

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



Intersessional work of the Standing Committee
2020-2021

APPLICATION OF ARTICLE XIII IN NIGERIA:
UPDATE ON PROGRESS TO THE STANDING COMMITTEE

1. This document has been prepared by the Secretariat.

Introduction

2. Pursuant to Article XIII of the Convention and Resolution Conf. 14.3 (Rev. CoP18) on *CITES compliance procedures*, the Standing Committee, at its 70th meeting (SC70, Sochi, October 2018), adopted a set of recommendations with respect to Nigeria (see [SC70 SR](#)). This included a recommendation to Parties to suspend commercial trade in specimens *Pterocarpus erinaceus* and recommendations to Nigeria to take strong enforcement actions against organised criminal networks involved in the illegal transnational trade in pangolin scales and elephant ivory.
3. The Standing Committee also recommended that Nigeria report to the Secretariat on progress made on the implementation of these recommendations by 31 December 2019 in order for the Secretariat to convey this report and its comments to the 73rd meeting of the Standing Committee.

Progress made regarding the management of trade in specimens of *Pterocarpus erinaceus*

4. Since 2018, Nigeria has been sharing several draft Non-Detriment Finding (NDF) reports on *Pterocarpus erinaceus* with the Secretariat, with a view to comply with the Standing Committee's recommendations. While initial drafts of the NDF explored the establishment of export quotas for *P. erinaceus*, the latest draft of Nigeria's NDF (submitted to the Secretariat in December 2019) proposed to publish a zero export quota for the species for the next three years, until necessary research has been conducted and adaptive management measures have been installed. This zero quota reflects the Standing Committee's recommendation and is consistent with a precautionary approach, as well as with the analysis and recommendations developed by the Secretariat to previous drafts of the NDF, and has therefore been published on the website for the year 2020.
5. On 6 November 2020, the Nigerian authorities have verbally informed the Secretariat that since the adoption of the recommendation to suspend commercial trade in specimens of *Pterocarpus erinaceus*, no export permits for trade in this species have been issued.
6. Furthermore, the Secretariat recalls that, at its 18th meeting (CoP18, Geneva 2019), the Conference of the Parties adopted Decision 18.92 on *Wildlife crime enforcement support in West and Central Africa* which directs the Standing Committee to "*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*". To implement this Decision, the Secretariat requested the World Conservation Monitoring Centre of the United Nations Environment Programme (UNEP-WCMC) to produce a report on the international trade in *Pterocarpus erinaceus* for each of the 17 range States of the species, including Nigeria.

7. The report is available in document [PC25 Doc. 15.5](#), which includes a provisional recommendation to categorize the *Pterocarpus erinaceus*/Nigeria combination as 'action is needed' under the Review of Significant Trade process (RST) [see Resolution Conf. 12.8 (Rev. CoP18) on *Review of Significant Trade in specimens of Appendix-II species*]. The Plants Committee will review the report intersessionally, and will decide which, if any, *Pterocarpus erinaceus*/country combination should be included in Stage 2 of the review process.

Regarding legislation, law enforcement, issuance of permits and information systems

8. To date, the Secretariat has not received the progress report requested by the Standing Committee to be submitted by Nigeria by 31 December 2019. While Nigeria has not sent the report, it has kept the Secretariat abreast of its progress in implementing the SC70 recommendations as indicated below.
9. In February 2019, Nigeria submitted to the Secretariat a first progress report, including an action plan to address the key factors identified by the CITES Secretariat as undermining CITES compliance in Nigeria.
10. On 5 April 2019, the Secretariat reminded the CITES Management Authority of Nigeria that it could reach out to the Secretariat to request support in accordance with paragraph 15, subparagraph c), of Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*. The Secretariat also encouraged the Nigeria Customs Service to adopt all the necessary measures to tackle the serious levels of illegal trade in pangolin specimens and ivory, as a matter of urgency. The Secretariat further encouraged the Nigeria Customs Service to liaise closely with the CITES Management Authority and other relevant authorities to contribute to the implementation of the recommendations of the CITES Standing Committee.
11. On 5 July 2019, the Secretariat received a request from the Management Authority of Nigeria for support from partners of the International Consortium on Combating Wildlife Crime (ICWC) with the aim to strengthen the enforcement of CITES provisions. To support Nigeria, INTERPOL visited Nigeria in July 2019 for a consultation meeting with national law enforcement agencies, and in August 2019 the World Customs Organization (WCO) visited Nigeria to assess options for building capacity within the customs.
12. Representatives from the CITES Secretariat, INTERPOL and the WCO discussed in the margins of the CoP18 with the Nigerian delegation on further opportunities to improve its action plan on fighting illegal wildlife trade. As a result, INTERPOL organized in November 2019 a Regional Investigative Analytical Case Meeting (RIACM) in Singapore. The objective of the meeting was to bring together investigators from source, transit and destination countries in order to discuss about ongoing investigations and enhance information exchange and cooperation. The meeting was attended by Hong Kong Special Administrative Region (SAR) of China, the Democratic Republic of the Congo, Singapore, Nigeria and Viet Nam. Furthermore, during the third and fourth quarters of 2019, WCO conducted a national support mission and an implementation mission to Nigeria under project INAMA. In March 2020, Nigerian customs officers participated in a WCO Customs Risk Management training that took place in Viet Nam.
13. On 4 October 2019, Nigeria requested the Secretariat to assist in the implementation of the *ICWC Wildlife and Forestry Crime Analytic Toolkit* and the *ICWC Indicator Framework for Combating Wildlife and Forest Crime*. The official launch of the *Toolkit* and *Indicator Framework* process was scheduled for the week of 12 October 2020 in Abuja. Due to the COVID-19 pandemic, the official launch was delayed, and the Consortium has been in discussions with Nigeria to explore alternative options, including the launch of the process virtually. In the end, it was agreed that the official launch should be conducted in person and is tentatively rescheduled for March 2021.
14. The United Nations Office on Drugs and Crime (UNODC) is also developing a national strategy for wildlife and forest crime for Nigeria supported through a bilateral project with Germany. UNODC has liaised with the USAID-funded West Africa Biodiversity and Climate Change (WA BiCC) Project and the Environmental Investigation Agency (EIA) in Nigeria to ensure coordination and reduce duplication.
16. UNODC and the World Customs Organization (WCO) are planning to deliver "train-the-trainer" training for customs officers in Nigeria. UNODC is also supporting a request from the government to undertake corruption risk assessments. This has two main elements: (1) as a source country for forest products and (2) as a transit country for prohibited wild fauna products.
17. In 2019, Nigeria Customs Service also participated in [Operation Thunderball](#) supported by ICWC and in [Operation PRAESIDIO](#) supported by WCO.

