

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



Seventy-seventh meeting of the Standing Committee  
Geneva (Switzerland), 6–10 November 2023

Compliance

Compliance matters

APPLICATION OF ARTICLE XIII IN NIGERIA

1. This document has been prepared by the Secretariat.

Background

2. At its 70th (SC70; Sochi, October 2018), 74th (SC74; Lyon, March 2022), and 75th (SC75; Panama City, November 2022) meetings, the Standing Committee reviewed the effective implementation of CITES in Nigeria, in accordance with the provisions of Article XIII of the Convention.
3. At SC70, the Committee adopted a set of recommendations with respect to Nigeria, including *inter alia* the first recommendation to suspend commercial trade in specimens of *Pterocarpus erinaceus*. The Committee also recommended that Nigeria take strong enforcement actions against organised criminal networks involved in the illegal transnational trade in pangolin scales and African elephant ivory. At the same meeting, the Committee also recommended that Nigeria report to the Secretariat on progress made on the implementation of its recommendations.
4. At SC74 and SC75, the Standing Committee reviewed the progress made by Nigeria on the implementation of the recommendations adopted at SC70. On the one hand, the Committee acknowledged progress made by Nigeria regarding the handling and disposal of seized stockpiles of CITES-listed species and on legislation and law enforcement and welcomed the establishment of a specialist illegal wildlife trade customs officer. On the other hand, Nigeria acknowledged the scale of the wildlife crime crisis in the country and noted that this was a serious concern for its government. The Nigerian authorities announced the launch of the National Strategy on Wildlife and Forest Crime in Nigeria 2022–2026 and noted that they had worked to establish a wildlife law enforcement task force, which was hoped to be operational by early 2023. Nigeria particularly highlighted that much progress has been made towards tackling illegal and fraudulent trade in rosewood, noting that, since the trade suspension put in place for *P. erinaceus*, no export permits had been issued.
5. At SC75, on the basis of the Secretariat's report, the Standing Committee reviewed the progress made by Nigeria on the implementation of the recommendations adopted at SC70. The Committee agreed a new set of recommendations, contained in summary record [SC75 SR](#) (see Annex 1 to the present document). The Committee *inter alia* requested Nigeria to report on progress with the implementation of the Committee's recommendations in time for the present meeting.

Progress made since SC75

6. On 14 August 2023, Nigeria sent its illegal trade report from January 2019 to June 2023. Annex 2 to the present document contains a table with the ivory seizures reported. Nigeria also submitted its report on progress with the implementation of its NIAP, available as Annex 6 to document SC77 Doc. 34. Besides the information contained in this report, Nigeria was not able to submit a progress report on the implementation of the Standing Committee recommendations under Article XIII within the deadline for consideration at the present meeting as a result of general elections in Nigeria in February 2023 and a subsequent change in

government. As reported in paragraph 13 of document [SC77 Doc. 24](#) on *Compliance Assistance Programme*, the Secretariat has continued discussions with the Federal Ministry of Environment of Nigeria and the new recently appointed Management Authority (MA) to agree on a workplan for compliance assistance.

7. Regarding the Committee's instruction to the Secretariat to publish a Notification to the Parties to replace Notification to the Parties 2018/084 of 1 November 2018, the Secretariat was of the view that publishing an additional notification restating the same conditions while reviewing the progress made by *Pterocarpus erinaceus* for all range States in implementing the Standing Committee's recommendations might create confusion.

