

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

Wildlife crime enforcement support in West and Central Africa

REPORT OF THE STANDING COMMITTEE

1. This document has been submitted by the Standing Committee.*
2. At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted Decisions 18.88 to 18.93 on *Wildlife crime enforcement support in West and Central Africa* as follows:

Directed to Parties in West and Central Africa

18.88 *Parties of West and Central Africa should:*

- a) *draw upon the information and recommendations provided in the West and Central Africa Threat Assessment Report available as Annex 4 to document CoP18 Doc. 34 and the recommendations in Annex 2 of document CoP18 Doc. 34, to strengthen CITES implementation and address wildlife crime; and*
- b) *identify priority actions that could benefit from support and present these to the International Consortium on Combatting Wildlife Crime (ICCWC), donors and the development community, in order to seek support to implement them.*

18.89 *Parties in West and Central Africa identified as affected by illegal trade in wildlife within the region should engage in regional and bilateral activities to share information on their national legislative and regulatory measures to address such illegal trade, exchange experiences and best practices, and identify opportunities for regional and cross-border cooperation and joint actions, including where appropriate the formulation of national or regional action plans as anticipated by paragraph 14 a) ii) and 10 f) of Resolution Conf. 11.3 (Rev. CoP18) on Compliance and enforcement, taking into consideration the provisions of paragraph 15 q) of the same Resolution.*

Directed to Parties importing CITES specimens from West and Central Africa

18.90 *Parties importing CITES specimens from West and Central Africa are encouraged to assist their counterparts in West and Central Africa, by implementing measures that will address wildlife crime and support legal trade that is limited to sustainable levels, in particular by:*

* 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) *supporting efforts to determine and ensure sustainable levels of trade through scientific studies that can facilitate the making of robust non-detriment findings;*
- b) *closely scrutinizing consignments of CITES-listed species imported from West and Central Africa and accompanying CITES documents to ensure that illegal species are not laundered into legal trade; and*
- c) *as a priority, raise any concerns about imports with the exporting State, or with the Animals Committee, Plants Committee, Standing Committee, or the Secretariat.*

Directed to Parties, intergovernmental and non-governmental organizations

18.91 *Parties, intergovernmental and non-governmental organizations are encouraged to provide financial and technical assistance to Parties in West and Central Africa and mobilize resources to address the matters identified in the West and Central Africa Threat Assessment Report available as Annex 4 to document CoP18 Doc. 34; the recommendations in Annex 2 to document CoP18 Doc. 34, the guidelines in information documents SC70 Inf. 2 and SC70 Inf. 3; and any further recommendations made by the Standing Committee.*

Directed to the Standing Committee

18.92 *The Standing Committee shall:*

- a) *consider the report from the Secretariat in accordance with Decision 18.93, paragraph d) and progress made by Parties in West and Central Africa in strengthening CITES implementation and make further recommendations as appropriate; and*
- b) *consider any report from the Plants Committee, in response to the recommendation agreed at its 70th meeting, concerning the inclusion of *Pterocarpus erinaceus* from all range States in the Review of Significant Trade and make recommendations as required.*

Directed to the Secretariat

18.93 *The Secretariat shall:*

- a) *draw to the attention of relevant United Nations agencies, the African Union, the Commission of Central African Forests, the Global Environmental Facility, and development agencies, the West and Central Africa Threat Assessment Report available as Annex 4 to document CoP18 Doc. 34 and the recommendations in Annex 2 to document CoP18 Doc. 34, and the guidelines in information documents SC70 Inf. 2 and SC70 Inf. 3; and encourage these to be taken into consideration in the development of work programmes or activities initiated by these entities in the two subregions;*
- b) *subject to external funding, work with its partners in the International Consortium on Combatting Wildlife Crime (ICWC) to support Parties in West and Central Africa in addressing illegal trade in wildlife, including addressing the matters identified in the West and Central Africa Threat Assessment Report available as Annex 4 to document CoP18 Doc. 34; the recommendations in Annex 2 to document CoP18 Doc. 34, the guidelines in information documents SC70 Inf. 2 and SC70 Inf. 3; and any further recommendations made by the Standing Committee;*
- c) *subject to the availability of external funds and upon request from Parties, undertake general and targeted capacity-building activities to strengthen the effective implementation of CITES in the two subregions, taking into consideration the contents of information documents SC70 Inf. 2 and SC70 Inf. 3;*
- d) *report, as appropriate, to the Standing Committee on the results of the activities conducted in accordance with Decision 18.93 paragraphs a) to c); and*
- e) *the Secretariat shall give priority to the guidelines agreed by West African parties as contained in information documents SC70 Inf. 2 and SC70 Inf. 3 in the course of the implementation of its capacity-building work.*

3. At its 74th meeting (SC74, Lyon, March 2022), the Standing Committee considered the report of the Plants Committee (PC25, online, June 2021), as required by Decision 18.92, paragraph b), and a report by Senegal. These two documents, [SC74 Doc. 35.1.1](#) and [SC74 Doc. 35.1.2](#) respectively, concerned the inclusion of *Pterocarpus erinaceus* in the Review of Significant Trade.
4. The Committee also considered the report of the Secretariat as required by Decision 18.92, paragraph a), and a report submitted by Nigeria, Benin and Niger on behalf of the Economic Community of West African States (ECOWAS). These two documents, [SC74 Doc. 35.2](#) and [SC74 Doc 35.3](#) respectively, addressed the broader aspects of wildlife crime enforcement support in West¹ and Central² Africa.

