

## National Ivory Action Plan (NIAP) Process

Parties that did not submit their reports on progress with NIAP implementation to the 70th meeting of the Standing Committee (SC70, Sochi, October 2018), in accordance with the time frame set in Step 4, paragraph a) of the *Guidelines*

### Congo

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment (SC69)	8% (2 of 26 actions)	0% (0 of 26 actions)	38% (10 of 26 actions)	27% (7 of 26 actions)	0% (0 of 26 actions)	27% (7 of 26 actions)
Secretariat's assessment (SC69)	4% (1 of 26 actions)	4% (1 of 26 actions)	38% (10 of 26 actions)	27% (7 of 26 actions)	0% (0 of 26 actions)	27% (7 of 26 actions)
Party's assessment (SC70)	19% (5 of 26 actions)	19% (5 of 26 actions)	42% (11 of 26 actions)	8% (2 of 26 actions)	4% (1 of 26 actions)	8% (2 of 26 actions)
Secretariat's assessment (SC71)	15% (4 of 26 actions)	23% (6 of 26 actions)	31% (8 of 26 actions)	19% (5 of 26 actions)	0% (0 of 26 actions)	12% (3 of 26 actions)

1. The Congo submitted its report on progress with NIAP implementation prepared for SC70 after the deadline for the submission of such reports. The Secretariat was, as a result, not able to evaluate the report prior to SC70, as required by Step 4, paragraph c), of the *Guidelines to the NIAP process*. In light of this, the Standing Committee at SC70 agreed recommendation d) in document [SC70 SR](#), directed to the Congo.
2. In accordance with recommendation d) iii), the Secretariat evaluated the progress report received from the Congo, available as [Annex 26](#) to document SC70 Doc. 27.4.
3. The [NIAP of the Congo](#) includes 26 priority actions. The Congo's self-assessment evaluates five actions as 'achieved', five as 'substantially achieved', eleven as 'on track', two as having achieved 'partial progress', one as 'pending completion of another action' and two as 'not commenced'.
4. The Secretariat notes that actions 3.1 and 4.4 are evaluated with ratings higher than those given by the Congo in its reporting to SC69. However, the additional information provided by the Congo does not seem to justify the improved ratings of 'on track' for these actions. The Secretariat is of the opinion that these actions would more appropriately be rated as having achieved 'partial progress'. The information provided on action 3.3 is limited and does not seem to justify the improved rating of 'on track' (from 'partial progress' at SC69). The Secretariat therefore believes that the action should continue to be rated as 'partial progress'. In its reports to SC67 and SC69, the Congo reported on action 3.6 that a mission is planned to Kenya and the United Republic of Tanzania to exchange experience. Since this does not seem to have taken place, the rating of 'achieved' might be premature and a rating of 'substantially achieved' be more appropriate. Action 4.1 is evaluated as 'pending completion of another action'. The Secretariat is of the opinion that the action should, as in the Congo's report to SC69, continue to be evaluated as 'not commenced' since its implementation is not pending the completion of another action in the NIAP but rather pending the implementation of the National Strategy and Action Plan to Combat Illegal Exploitation and Illegal Trade of Wildlife Products and Species of Congo, which is related to but separate from the NIAP process. The Secretariat encourages the Congo to move ahead with the implementation of action 4.1, as well as with the implementation of actions 5.2 and 6.1 which remain with ratings of 'not commenced'.

Finally, in relation to action 5.4, more details on the implementation of the action would be useful for a better understanding of the rating allocated.

- The report from the Congo shows that the implementation of a number of NIAP actions have been progressed. It is good to observe the progress demonstrated by the report prepared for SC70, and the Secretariat encourages the Congo to make every effort to pursue the full implementation of its NIAP. The Secretariat recommends an overall rating of 'limited progress' for the Congo, in accordance with Step 4, paragraph e), of the *Guidelines*.