#### Regarding management of trade in specimens of *Pterocarpus erinaceus*

8. As explained at previous meetings of the Standing Committee, the recommendation to suspend trade in *P. erinaceus* from Nigeria appears to have created a 'balloon effect' by which unsustainable harvesting and fraudulent trade have been displaced to the other range States. At SC74, the Standing Committee requested the Secretariat to open an expedited application of an Article XIII compliance procedure for *Pterocarpus erinaceus* for all range States to correct that situation based on the exceptional circumstances generated by the documented pervasive trade in violation of the provisions of the Convention. The Secretariat informed Parties about the outcomes of the expedited procedure in [Notification to the Parties No. 2022/045](#).
9. As reported in document [SC77 Doc. 33.2.3](#) on the *Expedited application of Article XIII for West African rosewood Pterocarpus erinaceus for all range States*, in the case of Nigeria, the applicable Article XIII recommendation for *Pterocarpus erinaceus* is specified in paragraph 1 of Notification No. 2018/084, namely:
  - a) *Parties shall suspend commercial trade in specimens of the species Pterocarpus erinaceus from Nigeria until the Party makes scientifically based non-detriment findings for trade in the species in the country to the satisfaction of the Secretariat and the Chair of the Plants Committee.*
10. Document [SC77 Doc. 33.2.3](#) contains updated information on the progress made by Nigeria in the implementation of the Standing Committee recommendation which is based on the report submitted to the 26th meeting of the Plants Committee (PC26) in document [PC26 Doc. 16.4](#).

#### Regarding legislation and law enforcement

11. The Secretariat has not received any update on the status of the draft legislative proposal developed with support from the Africa Nature Investors Foundation (ANI) and the Environmental Investigation Agency (EIA) during the previous intersessional period to amend Nigeria's primary wildlife trade legislation, the Endangered Species Act. Nigeria is invited to report orally at the present meeting on the steps taken to submit a Bill ('The Endangered Species Conservation and Protection Bill 2022') to the House of Representatives to formalize the legislation.
12. With regards to law enforcement, as mentioned in document [SC77 Doc. 39.4](#), Nigeria was appointed as Chair of the Standing Committee's working group on wildlife crime enforcement support in West and Central Africa and is playing a leading role in the subregion in the efforts to combat wildlife crime through a Special Wildlife Office, as a subunit of the Customs Intelligence Unit, under the National Customs Service (NCS). The Secretariat notes that Nigeria has adopted the National Strategy on Wildlife and Forest Crime in Nigeria 2022 - 2026<sup>1</sup>, with support from the United Nations Office on Drugs and Crime (UNODC). The Secretariat further notes that Nigeria has received support from UNODC, ANI and EIA to develop a Wildlife Crime Rapid Reference Guide and Charging Standards for Prosecutors. Nigeria continues to work with UNODC to combat corruption. In this context, a number of activities are ongoing, including corruption risk assessments for lead agencies in the environment sector.

#### Issuance of permits and information systems

13. With regards to the issuance of permits and the establishment of an effective and secure information system, the Secretariat has not received any update from Nigeria on the recommendations regarding this matter. The Management Authority of Nigeria has acknowledged in the past that its current system of issuing permits manually gives rise to numerous possibilities for document abuse, delay, and corrupt practices, both when documents are issued and upon inspection at border crossings. A number of cases have become known,

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<sup>1</sup> [https://www.unodc.org/documents/nigeria/National\\_Strategy\\_to\\_Combat\\_Wildlife\\_and\\_Forest\\_Crime\\_in\\_Nigeria\\_2022-2026.pdf](https://www.unodc.org/documents/nigeria/National_Strategy_to_Combat_Wildlife_and_Forest_Crime_in_Nigeria_2022-2026.pdf)

involving such practices as permit fraud, bribery to obtain export permits, post-export issuance of permits, false captive breeding information on export permits, and re-use of permits.

#### Handling and disposal of seized stockpiles of CITES-listed species

14. With regards to handling and disposal of seized stockpiles, Nigeria has not provided an updated report on the progress made in clearly defining the competences of, and the division of labour between, relevant institutions such as Customs, the National Environmental Standards and Regulations Enforcement Agency (NESREA) and other relevant enforcement agencies.

#### Monitoring progress

15. Pursuant to the Standing Committee's recommendations, the Secretariat has remained in close contact with Nigeria to monitor progress in the implementation of the recommendations and to establish key activities and priorities to be implemented, including as part of the support to Nigeria under the Compliance Assistance Programme (CAP). As mentioned above, the Secretariat has visited Nigeria twice during this intersessional period and has been in communication with the new Nigerian CITES MA to prepare for the implementation of the CAP activities, including through an in-person meeting that took place in the margins of the MIKE Subregional Steering Committee meeting in Abuja, which was held on 27-28 September 2023.

