

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



Sixty-sixth meeting of the Standing Committee  
Geneva (Switzerland), 11-15 January 2016

Interpretation and implementation of the Convention

Compliance and enforcement

NATIONAL IVORY ACTION PLANS PROCESS

1. This document has been prepared by the Secretariat.
2. National ivory action plans (NIAPs) are a tool to enhance the national implementation of CITES provisions regarding control of trade in ivory, in accordance with Article VIII, paragraph 1, of the Convention and Resolution Conf. 10.10 (Rev. CoP16) on *Trade in elephant specimens*. Eight Parties of 'primary concern', eight Parties of 'secondary concern' and three Parties of 'importance to watch'<sup>1</sup> in the poaching of elephants and illegal trade in ivory have been directed by the Standing Committee to develop and implement NIAPs. These nineteen Parties were directed by the Standing Committee, at its 65th meeting (SC65, Geneva, July 2014), to report to the present meeting on the implementation of their NIAPs.

Parties of 'primary concern'

3. At its 63rd and 64th meetings (SC63 and SC64, Bangkok, March 2013), the Standing Committee adopted recommendations related to the development of NIAPs by eight Parties of 'primary concern' (China, Kenya, Malaysia, the Philippines, Thailand, Uganda, the United Republic of Tanzania, and Viet Nam). The Standing Committee directed the eight Parties to take urgent measures to implement their NIAPs between SC64 and SC65, and submit reports on progress in the implementation of their NIAPs. The Secretariat was directed to evaluate the submitted reports and convey its findings to SC65.
4. At SC65, the Standing Committee, taking into account the Secretariat's evaluation, considered the progress that had been made in implementing the nine<sup>2</sup> NIAPs. The Secretariat's evaluation concluded that clear progress had been made by most Parties, with many concrete activities underway by Parties of 'primary concern' to support NIAP implementation. In light of the ongoing high levels of elephant poaching and illegal ivory trade, the Standing Committee recommended that the eight Parties revise their NIAPs as necessary and continue the implementation between SC65 and SC66. In relation to document [SC65 Doc. 42.2](#) on *National ivory action plans*, the Standing Committee adopted recommendations b) to f), as contained in document [SC65 Com. 7](#) and amended in document [SC65 Sum. 10](#), as follows:

*b) encourage the eight Parties to review and, as necessary, revise their NIAPs, including the milestones and timeframes and, where possible, to include indicators to measure the impacts of actions in the NIAPs (e.g. through data on elephant poaching levels; number of ivory seizures; successful prosecutions; progress on paragraph d) under "Regarding trade in elephant specimens" of Resolution Conf. 10.10 (Rev. CoP16); and changes to legislation), based upon any new identified needs and these*

<sup>1</sup> As identified by the analysis of ivory seizure data held in the Elephant Trade Information System (ETIS), including the analysis prepared for the 16th meeting of the Conference of the Parties to CITES.

<sup>2</sup> China also prepared a separate NIAP for Hong Kong SAR, which resulted in nine NIAPs across the eight Parties of 'primary concern'.

*Parties' own evaluations of progress<sup>\*</sup>. In doing so, the eight Parties are further encouraged to take into consideration the evaluation of the Secretariat, in particular the actions where progress was rated as 'challenging' or 'unclear';*

- c) *request the eight Parties to continue to implement their NIAPs between SC65 and SC66, in accordance with the milestones and timeframes in each NIAP, and including any revisions made to their NIAPs as referred to in recommendation b) above;*
  - d) *request the Parties of "Primary Concern" to report on the further measures taken to implement their NIAPs to the Secretariat by 15 September 2015 and in the format used for the Secretariat's evaluation of the progress reports as presented in the Annex to document SC65 42.2, so that the Secretariat can make the reports available to the Standing Committee and convey any recommendations it may have, as appropriate, at SC66;*
  - e) *request the Secretariat to evaluate the reports submitted in compliance with the recommendation in paragraph d), including its footnote, and convey its findings and recommendations at SC66 in the format as submitted to SC65; and*
  - f) *taking into consideration the reports and the Secretariat's evaluation, the Standing Committee will, at its 66th meeting, decide whether Parties have substantially achieved their NIAPs and should no longer be considered of primary concern; or have made progress but remain of primary concern; or have made insufficient progress and require compliance measures.*
5. The Secretariat sent letters to the eight Parties in August 2014 reminding these Parties of the recommendations adopted at SC65. The Standing Committee did not direct any of the Parties of 'primary concern', except Thailand, to submit a revised NIAP to the Secretariat. Nevertheless, the Secretariat invited all Parties of 'primary concern' to submit a revised NIAP, and asked those doing so to indicate if the revised NIAP could be made public<sup>3</sup>. While the Secretariat received some revised NIAPs from Parties, none of these Parties provided the Secretariat with a mandate to make their revised NIAP publicly available.
6. Due to concerns about the limited progress made by Thailand in the implementation of its NIAP between SC64 and SC65, the Party was directed by the Standing Committee (via the footnote in document SC65 Com. 7 shown at \*) to develop a revised NIAP and report intersessionally on progress with its implementation. The revised NIAP was submitted to the Secretariat on 30 September 2014 in accordance with the timeframes set out in the SC65 footnote. The Secretary-General of CITES conducted a mission to Thailand<sup>4</sup> in December 2014 to discuss the revised NIAP, during which he met with the Minister of Natural Resources and Environment and senior officials from the many agencies involved in NIAP implementation. Progress reports were submitted by Thailand on 15 January and 31 March 2015 in accordance with the Standing Committee's timeframes. The Secretariat conveyed these reports to the Chair of the Standing Committee, along with its remarks on Thailand's progress. In light of the concrete progress outlined in Thailand's intersessional reports, the members of the Committee considered that Thailand had

