

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



Seventy-first meeting of the Standing Committee
Colombo (Sri Lanka), 22 May 2019

Interpretation and implementation matters

General compliance and enforcement

NATIONAL IVORY ACTION PLANS PROCESS

1. This document has been prepared by the Secretariat.
2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted the *Guidelines to the National Ivory Action Plans (NIAP) process*¹ contained in Annex 3 to [Resolution Conf. 10.10 \(Rev. CoP17\)](#) on *Trade in elephant specimens*, as well as Decisions 17.70 to 17.82 on the *National ivory action plans process*.
3. The reporting of the Secretariat to the 18th meeting of the Conference of the Parties (CoP18, Colombo, 2019) on the implementation of Resolution Conf. 10.10 (Rev. CoP17) and the above-mentioned Decisions is contained in document [CoP18 Doc. 69.1](#)
4. In paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), the Secretariat is directed, with reference to the findings of the Elephant Trade Information System (ETIS), the Monitoring the Illegal Killing of Elephants (MIKE) programme, and its findings on the status of domestic ivory markets, and within available resources:
 - a) *to identify those Parties that have unregulated internal markets for ivory, where ivory is found to be illegally traded, where ivory stockpiles are not well secured, or that have significant levels of illegal trade in ivory;*
 - b) *to seek from each Party so identified information concerning its implementation of the provisions of this Resolution relating to ivory trade and, where appropriate and in consultation with the Party, undertake in situ verification missions; and*
 - c) *to report its findings and recommendations to the Standing Committee, which may consider recommendations to support the implementation of the present Resolution, including requests to identified Parties to develop and implement National Ivory Action Plans, and monitor progress in executing these Action Plans, in accordance with the Guidelines contained in Annex 3, as well as other appropriate measures in accordance with Resolution Conf. 14.3 on CITES compliance procedures.*
5. Step 1 paragraph c) of the *Guidelines* requires from the Secretariat, within 90 days from the submission of the ETIS report prepared for the meeting of the Conference of the Parties, in consultation with any Party identified as a potential Party to be included in the NIAP process, taking into account other relevant information and the purpose and intended outcome of the NIAP process, to prepare a recommendation to the Standing Committee as to whether a Party identified should be included in the NIAP process.
6. The present document and its annexes contain the reporting of the Secretariat in accordance with the *Guidelines*, pertaining to the selection of new Parties to participate in the NIAP process. To update the

¹ referred to as 'the Guidelines' throughout the rest of the present document.

Standing Committee and draw attention to developments since the 70th meeting of the Standing Committee (SC70, Sochi, October 2018), the Secretariat, as relevant, also includes reporting on some of the Parties currently subject to the NIAP process.

Implementation of Step 1 of the *Guidelines*: Identification of Parties to participate in the NIAP process

7. In accordance with Step 1 paragraph a) of the *Guidelines*, the foundation for identifying Parties to participate in the NIAP process is the ETIS report submitted to each meeting of the Conference of the Parties. The ETIS report prepared for CoP18 is available as Annex 1 to document [CoP18 Doc. 69.3 \(Rev. 1\)](#), and it identifies the following Parties to be considered for inclusion in the NIAP process: China, Kenya, Uganda and the United Republic of Tanzania as Category B Parties, and Burundi, Singapore, South Africa, Turkey, the United Arab Emirates and Zimbabwe as Category C Parties.²
8. In preparing its recommendations, the Secretariat engaged with the Parties concerned and with experts, as required by Step 1 paragraph b) of the *Guidelines*.³ The Secretariat would like to thank the expert agencies for the information and inputs provided. The Secretariat also, as needed, engaged in additional informal consultations with TRAFFIC as the manager and coordinator of ETIS, requesting information on the latest raw data available to ETIS regarding some of the Parties concerned. The Secretariat would like to thank TRAFFIC for the information provided.
9. The reporting of the Secretariat on the Parties concerned is contained in Annex 1 to the present document. Recommendations prepared by the Secretariat according to Step 1 paragraph c) of the *Guidelines* are presented in paragraph 19 a) to d) of the present document for consideration by the Standing Committee in accordance with Step 1, paragraphs d) and e), of the *Guidelines*.

