

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



Sixty-second meeting of the Standing Committee
Geneva (Switzerland), 23-27 July 2012

Interpretation and implementation of the Convention

Compliance and enforcement

ENFORCEMENT MATTERS

1. This document has been prepared by the Secretariat.
2. In Resolution Conf. 11.3 (Rev. CoP15), on *Compliance and enforcement*, the Conference of the Parties instructs the Secretariat to:
 - b) *submit a report on enforcement matters at each Standing Committee meeting and each regular meeting of the Conference of the Parties.*

The present report outlines enforcement-related activities and developments that have taken place since the 61st meeting of the Standing Committee (SC61, Geneva, August 2011).

Enforcement Support staff in the CITES Secretariat

3. Mr Barend Janse van Rensburg took up the post as new Chief of Enforcement Support at the Secretariat on 15 December 2011.
4. At the 15th meeting of the Conference of the Parties (CoP15, Doha, 2010), the Parties recognized the importance of strengthening the Secretariat's enforcement capacity through the recruitment and appointment of an Enforcement Support Officer. Ms Pia Jonsson took up this post on 15 December 2011.
5. In addition, Ms Liliane Garcia-Ferreira has been seconded to the Secretariat for a year by the Government of Brazil, as Enforcement Support Officer. She joined the Secretariat on 17 October 2011.
6. The Secretariat would like to take this opportunity to express its sincere appreciation to the United States of America for providing funding to allow the appointment of the Enforcement Support Officer to take effect from late 2011. It would have otherwise not been possible until 2012. The Secretariat would also like to express its sincere appreciation to Brazil, and in particular the Attorney General of São Paulo State, for responding to Resolution Conf. 11.3 (Rev. CoP15), which urges the Parties to "offer secondment of enforcement officers to assist the Secretariat in addressing law-enforcement issues".
7. Illegal trade in a number of CITES-listed species remains a growing problem, and the increased enforcement capacity of the Secretariat enhances its ability to support Parties effectively.

Enforcement Authorities online forum

8. Parties are reminded that the Secretariat has created a restricted-access area on the CITES website, which is entitled the 'Enforcement Authorities Forum'. This is where it posts Alerts, manuals, handbooks, and enforcement-related messages. This secure area can also be used by registered members of the forum to post messages or seek information and assistance from their counterparts around the world.

9. The forum is the primary means that the Secretariat uses to reach out to the law enforcement community. As such, the Secretariat suggests that the Standing Committee request its regional representatives to encourage enforcement authorities in their regions to join the forum.

Alerts

10. Since SC61, the Secretariat has issued the following Alerts:
- a) Alert No. 39 on *Illegal trade in chimpanzees from central and West Africa*;
 - b) Alert No. 40 on *Combating illicit trade in ivory*. This Alert updates and replaces Alert No. 26 of May 2007;
 - c) Alert No. 41 on *Import of rhinoceros horn to China*;
 - d) Alert No. 42 on *Cameroon fraudulent export documents*;
 - e) Alert No. 43 on *Elephant poaching in Cameroon*; and
 - f) Alert No. 44 on *Theft of elephant ivory in Maputo*.