Implementation of Decisions 18.88, 18.89, 18.91, 18.92, paragraph a), and 18.93

5. Document [SC74 Doc. 35.2](#) submitted by the Secretariat provided information on a broad range of activities undertaken in West and Central Africa since CoP18, and support available to Parties to strengthen CITES implementation and address wildlife crime in the two subregions. It further highlighted initiatives undertaken by Parties in West Africa, under the coordination of the ECOWAS, in particular, the development of the *West Africa Strategy on Combating Wildlife Crime* (WASCWC). The growing recognition of West and Central Africa as a source and transit region for illegal wildlife products had led to increased awareness amongst some of the Parties concerned, as well as an increase in interest and support amongst the international community and technical partners. However, both subregions continued to be significantly affected by wildlife crime and further strengthened efforts were needed.
6. To implement Decision 18.93, paragraph a), the Secretariat wrote to 34 organizations in March 2020, including relevant United Nations agencies, the African Union, the Commission of Central African Forests, the Global Environmental Facility and development agencies, to draw their attention to the [West and Central Africa Threat Assessment Report](#), the [recommendations in Annex 2 to document CoP18 Doc. 34](#) and the guidelines in information documents [SC70 Inf. 2](#) and [SC70 Inf. 3](#). The Secretariat encouraged these entities to explore, as appropriate, opportunities to take the matters outlined in the documents mentioned, into consideration in the development and implementation of any relevant work programmes or activities undertaken in the West and Central African subregions. Several organizations confirmed that relevant work was planned and undertaken through their respective agency programmes across West and Central Africa.
7. The Secretariat further reported on a suite of activities that were envisaged to be delivered in close cooperation with its ICCWC partners in support of strengthening implementation and enforcement of CITES across the West and Central African subregions. The Secretariat reported that the proposed activities are aligned with the findings emanating from the [West and Central Africa Threat Assessment Report](#), recommendations from CoP18 ([Annex 2 of CoP18 Doc. 34](#)), information from Parties in the region (information documents [SC70 Inf. 2](#) and [SC70 Inf. 3](#)) and responses received from Parties requesting support. The proposed activities include training on CITES implementation and enforcement; border control activities; activities to enhance national legislation and its application; activities to support national coordination and collaboration and international cooperation; and activities in support of addressing and mitigating corruption risks, amongst others. It was reported that the envisaged activities have been designed to be coordinated, cohesive, and well targeted, complementing other initiatives underway across the Secretariat, such as the CITES Compliance Assistance Program (CAP), the CITES Tree Species Programme (CTSP) and the CITES Monitoring the Illegal Killing of Elephants (MIKE) programme.
8. Document [SC74 Doc. 35.3](#) submitted by Nigeria, Benin and Niger on behalf of the ECOWAS provided an update on the implementation of Decisions 18.88 to 18.90 by Parties in the West African region, including the validation of the WASCWC by all ECOWAS Environment Ministers (in October 2020), which represented a significant milestone for the region. The development of a West Africa Network to Combat Wildlife Crime (WAN) as the implementing mechanism of the WASCWC and a number of capacity-building initiatives and efforts by Parties in the region to enhance the implementation of CITES, were also highlighted in the document. Further, the increasing attention concerning wildlife crime and the associated responses in the region were welcomed. The document further highlighted the need for continuing to adopt measures to combat wildlife crime across source, transit and consumer states.

¹ **West Africa:** Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo.

² **Central Africa:** Angola, Cameroon, the Central African Republic, Chad, Congo, the Democratic Republic of the Congo, Equatorial Guinea, Gabon, and Sao Tome and Principe.

9. At SC74, the Committee agreed on a number of recommendations aimed at further strengthening responses to address wildlife crime in both subregions. The Committee:
- a) noted the broad range of activities reported upon and support available to Parties in West and Central Africa;
 - b) encouraged Parties in West and Central Africa, as well as organizations and other entities implementing projects in the two subregions, to build upon this through continued exploration of synergies and by leveraging on collective action to strengthen responses to wildlife crime affecting the subregions;
 - c) further encouraged Parties in West and Central Africa to further step up efforts to strengthen CITES implementation and enforcement by actively pursuing the implementation of the Decisions adopted at CoP18 and implementing the recommendations in [Annex 2 of document CoP18 Doc. 34](#);
 - d) welcomed the adoption of the WASCWC and encouraged Parties in West Africa to actively pursue its rapid and full implementation; and
 - e) encouraged Parties, governmental, intergovernmental and non-governmental organizations and interested stakeholders to provide support to the West Africa subregion in its implementation of the WASCWC.
10. The Committee further agreed to submit draft decisions 19.AA and 19.BB on *Strengthening collaboration between source, transit and consumer countries* and draft decisions 19.AA and 19.BB on *Strengthening wildlife law enforcement in West Africa*, available in Annexes 1 and 2 to the present document, for consideration at the 19th meeting of the Conference of the Parties.