18. The INTERPOL National Central Bureau of Nigeria (NCB) participated in [Operation Thunder 2020](#) supported by ICCWC.
19. The Nigerian Financial Intelligence Unit (NFIU) attended the *Financial Investigations in Wildlife and Forestry Crime E-Workshop*, organized by the Egmont Centre of Financial Intelligence Units Excellence and Leadership (ECOFEL) held online from 2 to 5 June 2020. The NFIU has established a Natural Environment and Wildlife Trade Crime Analysis Unit (NEWTCU) to combat the financial aspect of the illegal wildlife trade in accordance with the Nigerian Financial Intelligence Unit Act and the Money Laundering Prohibition Act, which recognizes environmental crime as one of the key predicate offences of money laundering.
20. Nigeria has been an active participant in and signatory to the recently adopted West Africa Strategy on combatting Wildlife Crime. The Strategy was formed in response to the increase in illegal trafficking of wild fauna and flora species. Under the coordination of the ECOWAS Department of Agriculture, Environment and Water Resources, the CITES Experts of ECOWAS Member States developed the West African Strategy for Combating Wildlife Crime (WASCWC) from 2018 to 2020 with the support of the WA BiCC Project.
21. The Strategy was validated at a technical level on 22 September 2020 at the Meeting of Ministers of Forestry, convened and chaired by Commissioner Sangare of the Economic Community of West African States (ECOWAS). The strategy document will now be submitted to the ECOWAS Parliament for its opinion and then to the ECOWAS Council for adoption.
22. Regarding the harmonization of legislation, Nigeria reported in early November 2020 that the National Council of Environment (NCE) reviewed the 2006 National Forestry Policy (NFP) and that a new policy was adopted in August 2020. In the meantime, memos have been forwarded to State commissioners in charge of forestry issues regarding the recommendations adopted by the Standing Committee. Regarding the development and implementation of a strategy to counter corruption, UNODC is assisting Nigeria with the support of the German government and a workshop with relevant stakeholders is scheduled to take place in the coming months. During a virtual meeting with the Secretariat held in November 2020, Nigeria has also reported several capacity-building activities organized in collaboration with UNODC and USAID and facilitated by Born Free.

Report on seizures

23. During the period October 2018 to January 2020, the Nigeria Customs Service reported three large scale seizures totalling 11,5 tons of pangolin scales.
24. A rapid estimation by the Secretariat of the volumes of seized pangolin scales and ivory associated with Nigeria between October 2018 to April 2020 indicates that several Asian countries, notably Hong Kong SAR of China, Malaysia, Singapore, and Viet Nam, continue to seize significant volumes of illegally traded pangolin scales and ivory exported from Nigeria. The estimation is based on information derived from annual illegal trade reports submitted by Parties, alerts from the WCO-UNODC Container Control Programme and open source information.
25. Viet Nam seized several illegal shipments allegedly originating from Nigeria, including 6 tons of pangolin scales and 1,8 tons of ivory in October 2018; 1,4 tons of pangolin scales and 100 kg of ivory in January 2019; 5,3 tons of pangolin scales in May 2019; and 1,7 tons of pangolin scales and 330 kg of ivory tusks in December 2019.
26. In January 2019, Hong Kong SAR of China seized 8,3 tons of pangolin scales and 2,1 tons of ivory allegedly originating from Nigeria.
24. In April 2019, Singapore made two seizures totalling 25,7 tons of pangolin scales and 175 kg of ivory allegedly originating from Nigeria en route to Viet Nam.
25. In August 2019, China seized 10,6 tons of pangolin scales allegedly originating from Nigeria.
26. In April 2020, according to media reports, Malaysia seized 6 tons of pangolin scales allegedly originating from Nigeria.

Conclusions

27. Regarding *Pterocarpus erinaceus*, the Secretariat acknowledges Nigeria's efforts in developing a scientifically based NDF and, in light of the information gaps, welcomes the establishment of a precautionary zero export quota for three years.
28. The Secretariat considers that Nigeria has demonstrated strong political commitment to the implementation of the Standing Committee's recommendations, in particular those related to law enforcement. However, the Secretariat remains extremely concerned about these repeated seizures of shipments from Nigeria and the high volumes of illegal specimens in each of the seizures.
29. The Standing Committee is invited to note that Nigeria has made some progress in the implementation of the Standing Committee's recommendations but has not submitted to the Secretariat the progress report requested by the Standing Committee.