Enforcement-related capacity building and international cooperation

11. The CITES Virtual College, hosted at the International University of Andalusia, Baeza, Spain, is a Web-based platform providing access to courses, training materials and CITES-related publications. It was launched on 7 June 2011 and is available at: <http://campusvirtual.unia.es/cites>. An updated training course for enforcement officers and information module for prosecutors and the judiciary were made available in the Virtual College in 2012. A course developed for Customs officials will be launched before the present meeting.
12. The CITES Secretariat is currently working in collaboration with the United Nations Office on Drugs and Crime (UNODC) to provide training to law enforcement authorities operating at selected border-crossings in Cambodia, China, the Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam. A project, developed within the framework of the *Partnership against Transnational Crime through Regional Organized Law Enforcement (PATROL)*, will be implemented in the Greater Mekong subregion to build capacity and ensure legal, sustainable and traceable trade in specimens of CITES-listed species (see document SC62 Doc. 19 on *Capacity building* for further information).
13. The Greater Mekong subregional project is expected to include a regional conference on anti-trafficking capacity in ports, and training seminars in Cambodia, Thailand and Viet Nam, which will focus on detection of smuggling, smuggling techniques, species identification and CITES implementation. It is foreseen that this project will be concluded by April 2013. The Secretariat would like to thank the European Commission for providing the funds that have enabled the Secretariat to undertake this project.
14. The Secretariat has participated in and made contributions to a number of meetings related to enhancement of enforcement capacity to combat wildlife crime, including:
- a) A side-event on *Impact of corruption on the environment and UNCAC as a tool to address it*, organized by the UNODC at the fourth session of the Conference of the States Parties to the United Nations Convention against Corruption (Marrakesh, 24-28 October 2011). A report from this side-event, entitled *Corruption, Environment and the United Nations Convention against Corruption*, was published in February 2012 by UNODC. The report is available in Bahasa Indonesia and English¹;
 - b) The Central Africa Forests Commission (COMIFAC) meeting on the *Regional action plan for strengthening national wildlife law implementation* (Douala, November 2011) (see paragraphs 19-20 below);

¹ See http://www.unodc.org/documents/eastasiaandpacific/indonesia/publication/Corruption_Environment_and_the UNCAC.pdf.

- c) The first international workshop on *Establishing a Network of Controlled Delivery Units for Forest and Wildlife Law Enforcement* (Shanghai, 7-9 December 2011) (see document SC62 Doc. 14.7 on *International Consortium on Combating Wildlife Crime*);
- d) The *Eighth Green Customs Initiative Partners Meeting*² (The Hague, 10-11 January 2012);
- e) A round table on how to prevent and combat illegal trade in endangered species³ (Dar es Salaam, 26 January 2012). The meeting was organized by the Minister for Trade of Sweden and the Minister for Natural Resources and Tourism of the United Republic of Tanzania (see document SC62 Doc. 42 on *Great apes*);
- f) The *Heads of Police and Customs Seminar on Tiger Crime* (Bangkok, 14 February 2012) (see document SC62 Doc. 43 on *Asian big cats*);
- g) The 23rd meeting of the INTERPOL Wildlife Crime Working Group⁴ (Bangkok, 13-16 February 2012);
- h) The *Asia Regional Partners Forum on Combating Environmental Crime*⁵ (Bangkok, 17 February 2012);
- i) The meeting of International Chiefs of Environmental Compliance and Enforcement⁶ (Lyon, 27-29 March 2012), co-organized by INTERPOL and the United Nations Environment Programme;
- j) The 31st session of the World Customs Organization Enforcement Committee (Brussels, 28 March 2012);
- k) The Central African subregional workshop on *Wildlife trafficking and dismantling transnational illicit networks* (Libreville, 3-5 April 2012) (see paragraph 21 below);
- l) The 24th meeting of the Wildlife Trade Enforcement Group of the European Union (Brussels, 18-19 April 2012); and
- m) A hearing of the Foreign Relations Committee of the United States of America Senate (Washington D.C., 24 May 2012), where the CITES Secretary-General gave a testimony. The topic of the hearing was *Ivory and insecurity: The global implications of poaching in Africa*⁷.