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\* 1. *The Standing Committee recommends that Thailand submits to the Secretariat a revised NIAP by 30 September 2014, which should include the following actions, to be achieved by 31 March 2015:*

- a) *the enactment of appropriate legislative or regulatory provisions (such as the inclusion of the African elephant as "protected species" under the Wildlife Act) that allow for the effective control of domestic trade and possession of elephant ivory and provide for strict penalties in case of illegal possession or illegal domestic trade of ivory;*
- b) *the enactment of legislative or regulatory controls establishing (i) a comprehensive registration system for domestic ivory and (ii) an effective system for registration and licensing of ivory traders (including enforcement and penalisation in case of offences); if those controls are already in place, Thailand should inform the Secretariat on the acts establishing those controls;*
- c) *increases efforts on the monitoring and control of ivory traders and ivory data, as well for law enforcement efforts against illegal ivory trade, including indicators on how those efforts will be measured.*

*The Standing Committee further recommends that Thailand submits a progress report to the Secretariat of the aforementioned actions by 15 January 2015. The Committee, after assessing Thailand's progress, in consultation with the Secretariat, will make such recommendations as appropriate.*

2. *The Standing Committee requests Thailand to submit a further progress report by 31 March 2015, on which date it will assess Thailand's progress in consultation with the Secretariat, convey its assessment to Thailand and, if it is not satisfied that the actions in point 1. above have been achieved, shall proceed appropriately by postal procedure in accordance with provisions in Resolution Conf. 14.3, paragraph 30.*

<sup>3</sup> *The Standing Committee did not direct the Secretariat to make the NIAPs of Parties of 'primary concern' public, and so this decision rests with the concerned Party.*

<sup>4</sup> [https://cites.org/eng/thailand\\_niaps](https://cites.org/eng/thailand_niaps)

satisfactorily achieved the three actions detailed in paragraphs 1 a) to 1 c) of the SC65 footnote. Subsequently, no intersessional recommendations were considered necessary. The Secretariat would like to thank Thailand for the comprehensive progress reports that it submitted, and for the additional clarification that it provided for the members of the Committee.

7. A reporting template consistent with the format used in the Secretariat's SC65 evaluation was developed by the Secretariat and distributed to Parties of 'primary concern' in June 2015. The template asked Parties to complete a self-assessment of their progress and assign each NIAP action a progress rating of 'substantially achieved', 'on track' for achievement, 'challenging' or 'unclear'. All Parties of 'primary concern' duly prepared and submitted progress reports on the further measures taken to implement NIAPs following SC65, and the Secretariat would like to thank the Parties for the comprehensive reports that were submitted.
8. As directed by recommendation e), the Secretariat completed an evaluation of the progress reports submitted by Parties of 'primary concern', which is provided as Annex 1 of this document. The Secretariat's evaluation summarizes the progress ratings allocated by Parties in their progress reports, along with noting any changes in the progress of individual actions since SC65. It also details the extent of NIAP revision following SC65, the key activities implemented between SC65 and SC66, and any remaining implementation challenges. The Secretariat's remarks on the progress made by each Party are also provided. The progress reports submitted by Parties, and which were used as the basis of the Secretariat's evaluation, are provided (in the language in which they were submitted) as Annexes 3 to 12 of this document.
9. The progress reports submitted by Parties indicate that NIAP implementation has broadly continued beyond SC65, and that most Parties of 'primary concern' have built on the progress observed at SC65. In its SC65 evaluation, the Secretariat reported that it had assessed over 65% of actions across the nine NIAPs as either 'substantially achieved' or 'on track' for achievement. The self-assessments completed by Parties for SC66 indicate that across the nine NIAPs 98% (or 127 of 130 actions) are now 'substantially achieved' or 'on track' for achievement, and almost three quarters of actions (72%) are considered to be 'substantially achieved'. Not surprisingly there is a marked reduction in the extent of actions rated as 'unclear' between the SC65 and SC66 reporting periods, due to the reporting process now being conducted as a self-assessment.
10. While all Parties have made concerted efforts to continue the implementation of NIAPs following SC65, the further progress made is not uniform. The percentage of actions that have been self-assessed as 'substantially achieved' ranges from 32% to 100% across the nine NIAPs, indicating that some Parties still have some way to go to fully complete NIAP implementation.
11. In accordance with recommendation f), the Standing Committee is to consider at the present meeting whether Parties have 'substantially achieved' their NIAPs, whether they remain of 'primary concern', and whether any compliance measures are justified based on insufficient progress.
12. To facilitate the Standing Committee's consideration of the overall progress made with NIAP implementation, the Secretariat has defined simple criteria to indicate whether a NIAP has been 'substantially achieved'. The criteria are: that a minimum of 80% of NIAP actions have been self-assessed by the Party as 'substantially achieved', that any remaining actions have been self-assessed as 'on track' for achievement, and that the progress report submitted by the Party provides sufficient detail of the activities delivered to justify the allocated progress ratings. The criteria and their application are further detailed in Annex 1.
13. The Secretariat's assessment indicates that China (including Hong Kong SAR, China), Kenya, the Philippines, Thailand and Viet Nam have 'substantially achieved' their NIAPs. The Secretariat notes the further progress that has been made by Malaysia, Uganda and the United Republic of Tanzania. However, since less than 80% of actions have been rated as 'substantially achieved' by these Parties, the Secretariat's assessment is that Malaysia, Uganda, and the United Republic of Tanzania have not yet 'substantially achieved' their NIAPs.
14. As mentioned in paragraph 11 of this document, the Standing Committee, in accordance with recommendation f), is also to consider at the present meeting whether any Parties that have 'substantially achieved' their NIAPs remain of 'primary concern'. The Secretariat notes that the identification of the current Parties of 'primary concern', 'secondary concern' and 'importance to watch' in the poaching of elephants and illegal trade in ivory was derived from the findings of the ETIS analysis prepared for the 16th meeting of the Conference of the Parties (CoP16). The Secretariat believes that the ETIS analysis – and