#### Conclusions

16. The Secretariat acknowledges Nigeria's progress with the implementation of some of the Standing Committee's recommendations, in particular those related to the making of the non-detriment finding for *P. erinaceus* and certain legislation and law enforcement-related recommendations. The Secretariat welcomes Nigeria's responsiveness and looks forward to further support the new Management Authority with the implementation of the CAP to assist in the successful achievement of the Standing Committee's recommendations.
17. Regarding legislation, the Secretariat reiterates its invitation to Nigeria to develop an integral approach when proceeding with the amendment of the Endangered Species Act. This would allow Nigeria to cover not only the law-enforcement related aspects but the other important elements of all CITES implementing legislation. The Secretariat is ready to assist Nigeria and its partners in the preparation of that legislation, as appropriate.
18. Regarding law enforcement, the Secretariat invites Nigeria to provide an update on the implementation of the National Strategy on Wildlife and Forest Crime in Nigeria and the establishment of the Special Wildlife Office under the National Customs Service. The Secretariat encourages Nigeria to make progress on the implementation of the National Strategy and the Standing Committee's law enforcement-related recommendations, in particular the recommendations to establish a national platform for enforcement cooperation and coordination, and to convene multidisciplinary investigative teams, involving all relevant authorities, to initiate intelligence-driven operations and investigations.

#### Recommendations

19. In light of the above, the Secretariat proposes that the Standing Committee revise and update its recommendations adopted at SC75 as follows:

##### *Regarding trade in specimens of Pterocarpus erinaceus*

- a) maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Nigeria under Article XIII until the following conditions are met:
  - i) The Party concerned makes a scientifically based non-detriment finding for trade in the species to the satisfaction of the Secretariat and the Chair of the Plants Committee, having regard to Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* and based on the outcomes of the Review of Significant Trade process for this species; and
  - ii) The Party provides evidence of adequate legal acquisition findings to the satisfaction of the Secretariat and the Chair of the Standing Committee, having regard to Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings*.

- b) The Committee encourages all potential transit and destination countries of shipments of illegal specimens of *Pterocarpus erinaceus* from Nigeria to take appropriate measures to ensure that such timber is not illegally transported or traded, including prohibiting entry, seizing such specimens upon arrival and applying appropriate sanctions against traffickers in accordance with the provisions of the Convention.
- c) The Committee invites the importing Parties to share with the Secretariat the administrative, legislative and enforcement arrangements put in place to sanction illegal trade in specimens of *Pterocarpus erinaceus*, including any relevant due diligence measure to verify legality and ensure sustainability; and encourages those Parties to consider inviting the Secretariat to conduct technical missions in order to strengthen cooperation between range States, transit and importing countries and identify further recommendations to ensure that timber trade is conducted in accordance with the Convention.

#### *Regarding legislation and law enforcement*

- d) Nigeria shall strengthen the regulatory framework in relation to forestry management, including forestry legislation at the State level, to avoid any loopholes that may be generated by the distribution of competences between Federal and State levels.
- e) Nigeria shall continue implementing a strategy to counter corruption linked to illegal wildlife trade at all levels, including anti-bribery policies, and intensify efforts to ensure full implementation of Resolution Conf. 17.6 (Rev. CoP19) on *Prohibiting, preventing, detecting and countering corruption*. The strategy should protect officials responsible for the implementation and enforcement of CITES from undue pressure, obstruction and threats.
- f) Nigeria shall establish a national platform for enforcement cooperation and coordination between relevant authorities to strengthen the control of trade in CITES-listed species and to combat transnational organized wildlife crime, in line with relevant paragraphs of Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*.
- g) Nigeria shall scale up efforts to map out organized crime groups involved in illegal wildlife trade and operating in the country. Nigeria shall convene multidisciplinary investigative teams involving all relevant authorities. These teams will work in close collaboration with local authorities in key identified areas, and initiate intelligence-driven operations and investigations, with a particular focus on pangolins and ivory.

