

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



Sixty-third meeting of the Standing Committee
Bangkok (Thailand), 2 March 2013

Interpretation and implementation of the Convention

Compliance and enforcement

E-COMMERCE OF SPECIMENS OF CITES-LISTED SPECIES

1. This document has been prepared by the Chair of the Standing Committee Working Group on E-Commerce, and is submitted to the Standing Committee for information.
2. At Standing Committee 62, the information contained in document SC62 Doc. 28 was noted and the mandate of the working group extended.
3. Prior to and after Standing Committee 62 the Working Group was made aware of several reports, and **these are listed in the attached Annex**. The group will continue to consider these and other emerging documents to be able to fulfil its remit and, as specifically requested of it by Standing Committee 62, to consider whether the scope and focus of Resolution Conf. 11.3 (Rev. CoP15) adequately addressed e-commerce.
4. At the time of writing the working group has also been made aware of three studies which are about to get underway or about to report:
 - a) An analysis of possible legislative measures to control online wildlife trade in the European Union, which was undertaken by a consultant for IFAW. At the time of writing the results and any possible recommendations have yet to be made public. However, it has been made public that the Czech Republic has for the first time incorporated for the first time, specific legislative requirements that will apply to the advertising of CITES products on the internet. Section 23b of the Act of the Czech Republic (100/2004) as amended by Act Nos. 420/2011 and 467/2011, includes a requirement to include details of information to prove or confirm the legality of CITES listed specimens. At the time of writing no information about the utility or experiences, following the making of this legislation, has become available.
 - b) INTERPOL's Project Web, The project involved information gathering and analysis campaign within the European Union. Across a period of two weeks in 2012 the participating Member States conducted surveillance on their national auction sites to identify advertisements regarding the sale of ivory. Details of the advertisements and involved entities were collated and analysed with the general aim of combating the online illegal ivory trade. At the time of writing the results and any possible recommendations have yet to be made public
 - c) The United Kingdom reported that it was initiating its own study to assess the level and nature of illegal trade taking place and being facilitated over the internet. The study will present interim findings during the Spring of 2013, with final findings and recommendations in 2014 in time for Standing Committee 65.

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.

5. Whilst it is clear that many Parties' enforcement agencies are investigating illegal sales of CITES products via all media including the internet it should be noted that due to the covert nature of these investigations the methodologies being used cannot be shared with the working group. Enforcement agencies should, however, be encouraged to share successful methods with their enforcement counterparts in other countries.
6. Throughout the duration of the working group, evidence which purports to show illegal activities via the internet has been suggested. What is clear from these is that the scale of online trading is considerable. However, whilst it is not uncommon for additional background documentation not to be available, for example on auction house websites, the absence of this cannot automatically lead to a conclusion that advertisements are illegal. It is, therefore, right and proper that Parties continue to assess and scrutinize such advertisements. The Working Group, therefore, welcomes the IFAW, INTERPOL and UK studies, and looks forward to seeing their results.
7. To date there has been a focus on highly visible and open auction websites like eBay and Taobao and the introduction of bans on trading in certain items has resulted in driving the trade underground into less visible areas of the internet. This has made it more difficult for enforcement agencies to access and monitor trading activity. Specialist knowledge will therefore be needed to tackle this issue and the working group will want to consider this in its future work, as well as the potential to utilize cyber-crime investigation units to assist in the gathering of information and experiences.
8. The working group will continue to work in accordance with its mandate and provide regular reports to the CITES Standing Committee.

LIST OF DOCUMENTS PRESENTED TO THE E-COMMERCE WORKING GROUP

- IFAW - A briefing on online wildlife crime 2012: The case for stronger legislation
- Global internet trade of plants – legality and risks (2012) : Katrin Kaminski, Franz Beckers and Jens-Georg Unger
<http://onlinelibrary.wiley.com/doi/10.1111/epp.2553/abstract>
- IFAW - Killing with Keystrokes 2.0; IFAW's investigation into the European online ivory trade
<http://www.ifaw.org/sites/default/files/FINAL%20Killing%20with%20Keystrokes%202.0%20report%202011.pdf>
- IFAW'- Making a Killing (2011)
<http://www.ifaw.org/sites/default/files/Making%20a%20Killing.pdf>
- e-CEETES - Central and Eastern European e-Trade in Endangered Species (2010)
<http://www.ceeweb.org/publications/english/e-CEETES.pdf>
- CEETES - Trade in Endangered Species in Central and East European Countries (2007)
<http://www.ceeweb.org/publications/english/CEETES.pdf>
- Internet trade of CITES species of animals in Ecuador (2010)
<http://www.catcahelpanimals.org/docs/ecuadorreport2009.pdf>
- Internet trade of primates in Latin America (2011)
<http://www.catcahelpanimals.org/docs/catcaprimates2011.pdf>
- Internet trade of elephant ivory in Latin America (2010)
<http://www.catcahelpanimals.org/docs/ivoryreport2010.pdf>
- Killing with Keystrokes: An Investigation of the Illegal Wildlife Trade on the World Wide Web (2008)
http://www.ifaw.net/Publications/Program_Publications/Wildlife_Trade/Campaign_Scientific_Publications/asset_upload_file64_12456.pdf
- Killing with Keystrokes: An Investigation of the Illegal Wildlife Trade on the World Wide Web, Netherland updates (2009)
http://www.ifaw.net/Publications/Program_Publications/Wildlife_Trade/Campaign_Scientific_Publications/asset_upload_file486_61103.pdf
- Bidding for extinction - A snapshot survey of illegal trade in elephant ivory on eBay™ sites in: Australia - Canada - China - France - Germany - Netherlands - UK – USA (2007)
http://www.ifaw.net/Publications/Program_Publications/Wildlife_Trade/Campaign_Scientific_Publications/asset_upload_file64_12456.pdf
- Caught in the web Wildlife trade on the Internet (2005)
http://www.ifaw.net/Publications/Program_Publications/Wildlife_Trade/Campaign_Scientific_Publications/asset_upload_file576_11693.pdf
- Elephants on the high street - An investigation into ivory trade in the UK (2004)
http://www.ifaw.net/Publications/Program_Publications/Elephants/asset_upload_file236_12046.pdf