

NATIONAL IVORY ACTION PLAN (MALAYSIA)

| Pillar | Action | Baselines (B) and indicators (I) | Milestones | Responsible national agency | Costs, funding availability and needs |
|---|---|--|---|---|---|
| 1. Legislation and regulations | 1. Revise the Wildlife Conservation Act 2010 (Act 716) to deter ivory trafficking and illegal wildlife trade through strong penalties, including custodial sentences. | B: Penalty for ivory trafficking is an administrative fine not exceeding MYR100,000 or to imprisonment for a term not exceeding 3 years or both. | <p>M1: 11/2017 [Completed] First draft of revised Act ready.</p> <p>M2: 03/2018 [Ongoing] Consultation with relevant stakeholders completed.</p> <p>M3: 09/2018 Final draft of revised Act ready for approval.</p> <p>M4: 01/2019 Revised legislation passed by parliament.</p> | <p>MNRE</p> <p>PERHILITAN</p> | <p>Costs:</p> <p>Funding to be secured: <input type="checkbox"/></p> <p>Not applicable: <input checked="" type="checkbox"/></p> |
| | 2. Conduct a review of wildlife crime cases before court to identify measures to improve successful prosecution rate. | B: 70% of wildlife crime cases successfully prosecuted (2016-2017) | <p>M1: 05/2018 [Completed] Consultations with all relevant stakeholders on the review results completed.</p> <p>M2: 08/2018 Recommendations to address gaps and improve successful prosecution rate drafted.</p> <p>M3: 12/2018 Review and revise target percentage of prosecuted cases towards a continuous improvement.</p> | <p>PERHILITAN</p> <p>RMCD</p> <p>AGC</p> <p>FCM</p> | <p>Costs:</p> <p>Funding to be secured: <input type="checkbox"/></p> <p>Not applicable: <input checked="" type="checkbox"/></p> |
| I: 5% increase in successful prosecution case over 18 months. | | | | | |

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| 2. National level enforcement action and inter-agency collaboration | 1. Various collaboration among enforcement agencies conducted | B: No standardize operation and reporting mechanism among agencies | M1: 06/2018 [Completed] Draft Standard Operating Procedure ready. | MNRE PERHILITAN | Costs: USD10,000 Funding needs: <input checked="" type="checkbox"/> Request for technical and financial support will be submitted to ICCWC. |
| | | I: Standard Operating Procedures for wildlife crime established. | M2: 09/2018 Consultation with relevant enforcement agencies. M3: 12/2018 Standard Operating Procedures for wildlife crime established and enforced. | SWD RMCD MMEA MBSA | Not applicable: <input type="checkbox"/> |
| | 2. Conduct capacity building activities for enforcement agencies in combating wildlife crime. | B: Enforcement officers lack of wildlife crime enforcement knowledge and skill. | M1: 2/2018 [Completed] Meeting with relevant agencies and planning for capacity building programme. M2: 06/2018 Two capacity building activities held. M3: 11/2018 At least four capacity building activities conducted. | PERHILITAN SWD RMCD MMEA MBSA | Costs: USD50,000 Funding needs: <input checked="" type="checkbox"/> Request for technical and financial support will be submitted to ICCWC. Not applicable: <input type="checkbox"/> |
| 3. Plan and initiate at least five joint national intelligence driven wildlife crime operations targeting places most affected by or used for wildlife crime, particularly at protected areas and border points. | B: Places most affected by or used for wildlife crime are rarely targeted through active or scaled-up law enforcement presence. | M1: 01/2018 [Completed] Meeting between relevant national agencies to identify places at national level that are most affected by or used for wildlife crime and to plan operations as appropriate. | PERHILITAN RMCD RMP MMEA | Costs: Funding to be secured: <input type="checkbox"/> Not applicable: <input checked="" type="checkbox"/> | |
| | I: Law enforcement activities are strategically targeted towards the places at | M2: 06/2018 [Ongoing] At least three joint national operations | | | |

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| | | national level that are most affected by or used for wildlife crime. | initiated and completed. M3: 11/2018 Five planned joint national operations initiated and completed. | MBSA | |
| | 4. Develop country specific national level risk profiles and indicators to combat wildlife trafficking, in particular ivory trafficking. | <p>B: No country specific risk profiles and indicators to combat wildlife crime and ivory trafficking exist.</p> <p>I: A set of country specific risk profiles and indicators to combat wildlife crime and ivory trafficking are in place and regularly updated as needed.</p> | <p>M1: 01/2018 Draft set of national level risk profiles and indicators ready.</p> <p>M2: 01/2019 National level risk profiles and indicators ready and used.</p> | <p>PERHILITAN</p> <p>SWD</p> <p>RMCD</p> <p>RMP</p> | <p>Costs: USD10,000</p> <p>Funding to be secured: <input checked="" type="checkbox"/></p> <p>Request for technical and financial support will be submitted to ICCWC.</p> <p>Not applicable: <input type="checkbox"/></p> |
| 3. International and regional enforcement collaboration | 1. Participate in regional and international program to improve networking, intelligence sharing and joint enforcement collaboration in dealing with wildlife crime. | <p>B: Limited participation in collaboration at international and regional level.</p> <p>I: At least participate in two international/regional wildlife enforcement programs.</p> | <p>M1: 12/2018 At least participate in two international/regional wildlife enforcement programs, to be selected from the possible calendar of meetings/workshops based on national priority</p> | <p>PERHILITAN</p> <p>RMCD</p> <p>RMP</p> | <p>Costs: USD 25,000 (USD5,000/program)</p> <p>Funding to be secured: <input checked="" type="checkbox"/></p> <p>Request for technical and financial support will be submitted to ICCWC.</p> <p>Not applicable: <input type="checkbox"/></p> |