Implementation of Decisions 18.90 and 18.92 paragraph b)

11. The reporting of the Secretariat in document [SC74 Doc. 35.2](#) included information on initiatives that contributed to the implementation of Decision 18.90 and the Convention, and highlighted an online seminar on *Import and Export Management and Protection of Endangered Species* organized by the National Academy of Forestry and Grassland Administration (NAFGA) of the People's Republic of China in June 2021. The Secretariat highlighted that it remains critical that Parties importing CITES specimens from West and Central Africa support their counterparts in these two subregions to determine sustainable levels of trade through scientific studies and non-detriment findings. The Secretariat noted that the implementation of Decision 18.90 is particularly relevant for trade in *Pterocarpus erinaceus*.
12. At its 70th meeting (SC70, Sochi, October 2018), the Standing Committee agreed a recommendation requesting the Plants Committee to consider the inclusion of *Pterocarpus erinaceus* from all range States in the Review of Significant Trade. Decision 18.92 paragraph b) directed the Standing Committee to consider any report from the Plants Committee, in response to the recommendation agreed at SC70 and make recommendations as required. As noted in paragraph 3 of the present document, the Committee at SC74 considered the report of the Plants Committee and a working document from Senegal on the same subject. After discussion, the Committee agreed the following:
- a) The Committee requested the Secretariat to:
 - i) open an Article XIII procedure for *Pterocarpus erinaceus* for all range States based on the exceptional circumstances due to pervasive documented illegal trade;
 - ii) issue a Notification directly after the end of SC74, requesting the range States to submit within 30 days a justification that the Article XIII procedure is not applicable to them, by either providing their non-detriment finding and legal acquisition finding, or by requesting the Secretariat to publish a voluntary zero export quota;
 - iii) after having received and analyzed the responses from the range States, in consultation with the Chairs of the Standing Committee and of the Plants Committee, issue a Notification informing Parties that a suspension is set in place for all commercial trade in *Pterocarpus erinaceus* for those Parties that did not reply or did not provide a satisfying justification.

- b) The Committee called upon the Plants Committee to expedite its Review of Significant Trade of *Pterocarpus erinaceus* in order for the Committee to receive a progress report from the Plants Committee at SC75.
 - c) In anticipation of the Notification mentioned in a) iii) above, the Committee requested importing Parties to reject all export permits concerning *Pterocarpus erinaceus*, based on concerns related to the sustainability and legality of the specimens and exercising due diligence having regard to Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*, and requested the Secretariat to issue a Notification to the Parties to this effect.
 - d) The Committee requested that all CITES permits and certificates for *Pterocarpus erinaceus* be verified by the Secretariat prior to acceptance by importing Parties.
 - e) In the light of the recommendations in the Outcome Document of the *CITES Task Force meeting on illegal trade in specimens of listed tree species* (see document CoP19 Doc. 35), the Committee encouraged range States for *Pterocarpus erinaceus* to:
 - i) explore opportunities to initiate targeted regional operations with support from the United Nations Office on Drugs and Crime/World Customs Organization (WCO) Container Control Programme;
 - ii) undertake risk assessments to develop risk profiles specific to *Pterocarpus erinaceus* and to reach out to the WCO for support where needed;
 - iii) capacitate and provide training to frontline officers responsible for physical inspections regarding timber identification, aiming to have at least one officer available with expert knowledge concerning timber and access to equipment to facilitate such work, seeking support from the Secretariat where required.
 - f) Further, the Committee recalled the recommendations adopted at CoP18 in [Annex 2 of document CoP18 Doc. 34](#) based on the [West and Central Africa Threat Assessment Report](#) and encouraged Parties to pursue the implementation of these recommendations as relevant to them, also specifically in the context of combatting illegal trade in *Pterocarpus erinaceus*.
13. The Secretariat issued [Notification to the Parties No. 2022/021](#) of 28 March 2022 to initiate the expedited application of Article XIII for West African rosewood (*Pterocarpus erinaceus*) for all range states. At the time of writing the present document, this process was ongoing and the matter will be further discussed by the Committee in its future meetings.

Recommendations

14. The Conference of the Parties is invited to adopt the draft decisions contained in Annexes 1 and 2 to the present document.

COMMENTS OF THE SECRETARIAT

- A. Documents [CoP19 Doc. 36.1](#) on *Wildlife crime enforcement support in West and Central Africa* submitted by the Standing Committee, and [CoP19 Doc. 36.2](#) on *Wildlife Crime and CITES Enforcement Support in West and Central Africa* submitted by Côte d'Ivoire, The Gambia, Liberia, Niger, Nigeria and Senegal, both address the matter of wildlife crime enforcement support in West and Central Africa. The comments in the following paragraphs apply to both documents.
- B. Document CoP19 Doc. 36.1 highlights a broad range of activities that have been undertaken in West and Central Africa since CoP18, as well as support available to Parties in the two subregions. The document also highlights that both subregions continue to be significantly affected by wildlife crime and that further efforts are needed. Document CoP19 Doc. 36.2 provides information on numerous measures and activities undertaken in West Africa that contributed to and supported the implementation of the CoP18 Decisions on *Wildlife crime enforcement support in West and Central Africa*. The document also reiterates significant concern about ongoing high levels of wildlife crime taking place across the region. The Secretariat notes that many of the activities outlined in the draft decisions in documents CoP19 Doc. 36.1 and Doc. 36.2 can already be implemented using existing processes and therefore does not recommend the adoption of the

draft decisions in both documents. Instead, in order to streamline the proposed draft decisions and to leverage the existing CITES processes and cooperation mechanisms, the Secretariat proposes a new set of draft decisions in paragraph V that incorporates elements of both documents. The rationale for this new set of draft decisions is explained in detail in paragraphs C to U below.

