

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

Nineteenth meeting of the Conference of the Parties  
Panama City (Panama), 14 – 25 November 2022

Interpretation and implementation matters

General compliance and enforcement

REVIEW OF RESOLUTION CONF. 11.3 (REV. COP18) ON  
*COMPLIANCE AND ENFORCEMENT*:  
REPORT OF THE WORKING GROUP

1. This document has been prepared by the Standing Committee.\*
2. At its 18<sup>th</sup> meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted Decision 18.74 on *Review of Resolution Conf. 11.3 (Rev. CoP18)* as follows:

**18.74 Directed to the Standing Committee**

The Standing Committee shall review Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*, with a view to, *inter alia*, reorganizing to improve usefulness and readability, updating and clarifying where needed, and identifying gaps. Based on its review, the Standing Committee shall make recommendations as appropriate to revise Resolution Conf. 11.3 (Rev. CoP18) and make recommendations to address gaps identified, for consideration at the 19<sup>th</sup> meeting of the Conference of the Parties.

3. To address this Decision, the Standing Committee, at its 72<sup>nd</sup> meeting (Geneva, August 2019), established an intersessional working group with the mandate to: *Review the Resolution with a view to, inter alia, reorganizing to improve usefulness and readability, updating and clarifying where needed, and identifying gaps and draft recommendations as appropriate to revise it and make recommendations to address gaps identified, for consideration at the 19<sup>th</sup> meeting of the Conference of the Parties.*
4. Based on several rounds of email consultations and the advice of the Secretariat, the intersessional working group developed proposed edits to Resolution Conf. 11.3 (Rev. CoP18) to address the working group mandate. The working group also identified a number of gaps in the issues addressed in Resolution Conf. 11.3 (Rev. CoP18), as presented in paragraph 7 below.
5. The working group did not review the Annexes to Resolution Conf. 11.3 (Rev. CoP18) (Annex 1 Ecomessage Forms and Instructions, Annex 2 Guidance for reporting and intelligence analysis, and Annex 3 Guidance for specialized wildlife law enforcement units) and there are no edits proposed to them. They are not shown in the Annexes to the present document for the purpose of brevity, and are intended to be retained in their current form as annexes to the Resolution.
6. Gaps identified by working group members, and noted by the working group for possible future consideration:

---

\* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

- a) Role of professional bodies and whether they should be held to higher standards with regard to violations/compliance;
  - b) Whether to consider additional guidance in the Resolution relating to compliance and enforcement issues unique to trade in CITES-listed marine species, including issues pertaining to introduction from the sea;
  - c) Whether to consider adding guidance in the Resolution relating to stockpile management;
  - d) Whether to consider adding guidance in the Resolution relating to the One Health approach – a collaborative and transdisciplinary approach to achieving optimal health outcomes for people, animals, plants, and their shared environment;
  - e) Whether to consider adding guidance in the Resolution relating to possible outcomes from currently ongoing discussions in Standing Committee working group on Electronic systems and information technologies; and
  - f) Whether to update timeframes for providing information in response to requests for information from the Secretariat on a potential compliance matter.
7. The working group reported on the outcomes of its intersessional work to the 74th meeting of the Standing Committee (Lyon, March 2022) in document SC74 Doc. 32. The Committee agreed to propose to CoP19 the amendments to Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement* as found in Annex 1 to the present document. The Committee noted list of gaps identified by the working group and requested its Chair to work with the Chair of the intersessional working group on the review of Resolution Conf. 11.3 (Rev. CoP18) and the Secretariat to develop a draft decision to further consider the gaps, taking into account other ongoing work under the Standing Committee. The resulting draft decision is set out in Annex 3 to the present document.
  8. It is important to note that additional changes to Resolution Conf. 11.3 (Rev. CoP18) are also suggested for consideration by the 19th meeting of the Conference of the parties under other agenda items. If adopted, these additional changes will also be incorporated into the revised Resolution Conf. 11.3 (Rev. CoP19) prepared by the Secretariat following CoP19.

Recommendations:

9. The Conference of the Parties is invited to:
  - a) adopt the amendments to Resolution Conf. 11.3 (Rev. CoP18) as found in Annex 1 to the present document; (For ease of reading, Annex 2 presents a clean version of the Resolution with recommended changes accepted.) and
  - b) adopt the draft decision contained in Annex 3 to the present document.

COMMENTS OF THE SECRETARIAT

- A. The Secretariat recommends that the Conference of the Parties adopt the draft decision contained in Annex 3 to the present document and delete Decision 18.74 as it has been implemented.
- B. The Secretariat would like to draw the Parties' attention to the fact that possible changes to Resolution Conf. 11.3 (Rev. CoP18) will be discussed under other agenda items during the present meeting (see for instance documents CoP19 Doc. 26, Doc. 32, Doc. 37, Doc. 39 and Doc. 41) and that changes will therefore be consolidated by the Secretariat after the present meeting.
- C. The Secretariat would like to suggest for the sake of clarity and consistency of terminology that the term 'Enforcement Authorities' which appears, inter alia, in Section VIII, paragraph 15(c) of Resolution Conf 11.3 (Rev. CoP18) should be replaced where it appears by the term 'enforcement agencies' as referred to in paragraphs 10 d) and 12 d).

RECOMMENDED AMENDMENTS OF THE STANDING COMMITTEE WORKING GROUP  
ON REVIEW OF RESOLUTION CONF. 11.3 (REV. COP18) ON  
*COMPLIANCE AND ENFORCEMENT*

Additions are shown in underline text, and deletions are shown in ~~strikeout~~ text (with explanatory notes as needed identified in [square brackets]):

RECALLING the provisions of Article II, paragraph 4, which state that the Parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention;

RECALLING further that Article I, sub-paragraph c) defines “trade” as export, re-export, import and introduction from the sea;

RECALLING that Article VIII, paragraph 1, of the Convention provides that the Parties shall take appropriate measures to enforce the provisions of the Convention and to prohibit trade in specimens in violation thereof, and that these shall include measures to penalize trade in, or possession of, such specimens, or both; and to provide for the confiscation or return to the State of export of specimens illegally traded;

RECALLING that Article VIII, paragraph 3, of the Convention provides that as far as possible, the Parties shall ensure that specimens shall pass through any formalities required for trade with a minimum of delay;

RECOGNIZING ~~NOTING~~ that the Preamble of the Convention ~~states~~ recognizes that international cooperation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

AFFIRMING the obligation of Parties to collaborate closely in the application of the Convention, including through expeditious exchange of information on cases and situations related to ~~wildlife trade suspected to be fraudulent, so as to enable other Parties concerned to apply legal sanctions in CITES specimens, including incidents involving the use of fraudulent documentation, or other suspected illegal trade in fauna and flora, to allow for timely follow-up and the application of appropriate measures, including legal sanctions when appropriate;~~

~~RECALLING Resolutions Conf. 6.3 and Conf. 7.5, adopted by the Conference of the Parties at its sixth and seventh meetings (Ottawa, 1987; Lausanne, 1989), Resolution Conf. 2.6 (Rev.), adopted at its second meeting (San José, 1979) and amended at its ninth meeting (Fort Lauderdale, 1994), Resolution Conf. 3.9 (Rev.), adopted at its third meeting (New Delhi, 1981) and amended at its ninth meeting, Resolution Conf. 6.4 (Rev.), adopted at its sixth meeting and amended at its ninth meeting, and Resolution Conf. 9.8 (Rev.), adopted at its ninth meeting and amended at its 10th meeting (Harare, 1997);~~

~~AWARE that, in the past, violation of the Convention has occurred because of inadequate or insufficient implementation by Management Authorities in both exporting and importing countries regarding surveillance, issuance of documentation and control of compliance with the provisions regulating trade in live and dead animal and plants, and their parts and derivatives;~~

~~CONSIDERING that it is of utmost moral, biological, ecological and economic interest for all Parties to the Convention that such violations not re-occur and that the mechanisms established for the Convention to this end are fully implemented, so as to ensure their normal and efficient functioning to control trade in, and afford effective protection to, endangered animal and plant species;~~

AWARE that there is considerable variability among Parties in their capacity to implement and enforce the provisions of the Convention; whilst also noting that this does not exempt any Party from enforcing these provisions, and RECOGNIZING that inadequate or insufficient efforts to ensure compliance with and enforcement of the Convention exacerbate enforcement problems for other Parties and undermine the overall effectiveness of the Convention;

~~RECOGNIZING that the developing countries, because of their special socio-economic, political, cultural and geographic circumstances have major difficulties in meeting appropriate control requirements, even though this does not exempt them from observing the highest possible degree of effectiveness;~~

~~RECOGNIZING the difficulties that producer countries are facing in implementing their own CITES controls, and that such difficulties exacerbate enforcement problems in other Parties, while there are still consumer countries that continue to allow illegal imports as a result of a lack of adequate CITES control;~~

~~RECOGNIZING that illegal trade in specimens of species included in the Appendices to the Convention can cause serious damage to wildlife resources – fauna and flora, reduce the effectiveness of management programmes, undermine and threaten legal and sustainable trade and negatively impact the livelihoods of rural communities, particularly in the developing economies of many producing countries; [\[text moved from lower down – see strike through paragraph in blue below\]](#)~~

~~RECOGNIZING the importance that all Parties make every effort to exercise due diligence in their implementation of the Convention;~~

~~ACKNOWLEDGING that, owing to such high levels of trade in wildlife, it is incumbent upon consumer nations importing countries together with exporting countries to ensure that trade in CITES-listed species is legal and sustainable, and in compliance with the Convention, and that enforcement measures adopted and implemented by Parties support conservation in producer countries of species in the wild; [\[moved from lower down – see strike through paragraph in blue below\]](#)~~

~~WELCOMING the establishment of the International Consortium on Combating Wildlife Crime (ICCWC);~~

~~AWARE of RECOGNIZING the important role of the International Consortium on Combating Wildlife Crime (ICCWC) in bringing coordinated support to the national wildlife law enforcement agencies and to the subregional and regional networks that, on a daily basis, act in defence of natural resources;~~

