c) in the Annex to Resolution Conf. 14.3 on *CITES compliance procedures*, offering advice and assistance to the Party and requesting Togo to submit an 'adequate' NIAP developed in accordance with the provisions of Step 2 of the *Guidelines*, to the Secretariat, within 60 days of the conclusion of SC69;
  - ii) should Togo fail to comply with the written caution, send a 'public notification' in accordance with paragraph 29 f) in the Annex to Resolution Conf. 14.3, to all Parties advising that compliance matters have been brought to the attention of Togo and that, up to that time, there has been no satisfactory response; and
  - iii) issue a 'warning' in accordance with paragraph 29 g) in the Annex to Resolution Conf. 14.3, informing Togo that it is in non-compliance with the *Guidelines to the National Ivory Action Plans Process*, established by the Conference of the Parties in Annex 3 to Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens*, and requesting Togo to submit an 'adequate' NIAP developed in accordance with the provisions of Step 2 of the *Guidelines*, to the Secretariat within 60 days of the date of the warning letter.
- h) The Secretariat recommends that the Standing Committee, should Togo fail to submit an 'adequate' NIAP despite the compliance process outlined in recommendation g) above, consider at SC70 additional compliance measures, including initiating an Article XIII compliance process or a recommendation to suspend trade.

## Parties that continue implementing their NIAPs

### **Cameroon, Democratic Republic of the Congo, Egypt, Ethiopia, Nigeria and the United Republic of Tanzania**

- i) The Secretariat recommends that the Standing Committee, regarding the United Republic of Tanzania as Party of 'primary concern', Cameroon, Ethiopia and Nigeria as Parties of 'secondary concern', and the Democratic Republic of the Congo and Egypt as Parties of 'importance to watch':
  - i) note that these Parties did not submit reports on progress with NIAP implementation that allowed for their progress to be reflected in the present document; and
  - ii) consider any progress reports submitted by these Parties ahead of SC69, and any oral updates provided by these Parties at the present meeting, and make any further recommendations on these Parties as appropriate.
- j) In the absence of any report or oral update on progress with NIAP implementation to SC69 by the Parties mentioned in recommendation i) above, request the Secretariat in accordance with Step 4, paragraph f) of the *Guidelines*, on behalf of the Committee to:
  - i) issue a 'written caution' in accordance with paragraph 29 c) in the Annex to Resolution Conf. 14.3 on *CITES compliance procedures*, offering advice and assistance and requesting the Parties concerned to submit their NIAP progress reports confirming that progress has been made towards NIAP actions, to the Secretariat, within 60 days of the conclusion of SC69;
  - ii) should any of the Parties concerned fail to comply with the 'written caution', send a 'public notification' in accordance with paragraph 29 f) in the Annex to Resolution Conf. 14.3, to all Parties advising that compliance matters have been brought to the attention of these Parties, and that up to that time, there has been no satisfactory response; and

- iii) issue a 'warning' in accordance with paragraph 29 g) in the Annex to Resolution Conf. 14.3, informing any of the Parties concerned that it is in non-compliance with the *Guidelines to the National Ivory Action Plans Process*, established by the Conference of the Parties in Annex 3 to Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens*, and requesting the Parties concerned to submit progress reports to the Secretariat confirming that progress has been made towards NIAP actions within 60 days of the date of the warning letter.
- k) The Secretariat recommends that the Standing Committee, should any of the Parties concerned despite the compliance process outlined in recommendation j) above, fail to submit a report on progress with NIAP implementation to the Secretariat, confirming that progress has been made towards NIAP actions, consider at SC70 additional compliance measures, including initiating an Article XIII compliance process or recommendation to suspend trade.

## Angola

- l) The Secretariat recommends that the Standing Committee, in accordance with Step 4 paragraph f) of the *Guidelines*, request Angola to:
  - i) revise and update its NIAP in accordance with the provisions of Step 2 of the *Guidelines*, taking into consideration the following:
    - A. how NIAP actions that have not been achieved, as contained in its NIAP accepted as 'adequate' in 2015 and available on the NIAP webpage, can be included in the revised NIAP; and
    - B. the inclusion of activities to build upon the progress already made and reported upon, for example specific activities to be conducted by the ivory seizure task force established in accordance with Pillar 2.2 of the progress report to SC69, future activities of the ivory inventory technical group described in Pillar 2.3 of the report, etc.
  - ii) submit the revised and updated NIAP to the Secretariat for assessment in accordance with Step 3 of the *Guidelines*, and take urgent steps to progress the implementation of the revised and updated NIAP as soon as it is accepted as 'adequate' by the Secretariat and provide associated reporting on implementation in accordance with the provisions set out in the *Guidelines*.
- m) The Secretariat recommends that the Standing Committee encourage Parties, governmental, intergovernmental and non-governmental organizations and others to, where possible, provide financial and technical assistance to Angola, in accordance with Decision 17.82, and to inform the Secretariat accordingly.