Document CoP19 Doc. 36.1

Draft decisions 19.AA and 19.BB on *Strengthening collaboration between source, transit and consumer countries*, in Annex 1 to document CoP19 Doc. 36.1

- C. Draft decisions 19.AA and 19.BB in Annex 1 to document CoP19 Doc. 36.1 envisage activities related to the establishment of a Standing Committee working group, to formulate recommendations that will facilitate the development and adoption of procedures to promote enhanced collaboration between source, transit and consumer countries. These procedures are envisaged to include matters such as the establishment of a secure mechanism for regular exchange of seizure data; the establishment of a CITES early warning mechanism; the establishment of a forum to promote regular communication between source, transit and consumer countries; and considering the need for CITES guidelines on enforcement coordination between such countries.
- D. The Secretariat notes that guidelines, procedures and mechanisms to promote and facilitate collaboration between source, transit and consumer countries already exist. Significant room for improvement regarding the use and effective application of these however also exist:
- a) With regards to draft decision 19.AA, paragraphs a, c) and d), Parties are encouraged to use existing secure communication channels such as those provided by [INTERPOL](#) and the [World Customs Organization \(WCO\)](#) for regular exchange of enforcement and illegal trade related information. Further, international law enforcement collaboration through the mechanisms established by the [United Nations Convention against Transnational Organized Crime \(UNTOC\)](#) should be pursued.
 - b) The [National CITES Authorities](#) webpage maintained by the Secretariat, for most Parties includes information on their *Enforcement Focal Points*. In paragraph 10. c) of Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*, the Conference of the Parties recommends that Parties inform the Secretariat of contact details of their relevant national law-enforcement agencies responsible for investigating illegal trafficking in wild fauna and flora. Parties are encouraged to regularly review the information of their national *Enforcement Focal Points* on the webpage to ensure that it remains current, and Parties that have not yet done so are encouraged to communicate such details to the Secretariat. In addition, national focal point information available on the [Enforcement focal points](#) webpage provides a resource to improve collaboration and communication on a number of specific enforcement issues.
 - c) Further, the *Exercising due diligence* provisions in paragraphs 2 to 4 of Resolution Conf. 11.3 (Rev. CoP18) provides important guidance to Parties on the actions to take when there is reason to believe that specimens of CITES-listed species are traded in contravention of any laws or may not have been traded in accordance with the provisions of the Convention. If effectively implemented, these provisions could address much of what is anticipated by draft decision 19.AA.
 - d) The recommendations agreed at CoP18 as presented in Annex 2 to document CoP18 Doc. 34 on *Wildlife crime enforcement support in West and Central Africa* also provides guidance to promote collaboration between source, transit and consumer countries. These recommendations remain valid and relevant. Parties in West and Central Africa are encouraged to continue to pursue their active implementation. For ease of reference, the Secretariat made the [Recommendations to Parties in West and Central Africa for consideration in their implementation of measures and activities to address wildlife crime affecting the two subregions](#), available on the [Enforcement](#) webpage.
 - e) The [Outcome document of the Task Force on Illegal Trade in Specimens of CITES-Listed Tree Species](#) also provides important guidance on measures and activities that could be deployed to facilitate collaboration between source, transit and consumer countries. Considering that illegal trade in CITES-listed tree species significantly affect West and Central Africa, implementing these measures and activities are essential for Parties in the two subregions as well as Parties importing CITES-listed specimens from them. It is also worth noting that the same principles outlined in the outcome document could be applied to address illegal trade in other species.

- f) In addition to the above, different activities delivered and support provided through the International Consortium on Combating Wildlife Crime (ICWC) are specifically tailored to promote and facilitate enhanced collaboration between source, transit and consumer countries. These include, for example, the convening of Wildlife Inter-Regional Enforcement (WIRE)³ and/or Regional Investigative and Analytical Case (RIACM)⁴ meetings, and global operations to combat wildlife crime. Parties in West and Central Africa are strongly encouraged to engage in such initiatives.
- g) Further, the newly established *CITES Illegal Trade Database* and its associated dissemination platform as described in document [CoP19 Doc. 34](#) will enable Parties to directly access data recorded in the database, in accordance with paragraph 4 of Resolution Conf. 11.17 (Rev. CoP18) on *National reports*. This will provide Parties with a resource to inform research, analyses, decision-making and the development of appropriate law enforcement responses to wildlife crime.
- h) With regards to draft decision 19.AA, paragraph b), the Secretariat notes that good risk management practices provide a valuable tool in the fight against wildlife crime. Conducting risk assessments to develop risk profiles specific to species most affected by wildlife crime will assist Parties in detecting illegal consignments and targeting illegal trade routes increasingly effectively. Pursuing this could achieve what is anticipated by draft decision 19.AA, paragraph b). Risk management is also a matter addressed in the [Outcome document of the Task Force on Illegal Trade in Specimens of CITES–Listed Tree Species](#).
- E. Considering the above, the Secretariat proposes that draft decisions 19.AA and 19.BB presented in Annex 1 of document CoP19 Doc. 36.1 not be adopted and recommends that the Conference of the Parties adopt draft decisions 19.AA, 19.BB and 19.DD presented in paragraph V below. Relevant provisions of Decisions 18.88, 18.89 and 18.93 have been incorporated in draft decisions 19.BB and 19.DD proposed in paragraph V and should the Conference of the Parties adopt draft decisions 19.AA, 19.BB and 19.DD in paragraph V, as recommended, Decisions 18.88, 18.89 and 18.93 can be deleted.