#### *Regarding issuance of export permits and information systems*

- h) Nigeria shall establish an efficient and secure information system, preferably an electronic system (resources permitting), to facilitate the issuance of permits and certificates, and the verification of all CITES provisions applicable to the specimens to be exported.
- i) Nigeria shall facilitate liaison and integration with other permitting/certification systems relating to the harvest of and trade in CITES-listed resources, e.g., timber concession authorizations, phytosanitary/veterinary documentation, or customs declarations.

#### *Handling and disposal of seized stockpiles CITES-listed species*

- j) Nigeria shall clearly define the competences of, and the division of labour between, relevant institutions to ensure that adequate control measures are put in place to secure storage facilities for seized stocks of CITES-listed species, including for pangolins and ivory.

#### *Collaboration with Nigeria*

- k) The Committee thanks Parties, partners of the International Consortium on Combating Wildlife Crime (ICWC), members of the civil society and cooperation agencies that are providing financial, technical and logistical support to Nigeria and invites them to coordinate further with the CITES Secretariat to avoid duplication and align activities to the extent possible with the implementation of the recommendations of the Standing Committee.

*Monitoring progress*

- l) The Secretariat shall remain in close contact with Nigeria, monitor the Party's progress in the implementation of recommendations of the Standing Committee, and bring any matters of concern to the attention of the Committee.
- m) The Committee requests Nigeria to report on progress made in the implementation of recommendations d) to j) by the document deadline of its 78th meeting, in order for the Secretariat to convey this report and its comments, as well as recommended follow-up measures in case of continued non-compliance, to the 78th meeting of the Standing Committee.

RECOMMENDATIONS AGREED BY THE STANDING COMMITTEE  
AT ITS 75TH MEETING (SC75; PANAMA CITY, NOVEMBER 2022)

1. *Regarding trade in specimens of Pterocarpus erinaceus*

- a) Parties shall maintain the suspension of trade in specimens of the species *Pterocarpus erinaceus* from Nigeria pending compliance with the recommendations made at the 70th meeting of the Standing Committee (SC70, Sochi, October 2018), renewed at its 74th meeting (SC74, Lyon, March 2022), in alignment with the expedited Article XIII process and the outcomes of the Review of Significant Trade.
- b) The Committee instructed the Secretariat to publish a Notification to the Parties to replace [Notification to the Parties No. 2018/084](#).
- c) The Committee encouraged all potential transit and destination countries of shipments of illegal specimens of *P. erinaceus* from Nigeria to take appropriate measures to ensure that such timber is not illegally transported or traded, including prohibiting entry, seizing such specimens upon arrival and applying appropriate sanctions against traffickers in accordance with the provisions of the Convention.
- d) The Committee invited the importing Parties to share with the Secretariat the administrative, legislative and enforcement arrangements put in place to sanction illegal trade in specimens of this species, including any relevant due diligence measure to verify legality and ensure sustainability; and encourages those Parties to consider inviting the Secretariat to conduct technical missions in order to strengthen cooperation between range States and importing countries and identify further recommendations to ensure that timber trade is conducted in accordance with the Convention.

2. *Regarding legislation and law enforcement*

- e) Nigeria shall strengthen the regulatory framework in relation to forestry management, including forestry legislation at the State level, to avoid any loopholes that may be generated by the distribution of competences between Federal and State levels.
- f) Nigeria shall continue implementing a strategy to counter corruption linked to illegal wildlife trade at all levels, including anti-bribery policies, and intensify efforts to ensure full implementation of Resolution Conf. 17.6 on *Prohibiting, preventing, detecting and countering corruption, which facilitates activities conducted in violation of the Convention*. The strategy should protect officials responsible for the implementation and enforcement of CITES from undue pressure, obstruction and threats.
- g) Nigeria shall establish a national platform for enforcement cooperation and coordination between relevant authorities to strengthen the control of trade in CITES-listed species and to combat transnational organized wildlife crime, in line with Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*.
- h) Nigeria shall scale up efforts to map out organized crime groups involved in illegal wildlife trade and operating in the country. Nigeria shall convene multi-disciplinary investigative teams involving all relevant authorities. These teams will work in close collaboration with local authorities in key identified areas, and initiate intelligence-driven operations and investigations, with a particular focus on pangolins and ivory.