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| | 2. Establish record of DNA samples of wildlife seizures by National Wildlife Forensic Laboratory for further analysis. | <p>B: DNA samples of wildlife seizures not collected.</p> <p>I: Wildlife seizures sampled for DNA analysis collected for high-profile cases</p> | <p>M1: 05/2018 [Completed] Meeting with relevant agencies to discuss on implementation of DNA sampling of wildlife seizures.</p> <p>M2: 09/2018 Protocol of wildlife DNA sampling drafted and agreed.</p> <p>M3: 12/2018 Information of DNA analysis of high-profile wildlife seizures collected and shared with other related parties.</p> | <p>PERHILITAN</p> <p>SWD</p> | <p>Costs: USD5,000</p> <p>Funding to be secured: <input checked="" type="checkbox"/></p> <p>Request for technical and financial support will be submitted to ICCWC.</p> <p>Not applicable: <input type="checkbox"/></p> |
| 4. Outreach, public awareness and education | 1. Increase public awareness on activities related to enforcement of wildlife crime. | <p>B: Limited media coverage on successful enforcement of wildlife crime.</p> <p>I: All major seizures and wildlife crime enforcement activities reported in the media.</p> | <p>M1: 12/2018 All major seizures and wildlife crime enforcement activities reported in media.</p> | <p>PERHILITAN</p> <p>SWD</p> <p>RMCD</p> <p>RMP</p> <p>MMEA</p> | <p>Costs:</p> <p>Funding to be secured: <input type="checkbox"/></p> <p>Not applicable: <input checked="" type="checkbox"/></p> |
| 5. Reporting | 1. Initiate stock-count process and complete an inventory of national ivory stockpiles using an appropriate inventory protocol, to facilitate reporting on ivory stockpiles in accordance with the provisions of Resolution Conf. 10.10 (Rev. CoP17) para. 6 e). | <p>B: Comprehensive inventory of national ivory stockpiles not available.</p> <p>I: Ivory stockpile inventory and management practices in place and reporting in accordance with the provisions of Resolution</p> | <p>M1: 05/2018 [Completed] Coordination meeting with related enforcement agencies to audit and complete an inventory of national ivory stockpiles.</p> <p>M2: 02/2019 Report on ivory stockpiles to the CITES Secretariat submitted.</p> | <p>PERHILITAN</p> <p>SWD</p> <p>RMCD</p> | <p>Costs:</p> <p>Funding to be secured: <input type="checkbox"/></p> <p>Not applicable: <input checked="" type="checkbox"/></p> |

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| | | Conf. 10.10 (Rev. CoP17) para. 6 e) promptly done on an annual basis. | | | |
| | 2. Develop and put in place a mechanism to ensure prompt reporting of all ivory seizures to ETIS as required by Resolution Conf. 10.10 (Rev. CoP17), Annex 1, para. 4. | <p>B: Between 2012 and 2017, 20 of seizures made (out of 36 seizures) were reported to ETIS.</p> <p>I: 100 % reporting to ETIS on ivory seizures.</p> | <p>M1: 06/2018 [Completed] Draft Standard Operating Procedure ready.</p> <p>M2: 09/2018 Consultation with relevant enforcement agencies.</p> <p>M3: 12/2018 Standard Operating Procedures for wildlife crime established and enforced.</p> | <p>PERHILITAN</p> <p>RMCD</p> | <p>Costs:</p> <p>Funding to be secured: <input type="checkbox"/></p> <p>Not applicable: <input checked="" type="checkbox"/></p> |

MNRE – Ministry of Natural Resources and Environment

PERHILITAN – Department of Wildlife and National Parks Peninsular Malaysia

SWD – Sabah Wildlife Department

RMCD – Royal Malaysian Customs Department

RMP – Royal Malaysian Police

MMEA – Malaysian Maritime Enforcement Agency

MBSA – Malaysian Border Security Agency

AGC – Attorney General of Malaysia

FCM – Federal Court of Malaysia

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Consultations with relevant actors

In 2013, Malaysia had been identified as one of the 8 countries of 'primary concern' by the CITES. Since Malaysia does not have an open market for ivory, the inclusion was only because of the illegal trade of ivory transit through Malaysia. Therefore, Malaysia's National Ivory Action Plan (NIAP) is tailored to address this condition.

Ivory seizure cases were majorly occurred at the seaports and airports by Royal Malaysian Customs Department. There are some cases where seizures were made at the border by the Malaysia Border Control Agency and Malaysian Maritime Enforcement Agency and also very few cases where seizures were made at individual premises. All of the seized ivories made by enforcement agencies (Royal Malaysian Customs Department, Malaysia Border Control Agency and Malaysian Maritime Enforcement Agency) were handed over to Management Authority of the respective region for further action; Department of Wildlife National Parks Peninsular Malaysia (PERHILITAN) for Peninsular Malaysia and Sabah Wildlife Department for Sabah.

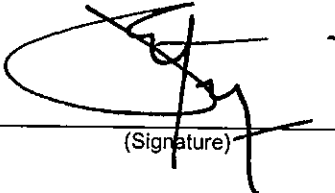
The Ministry has conducted several consultations to discuss the situation faced and developed collaboration plans. Malaysia also communicated and collaborated with ivory source countries and consumer countries authorities to enhance their risk indicator and profiling techniques to detect high-risk shipments.

NIAP approval

This NIAP is approved in accordance with the provisions of Step 2, paragraph a) 3. iii) of the *Guidelines to the National Ivory Action Plans Process*, contained in Annex 3 to Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens*, as adopted by the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

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MINISTRY OF NATURAL RESOURCES AND ENVIRONMENT

(Title, Name and position)



(Signature)