Parties that did not submit their reports on progress with NIAP implementation to SC70 in accordance with the timeframe set in Step 4, paragraph a) of the *Guidelines*

10. Togo (Category A Party), and Congo, Gabon and Nigeria (Category B Parties), did not submit their reports on progress with NIAP implementation to SC70 in accordance with the timeframe set in Step 4, paragraph a) of the *Guidelines*. As a result, these reports could not be evaluated by the Secretariat as required by Step 4, paragraph c) of the *Guidelines*. At SC70, therefore, the Standing Committee agreed a number of recommendations concerning these Parties, as presented in paragraph 27.4 of the [Summary record](#) of that meeting. The reporting of the Secretariat on these Parties is contained in Annex 2 to the present document. The recommendations of the Secretariat concerning these Parties are presented in paragraph 19 of the present document, as recommendations e) to g).

Parties that 'achieved' their NIAPs

11. Malawi (Category A Party) and Egypt (Category C Party) report that they have, in accordance with Step 5 paragraph a) of the *Guidelines*, assessed 80% of their NIAP actions as 'substantially achieved' and all remaining NIAP actions as 'on track' and therefore request to exit the NIAP process.
12. The report on progress with NIAP implementation received from Malawi is available as Annex 8 to the present document. The evaluation by the Secretariat of the report received from Malawi, conducted in accordance with Step 4, paragraphs c) and d) of the *Guidelines*, is in Annex 3 to the present document.
13. Regarding Egypt, the Standing Committee at SC70 agreed recommendation f) in paragraph 27.4 of the Summary record of that meeting, which *inter alia* requested the Party to submit a revised and updated NIAP to the Secretariat for assessment in accordance with Step 3 of the *Guidelines*. Egypt did not submit a revised and updated NIAP to the Secretariat but instead submitted a report on progress with NIAP implementation, available as Annex 5 to the present document. The Secretariat evaluated the report received from Egypt in accordance with Step 4, paragraphs c) and d), of the *Guidelines*, and the findings and observations of the Secretariat are presented in Annex 3 to the present document.

² *Category A Parties are Parties most affected by illegal trade in ivory, Category B Parties are Parties markedly affected by illegal trade in ivory, and Category C Parties are Parties affected by illegal trade in ivory.*

³ *The Secretariat invited the International Union for Conservation of Nature (IUCN), the CITES MIKE programme, the United Nations Development Programme, as well as INTERPOL, the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization as partner agencies to the International Consortium on Combating Wildlife Crime (ICWC), to provide additional information to be considered to determine if the above-mentioned Parties should be included in the NIAP process or not.*

14. At SC70, Mozambique reported that it had 'achieved' its National Ivory and Rhinoceros Action Plan (NIRAP)⁴ in accordance with Step 5 paragraph a) of the *Guidelines*. The Standing Committee in accordance with Step 4 paragraph e) of the *Guidelines* commended Mozambique for achieving its NIRAP, but considered that it was premature for the Party to exit the NIAP process at the time. The Committee, *inter alia*, agreed that it will consider at its 73rd meeting (SC73) whether Mozambique should revise and update its NIRAP, or exit the NIAP process, or if any other measures need to be taken (see [SC70 summary record](#)).
15. The Committee at SC70 also requested the Secretariat, in accordance with paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), to continue to monitor progress concerning the efforts of Mozambique in addressing poaching and illegal trade in ivory and rhinoceros horn, and to bring any issues of concern that may arise to the attention of the Committee. In this context, the Secretariat draws to the attention of the Standing Committee that Mozambique moved from a Category C Party in the ETIS analyses prepared for CoP17, to a Category A Party in the ETIS analyses prepared for CoP18. This represents the most significant shift amongst all Parties identified by the ETIS report prepared for CoP18. The Secretariat considers that there is an urgent need for expedited action and efforts in Mozambique to address this illegal trade, and it elaborates in more detail on this in Annex 3 to the present document. Against this background, the Secretariat considers that rather than postponing to SC73 the decision on whether Mozambique should continue NIRAP implementation or exit the NIAP process, it would be more appropriate to address this matter at the present meeting.
16. The recommendations of the Secretariat concerning Malawi, Mozambique and Egypt are presented in paragraph 19 of the present document, as recommendations h) to j).

