

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



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Interpretation and implementation of the Convention

Compliance and enforcement

UNITED FOR WILDLIFE INTERNATIONAL TASKFORCE ON THE TRANSPORTATION OF
ILLEGAL WILDLIFE PRODUCTS: DECLARATION

This information document was provided by the United for Wildlife International Taskforce on the Transportation of Illegal Wildlife products¹ and is submitted by the Secretariat in relation to agenda item 32 on *Enforcement matters*.

¹ *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.*

UNITED FOR WILDLIFE INTERNATIONAL TASKFORCE ON THE TRANSPORTATION OF ILLEGAL WILDLIFE PRODUCTS

DECLARATION

PREAMBLE

We, the Members of the United for Wildlife International Taskforce on the transportation of illegal wildlife products¹, recognising the devastating impact of illegal wildlife trade, agree to the Commitments set out below, as they apply to our industry or organisation.

We, as Members of the Taskforce, will not knowingly facilitate or tolerate the carriage of wildlife products, where trade in those products is contrary to the Convention on International Trade in Endangered Species of Wildlife Fauna and Flora (CITES),² and as such is illegal under both international and national laws.

We agree to implement the Commitments relating to our own industry sector or organisational mandate, as part of our intention to tackle this issue and bring an end to illegal wildlife trade³.

We agree to evaluate the impact of the Commitments regularly, to assess what has worked and identify and address any challenges.

We ask the entire transport industry to follow our lead and help bring an end to the illegal trade in wildlife by signing this Declaration and supporting implementation of the Commitments.

COMMITMENTS

EXPRESSION AND DEMONSTRATION OF AGREEMENT TO TACKLE THE ILLEGAL WILDLIFE TRADE

- 1. Adopt or encourage the adoption of a zero tolerance policy regarding illegal wildlife trade.**
- 2. Increase passenger, customer, client, and staff awareness about the nature, scale, and consequences of illegal wildlife trade.**
- 3. Promote the Declaration and its Commitments across the entire transport sector and encourage all in the sector to sign up to the Declaration.**

INFORMATION SHARING AND DETECTION

- 4. Develop mechanisms to enable the transport sector to receive timely information about the transport of suspected illegal wildlife and their products, including methods of transportation, key routes, ports and other locations.**
- 5. Enhance data systems, including due diligence and risk assessment, to allow the transport sector and/or enforcement agencies to screen data and/or cargo, to identify potential shipments of suspected illegal wildlife and their products.**
- 6. Identify and promote systems for staff and the public to report suspicions in relation to the transportation of illegal wildlife and their products.**
- 7. Improve the training of staff within the transport sector to enable them to detect, identify and report suspected illegal wildlife trade, and acknowledge staff who champion this cause.**

¹ The Taskforce was established by The Royal Foundation of The Duke and Duchess of Cambridge and Prince Harry to work with the transport industry to develop a series of Commitments to tackle illegal wildlife trade. Annex A sets out the list of current Taskforce Members.

² This refers to species listed in CITES Appendix I. See Explanatory Note.

³ The Taskforce recognises that there may be limits on what some organisations in the transport sector can do to detect illegal wildlife species or products, particularly if those organisations are carriers of containers, which are sealed prior to loading.

PRACTICAL MEASURES TO STOP THE TRANSPORTATION OF ILLEGAL WILDLIFE PRODUCTS

8. **Develop a secure, harmonised system for passing information about suspected illegal wildlife trade from the transport sector to relevant customs and law enforcement authorities, where permitted by law.**
9. **Notify relevant law enforcement authorities of cargoes suspected of containing illegal wildlife and their products and, where able, refuse to accept or ship such cargoes.**
10. **Establish a cross-disciplinary team working with local customs and law enforcement authorities to develop a system of best practice for combatting illegal wildlife trade in key ports.**

NEW MECHANISMS TACKLING ILLEGAL WILDLIFE TRADE

11. **Support the development of mechanisms by the World Customs Organisation and national customs authorities to aid the detection and prevention of trade in illegal wildlife and their products.**

EXPLANATORY NOTE

This note explains the rationale behind the specific Commitments and provides options for implementation.

Preamble

The principal international instrument for regulating international trade in wildlife is the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). As of November 2015, there are 181 Parties, or member countries, to CITES⁴. It is a legally binding international agreement between countries that must be incorporated into domestic (national) law, and as such is applicable to individuals and corporate entities.

Commercial trade in species listed in CITES Appendix I is illegal under both international law and national legislation, apart from in exceptional and approved circumstances. As such, commercial trade in these listed species, across international boundaries, is illegal under international law and national legislation.

The Taskforce had a particular focus on the illegal trade of African elephant, rhino, some big cats and pangolins, the greatest movement of which originates from and transits through East Africa. The Taskforce also recognises the threats to the survival in the wild of all species listed in Appendix I. The Taskforce intends these Commitments to contribute towards the reduction or elimination of the illegal trade in all species listed in Appendix 1, and all other species, thereby contributing to their survival in the wild.