## Gabon

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment (SC69)	9% (3 of 32 actions)	19% (6 of 32 actions)	19% (6 of 32 actions)	22% (7 of 32 actions)	6% (2 of 32 actions)	25% (8 of 32 actions)
Secretariat's assessment (SC69)	9% (3 of 32 actions)	13% (4 of 32 actions)	19% (6 of 32 actions)	28% (9 of 32 actions)	6% (2 of 32 actions)	25% (8 of 32 actions)
Party's assessment (SC70)	13% (4 of 32 actions)	15% (5 of 32 actions)	34% (11 of 32 actions)	25% (8 of 32 actions)	0% (0 of 32 actions)	13% (4 of 32 actions)
Secretariat's assessment (SC71)	13% (4 of 32 actions)	9% (3 of 32 actions)	34% (11 of 32 actions)	31% (10 of 32 actions)	0% (0 of 32 actions)	13% (4 of 32 actions)

- Gabon submitted its report on progress with NIAP implementation prepared for SC70 after the deadline for the submission of such reports. The Secretariat was as a result not able to evaluate the report prior to SC70, as required by Step 4, paragraph c), of the *Guidelines to the NIAP process*. In light of this, the Standing Committee at SC70 agreed recommendation d) in document [SC70 SR](#), directed to Gabon.
- In accordance with recommendation d) iii), the Secretariat evaluated the progress report received from Gabon, available as [Annex 27](#) to document SC70 Doc. 27.4.
- The [NIAP of Gabon](#) includes 32 priority actions. Gabon's self-assessment prepared for SC70 evaluates four actions as 'achieved', five as 'substantially achieved', eleven as 'on track', eight as having achieved 'partial progress', and four as 'not commenced'.<sup>1</sup>
- The Secretariat notes that the revisions of the Gabonese Forest and Penal codes are still pending and it encourages Gabon to move ahead with these revisions. In its assessment of Gabon's progress with NIAP implementation, prepared for SC69, the Secretariat highlighted that it is uncertain about the exact status of the revision of the Penal Code and whether actions B.1 and B.3 can be rated as 'achieved' and 'substantially achieved' respectively, if the Forest Code has not been approved by the National Assembly and the Senate. The Secretariat notes that Gabon's progress report for SC70 does not provide any information to clarify these matters, nor does it address the matters raised by the Secretariat in relation to actions B.2 (plans regarding the establishment of a monitoring plan for legal proceedings), C.2 (plans regarding the establishment of a remuneration system for informers) and E.9 (plans regarding the burning of ivory stocks). Regarding action E.4, the Secretariat, in its assessment of Gabon's progress with NIAP implementation prepared for SC69, highlighted that the reported activities do not address the action stated in the NIAP, and that it believes that a rating of 'partial progress' might be more appropriate than that of 'substantially achieved'. In the report prepared for SC70, the same information as provided in its report prepared for SC69, is repeated. Gabon is respectfully reminded that in accordance to the *Guidelines to*

<sup>1</sup> The Secretariat notes the discrepancy between Section A and Sections B and C in Gabon's progress report. The summary in Section A counts 10 actions as being 'on track' and 9 as having achieved 'partial progress', whereas Sections B and C count 11 actions as being 'on track' and 8 as having achieved 'partial progress'. The Secretariat used the ratings in Sections B and C for the present assessment.

the NIAP process, sufficient detail of the activities delivered to justify the allocated progress ratings must be provided. In the absence of such sufficient detail the Secretariat continues to conclude that a rating of 'partial progress' may be more appropriate. In its report to SC73, Gabon is encouraged to elaborate in more details on the activities implemented to achieve these actions mentioned above. The Secretariat furthermore continues to be of the opinion that the statement made in the first bullet point of action F.4 would lead to the conclusion that a rating of 'substantially achieved' is not appropriate and should be replaced by one of 'partial progress'.

10. The report from Gabon suggests that the Party has progressed the implementation of a number of actions. The Secretariat notes that four actions (A.3, F.2, F.3 and F.5) have not yet been commenced and it encourages Gabon to move ahead with their implementation.
11. The Secretariat recommends an overall rating of 'limited progress' for Gabon, in accordance with Step 4, paragraph e), of the *Guidelines*.