Secretary-General's certificates of commendation

15. In September 2011, the Secretary-General decided to award certificates of commendation to the Blagoveshchensk Customs Office of the Federal Customs Service and the Amur Region Department of the Border Guard Service, Federal Security Service, Russian Federation. The certificates were awarded in recognition of their exemplary work in uncovering and intercepting an attempt at smuggling bear paws through risk-assessment, profiling techniques and the use of detector dogs. The certificates were presented by the Chief of Enforcement Support at a ceremony at the CITES Secretariat in Geneva, in March 2012 (see Notification to the Parties No. 2012/026, of 21 March 2012).
16. In February 2012, certificates of commendation were awarded to the Ports and Maritime Command of Hong Kong Customs and Excise Department, and to the Agriculture, Fisheries and Conservation Department, the CITES Management Authority of Hong Kong Special Administrative Region, China. The certificates were awarded in recognition of a seizure made when Customs officers, acting on risk assessment, discovered 33 rhinoceros horns, 758 ivory chopsticks and 127 ivory bracelets during X-ray screening. The certificates were subsequently presented by the Chief of Enforcement Support at a ceremony in Hong Kong SAR (see Notification to the Parties No. 2012/020, of 6 March 2012).

² See <http://www.greencustoms.org/>.

³ See http://www.cites.org/eng/news/sundry/2012/20120206_tz_roundtable.php.

⁴ See http://www.cites.org/eng/news/SG/2012/20120213_tiger_bkk.php.

⁵ See http://www.unep.fr/ozonaction/information/mmcfiles/7526-e-ARPEC_InfNote17feb12.pdf.

⁶ See <http://www.interpol.int/News-and-media/News-media-releases/2012/PR027>.

⁷ See http://www.cites.org/eng/news/SG/2012/20120525_SG_US-Senate_testimony.php.

17. In May 2012, the Secretary-General awarded a certificate of commendation to China's National Inter-agency CITES Enforcement Coordination Group (NICECG). The certificate was awarded in recognition of two well-coordinated national wildlife law enforcement operations that were conducted under the auspices of NICECG in 2012. NICECG was established in December 2011, in order to facilitate the collection and exchange of intelligence, enhance capacity building, and coordinate joint enforcement activities in China. During a Forest Police Operation, organized by the State Forestry Administration, more than 700 cases of illegal wildlife trade were uncovered; 7,155 illegal wildlife stalls and shops as well as 628 illegal online wildlife shops were shut down; 520 websites believed to offer for sale illegal wildlife were closely monitored; enforcement action was taken against 1,031 wildlife dealers involved in illegal activities; 13 wildlife-related criminal networks were dismantled and approximately 130,000 wild animals; 2,000 wildlife products and 147 wild animal skins were confiscated. During a Customs Authorities Operation, organized by the General Administration of Customs, 13 suspects were arrested; 1,366.3 kg of ivory, 337,400 kg of red sandalwood and about 30,000 kg of yew timber and 876 horns of saiga antelope were seized. The scale and great success of these operations were based on intelligence and cooperation between relevant law enforcement authorities, and exemplify the significant effort required to crack down on illegal trade in wildlife. The certificate was presented by the Secretary-General at a ceremony in Guangzhou, China, on 9 May 2012 (see Notification to the Parties No. 2012/041, of 4 June 2012).

Central Africa

18. In Resolution Conf. 11.3 (Rev. CoP15), under *Regarding compliance, control and cooperation*, the Conference of the Parties recommends, amongst other things, that:
- a) *all Parties ...*
 - ii) *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 wildlife-law enforcement agencies.*
19. The Secretariat was therefore particularly delighted to join officials from eight central African countries, in November 2011, in Douala, Cameroon, when they agreed on an action plan for strengthening enforcement of national wildlife laws in the region. The countries concerned were Burundi, Cameroon, the Central African Republic, Chad, the Congo, the Democratic Republic of the Congo, Equatorial Guinea and Gabon.
20. The Central African Forests Commission (COMIFAC) *Regional action plan for strengthening national wildlife law implementation* consists of four components, namely: cooperation and collaboration among relevant wildlife law enforcement and prosecution authorities; investigations at key border and transit points, domestic markets and transboundary areas; effective deterrents and prosecutions; and awareness of illegal wildlife trade issues.
21. The Secretariat also participated in the Central African subregional workshop on *Wildlife trafficking and dismantling transnational illicit networks* from 3 to 5 April 2012 in Libreville, Gabon. This workshop was organized by the Embassies of the United States of America in Gabon and the Central African Republic, in collaboration with the Government of Gabon. Participants in this workshop committed to establishing a wildlife enforcement network to broaden anti-poaching and anti-wildlife trafficking efforts in the central African sub-region⁸.