3. *Regarding issuance of export permits and information systems*

- i) Nigeria shall establish an efficient and secure information system, preferably an electronic system (resources permitting), to facilitate the issuance of permits and certificates, and the verification of all CITES provisions applicable to the specimens to be exported.
- j) Nigeria shall facilitate liaison and integration with other permitting/certification systems relating to the harvest of and trade in CITES-listed resources, e.g., timber concession authorizations, phytosanitary/veterinary documentation, or customs declarations.

4. *Handling and disposal of seized stockpiles CITES-listed species*

- k) Nigeria shall clearly define the competences of, and the division of labour between, relevant institutions to ensure that adequate control measures are put in place to secure storage facilities for seized stocks of all CITES-listed species.

5. *Collaboration with Nigeria*

- l) The Committee thanked Parties, ICCWC partners, members of the civil society and cooperation agencies that are providing financial, technical and logistical support to Nigeria and invited them to coordinate further with the CITES Secretariat to avoid duplication and align activities to the extent possible with the recommendations of the Standing Committee.

6. *Monitoring progress*

- m) The Secretariat shall remain in close contact with Nigeria; monitor the Party's progress in the implementation of recommendations of the Standing Committee; and bring any matters of concern to the attention of the Committee.
- n) The Committee requested Nigeria to report on progress made in the implementation of recommendations e) to k) by the document deadline of its 77th meeting, in order for the Secretariat to convey this report and its comments, as well as recommended follow-up measures in case of continued non-compliance, to the 77th meeting of the Standing Committee.

ILLEGAL WILDLIFE INTERCEPTED IN PARCELS /EXPRESS MAIL TO BE SENT FROM NIGERIA  
(as reported by Nigeria)

S/no.	DATE INTERCEPTED	Weight	RECEIVER's ADD	INTERCEPTED ITEM
1	28-May-22	0.26kg	Nigeria to USA	01 IVORY STAFF
2	8-Jun-22	0.36kg	Nigeria to TEXAS USA	0 IVORY
3	18-Jun-22	0.60kg	Nigeria to NEW JERSEY USA	02 IVORY STAFF
4	21-Jun-22	0.22kg	Nigeria to USA	01 IVORY STAFF
5	15-Jun-22	0.28kg	Nigeria to USA	01 IVORY STAFF
6	5-Jul-22	0.20kg	Nigeria to CANADA	01 IVORY STAFF
7	6-Jul-22	0.20kg	Nigeria to UK	01 IVORY
8	14-Jul-22	0.26kg	Nigeria to UNITED ARAB EMIRATES	01 IVORY TUSK
9				
10	16-Jul-22	0.24kg	Nigeria to USA	01 IVORY STAFF
11	22-Jul-22	0.26kg	Nigeria to UK	01 IVORY STAFF
12	22-Jul-22	0.88kg	Nigeria to UK	03 IVORY STAFF
13	22-Jul-22	0.78kg	Nigeria to UK	03IVORY STAFF
14	27-Jul-22	0.26kg	Nigeria to USA	01 IVORY
15	29-Jul-22	0.30kg	Nigeria to USA	01 IVORY TUSK
16	3-Aug-22	0.24kg	Nigeria to USA	01 IVORY STAFF
17	1-Sep-22	0.38kg	Nigeria to AUSTRALIA	02 IVORY TUSKS
18	1-Sep-22	0.26kg	Nigeria to NETHERLANDS	01 IVORY TUSK
19	4-Sep-22	0.40kg	Nigeria to AUSTRALIA	01 IVORY STAFF,01 IVORY NECKLACE
20	5-Sep-22	0.38kg	Nigeria to UK	01 IVORY TUSK, WRIST IVORY
21	8-Sep-22	0.34kg	Nigeria to ISRAEL	01 IVORY
22	10-Sep-22	0.28kg	Nigeria to UK	01 IVORY
23	15-Sep-22	0.24kg	Nigeria to SOUTH AFRICA	01 IVORY TUSK
24	17-Sep-22	0.90kg	Nigeria to USA	10 IVORY WRIST BANDS
25	19-Sep-22	0.20kg	Nigeria to USA	01 IVORY
26	6-Oct-22	0.24kg	Nigeria to USA	01 IVORY STAFF
27	1-Nov-22	0.28kg	Nigeria to USA	01 IVORY
28				
29	8-Nov-22	0.38kg	Nigeria to NETHERLAND	01 IVORY TUSK
30	22-Nov-22	0.26kg	Nigeria to AUSTRALIA	01 IVORY
31	22-Nov-22	0.26kg	Nigeria to AUSTRALIA	01 IVORY