Draft decisions 19.AA and 19.BB on Strengthening wildlife law enforcement in West Africa, in Annex 2 to document CoP19 Doc. 36.1

- F. Draft decisions 19.AA and 19.BB in Annex 2 to document CoP19 Doc. 36.1 envisage activities related to the establishment of a Standing Committee intersessional working group to provide the newly formed West Africa Network to Combat Wildlife Crime (WAN) with expert guidance and support as the WAN becomes operational.
- G. At its 74th meeting (SC74, Lyon, March 2022), the Standing Committee welcomed the adoption of the West Africa Strategy on Combating Wildlife Crime (WASCWC). The WAN was developed as the implementing mechanism of the WASCWC. In this regard, the Secretariat notes that a number of networks with different purposes and objectives focused on combating wildlife crime, and with varying degrees of formality and organization, have been developed across the world. In most cases these networks are known as Wildlife Enforcement Networks (WENs) and these WENs, if functioning optimally, can play an important role in facilitating increased collaboration and coordination to combat wildlife crime. To help member States and regions strengthen their existing WENs, or to support the establishment of new WENs, the Secretariat and its ICCWC partners developed the [ICCWC Guidelines for Wildlife Enforcement Networks](#). These guidelines address key considerations that should be taken into account in the development of a new WEN, and also provide a self-assessment tool for use by existing WENs to assist them in evaluating their level of maturity and/or operational performance and identify areas that could be further strengthened. Additional information can be found in the [WEN guidelines information sheet](#) available on the ICCWC website.
- H. As noted in document CoP19 Doc. 17.5 on the *International Consortium on Combating Wildlife Crime*, ICCWC has been providing targeted support to WENs in [South America \(Sud-WEN\)](#) and the Horn of Africa (HAWEN). Similar support to Parties in West Africa through the implementation of the *ICCWC Guidelines for Wildlife Enforcement Networks* could accomplish what is anticipated by draft decisions 19.AA and 19.BB. This approach might also provide a more practical and feasible manner to undertake the work envisaged.

³ A WIRE meeting is a meeting convened by UNODC designed in response to the need for intensified cooperation in the investigation of transnational criminal networks. It offers a specialized platform to convene one category of officials at a time, with a view to build bridges among like-minded professionals from different countries.

⁴ A RIACM is a meeting convened by INTERPOL to support investigations and operational analytical work., in particular to follow-up on transnational investigations linking organized criminal networks through information exchange and the development of operational plans to target these networks.

ICCWC can provide support upon request, subject to the availability of funding and resources. The Secretariat therefore recommends that Parties in West Africa through the Economic Community of West African States (ECOWAS) Commission submit a formal request for support from ICCWC to the CITES Secretariat. The Consortium can then seek and mobilize the resources needed to work with Parties in West Africa and other relevant stakeholders in support of operationalizing the WAN and the development of a strategy to facilitate implementation of the WASCWC.

- I. Considering the above, the Secretariat recommends that draft decisions 19.AA and 19.BB presented in Annex 2 to document CoP19 Doc. 36.1 not be adopted, but replaced with draft decision 19.CC as presented in paragraph V below. Provisions relevant to draft decision 19.CC have also been incorporated in draft decision 19.DD, paragraph a) as presented in paragraph V below.

Document CoP19 Doc. 36.2

Draft decisions 19.AA and 19.BB on *CITES Enforcement Fund*, in Annex 1 to document CoP19 Doc. 36.2

- J. Draft decisions 19.AA and 19.BB in Annex 1 to document CoP19 Doc. 36.2 envisage activities related to the establishment of a CITES Enforcement Fund to provide support for the West Africa subregion, with a special focus on addressing issues linked to the illegal trade in *Pterocarpus erinaceus*.
- K. Considering the global nature of wildlife crime, limiting support through such a fund to certain regions and targeting certain species might not be justified, since all regions and Parties affected by illegal trade in wildlife should be able to benefit from support through a CITES Enforcement Fund if established. The Secretariat further notes that the establishment and management of a CITES Enforcement Fund would require significant effort and investment. Maintaining and administering it will require additional funding for human resources and incur administration costs. Annex 3 to Document CoP19 Doc. 36.2 provides no estimated budget and source of funds for the implementation of these draft decisions.
- L. The Secretariat also notes that Annex 1 of document [CoP19 Doc. 7.5 on Access to funding](#) proposes a number of draft decisions to secure financial support. The Secretariat encourages Parties to explore possible opportunities through GEF-8, and to engage in their national Global Environment Facility (GEF) prioritization processes, as appropriate. In addition, several programmes through which support could be mobilized in a structured and targeted manner exist. In particular, there are a number of programmes and projects managed by the Secretariat such as the [Compliance Assistance Programme \(CAP\)](#), [ICCWC](#), the [Monitoring the Illegal Killing of Elephants \(MIKE\) Programme](#) and the [CITES Tree Species Programme \(CTSP\)](#). Addressing needs through these and other already existing programmes such as the INTERPOL Environmental Crime Programme, the United Nations Office on Drugs and Crime (UNODC) Global Programme for Combating Wildlife and Forest Crime and Global Environment Facility (GEF) Global Wildlife Program could achieve what is anticipated by draft decisions 19.AA and 19.BB in Annex 1 of document CoP19 Doc. 36.2, and will avoid the additional resource and administrative burden that would come with a separate CITES Enforcement Fund. The Secretariat reported in document [SC74 Doc. 35.2](#) that it is in the process of mobilizing a suite of activities in support of strengthening implementation and enforcement of CITES across the West and Central Africa subregions. The activities include training on CITES implementation and enforcement; border control activities; activities to enhance national legislation and its application; activities to support national coordination and collaboration and international cooperation; and activities in support of addressing and mitigating corruption risks, amongst others. Activities have been prioritized considering available budget and will be delivered through a phased approach.
- M. Draft decisions 19.AA to 19.DD proposed in paragraph V below will also contribute to addressing matters outlined in draft decisions 19.AA and 19.BB in Annex 1 to document CoP19 Doc. 36.2.
- N. In light of the above, the Secretariat recommends that draft decisions 19.AA and 19.BB in Annex 1 of document CoP19 Doc. 36.2 not be adopted, and that Decision 18.91 be revised. The Conference of the Parties is invited to adopt Decision 18.91 (Rev. CoP19) as presented in paragraph V below.