not completed implementation of a NIAP – is best-placed to indicate whether a Party continues to be implicated in the illegal ivory trade and remains of ‘primary concern’, and notes that the next comprehensive MIKE and ETIS reports will be prepared for the 17th meeting of the Conference of the Parties (CoP17, South Africa, September 2016). In the absence of this data, the Secretariat considers that it would be challenging for the Standing Committee to determine at the present meeting if Parties remain of ‘primary concern’.

15. The Standing Committee at SC65, in relation to document [SC65 Doc. 42.1](#) on *Elephant conservation, illegal killing and ivory trade*, adopted recommendation n), as contained in document [SC65 Com. 7](#), as follows:

n) *the Secretariat, through MIKE and ETIS, to identify Parties of “Primary Concern”, “Secondary Concern” or “Importance to Watch” for consideration by the Standing Committee at SC67, based on an analysis of all data in the last five years available to MIKE and ETIS and using scientific and clear methodologies.*

16. The Secretariat recommends that the process outlined in recommendation n) above be presented to CoP17 for consideration, so that its outcomes – and any subsequent recommendations for the future development and implementation of NIAPs by implicated Parties – can be reflected in CoP Decisions as appropriate.

#### Parties of ‘secondary concern’ and ‘importance to watch’

17. At SC65, the Standing Committee, arising from Decisions 16.79 and 16.80 on *Monitoring of illegal trade in ivory and other elephant specimens (Elephantidae spp.)*, and in relation to document SC65 Doc. 42.1 on *Elephant conservation, illegal killing and ivory trade*, adopted recommendations directing eight Parties of ‘secondary concern’ and three Parties of ‘importance to watch’ to develop and implement NIAPs, as contained in document SC65 Com. 7, as follows:

a) *request Cameroon, Congo, the Democratic Republic of the Congo, Egypt, Ethiopia, Gabon, Mozambique and Nigeria to:*

- i) *work with the Secretariat and its consultants to finalize the development of national ivory action plans with time frames and milestones, by 31 October 2014, and to take urgent measures ensuring significant progress by SC66 on the implementation of their national ivory action plans; and*
- ii) *submit a comprehensive report to the Secretariat by 15 September 2015, in the format provided in the Secretariat’s evaluation of the progress reports as presented in the Annex to document SC65 Doc. 42.2, so that the Secretariat can make the reports available to the Standing Committee and convey any recommendations it may have, as appropriate, at SC66;*

...

c) *request Angola, Cambodia and the Lao People’s Democratic Republic to:*

- i) *work with the Secretariat and its consultants to finalize the development of national ivory action plans with time frames and milestones, similar to those that will be developed by countries of ‘secondary concern’, by 31 October 2014, and to take urgent measures ensuring significant progress by SC66 on the implementation of their national ivory action plans; and*
- ii) *submit a comprehensive report to the Secretariat by 15 September 2015, in the format provided in the Secretariat’s evaluation of the progress reports as presented in the Annex to document SC65 Doc. 42.2, so that the Secretariat can make the reports available to the Standing Committee and convey any recommendations it may have, as appropriate, at SC66;*

d) *request the Secretariat to:*

- i) *make the national ivory action plans referred to in paragraphs a) and c) public;*
- ii) *inform the Standing Committee in case a country fails to submit an adequate national ivory action plan by the deadlines specified in paragraphs a) and c), for the Standing Committee to consider*

*taking appropriate intersessional decisions, which may include compliance measures as necessary; and*