1. Adopt or encourage the adoption of a zero tolerance policy regarding illegal wildlife trade.

This Commitment envisages that:

- (i) Transport companies will adopt a zero tolerance policy towards all illegal wildlife and their products. Companies could use the wording below:

[insert company name] will not knowingly facilitate or tolerate the carriage of wildlife or wildlife products, where trade in such wildlife or wildlife products is contrary to the Convention on International Trade in Endangered Species of Wildlife Fauna and Flora (CITES)² and as such illegal under international and national laws.

[insert company name] is committed to the protection and conservation of the world's natural environment and biodiversity and believes that staff have a vital role to play in delivering on this commitment, including participation in relevant training, reporting of incidents and taking appropriate action against perpetrators of illegal wildlife trade. [insert company name] has a responsibility to ensure that appropriate support and training is given to staff in this regard.

This policy will apply to [insert company name] employees.

- (ii) Transport companies will include reference to their zero tolerance policy in some or all of:

- employment and client contracts;
- HR policies and codes of conduct;
- conditions of carriage;
- internal training;
- marketing material to staff, clients and passengers; and
- company's websites.

- (iii) Transport companies will support and promote inclusion of a zero tolerance policy into industry wide conditions of carriage, industry standards and guidelines.

⁴ A country that is a Party to CITES cannot trade with any country that is not a Party without following the same rules and procedures. The Parties to CITES are listed here: <https://cites.org/eng/disc/parties/index.php>

2. Increase passenger, customer, client, and staff awareness about the nature, scale, and consequences of illegal wildlife trade.

Passenger, customer, client, and staff awareness:

Some transport companies and industry associations are already raising awareness of illegal wildlife trade with passengers and staff. To implement this Commitment, transport companies could:

- (i) support the development and sharing of key messages designed to increase awareness in specific target audiences (including staff);
- (ii) develop materials for raising awareness.

A single brand may be developed by the Taskforce to be used by companies who have signed up to the Commitments alongside their existing company brands. A repository of general awareness raising material could be developed and made available for use by the transport industry.

3. Promote the Declaration and its Commitments across the entire transport sector and encourage all in the sector to sign up to the Declaration.

The Taskforce Members will encourage and welcome new signatories to the Declaration. Taskforce Members will also encourage the entire transport sector to adopt and implement these Commitments.

4. Develop mechanisms to enable the transport sector to receive timely information about the transport of suspected illegal wildlife and their products, including methods of transportation, key routes, ports and other locations.

A high volume of information is available about illegal wildlife trade but currently there is no coherent, harmonised mechanism for sharing this information with the transportation industry to support and facilitate efforts in tackling illegal wildlife trade. The transportation sector requires high quality macro level information about trends to inform awareness raising and reporting. Some companies have also requested specific, nominal information/data to inform their risk management systems.

A clearing house system will be piloted to consolidate information from Non-Government Organisations (“NGOs”) and deliver it to the transport sector. It will be run by Wildlife Conservation Society (WCS). This mechanism aims to collate and analyse information using an intelligence analysis system (i2 Analyst’s Notebook software). Proper use of this system through collation and categorisation according to source, will help to ensure that information passed to the transport sector is sufficiently specific and reliable. The Taskforce recognises that the transport sector cannot act on information that is insufficiently certain or reliable.

To implement this system, transport companies will need to identify:

- (i) the type and format of information they require; and
- (ii) internal systems or individuals to receive information from the clearing house in order to facilitate detection of and response to illegal wildlife trade.

The International Consortium on Combating Wildlife Crime (ICWC)⁵, through the UNODC, has indicated its willingness to develop an ‘industry alert’ drawing upon relevant information available to enforcement bodies that can be put into the public domain.

⁵ The ICWC partners are the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Secretariat, INTERPOL, the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization. See: <https://cites.org/eng/prog/icwc.php>

5. Enhance data systems including due diligence and risk assessment, to allow the transport sector and/or enforcement agencies to screen data and/or cargo, to identify potential shipments of suspected illegal wildlife and their products.

Transport companies use different due diligence and risk assessment systems for wider security purposes. This Commitment envisages that transport companies could use information they receive about illegal wildlife trade from the clearing house mechanism and from law enforcement agencies, including ICCWC, to screen their passenger, customer, and client data, and/or physical cargo. Such information will need to be available prior to loading to enable transport companies to act. Once the suspected container(s) are unloaded on vessels any action can only be taken at the final discharge port, so as to not to affect vessels schedule at any time.

Companies could also work with law enforcement agencies to develop risk profiles (or identify “red flags”) which can be used to facilitate the screening of data.

6. Identify and promote systems for staff and the public to report suspicions in relation to the transportation of illegal wildlife and their products.

Certain transport companies already have internal systems for reporting compliance issues. This Commitment envisages that the transport industry will use or enhances existing internal systems for reporting suspected wildlife crime. Where possible and appropriate, companies are encouraged to support the development of and participation in programmes such as the Crimestoppers initiative as an independent, universal reporting mechanism to report any suspicious activity to enforcement authorities. The Taskforce recognises that some transport companies have no physical access to the cargo they carry, particularly where those companies are responsible for the carriage of cargo in sealed containers.