~~RECOGNIZING that the ICCWC Wildlife and forest crime analytic toolkit can assist Parties in conducting a comprehensive analysis of possible means and measures to protect and monitor wildlife and forest products, and in identifying technical assistance needs;~~

~~RECOGNIZING that the ICCWC Indicator framework for wildlife and forest crime provides an important framework of indicators that cover the major components of a law enforcement response to wildlife and forest crime, for national level use by Parties to measure and monitor the effectiveness of their own law enforcement responses to these crimes;~~

~~ATTENTIVE to OBSERVING the fact that reservations entered made by importing countries Parties may create confusion for the trade and allow loopholes through which specimens illegally acquired in the countries of origin can find legal markets without any control whatsoever, therefore, weakening the conservation policies of countries seeking to conserve fauna and flora;~~

~~OBSERVING that some importing countries that maintain reservations refuse to take into consideration the recommendations of the Conference of the Parties in Resolution Conf. 4.25 (Rev. CoP18), adopted at its fourth meeting (Gaborone, 1983) and amended at its 14th and 18th meeting (The Hague, 2007; Geneva, 2019), weakening in that way the conservation policies of producing countries that wish to protect their wildlife resources;~~

~~RECOGNIZING that illegal trafficking in wild fauna and flora continues to be a major concern;~~

~~RECOGNIZING the significant rapid growth in e-commerce of specimens of CITES-listed species and that wildlife crime linked to the Internet is of increasing concern;~~

~~NOTING the conclusions and recommendations of the meeting on e-commerce of specimens of CITES-listed species in Vancouver (Canada) in February 2009;~~

~~CONSIDERING that the countries that import illegally obtained animal and plant specimens, including failing to comply with Resolution Conf. 9.7 (Rev. CoP15) on Transit and transshipment, are directly responsible for encouraging illegal trade worldwide, and in this way the natural heritage of range producing countries is damaged;~~

~~CONSIDERING that it is essential for the success of the Convention that all Parties implement and comply effectively with all the requirements of the Convention;~~

~~CONVINCED that enforcement of the Convention must be a constant concern priority of the Parties at the highest level if they are to succeed in fulfilling the objectives of the Convention and eliminating trafficking in species covered by the Convention;~~

CONVINCED of the need to strengthen enforcement of the Convention to address serious problems caused by the trafficking of wild fauna and flora, and that the available resources for enforcement are overwhelmed by the profits gained from such trafficking;

RECOGNIZING the importance of Resolution Conf. 17.6 on *Prohibiting, preventing, detecting and countering corruption, which facilitates activities conducted in violation of the Convention*, for effective implementation and enforcement of the Convention and this Resolution.

#### WELCOMING

- the adoption of Resolution 2011/36 on *Crime prevention and criminal justice responses against illicit trafficking in endangered species of wild fauna and flora* by the United Nations Economic and Social Council in 2011, in which it expresses concern about the involvement of organized criminal groups in the trafficking of endangered species, recognizes the efforts made at the international level and the work of ICCWC, urges the Member States of the United Nations to strengthen international, regional and bilateral cooperation, and invites the member States of the United Nations to consider making trafficking in endangered species a serious crime;
- ~~WELCOMING the outcome document, *The Future We Want*, of the United Nations Conference on Sustainable Development (Rio de Janeiro, June 2012), in which it recognizes in paragraph 203 the important role of CITES, the economic, social and environmental impacts of illicit trafficking in wildlife and the need for firm, and strengthened action to be taken on both the supply and demand sides; and emphasizes the importance of effective international cooperation among relevant multilateral environmental agreements and international organizations;~~
- ~~WELCOMING the declaration entitled *Integrate to Grow, Innovate to Prosper* that the leaders of the Asia-Pacific Economic Cooperation (APEC) adopted in 2012 and where they "recognize that natural resources and the ecosystems upon which they depend are important foundations for sustainable economic growth"; "commit to strengthen [their] efforts to combat illegal trade in wildlife, timber, and associated products, to implement measures to ensure sustainable marine and forest ecosystems management, and to facilitate sustainable, open, and fair trade of non-timber forest products"; and commit to "take meaningful steps to promote sustainable management and conservation of wildlife populations while addressing both the illegal supply and demand for endangered and protected wildlife, through capacity building, cooperation, increased enforcement, and other mechanisms";~~
- ~~WELCOMING the Resolution on *Tackling illicit trafficking in wildlife* adopted by the United Nations General Assembly in July 2015, which reflects the heightened level of political concern over the devastating impacts of poaching and illegal trade in wildlife, and which, among others, calls for firm and strengthened national measures, and an enhanced regional and global response, including by strengthening legislation, providing for illegal trafficking in wildlife offences to be treated as predicate offences and taking steps to prohibit, prevent and counter corruption; [moved to below]~~
- ~~WELCOMING the Sustainable Development Goals adopted by the United Nations Sustainable Development Summit in September 2015, which call for the protection of wild fauna and flora as well as the ecosystems that upon which they depend on, and specifically address tackling illegal call for "urgent action to end poaching and trafficking in wildlife of protected species of flora and fauna, and address both demand and supply of illegal wildlife products" through specific—Targets 15.7 of under Goal 15, and the conservation and sustainable use of oceans, seas and marine resources under Goal 14;~~
- ~~WELCOMING the July 2015 Resolution on *Tackling illicit trafficking in wildlife* and subsequent Resolutions on this matter adopted by the United Nations General Assembly, which reflects the heightened level of international political concern over the devastating impacts of poaching and illegal trade in wildlife, and which, among others, calls for firm and strengthened national measures, and an enhanced regional and global response, including by strengthening legislation, providing for illegal trafficking in wildlife offences to be treated as predicate offences and taking steps to prohibit, prevent and counter corruption; [moved from blue text above and amended as indicated]~~

RECOGNIZING the contribution to enhancing enforcement of CITES made by regional cooperation and enforcement initiatives, such as the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora, other regional coordination initiatives and agreements, such as those developed through the West Africa Strategy on Combating Wildlife Crime and other similar initiatives;

~~RECOGNIZING that the use of dogs in combination with other tools will increase the chance of detections and seizures; that detector dogs can detect items that cannot be detected by other tools; and that a dog handler team is highly effective in searching people and cargo or luggage in a short time;~~

~~AWARE of the need for improved cooperation and coordination among CITES authorities and relevant wildlife-law enforcement agencies at the national, regional and international levels;~~

~~CONSIDERING that Article XIII does not specify a time limit for a Party to respond to a request for information from the Secretariat, and that such a deadline is necessary in order that the absence of response not be interpreted as a refusal to respond; [included in the next paragraph]~~

~~ACKNOWLEDGING the important role the Secretariat can play in the enforcement process supporting Parties to enforce the provisions of the Convention, and the means provided under Article XIII of the Convention to achieve compliance, whilst also RECOGNIZING that Article XIII does not specify a time limit for a Party to respond to a request for information from the Secretariat, and that such a deadline is necessary in order that the absence of response not be interpreted as a refusal to respond;~~

~~CONSCIOUS of the Secretariat's role in promoting enforcement of the Convention, as provided in Article XIII, and of the measures that the Secretariat has taken with the International Criminal Police Organization (ICPO-INTERPOL) and the World Customs Organization to facilitate the exchange of information between enforcement bodies and for training purposes;~~

~~AGREEING on the need for additional measures to reduce further the illegal trade in species covered by the Convention;~~

~~ACKNOWLEDGING that, owing to such high levels of trade in wildlife, it is incumbent upon consumer nations together with producer countries to ensure that trade is legal and sustainable and that enforcement measures adopted and implemented by Parties support conservation in producer countries; and [moved above and amended]~~

~~RECOGNIZING that illegal trade in specimens of species included in the Appendices of the Convention can cause serious damage to wildlife resources, reduce the effectiveness of wildlife management programmes, undermine and threaten legal and sustainable trade particularly in the developing economies of many producing countries; [moved above and amended]~~

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. ESTABLISHES the following sections in the present Resolution:

I. Regarding obligations of importing countries: verifying the validity of CITES documents

II. Regarding exercising due diligence

III. Regarding legislation and prosecution

IV. Regarding enforcement at national level

V. Regarding coordination at national level

VI. Regarding coordination and collaboration at regional and international levels

VII. Regarding wildlife crime linked to the Internet

VIII. Regarding available tools, services, and resources

IX. Regarding application of Article XIII

X. Regarding reporting to and information sharing with the Secretariat

XI. Regarding the enforcement assistance activities of the Secretariat

## I. Regarding Obligations of importing countries: verifying the validity of CITES documents

1. REMINDS all Parties of their obligation to verify the validity of CITES documents accompanying shipments of CITES-listed specimens, and of the need to implement Resolution Conf. 12.3 (Rev. CoP18)<sup>1</sup> on *Permits and certificates*, including at a minimum:
  - a) verifying that all of the information listed in Annex 1, *Information that should be included in CITES permits and certificates*, to Resolution Conf. 12.3 (Rev. CoP18) is included on the document;
  - b) ensuring that they do not accept under any circumstances or pretext CITES export or re-export documents issued by any authority, irrespective of its hierarchical level, other than the Management Authority officially designated as competent by the exporting or re-exporting Party and duly notified to the Secretariat;
  - c) exercising due diligence when presented with a CITES permit or certificate, even if they believe it to have been issued by a competent authority, when they have a reason to believe that the CITES specimens of CITES-listed species may not have been traded in accordance with the provisions of the Convention;

## II. Regarding exercising due diligence

2. REMINDS Parties of their obligation to inspect specimens in transit or being transhipped, to the extent possible under their national legislation, to verify the presence of a valid CITES permit or certificate as required under the Convention, in accordance with Resolution Conf. 9.7 (Rev. CoP15) on *Transit and transshipment*.