## Nigeria

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment (following SC69)	64% (16 of 25 actions)	16% (4 of 25 actions)	12% (3 of 25 actions)	8% (2 of 25 actions)	- 0 of 25 actions)	- (0 of 25 actions)
Secretariat's assessment (following SC69)	28% (7 of 25 actions)	16% (4 of 25 actions)	48% (12 of 25 actions)	8% (2 of 25 actions)	- 0 of 25 actions)	- (0 of 25 actions)
Party's assessment (following SC70)	56% (14 of 25 actions)	36% (9 of 25 actions)	4% (1 of 25 actions)	4% (1 of 25 actions)	- 0 of 25 actions)	- (0 of 25 actions)
Secretariat's assessment (SC71)	36% (9 of 25 actions)	8% (2 of 25 actions)	48% (12 of 25 actions)	8% (2 of 25 actions)	- 0 of 25 actions)	- (0 of 25 actions)

12. The Standing Committee at SC70 agreed recommendation j) directed to Nigeria, as presented in document [SC70 SR](#). Pursuant to recommendation j) iv), the Secretariat reviewed the [report on progress](#) with NIAP implementation from Nigeria prepared for SC70. The Secretariat noted that, in the report it prepared for SC70, Nigeria did not report against the actions in its NIAP, but rather against actions that appear to be rephrased NIAP actions, milestones set in the NIAP, and entirely new actions. In addition, the report did not include sufficient detail on the activities delivered to justify many of the allocated progress ratings, and reporting on a number of NIAP actions had been omitted. This impeded the ability of the Secretariat to evaluate the report and understand the progress made. The Secretariat therefore suggested to Nigeria in a letter dated 20 November 2018, that the report submitted to SC70, similar to what was done for the report received from Nigeria at the 69th meeting of the Standing Committee (SC69, Geneva, November 2017), be considered as a draft report. The Secretariat invited Nigeria to submit a revised complementary report on progress with NIAP implementation, following the sequence of actions as set out in the NIAP, including updated information on any activities conducted to progress NIAP implementation since Nigeria's last reporting following SC69, and providing full justification for the allocated ratings. Nigeria submitted its revised progress report to the Secretariat on 13 December 2018, available as Annex 9 to document SC71 Doc. 11.
13. The [NIAP of Nigeria](#) includes 25 priority actions. The Secretariat noted discrepancies between the number of NIAP actions in parts A (synopsis of NIAP implementation), B (summary evaluation of actions) and C (detailed evaluation of actions) of Nigeria's revised progress report. Part A speaks of a total of 26 priority actions, part B lists 29 priority actions, and part C follows the structure the NIAP and lists 25 priority actions. The Secretariat therefore used the ratings given in part C of the report for its assessment.