*iii) recommend to Parties that develop or update national ivory action plans to include, where possible, indicators to measure the impacts of the actions in the NIAPs (e.g. through data on elephant poaching levels; number of ivory seizures; successful prosecutions; progress on paragraph d) under “Regarding trade in elephant specimens” of Resolution Conf. 10.10 (Rev. CoP16); and changes to legislation);*

18. The Secretariat sent letters to the eight Parties of ‘secondary concern’ (Cameroon, Congo, the Democratic Republic of the Congo, Egypt, Ethiopia, Gabon, Mozambique and Nigeria) and three Parties of ‘importance to watch’ (Angola, Cambodia and the Lao People’s Democratic Republic) in August 2014 reminding these Parties of the recommendations adopted at SC65, and inviting them to nominate a national focal point to work with the Secretariat’s NIAP consultants to finalize the development of a NIAP. The Secretariat would like to thank the European Union for the generous provision of funds that enabled the Secretariat to appoint a part-time NIAP consultant in Africa and a part-time NIAP consultant in Asia to support Parties of ‘secondary concern’ and ‘importance to watch’ to develop NIAPs.
19. The support provided by the Secretariat’s consultants included the provision of an enforcement capacity self-assessment template<sup>5</sup> and guidance on completing the template, the preparation of a report on national enforcement capacity based on the results of the self-assessment, the provision of a NIAP template and support with the completion of the template, and ongoing advice and assistance upon request to progress the development of adequate NIAPs, including detailed commenting upon draft NIAPs. In-country missions were made available to Parties upon request and subject to available resources. The Secretariat’s consultants conducted missions to Angola, Cambodia, the Lao People’s Democratic Republic and Mozambique to provide hands-on support to Parties in the development of their NIAPs.
20. To implement recommendation d) i), the Secretariat developed a NIAP web page (<http://cites.org/niaps>) to make public the NIAPs that were received from Parties of ‘secondary concern’ and ‘importance to watch’. The development of the NIAP web page was communicated via Notification to the Parties [No. 2014/062](#) of 12 December 2014. A detailed summary of the progress made by Parties in developing NIAPs<sup>6</sup> was made available on the web page, and updated regularly.
21. Despite the support available through the Secretariat’s NIAP consultants, and the Secretariat’s repeated follow-up communications with Parties, only Cambodia submitted an adequate<sup>7</sup> NIAP by the Standing Committee’s deadline of 31 October 2014.<sup>8</sup> The Secretariat commends Cambodia for the timely development of its NIAP, and its active and early engagement with the Secretariat’s consultant in Asia.
22. On 20 November 2014, the Secretariat, in accordance with recommendation d) ii), informed the Chair of the Standing Committee that 10 of the 11 Parties had failed to submit an adequate NIAP by 31 October 2014. The Secretariat also provided the Standing Committee with a summary of the progress that had been made by the remaining 10 Parties in developing NIAPs, which highlighted that most Parties were actively engaged with the Secretariat’s consultants and progressing a draft NIAP. Between 31 October 2014 and 2 January 2015, the Secretariat received adequate NIAPs from Egypt, Ethiopia and Gabon.
23. On 2 January 2015, the Standing Committee adopted intersessional recommendations by postal procedure, as follows:

*The Standing Committee requests the Secretariat, on behalf of the Committee to:*

*a) Send a reminder letter to any Party that has not submitted an adequate national ivory action plan (NIAP), requesting that it submit an action plan within 30 days of the date of the letter, and drawing*

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<sup>5</sup> Built using the site-level and national level law enforcement capacity benchmarks developed by the CITES Monitoring the Illegal Killing of Elephants (MIKE) Programme.

<sup>6</sup> <https://cites.org/sites/default/files/common/prog/niaps/E-NIAPs-Progress-Summary-15Sep15.pdf>

<sup>7</sup> The Standing Committee, via recommendation d) ii.) directed the Secretariat to inform it if any Parties did not submit an ‘adequate’ NIAP. This recommendation was interpreted by the Secretariat as providing the Secretariat with a mandate to confirm that submitted NIAPs adequately reflected the provisions of the Standing Committee’s recommendations.

<sup>8</sup> Egypt submitted a NIAP on 30 October 2014, but the Secretariat concluded that this was not an ‘adequate’ NIAP and directed the Party to revise its NIAP to better reflect the provisions of the Standing Committee’s recommendations.

*attention to the assistance available through the Secretariat's consultants in Africa and Asia to support the completion of the NIAP;*