23. RECOMMENDS that:

- a) if the Management Authority of the State of import or re-export has reason to believe that CITES specimens of CITES species are being traded in contravention of the laws of any country involved in the transaction, or has reason to believe that the specimen accompanied by a CITES document may not have been traded in accordance with the provisions of the Convention (e.g., ~~when they have reason to believe that the specimen may not have been legally acquired, that the required non-detriment finding may not have been made, or that any other CITES requirement(s) may not have been fulfilled~~), it should:
  - i) immediately consult with the Management Authority in the country whose laws were thought to have been violated (and the exporting or re-exporting country if different) and, to the extent possible, provide that Management Authority with copies of all documentation relating to the transaction; and during consultation the Parties should inform each other of all circumstances and facts relating to the transaction likely to be relevant to compliance with the Convention, national laws, illegal trade and also of control measures;
  - ii) ~~where there is uncertainty with regard to the legal acquisition finding, the required non-detriment finding, or other CITES requirement(s), if appropriate request the basis for the relevant determination; when they have reason to believe that the specimen may not have been legally acquired, that the required non-detriment finding, if required, may not have been made or properly made, or that any other CITES requirement(s) may not have been fulfilled, it should request the basis for the relevant determination; [this text was previously found in 2(a) and amended as indicated]~~
  - iii) if after consulting with the Management Authority of the relevant State, the Management Authority of the State of import or re-export has not received satisfactory information ~~including~~ regarding the ~~basis for the determination that the specimen was legally acquired, or the required non-detriment finding or any other CITES requirements(s)~~, it should not authorize the import or re-export of the specimen concerned, ~~and should including not issue~~ issuing any required import permits or a re-export certificates;
  - iv) if there is no satisfactory response, ~~request call upon~~ the assistance of the Secretariat, as appropriate, in the context of its responsibilities ~~under~~ in Article XIII of the Convention and Resolution Conf. 14.3 (Rev. CoP18) on CITES compliance procedures;

---

<sup>1</sup> Corrected by the Secretariat after the 18th meeting of the Conference of the Parties



v) in case of violation of the ~~above-mentioned~~ provisions of the Convention, immediately take appropriate enforcement measures, including pursuant to Article VIII, paragraph 1, of the Convention in order to penalize such violation and to take appropriate remedial action; and [previously 14(a)(v)]

~~vi) if needed appropriate~~, make use of stricter measures with regard to that transaction, consistent with the provisions of Article XIV, paragraph 1. a), of the Convention ~~to take stricter measures with regard to that transaction~~; and

b) if when implementing the provisions of Resolution Conf. 9.7 (Rev. CoP15) on *Transit and transshipment*, the Management Authority of the State through which specimens are transiting or being transhipped has reason to believe that specimens may not have been traded in accordance with the provisions of the Convention, it should immediately consult with the Management Authority in the State of export or re-export and, to the extent possible, provide that Management Authority with copies of all documentation relating to the transaction;

~~b~~c) to ensure effective cooperation between CITES Authorities of different Parties, Management Authorities should provide timely responses ~~be responsive to inquiries~~ (good practice is to provide a response within two weeks or indicate the need for more time to provide a response) and cooperate with the Management Authorities of other CITES Parties, and the Secretariat when applicable, on matters relating to the validity of CITES documents;

c) Parties, when informed by the Secretariat of the fraudulent use of documents alleged to have been issued by them, carry out an a timely inquiry to identify the individuals involved ~~instigators of the crime~~, seeking the assistance from their calling on ICPO-INTERPOL National Central Bureau where necessary; [previously 10(d) and amended]

d) when presented with a false document, Parties do everything in their power to determine where the specimens are and where the false document originated and inform the Secretariat and other Parties involved, where appropriate; [previously 10(e)]

34. URGES all Parties to strengthen, ~~as soon as possible~~, the controls on trade in wildlife fauna and flora into, through and from the territories under their jurisdiction, and in particular controls on shipments from other source countries, including neighbouring countries, and to verify the validity of documents, as required under the Convention, originating from such countries with the ~~respective~~ relevant Management Authorities;

45. RECOMMENDS that, if any Party has reason to believe that an Appendix-I or -II species is being traded by ~~another~~ a Party in a manner detrimental to the survival of that species, it:

a) consult directly with the appropriate Management Authority;

b) if ~~there is no~~ it does not receive a response or the response is not satisfactory ~~response~~, call upon request the assistance of the Secretariat, as appropriate, in the context of its responsibilities under Article XIII of the Convention and Resolution Conf. 14.3 (Rev. CoP18); and

c) make use of the provisions of Article XIV, paragraph 1. a), of the Convention to take stricter measures as they see fit;

~~Regarding application of Article XIII [see below where this section and related text (para. 5) has been moved]~~

### III. Regarding legislation and prosecution

56. RECOMMENDS that:

a) Parties ~~should advocate~~ include in domestic measures sanctions for infringements that are appropriate to their nature and gravity and advocate for application of such sanctions; [previously 14(b) and amended]



- b) ~~make illicit~~ trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, in accordance with their national legislation and Article 2 (b)<sup>2</sup> of the United Nations Convention against Transnational Organized Crime; [\[previously 15\(g\) and amended\]](#)
  - c) review and amend national legislation, as necessary and appropriate, so that offences connected to the illegal ~~wildlife~~ trade in fauna and flora are treated as predicate offences, as defined in the United Nations Convention against Transnational Organized Crime, for the purposes of ~~domestic~~ money-laundering offences, and are actionable under domestic legislation applicable to the proceeds of crime legislation; [\[previously 15\(e\) and amended\]](#)
  - d) review and amend national legislation as necessary and appropriate, to address the competences and responsibilities of relevant national agencies to facilitate effective investigations of crime involving fauna and flora, and inter-agency cooperation;
  - e) implement national legislation to combat money laundering and facilitate asset forfeiture and appropriate penalties to ensure that criminals do not benefit from the proceeds of their crimes, stressing that effective prosecutions against money laundering linked to ~~wildlife~~ trafficking in fauna and flora benefit from bringing together trade and money laundering expertise, including from financial intelligence units, as appropriate; [\[previously 15\(f\) and amended\]](#)
  - f) prosecute those involved in ~~wildlife~~ crime involving fauna and flora, in particular those identified as members of organized crime groups, under a combination of relevant legislation which carry appropriate penalties that will act as effective deterrents, whenever possible; [\[previously 15\(h\) and amended\]](#)
7. ENCOURAGE relevant national law enforcement agencies responsible for wildlife law enforcement to establish communication networks, or expand existing networks, to combat organized crime involving fauna and flora, in accordance with relevant legislation regulating such matters, including putting in place and maintaining strict and secure procedures for managing covert human intelligence sources, and ENCOURAGES States Parties to establish appropriate measures to offer rewards for information on illegal hunting and trafficking of specimens of Appendix I species leading that leads to the arrest and conviction of offenders involved in illegal taking (e.g., poaching, illegal harvest) and trafficking of CITES animal and plant species, as appropriate; [\[combination of previous paragraphs 15\(b\) and 20 and amended\]](#)

#### **IV. Regarding enforcement at national level**

##### **8. REMINDS Parties to:**

- a) ensure strict compliance, enforcement, and control with respect to all mechanisms and provisions of the Convention relating to the regulation of trade in ~~animal and plant~~ CITES listed species listed in Appendix II, and of all provisions ensuring protection against the illegal trafficking of for these species included in the Appendices; [\[previously 14 \(iv\) and amended\]](#)
- b) in case of violation of the ~~above mentioned~~ provisions of the Convention, immediately take appropriate measures pursuant to Article VIII, paragraph 1, of the Convention in order to penalize such violation and to take appropriate remedial action; and [\[previously 14 \(v\)\]](#)
- vi) ~~inform each other of all circumstances and facts likely to be relevant to illegal traffic and also of control measures, with the aim of eradicating such traffic;~~ [\[previous 14 \(vi\)\]](#)

**Regarding compliance, and control mechanisms** [\[the previous title above paragraph 14 is struck through here – note that sections of previous paragraph 14 are also found in new paragraphs 8 and 12\]](#)

~~149.~~ RECOMMENDS that Parties: [\[previously 14 and 14\(a\)\]](#)

~~— a) — all Parties:~~

---

<sup>2</sup> Under article 2b) of the United Nations Convention against Transnational Organized Crime a "serious crime" is defined as conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.

- a) ~~recognize the seriousness of~~ ensure that illegal trade in wild fauna and flora ~~and identify it as is a matter of high priority for all relevant their national domestic law enforcement agencies;~~ [\[previously 14 \(a\)\(i\) and amended\]](#)
- b) if appropriate, consider formulating national ~~and regional~~ action plans, incorporating timetables, targets and provisions for funding, designed to enhance enforcement of CITES, achieve compliance with its provisions, and support ~~relevant wildlife law~~ enforcement agencies; [\[previously 14 \(a\)\(ii\) and amended\]](#)
- c) ~~empower provide~~ officials who have ~~the wildlife law enforcement responsibility es~~ to investigate crime involving fauna and flora with ~~appropriate~~ training, ~~status and authority and resources to effectively carry out their responsibilities to address such crimes equivalent to those of their counterparts in customs and the police;~~ [\[previously 14 \(a\)\(iii\) and amended\]](#)
- d) address the role of corruption in facilitating crime involving fauna and flora, as recognized in Resolution Conf. 17.6, through implementation of effective anti-corruption measures; and
- e) conduct outreach to and support training for regulated industry to ensure understanding of CITES and national requirements in order to enhance compliance and support the legal trade.