14. According to Nigeria's self-assessment in part C of its report, 14 actions have been evaluated as 'achieved', nine as 'substantially achieved', one as 'on track', and one as having achieved 'partial progress'.
15. The Secretariat notes that Nigeria reports on actions A.1 and A.2 jointly and under different names than in its NIAP. The Secretariat agrees with the ratings of 'achieved' for these actions. Regarding action A.3, the Secretariat is of the opinion that the rating should be 'on track' rather than 'substantially achieved', given that the essence of the action has not been achieved. Regarding action A.5, Nigeria reports the same information as it did in its progress report following SC69 and adds that a regional meeting is being organized for March 2019. Since this meeting at the time of writing of the current progress report has not taken place yet, the Secretariat is of the opinion that the action should continue to be evaluated with the same rating as in Nigeria's progress report following SC69, i.e. as having achieved 'partial progress'. The Secretariat would further encourage Nigeria to rate action B.2 as 'on track' given the need for expanding this activity substantially. The comments provided in relation to action C.1 should be further strengthened to confirm the rating of 'substantially achieved' as given by Nigeria, and the information provided does not seem to justify the allocated progress rating. At present, a rating of 'on track' seems more appropriate for this action. Regarding action C.3, the Secretariat welcomes the progress made in gathering intelligence on illegal domestic ivory markets, but notes that the crackdown of these markets still remains to be implemented. The Secretariat therefore believes that the rating of this action should be 'on track' rather than 'substantially achieved'. Regarding action C.4, the Secretariat is of the opinion that the rating of this action should be 'on track' rather than 'substantially achieved', given that training is still outstanding for 15 staff of each of the relevant agencies. The Secretariat welcomes progress made with the implementation of action D.1 but believes that a rating of 'on track' rather than 'substantially achieved' would be more appropriate given that the essence of the action has not yet been achieved. The Secretariat also welcomes progress made with the implementation of action D.3, but believes that a rating of 'on track' rather than 'achieved' would be more appropriate given that the information provided does not demonstrate a higher level of detection in illegally traded wildlife. The activities listed in relation to actions D.4, E.1, E.2, E.3, and E.4 do not fully satisfy the actions set out in the NIAP and/or only partially respond to the set milestones. Hence the ratings of 'achieved' seem premature and ratings of 'on track' would be more appropriate. The information provided in relation to action E.5 does not explain what concrete activities were implemented by Nigeria to achieve the action set out the NIAP. The Secretariat therefore believes that a rating of 'on track' would be more appropriate than the rating of 'achieved'.
16. The revised complimentary report on progress with NIAP implementation from Nigeria overall provided sufficient detail of the activities delivered for the Secretariat to assess the allocated progress ratings. The report further suggests that the Party has progressed the implementation of a limited number of NIAP actions.
17. The Secretariat came to the conclusion that in light of the aforementioned, it was not necessary to, on behalf of the Standing Committee, issue a Notification to the Parties, recommending a suspension of commercial trade in CITES-listed species with Nigeria, as per recommendation j) v) agreed by the Standing Committee at SC70.
18. The Secretariat notes that the ETIS reports prepared for CoP16 and CoP17 identified Nigeria as a Category B Party. In the ETIS report prepared for CoP18,<sup>2</sup> Nigeria moved to a category of higher prominence, and it is now identified as a Category A Party. The report groups Nigeria together with Malaysia and Mozambique and states that these Parties collectively exhibit the fifth highest mean number of seizures made in the time period under analysis and also have the second largest weight value, indicating that frequency and scale in the illegal ivory trade are important factors. The report states that nearly 60% of the total weight of ivory seized related to seizures of 500 kg or more, suggesting that the bulk of the illicit ivory traffic moving through and from these three Parties represents higher-level organised criminal activity. The report notes that in terms of making seizures, the Law Enforcement Ratio (21%) of the three Parties is the fourth poorest in the ETIS cluster analysis, and that this indicates that only one in five seizures in which these Parties are part of the illegal trade chain is being made by one of them. The report further notes that the Corruption Perception Index (CPI) value for governance is the fourth lowest for these Parties and it states that this means that corruption could potentially be a serious issue inhibiting performance against illegal ivory trade.
19. The ETIS report to CoP18 further highlights that the estimated weight value for illegal ivory trade coming from Mozambique and Nigeria has increased by some 40% in the period 2015-2017, compared to the previous three years. The report states that partially in response to Kenya, the United Republic of Tanzania

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<sup>2</sup> <https://cites.org/sites/default/files/eng/cop/18/doc/E-CoP18-069-03-R1.pdf>

and Uganda collectively moving to strengthen law enforcement within their borders, there is evidence that transnational criminal syndicates previously operating in those countries have shifted their operations to Mozambique and Nigeria. It is stated that with very few elephants of its own, Nigeria functions as an *entrepôt* for illegal ivory from West, Central and even East Africa. It is also stated that Nigeria has a continuing highly visible domestic ivory market, especially in Lagos, and that the Lekki market in Nigeria continues to offer relatively large quantities of ivory. The report notes that production of ivory products for export to Asia is particularly pronounced in Nigeria and that the Party ranked second by numbers of seizures and third by weight of the products seized in an assessment of commercial exports of worked ivory products from Africa to Asia.