7. Improve the training of staff within the transport sector to enable them to detect, identify and report suspected illegal wildlife trade, and acknowledge staff who champion this cause.

To implement this Commitment, transport companies will include specific training modules and integrate relevant materials into existing training to build staff capability to identify illegal wildlife and their products. Sample material for inclusion in training and contacts for specialised training will be provided by Taskforce Members to ensure staff are confident in their ability to detect and report illegal wildlife trade.

Companies could also establish an appropriate feedback, reward and recognition scheme. The Taskforce could develop an annual award for staff in transport companies who champion this cause. Companies who sign the Commitments will be able to nominate such employees.

8. Develop a secure, harmonised system for passing information about suspected illegal wildlife trade from the transport sector to national customs and law enforcement authorities, where permitted by law.

At present, there is no harmonised mechanism for the transport sector to pass information to customs and law enforcement. A reporting platform is being developed (as part of the WCO ENVIRONET), which is hosted by the World Customs Organisation (WCO). Transport companies could pass information to national customs authorities through the platform. It is essential that this system is secure, and preserves the confidentiality of those who provide information. The WCO will facilitate the passage of information to national customs and law enforcement authorities, as appropriate. The Taskforce recognises that some transport companies have no physical access to the cargo they carry, particularly where those companies are responsible for the carriage of cargo in sealed containers.

9. Notify relevant law enforcement authorities of cargoes suspected of containing illegal wildlife and their products and, where able, refuse to accept or ship such cargoes.

Transport companies are legally obliged to notify relevant law enforcement authorities if they identify illegal wildlife or their products. Some transport companies have a preference to refuse shipment themselves, where they suspect illegal wildlife products, rather than reporting suspicions to customs or law enforcement. The Taskforce recognises that some transport companies have no physical access to the cargo they carry, particularly where those companies are responsible for the carriage of cargo in sealed containers.

10. Establish a cross-disciplinary team working with local customs and law enforcement authorities to develop a system of best practice for combatting illegal wildlife trade in key ports.

The capability and capacity of ports in supply, transit and consumer countries to tackle illegal wildlife trade differs. A small, dedicated team will undertake a gap analysis in one or two key load ports to work with local customs authorities and other partners to help build capacity within the port. This team will consult and work with those who are already undertaking similar activities. Transport companies could support the work of this team and implement best practice.

11. Support the development of mechanisms by the World Customs Organisation and national customs authorities to aid the detection and prevention of trade in illegal wildlife and their products.

Customs authorities are a critical interface between the transport industry and national border controls. The Taskforce welcomes the implementation of the WCO SAFE Framework of Standards to enable authorities to conduct pre-arrival risk assessment although its primary focus is security. The Taskforce encourages WCO Member States to agree specific systems or recommendations dealing specifically with illegal wildlife trade. These could include relevant WCO instruments and tools such as the UNODC-WCO Container Control Programme or national programmes such as the US Container Security Initiative which specifically combats illegal wildlife trade.

For some transport sectors, such systems would work most effectively with electronic documentation (e.g. e-freight system which is being developed by the airline industry) and integrated illegal wildlife trade risk profiles to support detection of illegal wildlife products and prevent export and import of these products. It is essential that such systems are secure.

ANNEX A: The following members of the Taskforce will sign these Commitments

	The Rt Hon the Lord Hague of Richmond	Taskforce Chair
	Dame DeAnne Julius	Taskforce Vice Chair
China Wildlife Conservation Association	Ms Si Ping	Division Director
COSCO Container Lines Co. Ltd	Mr Wu Shishan	Deputy Manager, Maritime Operating Center Operations Department
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Secretariat	Mr John E Scanlon	Secretary General
Cruise Line International Association (CLIA)	Mr Bud Darr	Senior Vice President
DHL Express UK & Ireland	Mr Phil Couchman	CEO
DLA Piper	Mr Linos Choo	Partner
DP World	Mr Mohammed Sharaf	CEO
Emirates Airline	Sir Tim Clark	President and CEO
International Air Transport Association (IATA)	Mr Tony Tyler	President
International Maritime Organisation (IMO)	Mr Koji Sekimizu	Secretary General
Kenya Airways	Mr Mbuvi Ngunze	Group Managing Director and CEO Kenya Airways
Maersk Line	Mr Anders Würtzen	Vice President, Head of Group Public Affairs
UK Foreign & Commonwealth Office (FCO)	Sir Julian King	Director General Economic & Consular
UNDP-GEF	Ms Adriana Dinu	Executive Coordinator and Director
Wildlife Conservation Society (WCS)	Dr Sue Lieberman	Vice President International Policy
World Customs Organisation (WCO)	Dr Kunio Mikuriya	Secretary General
World Wide Fund for Nature (WWF)	Dr Glyn Davies	Executive Director