**V. Regarding coordination at national level** [\[previously title above paragraph 10, which read “Regarding communication of information and coordination”\]](#)

10. RECOMMENDS that

- ~~ba)~~ Parties establish inter-agency ~~committees~~ mechanisms for coordination and communication at the national level, bringing together Management Authorities and all governmental agencies responsible for the enforcement of CITES, including customs and the police; [\[previously 10 \(b\)\]](#)
- ~~ib)~~ Parties that have not already done so consider nominating officials from relevant national enforcement and prosecuting agencies to participate in the ~~ICPO~~-INTERPOL Wildlife Crime Working Group; [\[previously 10 \(i\)\]](#)
- ~~nc)~~ Parties put in place, or further enhance, national measures and communication channels to ensure that the required level of real-time support can be provided to park rangers, and other wildlife and enforcement personnel who are confronted by heavily armed groups and exposed to serious risk of attack; ~~and~~ [\[previously 10 \(n\)\]](#)
- ~~ed)~~ Parties raise awareness amongst military personnel to sensitize them to the negative consequences of poaching and consumption of illegal fauna and flora wildlife products; ~~and~~ [\[previously 10 \(o\)\]](#)
- ~~de)~~ Parties remind their diplomatic missions, their delegates on mission in foreign countries and their troops, including those serving under the flag of the United Nations, that they are not exempted from the provisions of the Convention; [\[previously 14 \(d\)\]](#)

**Regarding communication of information and coordination**

4011. RECOMMENDS that:

- a) Management Authorities coordinate with governmental agencies responsible for enforcement of CITES, including customs and the police, and, where appropriate, technically qualified ~~sectoral~~ nongovernmental organizations, by arranging training activities and joint meetings, and facilitating the exchange of information; [\[previously 10\(a\)\]](#)

**Regarding additional actions to promote enforcement**

4512. FURTHER RECOMMENDS ~~further that the~~ Parties: [\[previously 15\]](#)

- a) ~~take the necessary measures to~~ develop and implement a comprehensive strategy for border controls, audits and investigations concerning CITES specimens, including by: [\[previously 15\(a\)\]](#)
  - viii) increasing the quality of controls at the time export, import, and re-export and introduction from the sea; ~~and~~ [\[previously 15\(a\)\(vi\) and amended\]](#)

- ii) ~~taking into account~~ applying due diligence to ensure compliance with Resolution Conf. 9.7 (Rev. CoP15) on *Transit and transshipment* when following the different procedures for customs clearance of goods and customs procedures such as for transit, temporary admission, warehouse storage, etc.; [previously 15(a)(i) and amended]
- iii) ~~ensuring that the awareness and training of officers are aware and trained~~ in CITES matters regarding, for example, CITES requirements, identification of specimens and the handling of live animals; [previously 15(a)(ii) and amended]
- iiiv) ~~ensuring implementing document control in order to ensure the authenticity authenticate and validate~~ ity of CITES permits and certificates, especially, if necessary, by requesting the Secretariat to confirm their validity; [previously 15(a)(iii)]
- iv) ~~conducting physical examinations of goods, based on a policy of risk assessment and targeting;~~ [previously 15(a)(iv)]
- vi) ~~using wildlife detector dogs and scanning equipment as appropriate, in support of~~ and to increase the detection of illegal wildlife shipments of fauna and flora; [previously 15(a)(v) as amended]
- vii) ~~using wildlife detector dogs programmes as appropriate, or other innovative detection programmes, and sharing~~ knowledge and experience with those Parties that may be interested in developing and implementing such programmes; [previously 15(a)(v) for the first part and 10(j) for the second part from 'sharing knowledge' onwards] and
- viii) ~~providing the necessary resources in order to achieve these objectives;~~ [previously 15(a)(vii)]
- kb) ~~promote incentives to secure the support and cooperation of local and rural communities in managing wildlife resources fauna and flora and thereby combating poaching and~~ illegal trade; [previously 15(k)]
- lc) ~~where appropriate, evaluate and utilize for enforcement purposes, information from nongovernmental sources while maintaining standards of confidentiality;~~ [previously 15(l)]
- md) ~~consider the formation, at the national level, of specialized wildlife-law fauna and flora law enforcement units or teams;~~ [previously 15(m)]
- qe) ~~carry out focused national and regional capacity-building activities with particular focus on fostering inter-agency cooperation and improving knowledge of legislation; species identification; risk analysis and investigation of criminal actions; and delivering successful prosecutions and deterrent penalties.~~ [previously 15(q)]

## **VI. Regarding coordination at regional and international levels**

### **13. RECOMMENDS that Parties:**

- ea) ~~Parties that are not yet signatories to, or have not yet ratified, the UN Convention against Transnational Organized Crime and the UN Convention against Corruption consider doing so, and implement all associated obligations, including with respect to transnational organized crime or corruption that enables illegal trade in fauna and flora in contravention of CITES or other national legal frameworks;~~ [previously 14(c)]
- fb) ~~Parties work together within their regions to develop appropriate mechanisms for cooperation and coordination among relevant between wildlife-law enforcement agencies at the regional level;~~ [previously 10(f)]
- iiic) ~~where necessary to ensure compliance with CITES if appropriate, consider formulating national and regional action plans, incorporating timetables, targets and provisions for funding, designed to enhance enforcement of CITES, achieve compliance with its provisions, and support relevant wildlife-law enforcement agencies;~~ [previously 14(a)(ii)]
- pd) ~~as appropriate, fully execute and deliver outcomes from initiate~~ intelligence-driven operations, and participate in the operations initiated at the international level by Parties and organizations such as

INTERPOL and the World Customs Organization, to mobilize resources and initiate targeted activities to combat ~~wildlife crime~~ involving fauna and flora; and [\[previously 15 \(p\)\]](#)

ge) Parties strengthen cooperation relating to enforcement measures implemented across ~~exporting range, transit, and importing destination~~ States to address illegal ~~wildlife trade~~ in fauna and flora; [\[previously 10\(g\)\]](#)

14. RECOMMENDS ~~further that the~~ Parties: whenever appropriate and possible, liaise closely with CITES Management Authorities and law enforcement agencies in ~~consumer-exporting, source and transit, and importing~~ countries to help investigate, detect, deter and prevent ~~illegal illicit~~ trade in wildlife through the exchange of intelligence, technical advice and support; [\[previously 15\(j\)\]](#)

### **VIII. Regarding wildlife crime linked to the Internet** [\[previously title located above paragraph 12\]](#)

15. RECOMMENDS that Parties: [\[previously 12\]](#)

- a) evaluate or develop ~~their~~ domestic measures to ensure that they are sufficient to address the challenges of controlling ~~legal wildlife trade~~, and investigating illegal wildlife trade and punishing the perpetrators, giving high priority to the offer for sale of specimens of species included listed in Appendix I; [\[previously 12\(a\)\]](#)
- b) establish, at the national level, a unit dedicated to investigating wildlife crime linked to the Internet or incorporate wildlife trade issues into existing units that investigate or monitor computer or cyber-crime; [\[previously 12\(b\)\]](#)
- c) establish at the national level a mechanism to coordinate the monitoring of wildlife crime linked to the Internet and provide for the timely sharing of relevant information between designated ~~contact~~ points of contact in CITES Management and Enforcement Authorities ~~of information that results from these activities~~; [\[previously 12\(c\)\]](#)
- d) appoint national points of contact with knowledge and training in online investigations, evidence gathering, and prosecutions to serve as focal points for enquiries from other Parties and intergovernmental organizations; [\[previously 12\(d\)\]](#)
- e) establish an ongoing national monitoring programme, and in conjunction with relevant experts, develop a list of ~~Appendix II specimens~~ CITES species that are most commonly found in illegal trade on digital and online platforms; [\[previously 12\(e\)\]](#)
- f) identify key contacts at online technology and data companies who can facilitate the provision of information upon request from Parties in support of investigations; [\[previously 12\(f\)\]](#)
- g) engage online platforms to: [\[previously 12\(g\)\]](#)
  - i) introduce and publish policies to address and prevent the use of such platforms for illegal trade in wildlife, including measures to ensure compliance with such policies;
  - ii) ensure that such policies are presented ~~as~~ clearly and visibly ~~as possible~~; and
  - iii) encourage them to inform their users about ~~illegal online trade in wildlife~~ crime linked to the internet, by using targeted alerts and other technology to make users aware of relevant laws and website policies;
- h) raise awareness of wildlife crime linked to the Internet through public outreach and by engaging directly with online technology companies; and [\[previously 12\(h\)\]](#)
- i) encourage the cooperation and engagement of postal, transport, logistical and financial service providers and relevant retail sectors in addressing illegal wildlife trade; [\[previously 12\(i\)\]](#)

4316. RECOMMENDS further that Parties and ICPO-INTERPOL: [previously 13]
- a) submit information to the Secretariat on methodologies used by other agencies that may assist in the evaluation of mechanisms to regulate legal commerce and combat illegal trade of CITES-listed species via the Internet; [previously 13(a)]
  - b) ensure that sufficient resources are directed to: [previously 13(b)]
    - i) ~~the investigation~~ investigating and targeting illegal Internet-based ~~related~~ trade in ~~specimens of~~ CITES-listed species; and
    - ii) conducting training and awareness raising as well as monitoring and enforcement of illegal online trade in ~~protected specimens~~ CITES species;
  - c) use ~~the~~ data acquired during monitoring activities to establish strategies regarding enforcement, capacity building and public awareness; and [previously 13(c)]
  - d) ~~consider ways in which funding may be provided for to support the establishment of a full-time position, dedicated to promote the use of the capacity established by INTERPOL on wildlife crime linked to the Internet, in the General Secretariat of ICPO. The responsibilities of such a position should include ensuring that all information or intelligence regarding illegal online trade is consistently collected and disseminated to the relevant Enforcement Authorities designated by the Parties;~~ [previously 13(d)]