20. In addition to the ETIS report to CoP18, other available information indicates that Nigeria continues to be significantly affected by illegal trade in elephant ivory, which seems to be connected to illegal trade in pangolin scales. Data from Parties and open source data for the period October 2018 to April 2019 that came to the attention of the Secretariat suggest that four seizures of elephant ivory weighing approximately 4,3 tonnes, and five seizures of pangolin scales weighing approximately 41,2 tonnes made by other Parties, identified Nigeria as a significant actor in the illegal trade chain.<sup>3</sup> All four illegal ivory consignments seized also included pangolin scales.
21. The Secretariat notes that the NIAP of Nigeria was approved in 2014 and since then implementation has been slow and reporting on progress with implementation unsatisfactory, as reported by the Secretariat in Annex 1 to document SC70 Doc. 27.4. The Standing Committee in recommendation j) iii) agreed at SC70 noted concerns regarding the escalation of illegal trade in ivory and other wildlife specimens from Nigeria. In light of Nigeria's movement to the highest level of prominence in the current ETIS analysis, and available information on recent trends regarding ivory trafficking as it affects Nigeria, there is an urgent need for the Party to step up its efforts to address wildlife crime, including illegal trade in ivory. Against this background, the Secretariat recommends that the Standing Committee request Nigeria revise and update its NIAP in accordance with Step 2 of the *Guidelines*, and to commence implementation, and provide associated reporting. Should the Committee agree to this recommendation, it may also wish to encourage Nigeria to seek support from the Secretariat in the revision and updating of its NIAP, to ensure that any revised and updated NIAP responds well to current wildlife crime trends affecting the Party, and that it aligns with and compliments the ongoing Article XIII process concerning Nigeria.

## Togo

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Party's assessment (following SC70)	0% (0 of 21 actions)	5% (1 of 21 actions)	47.5% (10 of 21 actions)	0% (0 of 21 actions)	0% (0 of 21 actions)	47.5% (10 of 21 actions)
Secretariat's assessment (SC71)	0% (0 of 21 actions)	0% (0 of 21 actions)	29% (6 of 21 actions)	19% (4 of 21 actions)	0% (0 of 21 actions)	52% (11 of 21 actions)

22. Togo did not submit its report on progress with NIAP implementation prior to SC70 and in light of this the Standing Committee at SC70 agreed recommendations l) and m) in document [SC70 SR](#), directed to Togo.
23. Togo submitted its progress report to the Secretariat on 30 October 2018, before the Secretariat was able to issue, on behalf of the Standing Committee, a warning to Togo as requested in recommendation m) i). The report submitted is available as Annex 12 to document SC71 Doc. 11. It is Togo's first report on

<sup>3</sup> See for example the following media reports: <https://www.channelnewsasia.com/news/singapore/pangolin-scales-elephant-ivory-largest-seizure-singapore-11412138>; <https://www.scmp.com/news/hong-kong/law-and-crime/article/2184462/customs-officers-deliver-hk62-million-blow-smugglers>; <https://vietnamnews.vn/society/484879/customs-seize-14-tonnes-of-pangolin-scales-100kg-of-tusks.html#xl8p27fWJoDaD2J.97>; <https://www.tienphong.vn/xa-hoi/bat-container-chua-hon-2-tan-nga-voi-vay-te-te-1371479.tpo>; <https://www.reuters.com/article/us-vietnam-wildlife-trafficking/vietnam-seizes-eight-tonnes-of-ivory-pangolin-scales-idUSKCN1MFOGT>

progress with NIAP implementation since the Party was included in the NIAP process in the postal procedure prior to the 69th meeting of the Standing Committee (SC69, Geneva, November 2017).