Parties that continue with NIAP implementation

17. The reports on progress with NIAP implementation from Parties that continue with NIAP implementation is due at SC73. However, in the context of the application of Article XIII in the Lao People's Democratic Republic (PDR), the Party submitted to the Secretariat a report on progress with the implementation of its NIAP. The report received from Lao PDR is available as Annex 7 to the present document. In the light of the Secretariat's comprehensive reporting on Lao PDR as presented in document [SC71 Doc. 10.1](#) on *Application of Article XIII in the Lao People's Democratic Republic*, and noting that the Party's report on progress with NIAP implementation in accordance with Step 4, paragraph a) of the *Guidelines* is only due at SC73 (the next regular meeting of the Standing Committee), the Secretariat did not do a full evaluation of this report in the context of the NIAP process. The Secretariat notes, however, that the report demonstrates that the Lao PDR continues to make progress in the implementation of a number of actions in its NIAP, in particular with respect to Legislation and Regulations (Pillar 1) and Enforcement (Pillar 2).

Other matters

18. As noted in section 2.4 on Turkey in Annex 1 to the present document, Resolution Conf. 11.17 (Rev. CoP17) on *National reports* urges all Parties to submit an annual illegal trade report to the Secretariat in accordance with the report format distributed by the Secretariat. At the same time, as outlined in Annex 1 to Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens*, reporting on ivory seizures to ETIS is required, preferably in a standardized manner as outlined in Annex 1 to the Resolution. This has created a situation where, for example, Turkey reported some of the ivory seizures it made as part of its reporting on annual illegal trade, but it did not report these seizures to ETIS. As noted by the Secretariat in Annex 1 to the present document, the current situation results in a reporting burden for Parties, and it is likely that similar discrepancies will occur in the future unless this matter is addressed. At the time of writing, the Secretariat is discussing with TRAFFIC about possible ways to address this matter and will raise it at CoP18.

Recommendations

19. The Standing Committee may wish to consider the following recommendations.

Implementation of Step 1 of the *Guidelines to the National Ivory Action Plans (NIAP) process*: Identification of Parties to participate in the NIAP process

⁴ The Standing Committee at its 65th meeting (Geneva, July 2014) requested Mozambique to develop a NIAP and a National Rhinoceros Action Plan. Noting that the two plans would be likely to have many actions in common, the Party prepared a combined National Ivory and Rhinoceros Action Plan (NIRAP).

Burundi

- a) The Secretariat recommends that the Standing Committee:
 - i) not include Burundi in the NIAP process;
 - ii) request Burundi to report on the status of its ivory stockpiles, including information on any activities conducted and findings made following the May 2015 letter of the Secretariat concerning ivory from the Burundi stockpile that allegedly made its way into illegal trade; and
 - iii) request the Secretariat to make the report from Burundi available to the Committee at its 73rd meeting, together with any recommendations the Secretariat may have.

China, Kenya, Singapore, South Africa, Uganda, the United Arab Emirates and the United Republic of Tanzania

- b) The Secretariat recommends that the Standing Committee:
 - i) not include China, Kenya, Uganda and the United Republic of Tanzania as Category B Parties and Singapore, South Africa and the United Arab Emirates as Category C Parties in the NIAP process;
 - ii) encourage China, Kenya, Singapore, South Africa, Uganda, the United Arab Emirates and the United Republic of Tanzania to remain vigilant in their efforts to combat illegal trade in ivory, and to closely review trends to ensure that the activities and measures implemented respond effectively to illegal trade in ivory as it affects these countries; and
 - iii) request the Secretariat, in accordance with Resolution Conf. 10.10 (Rev. CoP17), to continue to monitor elephant poaching and illegal trade in ivory as it relates to China, Kenya, Singapore, South Africa, Uganda, the United Arab Emirates and the United Republic of Tanzania, and to bring any matters of concern that may arise to the attention of the Committee.

Turkey

- c) The Secretariat recommends that the Standing Committee:
 - i) not include Turkey in the NIAP process at present;
 - ii) request Turkey to submit a report to the Secretariat on progress made and the results achieved in addressing illegal trade in ivory as it relates to Turkey;
 - iii) request the Secretariat to continue to monitor progress in accordance with paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to make the report from Turkey available to the Standing Committee at its 73rd meeting, together with any recommendations the Secretariat may have; and
 - iv) on the basis of the report from Turkey and any recommendations from the Secretariat, at its 73rd meeting consider if Turkey should be included in the NIAP process.