Draft decision 19.CC on *Enforcement of timber listings and combatting timber crime*, in Annex 1 to document CoP19 Doc. 36.2

- O. The Secretariat is in principle supportive of the adoption of draft decision 19.CC proposed in Annex 1 to document CoP19 Doc. 36.2, but notes that the draft decision is duplicative of paragraph 2.1 d) under *Strengthen regional and international collaboration to address illegal trade in CITES-listed tree species* in the [Outcome document of the Task Force on Illegal Trade in Specimens of CITES-Listed Tree Species](#).

Considering this, the Secretariat incorporated relevant aspects of the proposed draft decision 19.CC in draft decision 19.AA, paragraph c) as presented in paragraph V below. The Secretariat therefore recommends that draft decision 19.CC proposed in Annex 1 of document CoP19 Doc. 36.2 not be adopted.

Draft decisions 19.DD and 19.EE on *Enforcement of timber listings and combatting timber crime*, in Annex 1 to document CoP19 Doc. 36.2

- P. Draft decisions 19.DD and 19.EE in Annex 1 to document CoP19 Doc. 36.2 envisage activities related to the establishment of a West Africa Timber Response Working Group by the Plants Committee, as well as the organization of a Head of States meeting on illegal timber trade by the Secretariat.
- Q. Draft decision 19.DD risks duplication with the draft decisions that the Plants Committee proposes in document [CoP19 Doc. 44.2](#) on *Identification of timber and other wood products*, and the progress reported by the Secretariat in its comments for that document on the development of the repository on 'timber resources and identification tools' to be launched ahead of CoP19 should also be taken into account. Further, the Secretariat notes that the mandate of the Plants Committee already includes providing advice related to scientific, technical and nomenclatural aspects of proposals to amend the Appendices, but only upon request by Parties. Draft decision 19.DD, paragraph a) i) is therefore a matter for Parties and is beyond the mandate of the Committee. Sub-paragraph ii) in draft decision 19.DD is already provided for in paragraph 2 e) in Annex 2 to [Resolution Conf. 18.2](#) on *Establishment of committees*. The role of the Plants Committee does include assisting with the development of funding proposals or making recommendations about demand-reduction campaigns. The latter matter is addressed in [Resolution Conf. 17.4](#) on *Demand reduction strategies to combat illegal trade in CITES-listed species*. With regards to demand reduction, the Secretariat notes that document [CoP19 Doc. 38](#) on *Demand reduction to combat illegal trade* recommends the adoption of amendments to Resolution Conf. 17.4 and a number of draft decisions on demand reduction to combat illegal trade. Parties are encouraged to consult the *CITES Guidance on demand reduction strategies to combat illegal trade in CITES-listed species* in designing and implementing their initiatives. Paragraph b) requests recommendations on issues of priority importance to address for the Head of States meeting. The comments of the Secretariat in paragraph R below address this matter.
- R. Regarding draft decision 19.EE, the Secretariat makes the following observations:
- a) The Secretariat welcomes the initiative and is supportive of it. The organization of a Head of States meeting as anticipated could benefit Parties; help raise awareness about the importance of effective CITES implementation and enforcement; raise the profile of wildlife crime; and secure political support for further enhanced and strengthened activities. It would, however, be more appropriate for the organization and convening of such a meeting to be led by Parties and, therefore, a decision by the CoP doesn't seem necessary. Parties in the region that may be in a position to host a Head of States meeting could reach out to regional and international organizations to explore opportunities to convene the event and seek funding support for this purpose as the Secretariat does not have the human and financial resources needed. The Secretariat could, if requested, provide technical support and guidance regarding the agenda for such a meeting.
 - b) Further, whilst the Secretariat welcomes the focus on illegal trade in CITES-listed timber species, it is encouraged to expand the scope of the meeting, if convened, to address other key species affected by illegal trade and promote a more holistic approach to improved CITES implementation and enforcement. The Secretariat further encourages that such a meeting also consider other critical elements beyond illegal trade and enforcement, such as issues related to legality, sustainability and traceability.
- S. Given the above, the Secretariat recommends that draft decisions 19.DD and 19.EE in Annex 1 to document CoP19 Doc. 36.2 not be adopted.