#### **IX. Regarding available tools, services and resources**

4517. RECOMMENDS further that Parties: [previously 15 – note that some parts of previous paragraph 15 are located at new paragraph 10]
- ea) ~~affected by significant poaching or illegal harvest of CITES species-specimens, or that have made a large-scale seizure of such specimens, contact reach out~~ the Secretariat to request the deployment of a Wildlife Incident Support Team (WIST), should such expert support be needed, immediately following in the immediate aftermath of such an incident; [previously 15(c)]
  - db) ~~promote and increase the use of wildlife forensic technology, including sharing such technologies with other Parties, and specialized investigation techniques, such as controlled deliveries, in the investigation of wildlife crime offences involving fauna and flora;~~ [previously 15(d)]
  - ic) make use of the different tools available through ICCWC in order to strengthen enforcement-related aspects of the implementation of the Convention, in particular the ICCWC Wildlife and Forest Crime Analytic Toolkit, which was developed to assist Parties in conducting a comprehensive analysis of possible means and measures to protect and monitor wildlife and forest products, and in identifying technical assistance needs, and the ICCWC Indicator Framework for Wildlife and Forest Crime, in order to strengthen enforcement-related aspects of the implementation of the Convention which provides an important framework of indicators that cover the major components of a law enforcement response to wildlife and forest crime, for use at the national level by Parties to measure and monitor the effectiveness of their law enforcement responses to these crimes; and [previously 15(i) and preamble]
  - nd) make use of the UNODC Guide on Drafting Legislation to Combat Wildlife Crime
  - e) use the CITES Virtual College, which provides access to courses and training materials to build enforcement capacity; [previously 15(n)]
  - o) ~~explore innovative means of increasing and improving national enforcement capacity;~~ [previously 15(o)]
4718. ~~URGES the Parties and the donor community to provide financial support to ICCWC, to ensure that the Consortium can achieve its goals of bringing assist it in providing~~ coordinated support to national wildlife law enforcement agencies and to subregional and regional law enforcement networks, and ~~of~~ delivering capacity-building activities; [previously 17]
4819. URGES the Parties, intergovernmental and non-governmental organizations to provide, as a matter of urgency, funds and expertise to enable enforcement-related training and ~~er~~ the provision of training materials, focusing, preferably on a regional or subregional basis, ~~to~~ on developing countries and countries with

economies in transition and range States affected by illegal ~~wildlife~~-trade in fauna and flora, and ~~provide funds to ensure that relevant wildlife~~-law enforcement personnel in such countries are adequately trained and equipped; [previously 18]

~~19. ENCOURAGES Parties to give priority to the enforcement of CITES and prosecution of violations of the Convention;~~

~~20. ENCOURAGES States to offer rewards for information on illegal hunting and trafficking of specimens of Appendix I species leading to the arrest and conviction of the offenders; [n.b. old paragraph 20 is now located at new paragraph 5(b)]~~

~~24~~20. URGES ICPO-INTERPOL to support the attendance of a representative from its Wildlife Crime Working Group at meetings of the Conference of the Parties to CITES; [previously para 21]

#### **X. Regarding application of Article XIII [text previously in paragraph 5]**

~~5~~21. RECOMMENDS that: [previously 5]

a) when, in application of Article XIII of the Convention and Resolution Conf. 14.3 (Rev. CoP18), the Secretariat requests information on a potential compliance matter, Parties reply within one month or, if this is not impossible, provide ~~within the month~~ an approximate date by which they consider it will be possible to provide the requested information ~~requested~~; [previously 5(a)]

b) when, within six months, the information requested has not been provided, Parties provide the Secretariat with justification ~~of the reasons for which~~ for why they have not been able to respond; [previously 5(b)]

c) if major significant compliance matters concerning particular Parties are brought to the attention of the Secretariat, the Secretariat, in consultation with the Chair of the Standing Committee and as expeditiously as possible, work with the Parties concerned to try to solve the matter and offer advice or technical assistance, as appropriate ~~required~~; [previously 5(c)]

d) if it does not appear a solution can be readily achieved, including as a result of a failure of the relevant Party to provide a response or an adequate response, the Secretariat bring the matter to the attention of the Standing Committee, which may pursue it the matter in direct contact with the Party concerned with a view to finding ~~helping to find~~ a solution; [previously 5(d)]

e) the Secretariat keep the Parties informed as fully as possible, including if appropriate through Notifications to the Parties, of such compliance matters and of actions taken to solve them, and include such matters, including as appropriate draft recommendations, in its reports for meetings of the Standing Committee and the Conference of the Parties; and [previously 5(e)]

~~22. e) INSTRUCTS DIRECTS~~ the Secretariat to report on the implementation of Article XIII and Resolution Conf. 14.3 (Rev. CoP18) ~~on CITES compliance procedures to~~ at each meeting of the Standing Committee and ~~at each regular meeting of the Conference of the Parties; and~~ [previously 22(c)]

#### **XI. Regarding reporting to and information sharing with the Secretariat**

~~23.~~ URGES Parties:

~~ea)~~ Parties, as a matter of urgency, inform to provide the Secretariat with ~~of~~ contact details of their relevant national law-enforcement agencies responsible for investigating ~~illegal~~ trafficking in wild fauna and flora; [previously 10(c)]

~~d)~~ when informed by the Secretariat of the fraudulent use of documents issued by them, carry out an inquiry to identify the instigators of the crime, calling on ICPO-INTERPOL where necessary; [previously 10(d)]

~~e)~~ when presented with a false document, Parties do everything in their power to determine where the specimens are and where the false document originated and inform the Secretariat and other Parties involved where appropriate; [previously 10(e)]



- ~~kb)~~ Parties to provide to the Secretariat, as appropriate, and in a manner that ~~does~~ would not jeopardize any ongoing investigations or expose covert investigative techniques, detailed information regarding significant cases of illegal trade; [previously 10(k)]
- ~~lc)~~ Parties to report on illegal wildlife trade under the reporting requirements agreed in CITES species consistent with guidelines agreed in Resolution Conf. 11.17 (Rev. CoP18) on *National reports*; [previously 10(l)] and
- ~~md)~~ Parties to provide details to the Secretariat, when possible, about individuals convicted illegal traders and of a serious crime involving fauna or flora, criminal organizations and other persistent offenders of trade laws concerning fauna and flora and individuals convicted of money laundering involving fauna and flora; [previously 10(m)]

4424. DIRECTS the Secretariat to communicate promptly quickly to the Parties information received in accordance with subparagraphs ~~kb)~~ and ~~md)~~ above; [previously 11]

## **XII. Regarding the enforcement assistance activities of the Secretariat**

625. URGES the Parties, intergovernmental and non-governmental organizations to provide additional financial support for the enforcement of the Convention, by providing funds for the enforcement assistance work of the Secretariat; [previously 6]

726. DIRECTS the Secretariat to utilize such funds towards the following priorities: [previously 7]

- a) the appointment of additional officers to the Secretariat to work on enforcement-related matters;
- b) assistance in the development and implementation of regional and subregional law- enforcement agreements or Multilateral Legal Assistance Treaties (MLATs); and
- c) training and technical assistance to the Parties;

827. URGES the Parties to offer secondment of enforcement officers to assist the Secretariat in addressing law enforcement issues; and [previously 8]

928. DIRECTS the Secretariat to: [previously 9]

- a) ~~pursue closer international liaison between the Convention's institutions,~~ liaise with regional and subregional wildlife enforcement networks and national enforcement agencies, and ~~to~~ work in close cooperation with ~~ICPO-INTERPOL,~~ the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization, as ICCWC partner organizations;
- b) submit a report on activities, and outcomes as appropriate, ~~that have been~~ conducted under the auspices of ICCWC at each regular meeting of the Standing Committee ~~meeting~~ and each regular meeting of the Conference of the Parties, and consult with the Standing Committee on the development of the ICCWC Programme of Work to ensure CITES Parties' needs are adequately addressed; ~~and~~
- c) maintain the dedicated portal on the CITES website on ICCWC, in the official languages of the Convention, ~~on the CITES website~~ to enable Parties to identify opportunities and support available through ICCWC; and
- d) in close collaboration with forensic experts ~~and from relevant ICCWC partner agencies and the Society for Wildlife Forensics Science as the professional body engaged by ICCWC to advise the Consortium on wildlife forensic science matters,~~ consider annually any new applications from laboratories for inclusion in the electronic directory of laboratories that conduct wildlife forensic testing of fauna and flora and, ~~further,~~ to review ~~existing listings~~ the directory every two years.

4029. RECOMMENDS that [previously paragraph 10 – see also parts of previous paragraph 10 in new paragraphs 8, 9, 11 and 21] ~~h)~~ the Secretariat, in consultation with the Standing Committee, establish *ad hoc* CITES enforcement task forces as needed focusing ~~initially~~ on species included in Appendix I significantly affected by or implicated in illegal trade; [previously 10(h)]



4630. DIRECTS the Secretariat to, subject to available resources: [previously 16]

- a) analyse, in collaboration with ICCWC partners, the ~~annual reports on illegal wildlife trade~~ Annual Illegal Trade Reports and share with Parties relevant information relating to from the analysis with Parties and on the CITES website as appropriate to support further enforcement activities and global efforts to tackle illegal trade in CITES specimens; [first part previously paragraph 16(a) and 16(b) for the second part – as amended]

~~22. INSTRUCTS the Secretariat to:~~ ab) cooperate with ICCWC partner organizations, regional and subregional wildlife enforcement networks, and competent national authorities to: [previously 22(a)]

- i) prepare and distribute appropriate training material; and
- ii) facilitate the exchange of technical information between the authorities in charge of border controls; and
- c) submit a report on enforcement and compliance matters, which includes *inter alia*, based on the analysis of the Annual Illegal Trade Report and other relevant information available through ICCWC partners as well as other verified sources, at each ~~Standing Committee meeting~~ regular meeting of the Standing Committee and each regular meeting of the Conference of the Parties. [a mix of previous paragraphs 16(c) and 22(b)]

~~23. REPEALS the Resolutions or parts thereof listed hereunder:~~

- a) ~~Resolution Conf. 2.6 (Rev.) (San José, 1979, as amended at Fort Lauderdale, 1994) – Trade in Appendix-II and -III species – paragraph b) and paragraph under 'REQUESTS';~~
- b) ~~Resolution Conf. 3.9 (Rev.) (New Delhi, 1981, as amended at Fort Lauderdale, 1994) – International compliance control;~~
- c) ~~Resolution Conf. 6.3 (Ottawa, 1987) – The Implementation of CITES;~~
- d) ~~Resolution Conf. 6.4 (Rev.) (Ottawa, 1987, as amended at Fort Lauderdale, 1994) – Controls on illegal trade;~~
- e) ~~Resolution Conf. 7.5 (Lausanne, 1989) – Enforcement; and~~
- f) ~~Resolution Conf. 9.8 (Rev.) (Fort Lauderdale, 1994, as amended at Harare, 1997) – Enforcement.~~