32	<b>25-Nov-22</b>	<b>0.32kg</b>	Nigeria to UK	01 IVORY TUSK
33	<b>26-Nov-22</b>	<b>0.26kg</b>	Nigeria to LIBYA	01 IVORY
34	<b>26-Nov-22</b>	<b>0.42kg</b>	Nigeria to USA	02 IVORY
35	<b>28-Nov-22</b>	<b>0.28kg</b>	Nigeria to SHEFFIELD UK	01 IVORY TUSK
36	<b>28-Nov-22</b>	<b>0.14kg</b>	Nigeria to USA	01 IVORY
37	<b>1-Dec-22</b>	<b>0.20kg</b>	Nigeria to UK	01 IVORY
38	<b>3-Dec-22</b>	<b>0.22kg</b>	Nigeria to USA	01 IVORY TUSK
39	<b>6-Dec-22</b>	<b>0.38kg</b>	Nigeria to LIBYA	02 IVORY
40	<b>8-Dec-22</b>	<b>0.54kg</b>	Nigeria to TEXAS USA	02 IVORY TUSK
41	<b>8-Dec-22</b>	<b>0.30kg</b>	Nigeria to SINGAPORE	01 IVORY
42	<b>8-Dec-22</b>	<b>0.26kg</b>	Nigeria to MOROCCO	01 IVORY TUSK
43	<b>14-Dec-22</b>	<b>0.22kg</b>	Nigeria to USA	01 IVORY TUSK
44	<b>16-Dec-22</b>	<b>0.24kg</b>	Nigeria to USA	01 IVORY TUSK
45	<b>6-Jan-23</b>	<b>0.47kg</b>	Nigeria to USA	02 IVORY TUSK
46	<b>15-Feb-23</b>	<b>0.26kg</b>	Nigeria to IRELAND	01 IVORY TUSK
47	<b>3-Mar-23</b>	<b>0.20kg</b>	Nigeria to FRANCE	01 IVORY
48	<b>6-Mar-23</b>	<b>0.52</b>	Nigeria to USA	02 IVORY
49	<b>13-Mar-23</b>	<b>0.24kg</b>	Nigeria to UK	01 IVORY
50	<b>16-Mar-23</b>	<b>0.26kg</b>	Nigeria to USA	01 IVORY
51	<b>16-Mar-23</b>	<b>2.06kg</b>	Nigeria to TEXAS, USA	10 IVORY
52	<b>16-Mar-23</b>	<b>0.24kg</b>	Nigeria to MAYFIELD, USA	01 IVORY
53	<b>16-Mar-23</b>	<b>0.24kg</b>	Nigeria to TEXAS USA	01 IVORY
54	<b>30-Mar-23</b>	<b>0.28kg</b>	Nigeria to USA	01 IVORY