Zimbabwe

- d) The Secretariat recommends that the Standing Committee:
 - i) not include Zimbabwe in the NIAP process;
 - ii) encourage Zimbabwe implement measures to prevent illegal exports of worked ivory from Zimbabwe; and
 - iii) request the Secretariat, in accordance with Resolution Conf. 10.10 (Rev. CoP17), to continue to monitor illegal trade in ivory as it affects Zimbabwe and to bring any matters of concern that may arise to the attention of the Committee.

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 timeframe set in Step 4, paragraph a) of the *Guidelines*

Congo and Gabon

- e) The Secretariat recommends that the Standing Committee note the progress made by Congo and Gabon in the implementation of their NIAPs, and agree overall ratings of 'limited progress' for these Parties in line with Step 4, paragraph e), of the *Guidelines*.

Nigeria

- f) The Secretariat recommends that the Standing Committee:
 - i) request Nigeria to revise and update its NIAP in accordance with Step 2 of the *Guidelines*, to facilitate a more effective response to current ivory trafficking trends, taking into consideration the information contained in the ETIS report prepared for CoP18, and other matters related to Nigeria as highlighted in Annex 2 to document SC71 Doc. 11;
 - ii) 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 effectively to current wildlife crime trends affecting the Party, and that it aligns with and complements the ongoing Article XIII process concerning Nigeria; and
 - iii) submit the revised and updated NIAP to the Secretariat for assessment in accordance with Step 3 of the *Guidelines*, commence implementation as soon as the revised and updated NIAP is accepted as 'adequate' by the Secretariat, and provide associated reporting in accordance with the *Guidelines*.

Togo

- g) The Secretariat recommends that the Standing Committee:
 - i) note the progress made by Togo in the implementation of its NIAP, and agree an overall rating of 'limited progress' in line with Step 4, paragraph e), of the *Guidelines*;
 - ii) request Togo to enhance efforts to progress the implementation of its NIAP actions between SC71 and SC73; and
 - iii) encourage Parties, governmental, intergovernmental and non-governmental organizations and others to, where possible, provide financial and technical assistance to Togo.

Parties that 'achieved' their NIAPs

Egypt

- h) The Secretariat recommends that the Standing Committee:
 - i) note that Egypt did not revise and update its NIAP as requested by the Standing Committee at SC70 and at the present meeting reports that it has 'achieved' its NIAP;
 - ii) note that Egypt is no longer identified by the ETIS report to CoP18;
 - iii) agree an overall rating of 'achieved' in line with Step 4, paragraph e), of the *Guidelines*, and commend Egypt for achieving its NIAP;
 - iv) encourage Egypt to complete the implementation of any NIAP actions that have not yet been 'achieved';
 - v) agree that Egypt exit the NIAP process in accordance with Step 5, paragraph d), of the *Guidelines*; and

- vi) request the Secretariat, in accordance with Resolution Conf. 10.10 (Rev. CoP17), to continue to monitor illegal trade in ivory as it relates to Egypt, and to bring any matters of concern that may arise to the attention of the Committee.

Malawi

- i) The Secretariat recommends that the Standing Committee:
 - i) agree an overall rating of 'achieved' in line with Step 4, paragraph e), of the *Guidelines*, and commend Malawi for achieving its NIAP;
 - ii) encourage Malawi to complete the implementation of any NIAP actions that have not yet been 'achieved';
 - iii) agree that Malawi exit the NIAP process in accordance with Step 5, paragraph d), of the *Guidelines*; and
 - iv) request the Secretariat, in accordance with Resolution Conf. 10.10 (Rev. CoP17), to continue to monitor illegal trade in ivory as it relates to Malawi, and to bring any matters of concern that may arise to the attention of the Committee.

Mozambique

- j) The Secretariat recommends that the Standing Committee:
 - i) request Mozambique to revise and update its NIRAP in accordance with Step 2 of the *Guidelines*, taking into consideration recommendation p) iii) A to C agreed by the Standing Committee at SC70, and the findings in the ETIS report prepared for CoP18, to ensure that actions in the revised and updated NIRAP respond to current trends; and
 - ii) submit the revised and updated NIRAP to the Secretariat for assessment in accordance with Step 3 of the *Guidelines*, and commence implementation as soon as the revised and updated NIRAP is accepted as 'adequate' by the Secretariat, and provide associated reporting in accordance with the *Guidelines*.