- b) Issue a warning letter to any Party that does not submit an adequate NIAP within 30 days of the date of the reminder letter, warning that, if the NIAP is not received within the following 30 days, the Secretariat will publish a recommendation from the Standing Committee to suspend commercial trade in specimens of CITES-listed species with that Party until an adequate NIAP is submitted to the Secretariat;*
  - c) Issue a Notification to the Parties to inform them of any consequent recommendation to suspend commercial trade arising from a failure to submit an adequate NIAP; and*
  - d) Issue a Notification to the Parties to withdraw any recommendation to suspend commercial trade when an adequate NIAP is received by the Secretariat.*
24. On 13 January 2015, the Secretariat issued reminder letters on behalf of the Standing Committee to the five Parties of 'secondary concern' (Cameroon, Congo, the Democratic Republic of the Congo, Mozambique and Nigeria) and two Parties of 'importance to watch' (Angola and the Lao People's Democratic Republic) that had, at the time, not submitted adequate NIAPs. Following these reminder letters, adequate NIAPs were received from Cameroon and Mozambique. The Secretariat subsequently issued warning letters on behalf of the Standing Committee to Congo, the Democratic Republic of the Congo, the Lao People's Democratic Republic and Nigeria on 12 February 2015, and to Angola on 6 March 2015,<sup>9</sup> following which adequate NIAPs were received from Angola and Congo. On 19 March 2015, the Secretariat issued Notifications to the Parties communicating the Standing Committee's recommendation that all Parties suspend commercial trade in CITES-listed specimens with the Democratic Republic of the Congo ([No. 2015/012](#)), the Lao People's Democratic Republic ([No. 2015/013](#)) and Nigeria ([No. 2015/014](#)) until such time as an adequate NIAP was received by the Secretariat. Notification to the Parties [No. 2015/021](#) withdrawing the recommendation to suspend commercial trade with the Democratic Republic of the Congo was issued on 15 April 2015 following the receipt of an adequate NIAP. Similarly, Notification to the Parties [No. 2015/055](#) withdrawing the recommendation to suspend commercial trade with the Lao People's Democratic Republic was issued on 15 September 2015 following the receipt of an adequate NIAP. At the time of writing, the recommended trade suspension with Nigeria was still in place as an adequate NIAP had not been received by the Secretariat.<sup>10</sup>
25. The Secretariat kept the Chair of the Standing Committee informed intersessionally on the further progress made with NIAP development and the submission of adequate NIAPs, and of any warning letters or recommended trade suspensions that were issued or withdrawn by the Secretariat in accordance with the Committee's intersessional recommendations.
26. Most of the Parties of 'secondary concern' and 'importance to watch' duly prepared and submitted progress reports on NIAP implementation as directed by SC65 recommendations a) ii) and c) ii). The eleven Parties were provided with the reporting template referred to in paragraph 7, and were reminded that the Secretariat's NIAP consultants were available to support the development of progress reports upon request. The Secretariat would like to thank Cambodia, Cameroon, Congo, the Democratic Republic of the Congo, Egypt, Ethiopia and Gabon for their progress reports. At the time of writing, progress reports had not been received from Angola, the Lao People's Democratic Republic and Nigeria.
27. In accordance with SC65 recommendations a) ii) and c) ii), the Secretariat has conveyed the reports received from Parties (in the language in which they were submitted) as Annexes 12 to 19 of this document. The Secretariat was not directed by the Standing Committee to evaluate the reports received. However, to facilitate the Standing Committee's consideration of the progress made by Parties of 'secondary concern' and 'importance to watch', the Secretariat has compiled a brief summary of NIAP development and implementation by each Party, including the results of the progress self-assessments. The Secretariat's summary is provided as Annex 2 of this document.
28. The Parties' self-assessments indicate that across the eight NIAPs for which reports were submitted, 57% of actions (or 125 of 220 actions) are considered to be 'substantially achieved' or 'on track' for

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<sup>9</sup> Angola submitted a NIAP to the Secretariat on 12 February 2015. The Secretariat reviewed the submitted NIAP and issued a warning letter following the completion of this review and the Secretariat's conclusion that it was not an 'adequate' NIAP. The Secretariat directed the Party to revise its NIAP to better reflect the recommendations adopted by the Standing Committee.

<sup>10</sup> At the time of writing, Nigeria was finalizing its NIAP with the support of the Secretariat's NIAP consultant in Africa.

achievement. Almost one quarter of actions (23%, or 51 of 220 actions) have been assessed as 'challenging' by Parties, with the most cited reasons being resourcing limitations and poor inter-agency collaboration. Some actions are not yet scheduled to commence in accordance with the milestones established in NIAPs. Overall, it appears that while NIAP implementation has broadly commenced, full implementation of NIAPs will, in many cases, require enhanced efforts and the resolution of a number of challenges, including that of resource limitations.