Draft decision 19.FF in Annex 1 to document CoP19 Doc. 36.2

- T. Draft decision 19.EE directed to the Standing Committee as presented in paragraph V below has been prepared taking into consideration the comments provided in paragraphs A to S above and the draft decisions proposed in paragraph V below. With the draft decisions proposed in paragraph V below, draft decision 19.FF in Annex 1 to document CoP19 Doc. 36.2 is redundant. The Secretariat therefore recommends that the Conference of the Parties adopt draft decision 19.EE directed to the Standing Committee, as presented in paragraph V below. As reported in document CoP19 Doc. 36.1 submitted by the Standing Committee, Decision 18.92 has been implemented and can be deleted.

Amendments to Decision 18.90 on *Wildlife Crime enforcement support in West and Central Africa*, proposed in Annex 2 to document CoP19 Doc. 36.2

U. Decision 18.90 remains valid and relevant and support from Parties importing CITES specimens from West and Central Africa to Parties in the two subregions remains essential. As pointed out in document CoP19 Doc. 36.1, the implementation of Decision 18.90 is particularly relevant for trade in *Pterocarpus erinaceus*. The Secretariat therefore supports the renewal of Decision 18.90 as proposed in Annex 2 to document CoP19 Doc. 36.2, with a minor amendment regarding the reporting requirement. The Secretariat proposes that “Parties importing CITES specimens from West and Central Africa are encouraged to report on implementation of this Decision to the 77th and 78th meeting of the Standing Committee” be deleted from the revised version Decision 18.90, and that this aspect be addressed in Decision 19.DD, paragraph c), as presented in paragraph V below.

Recommendations of the Secretariat for consideration by the Conference of the Parties

V. The Secretariat recommends that the Conference of the Parties:

- a) delete Decisions 18.88, 18.89, 18.92 and 18.93 on *Wildlife crime enforcement support in West and Central Africa*; and
- b) adopt draft decisions 19.AA to 19.EE and Decisions 18.90 (Rev CoP19) and 18.91 (Rev. CoP19) as presented below:

NB: Text proposed to be deleted is ~~crossed out~~. Proposed new text is underlined.

Directed to Parties importing CITES specimens from West and Central Africa

18.90 (Rev. CoP19) Parties importing CITES specimens from West and Central Africa are encouraged to assist their counterparts in West and Central Africa, by implementing measures that will address wildlife crime and support legal trade that is limited to sustainable levels, in particular by:

- a) supporting efforts to determine and ensure sustainable levels of trade through scientific studies that can facilitate the making of robust non-detriment findings;
- b) undertaking due diligence as outlined in Resolution Conf. 11.3 (Rev. CoP18) and closely scrutinizing consignments of CITES-listed species imported from West and Central Africa and accompanying CITES documents to ensure that illegal species are not laundered into legal trade; and
- c) as a priority, raise any concerns about imports with the exporting State, or with the Animals Committee, Plants Committee, Standing Committee, or the Secretariat.

Directed to Parties, intergovernmental and non-governmental organizations

18.91 (Rev. CoP19) Parties, intergovernmental and non-governmental organizations are encouraged to provide financial and technical assistance to Parties in West and Central Africa and mobilize resources to support the implementation of Decision 19.AA, paragraph c), 19.BB, 19.CC and 18.90 (Rev. CoP19) and, as appropriate, take these Decisions into consideration in the development of work programmes or activities they initiate in the two subregions~~address the matters identified in the West and Central Africa Threat Assessment Report available as Annex 4 to document CoP18 Doc. 34; the recommendations in Annex 2 to document CoP18 Doc. 34, the guidelines in information documents SC70 Inf. 2 and SC70 Inf. 3; and any further recommendations made by the Standing Committee.~~

Directed to Parties

- 19.AA Parties in West and Central Africa and Parties importing CITES specimens from West and Central Africa are encouraged to enhance collaboration and communication regarding illegal wildlife trade affecting the two subregions, by:

- a) using existing secure communication channels such as those provided by [INTERPOL](#) and the [World Customs Organization](#) for exchange of enforcement and illegal trade related information, and by drawing upon the enforcement focal point information available through the [National CITES Authorities](#) and [Enforcement focal points](#) webpages;
- b) actively pursuing international law enforcement collaboration through the mechanisms established by the [United Nations Convention against Transnational Organized Crime \(UNTOC\)](#); and
- c) actively pursuing the implementation of the measures and activities outlined in the [Outcome document of the Task Force on Illegal Trade in Specimens of CITES-Listed Tree Species](#), in particular taking action to facilitate the sharing of information on seizures as soon as circumstances permit, in accordance with paragraph 2.1 d) under *Strengthen regional and international collaboration to address illegal trade in CITES-listed tree species* in the outcome document.

19.BB Parties in West and Central Africa should:

- a) as relevant to them and where not yet done, continue to actively pursue the implementation of the [Recommendations to Parties in West and Central Africa for consideration in their implementation of measures and activities to address wildlife crime affecting the two subregions](#);
- b) engage in regional and bilateral activities to share information on their national legislative and regulatory measures, exchange experiences and best practices, and identify opportunities for regional and cross-border cooperation and joint actions to address illegal trade in wildlife, taking into consideration paragraph 15 q) of Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*; and
- c) identify priority actions that could benefit from support and present these to the International Consortium on Combatting Wildlife Crime (ICCWC), donors and the development community, to seek support to implement them.