RECOMMENDED AMENDMENTS OF THE STANDING COMMITTEE WORKING GROUP ON  
REVIEW OF RESOLUTION CONF. 11.3 (REV. COP18) ON  
*COMPLIANCE AND ENFORCEMENT*

RECALLING the provisions of Article II, paragraph 4, which state that the Parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention;

RECALLING further that Article I, sub-paragraph c) defines “trade” as export, re-export, import and introduction from the sea;

RECALLING that Article VIII, paragraph 1, of the Convention provides that the Parties shall take appropriate measures to enforce the provisions of the Convention and to prohibit trade in specimens in violation thereof, and that these shall include measures to penalize trade in, or possession of, such specimens, or both; and to provide for the confiscation or return to the State of export of specimens illegally traded;

RECALLING that Article VIII, paragraph 3, of the Convention provides that as far as possible, the Parties shall ensure that specimens shall pass through any formalities required for trade with a minimum of delay;

NOTING that the Preamble of the Convention recognizes that international cooperation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

AFFIRMING the obligation of Parties to collaborate closely in the application of the Convention, including through expeditious exchange of information on cases and situations related to trade in CITES specimens, including incidents involving the use of fraudulent documentation, or other suspected illegal trade in fauna and flora, to allow for timely follow-up and the application of appropriate measures, including legal sanctions when appropriate;

AWARE that there is considerable variability among Parties in their capacity to implement and enforce the provisions of the Convention, whilst also noting that this does not exempt any Party from enforcing these provisions, and RECOGNIZING that inadequate or insufficient efforts to ensure compliance with and enforcement of the Convention exacerbate enforcement problems for other Parties and undermine the overall effectiveness of the Convention;

RECOGNIZING that illegal trade in specimens of species included in the Appendices to the Convention can cause serious damage to fauna and flora, reduce the effectiveness of management programmes, undermine and threaten legal and sustainable trade and negatively impact the livelihoods of rural communities, particularly in the developing economies of many producing countries;

RECOGNIZING the importance that all Parties make every effort to exercise due diligence in their implementation of the Convention;

ACKNOWLEDGING that it is incumbent upon importing countries together with exporting and transit countries to ensure that trade in CITES-listed species is legal and sustainable, and in compliance with the Convention, and that enforcement measures adopted and implemented by Parties support conservation of species in the wild;

RECOGNIZING the important role of the International Consortium on Combating Wildlife Crime (ICWC) in bringing coordinated support to the national wildlife law enforcement agencies and to the subregional and regional networks that, on a daily basis, act in defence of natural resources;

OBSERVING the fact that reservations entered by Parties may create confusion for the trade and loopholes through which specimens illegally acquired in the countries of origin can find legal markets without any control whatsoever, therefore, weakening the conservation policies of countries seeking to conserve fauna and flora;

RECOGNIZING that trafficking in wild fauna and flora continues to be a major concern;

RECOGNIZING the significant growth in e-commerce of specimens of CITES species and that wildlife crime linked to the Internet is of increasing concern;

CONSIDERING that countries that trade in illegally obtained animal and plant specimens, including failing to comply with Resolution Conf. 9.7 (Rev. CoP15) on *Transit and transshipment*, are directly responsible for encouraging illegal trade worldwide, and in this way the natural heritage of range countries is damaged;

CONVINCED that enforcement of the Convention must be a priority of the Parties at the highest level if they are to succeed in fulfilling the objectives of the Convention and eliminating trafficking in species covered by the Convention;

CONVINCED of the need to strengthen enforcement of the Convention to address serious problems caused by the trafficking of wild fauna and flora, and that the available resources for enforcement are overwhelmed by the profits gained from such trafficking;

RECOGNIZING the importance of Resolution Conf. 17.6 on *Prohibiting, preventing, detecting and countering corruption, which facilitates activities conducted in violation of the Convention*, for effective implementation and enforcement of the Convention and this Resolution;

WELCOMING

- a) the adoption of Resolution 2011/36 on *Crime prevention and criminal justice responses against illicit trafficking in endangered species of wild fauna and flora* by the United Nations Economic and Social Council in 2011, in which it expresses concern about the involvement of organized criminal groups in the trafficking of endangered species, recognizes the efforts made at the international level and the work of ICCWC, urges the Member States of the United Nations to strengthen international, regional and bilateral cooperation, and invites the member States of the United Nations to consider making trafficking in endangered species a serious crime;
- b) outcome document, *The Future We Want*, of the United Nations Conference on Sustainable Development (Rio de Janeiro, June 2012);
- c) the Sustainable Development Goals adopted by the United Nations Sustainable Development Summit in September 2015, which call for the protection of wild fauna and flora as well as the ecosystems upon which they depend, and specifically call for “urgent action to end poaching and trafficking of protected species of flora and fauna, and address both demand and supply of illegal wildlife products” through Target 15.7 of Goal 15, and the conservation and sustainable use of oceans, seas and marine resources under Goal 14; and
- d) the July 2015 Resolution on *Tackling illicit trafficking in wildlife* and subsequent Resolutions on this matter adopted by the United Nations General Assembly, which reflect the heightened level of international concern over the devastating impacts of poaching and illegal trade in wildlife, and which, among others, calls for firm and strengthened national measures, and an enhanced regional and global response, including by strengthening legislation, providing for illegal trafficking in wildlife offences to be treated as predicate offences and taking steps to prohibit, prevent and counter corruption.

RECOGNIZING the contribution to enhancing enforcement of CITES made by regional cooperation and enforcement initiatives, such as the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora, other regional coordination initiatives and agreements such as those developed through the West Africa Strategy on Combating Wildlife Crime, and other similar initiatives;

AWARE of the need for improved cooperation and coordination among CITES authorities and relevant law enforcement agencies at the national, regional and international levels; and

ACKNOWLEDGING the important role the Secretariat can play in supporting Parties to enforce the provisions of the Convention, and the means provided under Article XIII of the Convention to achieve compliance, whilst also RECOGNIZING that Article XIII does not specify a time limit for a Party to respond to a request for information from the Secretariat, and that such a deadline is necessary in order that the absence of response not be interpreted as a refusal to respond;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. ESTABLISHES the following sections in the present Resolution:
  - I. Regarding obligations of importing countries: verifying the validity of CITES documents
  - II. Regarding exercising due diligence

- III. Regarding legislation and prosecution
- IV. Regarding enforcement at national level
- V. Regarding coordination at national level
- VI. Regarding coordination and collaboration at regional and international levels
- VII. Regarding wildlife crime linked to the Internet
- VIII. Regarding available tools, services, and resources
- IX. Regarding application of Article XIII
- X. Regarding reporting to and information sharing with the Secretariat
- XI. Regarding the enforcement assistance activities of the Secretariat

**I. Regarding obligations of importing countries: verifying the validity of CITES documents**

1. REMINDS Parties of their obligation to verify the validity of CITES documents accompanying shipments of CITES specimens, and of the need to implement Resolution Conf. 12.3 (Rev. CoP18)<sup>3</sup> on *Permits and certificates*, including at a minimum:
  - a) verifying that all of the information listed in Annex 1, *Information that should be included in CITES permits and certificates*, to Resolution Conf. 12.3 (Rev. CoP18) is included on the document;
  - b) ensuring that they do not accept under any circumstances or pretext CITES documents issued by any authority, irrespective of its hierarchical level, other than the Management Authority officially designated as competent and duly notified to the Secretariat; and
  - c) exercising due diligence when presented with a CITES permit or certificate, even if they believe it to have been issued by a competent authority, when they have a reason to believe that the CITES specimens may not have been traded in accordance with the provisions of the Convention;

**II. Regarding exercising due diligence**

2. REMINDS Parties of their obligation to inspect specimens in transit or being transhipped, to the extent possible under their national legislation, to verify the presence of a valid CITES permit or certificate as required under the Convention, in accordance with Resolution Conf. 9.7 (Rev. CoP15) on *Transit and transshipment*;
3. RECOMMENDS that:
  - a) if the Management Authority of the State of import or re-export has reason to believe that CITES specimens are being traded in contravention of the laws of any country involved in the transaction, or has reason to believe that the specimen accompanied by a CITES document may not have been traded in accordance with the provisions of the Convention, it should:
    - i) immediately consult with the Management Authority in the country whose laws were thought to have been violated (and the exporting or re-exporting country if different) and, to the extent possible, provide that Management Authority with copies of all documentation relating to the transaction, and during consultation the Parties should inform each other of all circumstances and facts relating to the transaction likely to be relevant to compliance with the Convention, national laws, illegal trade and also of control measures;

---

<sup>3</sup> Corrected by the Secretariat after the 18th meeting of the Conference of the Parties