29. Parties of 'secondary concern' and 'importance to watch' appear to have made the most progress with actions to improve the management of confiscated ivory stockpiles, strengthen legislation including wildlife crime penalty frameworks, engage prosecutors and the judiciary, and deliver targeted training in areas ranging from CITES requirements to detection techniques, ETIS data collection and SMART law enforcement monitoring. In contrast, actions to enhance intelligence and investigations capacity (including through greater use of forensics), and strengthen inter-agency and international collaboration appear to have progressed at a slower pace. The Secretariat notes that a number of Parties have established or are pursuing the development of inter-agency committees to oversee NIAP implementation and national responses to illegal trafficking in wildlife – a mechanism that should help strengthen national collaboration.
30. With regard to the three Parties (Angola, the Lao People's Democratic Republic and Nigeria) that had not submitted progress reports at the time of writing this document, the Secretariat is aware that Angola submitted a draft progress report to its NIAP consultant in Africa, who reviewed it and provided feedback to Angola. The draft report indicated that while Angola had made progress with some NIAP actions, implementation was challenged by constraints such as insufficient legislation, a lack of law enforcement capacity, poor inter-agency cooperation, and a lack of resources to implement the NIAP. The Secretariat has limited information on the progress that has been made by the Lao People's Democratic Republic in implementing its NIAP. The Party had indicated to the Secretariat's consultant that it was preparing a progress report, but at the time of writing a draft of this report had not been received by the consultant and no further information on progress was available. Information provided to the Secretariat indicates that at the time of writing, Nigeria was finalizing its NIAP for submission to the Secretariat. While the Secretariat's understanding is that Nigeria has made progress towards some of the early milestones in its NIAP, the type and extent of the activities that had been completed is unknown.
31. The Secretariat has written to the three Parties urging them to submit a progress report ahead of SC66 so that the Standing Committee can consider their progress with NIAP implementation alongside that of the other NIAP Parties. If progress reports are not received by any of the Parties, the Standing Committee might consider inviting those Parties, if present, to provide an oral update on their progress at the present meeting.
32. A shared challenge of most Parties of 'secondary concern' and 'importance to watch' is the need for additional resources and technical assistance to fully implement NIAPs. While the original intent of NIAPs was that they would be delivered within existing national resources, the Secretariat notes that in most cases, the Parties of 'secondary concern' and 'importance to watch' would be unable to implement an 'adequate' NIAP that effectively addresses the provisions of Article VIII, paragraph 1, of the Convention and Resolution Conf. 10.10 (Rev. CoP16) without relying upon additional resources. The specific resourcing and capacity needs of Parties, as mentioned in the individual progress reports, have been highlighted in Annex 2, along with an indication of the success of Parties to date in securing resources. The Secretariat commends those Parties that have actively engaged with potential on-ground implementation partners regarding support for NIAP implementation. The Secretariat has also actively pursued the potential implementation support that might be made available to Parties across the UN system, as described in paragraph 35 below.

#### Supporting the effective implementation of NIAPs

33. To facilitate communication and collaboration on the implementation of NIAPs, the Secretariat compiled a [directory of national NIAP focal points](#) and distributed this to Parties. The directory of NIAP focal points was made available via the NIAP web page, and also communicated via Notification to the Parties [No. 2015/040](#) of 3 July 2015.

34. Since SC65, the Secretariat has conducted missions to Angola, Malaysia,<sup>11</sup> Mozambique<sup>12</sup> and Thailand to support and discuss the development and implementation of NIAPs. The missions of the Secretariat's consultants to support NIAP development were detailed in paragraph 19.
35. To support Parties in the effective implementation of NIAPs, the Secretariat has actively engaged across the UN system, with its International Consortium on Combating Wildlife Crime (ICWC) partners, and with other potential on-ground implementation partners to encourage the provision of resources and technical assistance for NIAP implementation. In response, the United Nations Development Programme (UNDP) indicated that it could offer potential support to a number of NIAP Parties<sup>13</sup> where it has thematically-aligned in-country projects, including GEF-6 projects. In June 2015, the Secretariat advised relevant Parties of the support for NIAP implementation that might be available through UNDP, and encouraged them to contact UNDP to discuss any specific resourcing needs. At the time of writing, the Secretariat was aware that UNDP had been contacted by Congo and was considering the resourcing request submitted by the Party.
36. The Secretariat is also an advisory member of the Project Steering Committee of the GEF-6 Global Wildlife Program coordinated by the World Bank, and is using this opportunity to encourage the alignment of national projects to CITES priorities, including the implementation of NIAPs as appropriate. A summary of the alignment of CITES priorities to the outcome areas and national projects of the Global Wildlife Program is provided as an Information document of the present meeting.
37. In November 2015, TRAFFIC with the support of the CITES Secretariat convened a regional workshop on NIAP implementation for Central Africa.<sup>14</sup> Six Parties, including the NIAP Parties of Cameroon, Congo, the Democratic Republic of the Congo and Gabon, participated in the workshop to share experiences in implementing NIAPs, including the progress made and major challenges being faced. The workshop resulted in a menu of priority actions to enhance the implementation of NIAPs in Central Africa, including through regional collaboration. The workshop was made possible through the Wildlife TRAPS (Trafficking Response, Assessment and Priority Setting) Project, funded by the United States Agency for International Development (USAID) implemented by TRAFFIC and the International Union for Conservation of Nature (IUCN), with co-support from Germany.
38. The Secretariat notes that the Standing Committee's SC65 recommendations on NIAPs have placed significant additional administrative and substantive tasks on the Secretariat to coordinate communication with Parties, the support programme of the Secretariat's NIAP consultants, and any intersessional work required by the Standing Committee. The Secretariat's activities described in this document, including the Secretariat's evaluation in Annex 1 and summary in Annex 2, have only been possible through the provision of additional resources from the United States of America that allowed for the Secretariat to appoint a full-time consultant as a NIAP Support Officer based at the Secretariat's offices in Geneva. The Secretariat would like to thank the United States for its contribution to support the effective coordination of the NIAP process. The Secretariat notes that its ongoing coordination of NIAPs, in accordance with any recommendations adopted at SC66, will only be possible if additional capacity is available and hence will be subject to the provision of further external resources as required.
39. The Secretariat further notes that the development and implementation of NIAPs by 19 Parties to date has identified some potential process improvements that could be considered prior to any further requests to Parties to develop and implement NIAPs. These include the definition of clear criteria for an 'adequate' NIAP, the identification of practical timeframes for the development of NIAPs,<sup>15</sup> a consistent approach to the public availability of NIAPs and NIAP progress reports, alignment of NIAPs to the standard measures to achieve compliance set out in Resolution Conf. 14.3 on *CITES compliance procedures*, the identification of standardized sample indicators for inclusion in NIAPs, and a revision of the implementation progress rating system to better reflect any actions that are not yet due to commence or that have not yet started. The Secretariat intends to raise any identified procedural improvements for consideration by CoP17,