## Cambodia

- n) The Secretariat recommends that the Standing Committee:
  - i) agree an overall rating of 'limited progress' in line with Step 4 paragraph e) of the *Guidelines*;
  - ii) request Cambodia to enhance efforts to progress the implementation of NIAP actions between SC69 and SC70, and provide associated reporting in accordance with the provisions set out in the *Guidelines*; and
  - iii) request the Secretariat to conduct a technical mission to Cambodia in accordance with paragraph 29 e) in the Annex to Resolution Conf. 14.3 on *CITES compliance procedures* at the invitation of Cambodia, to meet with national agencies responsible for NIAP implementation, offer assistance, and identify appropriate steps to progress the implementation of the NIAP, and report its findings and recommendations to the Committee at its 70th meeting.

## Congo and Gabon

- o) The Secretariat recommends that the Standing Committee:
  - i) agree an overall rating of 'limited progress' in line with Step 4 paragraph e) of the *Guidelines*; and

- ii) request the Congo and Gabon to enhance efforts to progress the implementation of NIAP actions between SC69 and SC70, and provide associated reporting in accordance with the provisions set out in the *Guidelines*.

#### **Lao People's Democratic Republic**

- p) The Secretariat recommends that the Standing Committee:
  - i) agree an overall rating of 'limited progress' in line with Step 4 paragraph e) of the *Guidelines*;
  - ii) request the Lao PDR to enhance efforts to progress the implementation of NIAP actions between SC69 and SC70, with a particular focus on the implementation of its amended Penal Code and progressing the implementation of Actions 2.5 and 2.6 in its NIAP, by initiating inspections and enforcement actions in domestic markets, and scaling up inspections at ports and border checkpoints; and
  - iii) request the Lao PDR to use the template for progress reports on NIAP implementation available on the NIAP webpage for future reporting on progress with NIAP implementation, including providing sufficiently detailed reporting to enable the Secretariat to fully assess the progress made.

#### **Mozambique**

- q) The Secretariat recommends that the Standing Committee welcome the progress made by Mozambique and agree an overall rating of 'partial progress' in line with Step 4 paragraph e) of the *Guidelines*.

#### Parties that have 'substantially achieved' their NIAPs

#### **China, Hong Kong SAR of China, Kenya, Philippines and Thailand**

- r) The Secretariat recommends that the Standing Committee, in accordance with the provisions of Step 5 paragraph d) of the *Guidelines*:
  - i) request the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at SC70; and,
  - ii) encourage China, Hong Kong SAR of China, Kenya, Philippines and Thailand to submit a report to the Secretariat, 90 days before the deadline for submission of documents to the 70th meeting of the Standing Committee, on any further measures taken and activities implemented to combat illegal ivory trade, including on any new or further policy developments, so that the Secretariat can make the reports available to the Standing Committee at SC70.
- s) The Secretariat recommends that the Standing Committee agree that it will consider at SC70 whether China, Hong Kong SAR of China, Kenya, Philippines and Thailand should exit the NIAP process, in accordance with Step 5 paragraph d) of the *Guidelines*.

#### **Malaysia and Uganda**

- t) The Secretariat recommends that the Standing Committee, in accordance with Step 5 paragraph d) of the *Guidelines*, request Malaysia and Uganda respectively to:
  - i) revise and update their NIAPs in accordance with Step 2 of the *Guidelines*, to ensure that the actions in them respond to current threats, and taking into consideration the observations made by the Secretariat in paragraphs 117 and 118 of the present document with regards to Malaysia, and in paragraph 132 of the present document with regards to Uganda; and
  - ii) submit their revised and updated NIAPs to the Secretariat for assessment in accordance with Step 3 of the *Guidelines*, and commence implementation as soon as their revised and updated NIAPs are accepted as 'adequate' by the Secretariat, and provide associated reporting in accordance with the provisions set out in the *Guidelines*.

## **Viet Nam**

- u) The Secretariat recommends that the Standing Committee in accordance with Step 5 d) of the *Guidelines*, request Viet Nam to:
  - i) revise and update its NIAP in accordance with Step 2 of the *Guidelines*, and develop a combined National Ivory and Rhinoceros Action Plan (NIRAP), taking into consideration the observations made by the Secretariat in paragraph 143 of the present document; and
  - ii) commence implementation of the newly updated NIRAP and provide associated reporting, in accordance with the provisions set out in the *Guidelines*.

## Other matters

### **ETIS methodology**

- v) The Secretariat recommends that the Standing Committee request the MIKE and ETIS Technical Advisory Group to review the concerns raised about the ETIS methodology along with any further observations Parties may send to the Secretariat on this matter by 1 February 2018; and report its findings and recommendations to the Committee at SC70, including on whether additional expertise is needed to address these issues.

### **Review of current names of ETIS categories**

- w) The Secretariat recommends that the Standing Committee:
  - i) adopt the new names for the NIAP Party categories suggested in paragraph 150 of the present document;
  - ii) request ETIS to use the new names in future ETIS Reports; and
  - iii) request the Secretariat to amend Annex 3 to Resolution Conf. 10.10 (Rev. CoP17) accordingly to reflect these changes, for consideration by the Standing Committee and onward submission to the 18th meeting of the Conference of the Parties.