- ii) when they have reason to believe that the specimen may not have been legally acquired, that the non-detriment finding, if required, may not have been made or properly made, or that any other CITES requirement(s) may not have been fulfilled, request the basis for the relevant determination;
  - iii) if after consulting with the Management Authority of the relevant State, the Management Authority of the State of import or re-export has not received satisfactory information regarding any CITES requirements, it should not authorize the import or re-export of the specimen concerned, including not issuing any required permits or certificates;
  - iv) if there is no satisfactory response, request the assistance of the Secretariat, as appropriate, in the context of its responsibilities under Article XIII of the Convention and Resolution Conf. 14.3 (Rev. CoP18) on *CITES compliance procedures*;
  - v) in case of violation of the provisions of the Convention, immediately take appropriate enforcement measures, including pursuant to Article VIII, paragraph 1, of the Convention in order to penalize such violation and to take appropriate remedial action; and
  - vi) if appropriate, make use of stricter measures with regard to that transaction, consistent with the provisions of Article XIV, paragraph 1. a), of the Convention; and
- b) if when implementing the provisions of Resolution Conf. 9.7 (Rev. CoP15) on *Transit and transshipment*, the Management Authority of the State through which specimens are transiting or being transhipped has reason to believe that specimens may not have been traded in accordance with the provisions of the Convention, it should immediately consult with the Management Authority in the State of export or re-export and, to the extent possible, provide that Management Authority with copies of all documentation relating to the transaction;
  - c) to ensure effective cooperation, Management Authorities should provide timely responses to inquiries (good practice is to provide a response within two weeks or indicate the need for more time to provide a response) and cooperate with the Management Authorities of other Parties, and the Secretariat when applicable, on matters relating to the validity of CITES documents;
  - d) Parties, when informed by the Secretariat of the fraudulent use of documents alleged to have been issued by them, carry out a timely inquiry to identify the individuals involved, seeking assistance from their INTERPOL National Central Bureau where necessary; and
  - e) when presented with a false document, Parties do everything in their power to determine where the specimens are and where the false document originated and inform the Secretariat and other Parties involved, where appropriate;
4. URGES Parties to strengthen the controls on trade in fauna and flora into, through and from the territories under their jurisdiction, and in particular controls on shipments from other countries, including neighbouring countries, and to verify the validity of documents, as required under the Convention, originating from such countries with the relevant Management Authorities;
  5. RECOMMENDS that, if any Party has reason to believe that an Appendix-I or -II species is being traded by a Party in a manner detrimental to the survival of that species, it:
    - a) consult directly with the appropriate Management Authority;
    - b) if it does not receive a response or the response is not satisfactory, request the assistance of the Secretariat, as appropriate, in the context of its responsibilities under Article XIII of the Convention and Resolution Conf. 14.3 (Rev. CoP18); and
    - c) make use of the provisions of Article XIV, paragraph 1. a), of the Convention to take stricter measures as they see fit;

### **III. Regarding legislation and prosecution**

#### 6. RECOMMENDS that

- a) Parties include in domestic measures sanctions for infringements that are appropriate to their nature and gravity and advocate for application of such sanctions;
- b) make trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, in accordance with their national legislation and Article 2 (b)<sup>4</sup> of the United Nations Convention against Transnational Organized Crime;
- c) review and amend national legislation, as necessary and appropriate, so that offences connected to the illegal trade in fauna and flora are treated as predicate offences, as defined in the United Nations Convention against Transnational Organized Crime, for the purposes of money-laundering offences, and are actionable under domestic legislation applicable to the proceeds of crime;
- d) review and amend national legislation as necessary and appropriate, to address the competences and responsibilities of relevant national agencies to facilitate effective investigations of crime involving fauna and flora, and inter-agency cooperation;
- e) implement national legislation to combat money laundering and facilitate asset forfeiture and appropriate penalties to ensure that criminals do not benefit from the proceeds of their crimes, stressing that effective prosecutions against money laundering linked to trafficking in fauna and flora benefit from bringing together trade and money laundering expertise, including from financial intelligence units, as appropriate;
- f) prosecute those involved in crime involving fauna and flora, in particular those identified as members of organized crime groups, under a combination of relevant legislation which carry appropriate penalties that will act as effective deterrents, whenever possible;

#### 7. ENCOURAGE relevant national law enforcement agencies to establish communication networks, or expand existing networks, to combat organized crime involving fauna and flora, in accordance with relevant legislation regulating such matters, including putting in place and maintaining strict and secure procedures for managing covert human intelligence sources, and Parties to establish appropriate measures to offer protections and rewards for individuals who provide information that leads to the arrest and conviction of offenders involved in illegal taking (e.g., poaching, illegal harvest) and trafficking of CITES animal and plant species, as appropriate;

### **IV. Regarding enforcement at national level**

#### 8. REMINDS Parties to:

- a) ensure strict compliance, enforcement, and control with respect to all mechanisms and provisions of the Convention relating to the regulation of trade in CITES listed species, and of all provisions ensuring protection against the trafficking of these species; and
- b) in case of violation of the provisions of the Convention, immediately take appropriate measures pursuant to Article VIII, paragraph 1, of the Convention in order to penalize such violation and to take appropriate remedial action;

#### 9. RECOMMENDS that Parties:

- a) ensure that illegal trade in wild fauna and flora is a high priority for all relevant domestic law enforcement agencies;
- b) if appropriate, consider formulating national action plans, incorporating timetables, targets and provisions for funding, designed to enhance enforcement of CITES, achieve compliance with its provisions, and support relevant enforcement agencies;

---

<sup>4</sup> Under article 2b) of the United Nations Convention against Transnational Organized Crime a "serious crime" is defined as conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.

- c) empower officials who have the responsibility to investigate crime involving fauna and flora with appropriate training, authority and resources to effectively carry out their responsibilities to address such crimes;
- d) address the role of corruption in facilitating crime involving fauna and flora, as recognized in Resolution Conf. 17.6, through implementation of effective anti-corruption measures; and
- e) conduct outreach to and support training for regulated industry to ensure understanding of CITES and national requirements in order to enhance compliance and support the legal trade.

**V. Regarding coordination at national level**

10. RECOMMENDS that:

- a) Parties establish inter-agency mechanisms for coordination and communication at the national level, bringing together Management Authorities and all governmental agencies responsible for the enforcement of CITES, including customs and the police;
- b) Parties that have not already done so consider nominating officials from relevant national enforcement and prosecuting agencies to participate in the INTERPOL Wildlife Crime Working Group;
- c) Parties put in place, or further enhance, national measures and communication channels to ensure that the required level of real-time support can be provided to park rangers, and other wildlife and enforcement personnel who are confronted by heavily armed groups and exposed to serious risk of attack;
- d) Parties raise awareness amongst military personnel to sensitize them to the negative consequences of poaching and consumption of illegal fauna and flora; and
- e) Parties remind their diplomatic missions, their delegates on mission in foreign countries and their troops, including those serving under the flag of the United Nations, that they are not exempted from the provisions of the Convention;

11. RECOMMENDS that Management Authorities coordinate with governmental agencies responsible for enforcement of CITES, including customs and the police, and, where appropriate, technically qualified nongovernmental organizations, by arranging training activities and joint meetings, and facilitating the exchange of information;

12. FURTHER RECOMMENDS that Parties:

- a) develop and implement a comprehensive strategy for border controls, audits and investigations concerning CITES specimens, including by:
  - i) increasing quality of controls at the time export, import, re-export and introduction from the sea;
  - ii) applying due diligence to ensure compliance with Resolution Conf. 9.7 (Rev. CoP15) on *Transit and transshipment* when following the different procedures for customs clearance of goods and customs procedures for transit, temporary admission, warehouse storage, etc.;
  - iii) ensuring the awareness and training of officers in CITES matters regarding, for example, CITES requirements, identification of specimens and the handling of live animals;
  - iv) ensuring document control in order to authenticate and validate CITES permits and certificates, especially, if necessary, by requesting the Secretariat to confirm their validity;
  - v) conducting physical examinations of goods, based on a policy of risk assessment and targeting;
  - vi) using scanning equipment as appropriate in support of and to increase the detection of illegal shipments of fauna and flora;



- vii) using detector-dog programmes as appropriate, or other innovative detection programmes, and sharing knowledge and experience with those Parties that may be interested in developing and implementing such programmes; and
  - viii) providing the necessary resources in order to achieve these objectives;
- b) promote incentives to secure the support and cooperation of local and rural communities in managing fauna and flora and thereby combating poaching and illegal trade;
  - c) where appropriate, evaluate and utilize for enforcement purposes, information from nongovernmental sources while maintaining standards of confidentiality;
  - d) consider the formation, at the national level, of specialized fauna and flora law enforcement units or teams; and
  - e) carry out focused national and regional capacity-building activities with particular focus on fostering inter-agency cooperation and improving knowledge of legislation; species identification; risk analysis and investigation of criminal actions; and delivering successful prosecutions and deterrent penalties.

#### **VI. Regarding coordination and collaboration at regional and international levels**

##### 13. RECOMMENDS that Parties:

- a) that are not yet signatories to, or have not yet ratified, the UN Convention against Transnational Organized Crime and the UN Convention against Corruption consider doing so, and implement all associated obligations, including with respect to transnational organized crime or corruption that enables illegal trade in fauna and flora in contravention of CITES or other national legal frameworks;
- b) work together within their regions to develop appropriate mechanisms for cooperation and coordination among relevant law enforcement agencies at the regional level;
- c) where necessary to ensure compliance with CITES, consider formulating regional action plans, incorporating timetables, targets and provisions for funding, designed to enhance enforcement of CITES, achieve compliance with its provisions, and support relevant law enforcement agencies;
- d) as appropriate, fully execute and deliver outcomes from intelligence-driven operations, and participate in the operations initiated at the international level by Parties and organizations such as INTERPOL and the World Customs Organization, to mobilize resources and initiate targeted activities to combat crime involving fauna and flora; and
- e) strengthen cooperation relating to enforcement measures implemented across exporting, transit, and importing States to address illegal trade in fauna and flora;

##### 14. RECOMMENDS that Parties whenever appropriate and possible, liaise closely with Management Authorities and law enforcement agencies in exporting, transit, and importing countries to help investigate, detect, deter and prevent illegal trade in wildlife through the exchange of intelligence, technical advice and support.