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<sup>11</sup> [https://cites.org/eng/ASEAN\\_member\\_States\\_discuss\\_enhancing\\_regional\\_cooperation\\_to\\_combat\\_poaching\\_and\\_illegal\\_trade\\_in\\_wildlife](https://cites.org/eng/ASEAN_member_States_discuss_enhancing_regional_cooperation_to_combat_poaching_and_illegal_trade_in_wildlife)

<sup>12</sup> The Secretariat reports in more detail on its mission to Mozambique in document SC66 Doc. 51.1 on Rhinoceroses (*Rhinocerotidae* spp).

<sup>13</sup> At the time of writing, UNDP indicated that it could offer potential support to NIAP implementation in Cameroon, Congo, Ethiopia, Kenya, the Lao People's Democratic Republic, Malaysia, Mozambique, Thailand, and the United Republic of Tanzania.

<sup>14</sup> [https://cites.org/eng/news/pr/national\\_ivory\\_action\\_plans\\_good\\_progress\\_made\\_but\\_essential\\_next\\_steps\\_needed\\_24112015](https://cites.org/eng/news/pr/national_ivory_action_plans_good_progress_made_but_essential_next_steps_needed_24112015)

<sup>15</sup> The Secretariat notes that, as mentioned in paragraph 22, 10 of the 11 Parties of 'secondary concern' and 'importance to watch' failed to submit an adequate NIAP within the timeframes established by SC65.



parallel to the process to identify Parties of 'primary concern', 'secondary concern' and 'importance to watch' that is proposed for consideration at the same meeting.

Parties of 'importance to watch' not subject to the NIAP process – Reports on the implementation of CITES provisions concerning control of trade in elephant ivory and ivory markets

40. At SC65, the Standing Committee, arising from Decision 16.80 on *Monitoring of illegal trade in ivory and other elephant specimens (Elephantidae spp.)*, and in relation to document [SC65 Doc. 42.1](#) on *Elephant conservation, illegal killing and ivory trade*, adopted recommendation b), as contained in document [SC65 Com. 7](#), as follows.
- b) *request Japan, Qatar and the United Arab Emirates to submit a report to the Secretariat on their implementation of CITES provisions concerning control of trade in elephant ivory and ivory markets, by 15 May 2015, so that the Secretariat can make the reports available to the Standing Committee and convey any recommendations it may have, as appropriate, at SC66;*
41. The Secretariat sent letters to Japan, Qatar and the United Arab Emirates in June 2015 reminding them of the Standing Committee's request. Reports were received from the three Parties and have been provided (in the language in which they were submitted) as Annexes 20-22 of the present document.
42. Japan's report notes the increased attention the Party has placed on combating the illegal trade of ivory over the internet since SC65. It further notes the increased registration of whole ivory tusks, with 13,583 tusks registered at 31 July 2014 compared to 12,384 at 31 December 2014, and considers that this may be an outcome of its awareness-raising activities on CITES. The number of ivory confiscations by customs has also decreased from 2011. The Party's report also provides updated information on its implementation of CITES provisions concerning ivory, including the penalties that apply for any illegal international or domestic trade in ivory, and the size of government stockpiles of confiscated ivory.
43. Qatar's brief report indicates that one further seizure of ivory has been made since the Party reported to SC65. Over 150kg of ivory was seized in 2014, while transiting through Qatar from Mozambique to Viet Nam. This was the first ivory seizure in the country since 2008, and the first of this size made by authorities in Qatar. The report briefly notes the legislation and border control efforts that relate to illegal trade in ivory.
44. The report submitted by the United Arab Emirates indicates a sharp increase in the number of pieces of confiscated ivory between 2013-2014, rising from 272 to 1,171 pieces. The report notes that most ivory is smuggled through the United Arab Emirates in raw or carved trinkets, but there have also been large-scale seizures of whole tusks, including a seizure of 215 tusks in 2012 and 259 tusks in 2013. Forensic samples from confiscated ivory were collected during an ICCWC Wildlife Incident Support Team (WIST) to the United Arab Emirates in 2014, and the 10 tonne government stockpile was destroyed in 2015. The Party's report provides updated information on its implementation of CITES provisions concerning control of trade in ivory and ivory markets.
45. The Secretariat would like to thank the three Parties for their submitted reports. The Secretariat notes that the comprehensive Elephant Trade Information System (ETIS) assessment that will be prepared for CoP17 will provide updated information on the extent to which these Parties are implicated in the illegal trade in ivory. In the meantime, Japan, Qatar and the United Arab Emirates are encouraged to remain vigilant in their implementation of CITES and other provisions concerning control of trade in elephant ivory and national ivory markets.