Trade from Guinea

22. At SC61, the Secretariat reported its concerns regarding illegal trade involving Guinea. The Committee noted the concerns and agreed that a mission to Guinea should be conducted by the Secretariat.
23. This mission was conducted in September 2011, and significant problems were identified in the implementation of CITES. Consequently, a comprehensive list of recommendations was formulated in consultation with relevant Guinean authorities.
24. In addition, as a result of its mission, the Secretariat issued Notification to the Parties No. 2011/040, of 26 September 2011, advising that, until further notice, the Secretariat was unable to confirm the authenticity and validity of any permit, certificate or other documentation apparently issued by the CITES Management Authority of Guinea. The Secretariat further advised the Parties that no commercial captive-

⁸ See http://photos.state.gov/libraries/cameroon/231771/PDFs/Regional%20Anti-Trafficking%20Workshop%20Declaration_English.pdf.

breeding of specimens of CITES-listed species occurred in Guinea and that no such captive-breeding had taken place in the past. The Secretariat reported that it was aware that there had been significant exports from Guinea of specimens declared as bred in captivity. The Secretariat reported that this trade had been in violation of the Convention and had involved the use of invalid and fraudulent permits and certificates.

25. Following the mission and recommendations to Guinea, the CITES Management Authority of Guinea replied to the Secretariat in November 2011, indicating a number of measures that it planned to implement.
26. In February 2012, the Secretariat wrote to the Minister for the Environment, Water and Forests of Guinea and to the CITES Management Authority of Guinea, seeking information on progress with the implementation of these measures and of the Secretariat's recommendations. The Secretariat also requested Guinea to identify areas where assistance would be required.
27. On 14 May 2012 the Secretariat received a letter and some supporting information from the Minister for the Environment, Water and Forests of Guinea, which indicated limited progress in meeting the recommendations resulting from the Secretariat's mission and in implementing the measures mentioned in the November 2011 letter. These included:
 - a) the initiation of a process to establish a multi-agency committee responsible for coordinating and monitoring the implementation of CITES;
 - b) a plan to implement a system to improve the issuance and monitoring of CITES permits, and the protection, archiving and storage of documents in Conakry;
 - c) a consultation process currently underway to initiate the use of more secure permits, which are likely to be on security paper and to require security stamps;
 - d) a plan to deploy additional staff to control trade in CITES specimens; and
 - e) the engagement of the Guinean authorities in a project entitled *Stop the illegal trade in wildlife products*. The Secretariat also learnt that authorities in Guinea arrested seven suspected wildlife traffickers and seized 80 kilograms of sculpted ivory on 28 March 2012. According to further information received, six suspects involved in illegal wildlife trade were arrested on 19 and 21 May respectively in Conakry, and over 800 pieces of ivory, including sculptures and elephant tusks, were seized during the operation.
28. Guinea has also informed the Secretariat of a number of areas in which it requires assistance to implement the recommendations of the Secretariat. These needs included:
 - a) guidance to enhance proposed amendments to legislation;
 - b) assistance with training management and enforcement authority staff; and
 - c) assistance to implement awareness campaigns.
29. Although the Secretariat takes note of the various actions implemented and planned by Guinea, it remains concerned about Guinea's implementation of CITES.
30. During the September 2011 mission, the CITES Management Authority of Guinea provided the Secretariat with copies of all export permits issued from 2009 to 2011. The Secretariat consequently hired a consultant to analyse these permits and the data on recent trade involving Guinea. From this [analysis](#) the following specific matters were identified as being of concern:
 - a) a large number of permits were issued for specimens declared as bred in captivity, even though there are no commercial captive-breeding facilities for CITES-listed species in Guinea;
 - b) wrong source codes were used;
 - c) commercial quantities of Appendix-I species were traded;
 - d) the submission of annual reports has been inconsistent and not all trade has been reported; and