#### **VIII. Regarding wildlife crime linked to the Internet**

##### 15. RECOMMENDS that Parties:

- a) evaluate or develop domestic measures to ensure that they are sufficient to address the challenges of controlling and investigating illegal wildlife trade and punishing the perpetrators, giving high priority to the offer for sale of specimens of species included in Appendix I;
- b) establish, at the national level, a unit dedicated to investigating wildlife crime linked to the Internet or incorporate wildlife trade issues into existing units that investigate or monitor computer or cyber-crime;
- c) establish at the national level a mechanism to coordinate the monitoring of wildlife crime linked to the Internet and provide for the timely sharing of relevant information between designated points of contact in Management and Enforcement Authorities;

- d) appoint national points of contact with knowledge and training in online investigations, evidence gathering, and prosecutions to serve as focal points for enquiries from other Parties and intergovernmental organizations;
- e) establish an ongoing national monitoring programme, and in conjunction with relevant experts, develop a list of CITES species that are most commonly found in illegal trade on digital and online platforms;
- f) identify key contacts at online technology and data companies who can facilitate the provision of information upon request from Parties in support of investigations;
- g) engage online platforms to:
  - i) introduce and publish policies to address and prevent the use of such platforms for illegal trade in wildlife, including measures to ensure compliance with such policies;
  - ii) ensure that such policies are presented clearly and visibly; and
  - iii) encourage them to inform their users about wildlife crime linked to the internet, by using targeted alerts and other technology to make users aware of relevant laws and website policies;
- h) raise awareness of wildlife crime linked to the Internet through public outreach and by engaging directly with online technology companies; and
- i) encourage the cooperation and engagement of postal, transport, logistical and financial service providers and relevant retail sectors in addressing illegal wildlife trade;

16. RECOMMENDS further that Parties and INTERPOL:

- a) submit information to the Secretariat on methodologies used by other agencies that may assist in the evaluation of mechanisms to regulate legal commerce and combat illegal trade of CITES species via the Internet;
- b) ensure that sufficient resources are directed to:
  - i) investigating and targeting illegal Internet-based trade in CITES species; and
  - ii) conducting training and awareness raising as well as monitoring and enforcement of illegal online trade in CITES species;
- c) use data acquired during monitoring activities to establish strategies regarding enforcement, capacity building and public awareness; and
- d) promote the use of the capacity established by INTERPOL on wildlife crime linked to the Internet;

**IX. Regarding available tools, services and resources**

17. RECOMMENDS further that Parties:

- a) affected by significant poaching or illegal harvest of CITES species, or that have made a large-scale seizure of such specimens, contact the Secretariat to request the deployment of a Wildlife Incident Support Team (WIST), should such support be needed, immediately following such an incident;
- b) promote and increase the use of forensic technology, including sharing such technologies with other Parties, and specialized investigation techniques, such as controlled deliveries, in the investigation of crime involving fauna and flora;
- c) make use of the different tools available through ICCWC in order to strengthen enforcement-related aspects of the implementation of the Convention, in particular the *ICCWC Wildlife and Forest Crime Analytic Toolkit*, which was developed to assist Parties in conducting a comprehensive analysis of possible means and measures to protect and monitor wildlife and forest products, and in identifying technical assistance needs, and the *ICCWC Indicator Framework for Wildlife and Forest Crime*, which provides an important framework of indicators that cover the major components of a law enforcement

response to wildlife and forest crime, for use at the national level by Parties to measure and monitor the effectiveness of their law enforcement responses to these crimes;

- d) make use of the UNODC *Guide on Drafting Legislation to Combat Wildlife Crime*; and
  - e) use the CITES Virtual College, which provides access to courses and training materials to build enforcement capacity;
18. URGES Parties and the donor community to provide financial support to ICCWC, to assist it in providing coordinated support to national wildlife law enforcement agencies and to subregional and regional law enforcement networks, and delivering capacity building activities;
19. URGES the Parties, intergovernmental and non-governmental organizations to provide, as a matter of urgency, funds and expertise to enable enforcement-related training and the provision of training materials, focusing preferably on a regional or subregional basis, to developing countries and countries with economies in transition and range States affected by illegal trade in fauna and flora, and to ensure that relevant law enforcement personnel in such countries are adequately trained and equipped;
20. URGES INTERPOL to support the attendance of a representative from its Wildlife Crime Working Group at meetings of the Conference of the Parties to CITES;

**X. Regarding application of Article XIII**

21. RECOMMENDS that:
- a) when, in application of Article XIII of the Convention and Resolution Conf. 14.3 (Rev. CoP18), the Secretariat requests information on a potential compliance matter, Parties reply within one month or, if this is not possible, provide an approximate date by which they consider it will be possible to provide the requested information;
  - b) when, within six months, the information requested has not been provided, Parties provide the Secretariat with justification for why they have not been able to respond;
  - c) if significant compliance matters concerning particular Parties are brought to the attention of the Secretariat, the Secretariat, in consultation with the Chair of the Standing Committee and as expeditiously as possible, work with the Parties concerned to try to solve the matter and offer advice or technical assistance, as appropriate;
  - d) if it does not appear a solution can be readily achieved, including as a result of a failure of the relevant Party to provide a response or an adequate response, the Secretariat bring the matter to the attention of the Standing Committee, which may pursue it in direct contact with the Party concerned with a view to finding a solution; and
  - e) the Secretariat keep the Parties informed as fully as possible, including if appropriate through Notifications to the Parties, of such compliance matters and of actions taken to solve them, and include such matters, including as appropriate draft recommendations, in its reports for meetings of the Standing Committee and the Conference of the Parties; and
22. DIRECTS the Secretariat to report on the implementation of Article XIII and Resolution Conf. 14.3 (Rev. CoP18) at each meeting of the Standing Committee and of the Conference of the Parties;

**XI. Regarding reporting to and information sharing with the Secretariat**

23. URGES Parties:
- a) to provide the Secretariat with contact details of their relevant national law enforcement agencies responsible for investigating trafficking in wild fauna and flora;
  - b) to provide to the Secretariat, as appropriate, and in a manner that does not jeopardize any ongoing investigations or expose covert investigative techniques, detailed information regarding significant cases of illegal trade;

- c) to report on illegal trade in CITES species consistent with guidelines agreed in Resolution Conf. 11.17 (Rev. CoP18) on *National reports*; and
  - d) to provide details to the Secretariat, when possible, about individuals convicted of a serious crime involving fauna and flora, criminal organizations and other persistent offenders of trade laws concerning fauna and flora, and individuals convicted of money laundering involving fauna and flora;
24. DIRECTS the Secretariat to communicate promptly to the Parties information received in accordance with subparagraphs b) and d) above;

**XII. Regarding the enforcement assistance activities of the Secretariat**

25. URGES the Parties, intergovernmental and non-governmental organizations to provide additional financial support for the enforcement of the Convention, by providing funds for the enforcement assistance work of the Secretariat;
26. DIRECTS the Secretariat to utilize such funds towards the following priorities:
- a) the appointment of additional officers to the Secretariat to work on enforcement-related matters;
  - b) assistance in the development and implementation of regional and subregional law- enforcement agreements or Multilateral Legal Assistance Treaties (MLATs); and
  - c) training and technical assistance to the Parties;
27. URGES the Parties to offer secondment of enforcement officers to assist the Secretariat in addressing law enforcement issues; and
28. DIRECTS the Secretariat to:
- a) liaise with regional and subregional wildlife enforcement networks and national enforcement agencies, and work in close cooperation with INTERPOL, the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization, as ICCWC partner organizations;
  - b) submit a report on activities, and outcomes as appropriate, conducted under the auspices of ICCWC at each regular meeting of the Standing Committee and each meeting of the Conference of the Parties, and consult with the Standing Committee on the development of the ICCWC Programme of Work to ensure CITES Parties' needs are adequately addressed;
  - c) maintain the dedicated portal on the CITES website on ICCWC, in the official languages of the Convention, to enable Parties to identify opportunities and support available through ICCWC; and
  - d) in close collaboration with forensic experts and relevant partner agencies, consider annually any new applications from laboratories for inclusion in the electronic directory of laboratories that conduct forensic testing of fauna and flora and, review the directory every two years;
29. RECOMMENDS that the Secretariat, in consultation with the Standing Committee, establish *ad hoc* CITES enforcement task forces as needed focusing on species significantly affected by or implicated in illegal trade; and
30. DIRECTS the Secretariat to, subject to available resources:
- a) analyse, in collaboration with ICCWC partners, the Annual Illegal Trade Reports and share relevant information from the analysis with Parties and on the CITES website as appropriate to support enforcement activities and global efforts to tackle illegal trade in CITES specimens;
  - b) cooperate with ICCWC partner organizations, regional and subregional wildlife enforcement networks, and competent national authorities to:
    - i) prepare and distribute appropriate training material; and

- ii) facilitate the exchange of technical information between the authorities in charge of border controls;  
and
- c) submit a report on enforcement and compliance matters, which includes *inter alia*, the analysis of the Annual Illegal Trade Report and relevant information available through ICCWC partners as well as other verified sources, at each regular meeting of the Standing Committee and each meeting of the Conference of the Parties.

DRAFT DECISION ON REVIEW OF RESOLUTION CONF. 11.3

**19.XX Directed to the Standing Committee**

Taking into account any revisions adopted at CoP19, the Standing Committee shall consider whether the following topics are gaps to be addressed in the content of Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*:

- a) the role of professional bodies and whether they should be held to higher standards with regard to violations/compliance;
- b) Whether to consider additional guidance in the Resolution relating to compliance and enforcement issues unique to trade in CITES-listed marine species, including issues pertaining to introduction from the sea;
- c) Whether to consider adding guidance in the Resolution relating to stockpile management;
- d) Whether to consider adding guidance in the Resolution relating to the One Health approach – a collaborative and transdisciplinary approach to achieving optimal health outcomes for people, animals, plants, and their shared environment;
- e) Whether to consider adding guidance in the Resolution relating to possible outcomes from currently ongoing discussions in Standing Committee working group on Electronic systems and information technologies; and
- f) Whether to update timeframes for providing information in response to requests for information from the Secretariat on a potential compliance matter.

The Standing Committee may also identify additional gaps to be addressed in the content of Resolution Conf. 11.3 (Rev. CoP19). In undertaking its review, the Standing Committee shall make efforts not to duplicate other relevant ongoing work, and may refer any of the identified topics be considered under other relevant work of the Standing Committee as appropriate. Based on its review, the Standing Committee shall make recommendations as appropriate to revise Resolution Conf. 11.3 (Rev. CoP19) to address gaps identified for consideration at the 20th meeting of the Conference of the Parties.

TENTATIVE BUDGET AND SOURCE OF FUNDING  
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP18) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The Secretariat proposes the following tentative budget and source of funding.

The Secretariat considers that the implementation of the draft decision has workload implications for the Standing Committee that can be absorbed within the existing resources.