Conclusions

46. The Secretariat believes that the NIAP process continues to significantly enhance national efforts to combat elephant poaching and illegal ivory trade. While clear progress has been made in implementing the NIAPs, and many of the NIAPs of Parties of 'primary concern' have been 'substantially achieved', Parties of 'secondary concern' and 'importance to watch' are at various stages of NIAP implementation, and further work needs to be done. Further, while an impressive range of concrete activities have been delivered, the overall impact of NIAP implementation – in terms of any reduction in the extent to which NIAP Parties are implicated in the illegal ivory trade as indicated by the ETIS analysis – are yet to be quantified.
47. The latest figures on elephant poaching, as reported in Annex 1 to document SC66 Doc 47.1 on *Elephant conservation, illegal killing and ivory trade* prepared for the present meeting, indicate that the illegal poaching of elephants continues at unsustainably high levels that exceed the natural rate of population

increase. In light of the ongoing high levels of poaching and illegal activity, the Secretariat considers that it is critical that the implementation of NIAPs continues, and that Parties of 'primary concern' that have 'substantially achieved' their NIAPs finalize any incomplete actions and thereafter, continue to take whatever national measures may be required to ensure the effective implementation of Resolution Conf. 10.10 (Rev. CoP16); and that Parties of 'primary concern' that have not yet 'substantially achieved' their NIAPs, Parties of 'secondary concern', and Parties of 'importance to watch' build on their progress reported at the present meeting and enhance their efforts to continue NIAP implementation between SC66 and SC67.

48. In light of the significant resourcing challenges that have been detailed by Parties in NIAP progress reports, the Secretariat encourages all donors, Parties, the UN system, global and regional banks, the Global Environment Facility (GEF), foundations and NGOs to provide technical assistance and financial resources as appropriate to support the implementation of NIAPs.

#### Recommendations

49. The Secretariat recommends that the Standing Committee:
- a) Note this document and its Annexes, and consider the reports submitted by Parties and the evaluation and recommendations of the Secretariat;
  - b) Considering the Secretariat's evaluation of progress reports submitted by Parties of 'primary concern' (as provided in Annex 1), agree that China (including Hong Kong SAR), Kenya, the Philippines, Thailand and Viet Nam have 'substantially achieved' their NIAPs;
  - c) Commend China (including Hong Kong SAR), Kenya, the Philippines, Thailand and Viet Nam for substantially achieving their NIAPs, and encourage these Parties to complete the implementation of any NIAP actions that have not yet been 'substantially achieved';
  - d) Note that comprehensive MIKE and ETIS data is not yet available to determine whether Parties that have 'substantially achieved' their NIAPs remain of 'primary concern', and further note that such information will be available at CoP17;
  - e) Request the Secretariat to identify Parties of 'primary concern', 'secondary concern' and 'importance to watch', based on an analysis of the MIKE and ETIS reports that will be prepared for CoP17, and to make recommendations for consideration by the Conference of the Parties at its 17th meeting;
  - f) Regarding Nigeria, as a Party of 'secondary concern', and Angola and the Lao People's Democratic Republic, as Parties of 'importance to watch':
    - i) Note that these Parties did not submit reports on progress with NIAP implementation that allowed for their progress to be reflected in document SC66 Doc. 29 prepared by the Secretariat for the present meeting;
    - ii) Consider any progress reports submitted by these Parties ahead of SC66 and any oral updates provided by these Parties at the present meeting, and make any further recommendations on these Parties as appropriate;
  - g) Request Malaysia, Uganda and the United Republic of Tanzania, as Parties of 'primary concern', Cameroon, Congo, the Democratic Republic of the Congo, Egypt, Ethiopia, Gabon, Mozambique and Nigeria, as Parties of 'secondary concern', and Angola, Cambodia and the Lao People's Democratic Republic, as Parties of 'importance to watch', to:
    - i) Enhance efforts to progress the implementation of NIAP actions, and continue the implementation of their NIAPs between SC66 and SC67;
    - ii) Report on the further measures taken to implement their NIAPs to the Secretariat by 30 June 2016 in a format provided by the Secretariat, so that the Secretariat can make the reports available to the Standing Committee at SC67 and convey any recommendations it may have;
  - h) Consider the progress reports submitted in accordance with recommendation g) ii), and any recommendations of the Secretariat, and decide at SC67 whether the 14 Parties outlined in

recommendation g) have 'substantially achieved' their NIAPs, have made progress but not yet 'substantially achieved' their NIAPs, or have made insufficient progress and require compliance measures;

- i) Note that the Secretariat will advise on any future development and implementation of NIAPs, including any recommended procedural improvements and simplifications as appropriate, for consideration by the Conference of the Parties at its 17th meeting.