Directed to Parties in West Africa

19.CC Parties in West Africa are invited to, through the Economic Community of West African States (ECOWAS) Commission, request support from ICCWC for the implementation of the [ICCWC Guidelines for Wildlife Enforcement Networks](#), to facilitate fully operationalizing the West Africa Network to Combat Wildlife Crime (WAN) and development of a policy to implement the West Africa Strategy on Combating Wildlife Crime (WASCWC) through the WAN as an implementing mechanism.

Directed to the Secretariat

19.DD The Secretariat shall:

- a) subject to external funding, work with its ICCWC partners to support Parties in West and Central Africa in addressing illegal trade in wildlife, including by promoting and facilitating collaboration and communication between Parties in West and Central Africa, transit and destination countries, through the convening of Wildlife Inter-Regional Enforcement (WIRE) and Regional Investigative and Analytical Case (RIACM) meetings as appropriate, and by supporting Parties upon request as anticipated in Decision 19.CC;
- b) subject to external funding and upon request from Parties, undertake general and targeted capacity-building activities to strengthen the effective implementation of CITES in the two subregions;
- c) issue a Notification to the Parties requesting them to provide information on their implementation of Decisions 19.AA and 19.BB and 18.90 (Rev. CoP19); and
- d) report to the Standing Committee on the implementation of Decision 19.DD together with any recommendations it may have.

Directed to the Standing Committee

- 19.EE The Standing Committee shall consider the report of the Secretariat in accordance with Decision 19.DD and make recommendations to the Parties, the Secretariat, and the 20th meeting of the Conference of the Parties, as appropriate.

DRAFT DECISIONS ON STRENGTHENING COLLABORATION
BETWEEN SOURCE, TRANSIT, AND CONSUMER COUNTRIES

Directed to the Standing Committee

- 19.AA** The Standing Committee shall establish a working group, with representation from all regions, to make recommendations for consideration at the 20th meeting of the Conference of the Parties on the development and adoption of procedures that will promote enhanced collaboration between source, transit and consumer countries including (inter alia):
- a) a secure mechanism for regular exchange of seizure data between CITES Management Authorities along illegal trade chains;
 - b) the establishment of a CITES early warning mechanism (e.g. in response to heightened seizures, or identification of a new trade route) that will ensure all Parties along the supply chain are promptly made aware of priority enforcement needs and can respond accordingly;
 - c) the establishment of a forum to promote regular communication between source, transit and consumer countries on priority issues (e.g. *Pterocarpus erinaceus*); and
 - d) the need for CITES guidelines on enforcement coordination between source/transit/consumer countries

Directed to the Secretariat

- 19.BB** Subject to the availability of external funding, the Secretariat shall support the Standing Committee in the implementation of Decision 19.AA, including through the provision of technical expertise, translation and interpretation as appropriate.

DRAFT DECISIONS ON
STRENGTHENING WILDLIFE LAW ENFORCEMENT IN WEST AFRICA

Directed to the Standing Committee

19.AA The Standing Committee shall establish an intersessional working group, to be comprised of representatives of regional Wildlife Enforcement Networks, to provide the newly formed West Africa Network to Combat Wildlife Crime (WAN) with expert guidance and support as the WAN becomes operational.

Directed to the Secretariat

19.BB Subject to the availability of external funding, the Secretariat shall support the Standing Committee in the implementation of Decision 19.AA, including through the provision of technical expertise, translation and interpretation as appropriate.

**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.

Decisions 18.90 (Rev. CoP19), 18.91 (Rev. CoP19), 19.AA, 19.BB and 19.CC

Decisions 18.90 (Rev. CoP19), 18.91 (Rev. CoP19), 19.AA, 19.BB and 19.CC do not have any budgetary and workload implications for the Secretariat or permanent committees.

Decisions 19.DD, paragraphs c) and d), and 19.EE

Implementation of Decision 19.DD, paragraphs c) and d), and 19.EE, would require some time from the Standing Committee and the Secretariat but can be accommodated within their regular work programmes.

Decision 19.DD, paragraphs a) and b)

Implementation of Decision 19.DD, paragraphs a) and b), is subject to the provision of external funds. Part of this work can be accommodated within the Secretariat's regular work programme, whilst part of it would be supported by the CITES Secretariat externally funded ICCWC support staff. The Secretariat proposes the following tentative budget and source of funding for the implementation of draft Decision 19.DD, paragraphs a) and b), as proposed in paragraph V of the comments of the Secretariat:

Decision	Activity	Indicative costs (USD) (excludes Programme Support Costs)	Source of funding
Decision 19.DD, paragraphs a) and b)	- WIRE meeting: USD 200,000 - RIACM(s): USD 35,000 per meeting (USD 105,000 for 3 meetings).	235,000 - 305,000	External funding
	Support Parties in West and Central Africa in addressing illegal trade in wildlife: Activities would vary based on investment available. It is estimated a minimum of USD 200,000 would be required to continue to provide support to Parties based on the current activities planned. Additional support could be provided based on funds availability.	200,000	External funding
	An estimated budget of USD 40,000 would be required to implement the ICCWC Guidelines for WENs in the newly formed West Africa Network to Combat Wildlife Crime (WAN). An additional budget of USD 250,000 to 1 million would be required to develop a targeted project over 3 to 4 years to enhance the WAN and support its operationalization.	40,000 – 1,000,000	External funding
	Programme Coordination: Completed by temporary CITES Secretariat ICCWC project support staff and can be accommodated with a	80,000	External funding. Costs would vary depending on the scale of the

	contribution towards their staff time that would depend on the amount of work that is envisaged.		projects developed.
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