24. The [NIAP of Togo](#) includes 21 priority actions. Sections A and B of Togo's progress report mention 20 priority actions but the Secretariat notes that action 1.2 is missing in both sections. The Secretariat further notes a number of additional errors in section B, for example regarding the numbering of actions under pillars 2 and 4, as well as an apparently incorrect rating for action 2.5 (*Renforcer les capacités des agents forestiers, policiers, les douaniers et la gendarmerie ainsi que la marine nationale sur la CITES et en particulier sur la lutte contre le trafic d'ivoire*). The Secretariat therefore bases the present assessment on the information provided in section C of Togo's progress report.
25. Togo's self-assessment contained in section C of its report evaluates one action as 'substantially achieved', ten as 'on track', and ten as 'not commenced'.
26. The Secretariat welcomes the progress made in the elaboration of a specific law on the implementation of CITES in Togo (action 1.3), but notes that milestones M2 through M5 of the action have not yet been achieved and it is therefore of the opinion that a rating of 'on track' might be more appropriate than the rating of 'substantially achieved'. Regarding action 2.2, Togo may wish to clarify whether or not the national workshop for stakeholders in the fight against ivory trafficking has taken place and, if so, provide more details on the workshop. Regarding action 2.4, the information provided suggests that activities conducted against this action to date is limited to the provision of a mobile scanner at the port of Lomé. In light of this, the Secretariat believes a rating of "partial progress" may be more appropriate for this action. Regarding action 3.1, the Secretariat welcomes the opening of a new control post on the border with Ghana, but notes that that the action contained in the NIAP foresees joint actions with a number of neighboring countries. It is also not clear from the information provided, if any joint patrols or other actions were initiated, and the Secretariat therefore believes that a rating of 'partial progress' might be more appropriate than the rating of 'on track'. Regarding action 3.2, Togo is reminded that sufficient detail must be provided on the activities delivered to justify the allocated progress rating. The limited information provided against this action makes it difficult to understand the activities that were implemented and how they address the objectives of this action. The Secretariat encourages Togo to provide further details on the implementation of this action that justify the rating of 'on track'. However, on the basis of the limited information provided, the Secretariat concluded that a rating of "partial progress" may be more appropriate for Action 3.2. The Secretariat welcomes the emission of a radio programme on the conservation of fauna and flora in September 2018, but notes that action 4.2 foresees a full-blown national awareness raising campaign. The Secretariat is therefore of the opinion that action 4.2 may be more appropriately rated as having achieved 'partial progress'. Regarding action 4.3, the information provided does not correspond to the action and Togo is invited to provide the correct information to justify the rating of this action. Based on the information provided, the Secretariat concluded that a rating of "not commenced" might be more appropriate for this action, than the rating of 'on track'.
27. Overall, the Secretariat finds that the information provided by Togo is limited and it encourages the Party to provide more detailed information in its future reports on progress with NIAP implementation. In accordance with the *Guidelines to the National Ivory Action Plans Process*, contained in Annex 3 of Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens*, sufficient detail must be provided on the activities delivered to justify the allocated progress rating.
28. The report from Togo suggests that the Party has progressed the implementation of a number of NIAP actions. At the same time, the Secretariat notes that almost half of the actions contained in the NIAP of Togo have at the time of reporting not yet been commenced. The Secretariat encourages Togo to move ahead with the implementation of these actions. The Secretariat also notes the difficulties expressed by Togo with regards to the mobilization of resources for NIAP implementation and it encourages the Party to intensify efforts to seek funding for the effective implementation of its NIAP actions.
29. The Secretariat accepted Togo's NIAP as 'adequate' and informed the Party accordingly in a letter dated 28 February 2018. In this letter the Secretariat noted that the full names for the acronyms 'PALCC', 'FEM' and 'IEC', used in the NIAP of Togo, have not been provided and it invited Togo to confirm what these acronyms stand for. The Secretariat encourages Togo to provide a response to ensure that the Secretariat fully understands the contents of the NIAP and the reports on progress with NIAP implementation.
30. The Secretariat recommends an overall rating of 'limited progress' for Togo, in accordance with Step 4, paragraph e), of the *Guidelines*.