- e) CITES permits were not issued in numerical sequence.
31. The analysis was translated into French and forwarded to Guinea for further action to implement the recommendations made by the Secretariat.
32. Based on an assessment of the feedback received from Guinea to date, it is evident that significant measures still need to be implemented by authorities in Guinea to comply with the recommendations of the Secretariat. It is also evident that the challenges faced by Guinea in implementing CITES relate not only to enforcement issues, but also to compliance issues such as the adoption of adequate legislation, issuance of permits, the monitoring of significant levels of trade and the making of non-detriment findings.
33. Several aspects of the May 2012 report from Guinea were not clear and the Secretariat wrote to the Minister in June 2012, requesting further clarifications with regard to the points discussed in paragraphs 27 and 28 above. The Secretariat will provide a verbal update at the present meeting.

Fraudulent permits from Cameroon

34. In Resolution Conf. 11.3 (Rev. CoP15), under *Regarding communication of information and coordination*, the Conference of the Parties recommends that:
- d) *Parties, 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;*
- 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.*
35. Fraudulent trade in specimens of a range of species, especially birds, from parts of central and west Africa is a matter of great concern. The Secretariat has published several Alerts and a Notification to the Parties advising importing Parties to check the validity and authenticity of export permits allegedly issued by Parties in that region over the past 12 months. There are many instances where counterfeit documents or documents obtained fraudulently have been used. One country that appears to have been suffering particularly from the activities of unscrupulous traders and fraudsters is Cameroon.
36. At the end of 2011 and beginning of 2012, the Secretariat learned of several cases where the authorities of intended countries of import were provided with copies of false CITES export permits that had allegedly been issued by the CITES Management Authority of Cameroon. The cases seen to date relate to trade in specimens of several species, such as parrots, macaws, manatees, turtles, crocodiles and chameleons.
37. On 9 February 2012 the Secretariat wrote to Cameroon, expressing its concern about the large number of fraudulent permits in circulation that seem to originate from Cameroon. The Management Authority of Cameroon confirmed that the export permits in question were not authentic.
38. Consequently the Secretariat issued Alert No. 42, of 22 February 2012, and Notification to the Parties No. 2012/021, of 12 March 2012, recommending to Parties not to accept any export permit allegedly issued by Cameroon unless its authenticity and validity were confirmed by the Secretariat. Parties were also requested to advise the Secretariat, as well as the authorities in Cameroon, if further fraudulent permits were discovered, to enable the persons responsible to be identified and brought to justice.
39. The Secretariat also discussed its concerns with the INTERPOL Regional Bureau representative in Cameroon and with the National Control Brigade in Cameroon.

Other related matters

40. The Secretariat has noted a joint statement, linked to enforcement, which was made by China and the United States at their strategic and economic dialogue meeting, held in Beijing from 3 to 4 May 2012. In this statement, these two countries indicate that they jointly support the wildlife enforcement efforts to combat the smuggling of endangered and protected species. Noting the importance of this meeting, the Secretariat is very encouraged that CITES enforcement has been brought to such a high political level. Strong and clear political messages from the highest possible levels are vital to combat effectively the illegal trade in wildlife, which to a large extent involve criminal organizations operating internationally.

41. The Secretariat was also encouraged to learn that Viet Nam intends to initiate a national-level project, funded by the Global Environmental Facility, focusing on *Wildlife consumption: reforming policies and practices to strengthen biodiversity conservation*. The objective of this project is to strengthen biodiversity conservation through significant reduction of the consumption of wildlife of illegal origin.

Recommendations

42. The Standing Committee is requested to:

- a) note this document;
- b) request its regional representatives to encourage enforcement authorities in their regions to join the Enforcement Authorities Forum; and
- c) on the basis of the information provided under *Trade from Guinea* above and the Secretariat's oral update, consider appropriate compliance measures, which may include a recommendation to suspend trade, to assist Guinea in implementing the Convention effectively.