

NATIONAL IVORY ACTION PLAN (NIAP) PROCESS

TABLE 1: Progress ratings of Parties that continue implementation of their NIAPs

- 1) Percentages provided in brackets indicate assessments of the Secretariat diverging from a Party's self-assessment.
- 2) Congo and Gabon 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 to the NIAP process. The Secretariat's assessments of their progress reports to SC70 can be found in document [SC71 Doc.11 A1](#).

NIAP	SC70 (% of NIAP actions in each progress rating category)						SC74 (% of NIAP actions in each progress rating category)					
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Category A Parties												
Malaysia	18%	55% (27%)	27% (73%)	-	-	-	82% (73%)	9%	9% (18%)	-	-	-
Viet Nam ¹							88% (76%)	12% (-)	- (16%)	- (4%)	-	- (4%)
Category C Parties												
Cambodia	23% (15.5%)	46% (15.5%)	15.5% (53.5%)	15.5%	-	-	61% (23%)	8%	23% (61%)	8%	-	-
Congo ²	19% (15%)	19% (23%)	42% (31%)	8% (19%)	4%	8% (12%)	16% (19%)	4% (23%)	38% (35%)	19% (11.5%)	4% (-)	19% (11.5%)

¹ Viet Nam submitted its revised and updated NIRAP to the Secretariat in July 2018, and assessment of progress for SC70 was not possible, as explained in paragraph 105 of document [SC70 Doc. 27.4 A1](#).

² The Secretariat notes that it appears that the rating of the Congo's self-assessment for the present meeting refers to progress made by the Congo in the reporting period from SC70 to SC74 only, and not to the consolidated progress made by the Party since its NIAP was approved in 2015 (see paragraph 30 below).

NIAP	SC70 (% of NIAP actions in each progress rating category)						SC74 (% of NIAP actions in each progress rating category)					
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Gabon	13%	15% (9%)	34%	25% (31%)	-	13%	22% (19%)	28% (12.5%)	44% (56%)	6% (12.5%)	-	-
Lao PDR ³							25% (20%)	45% (20%)	30% (50%)	- (10%)	-	-
Qatar ⁴	33%	27% (20%)	40%	- (7%)	-	-	33%	33% (27%)	33% (40%)	-	-	-

³ Lao PDR revised and updated its NIAP in July 2020 and is now reporting for the first time against the new and updated plan.

⁴ Qatar submitted its reports on progress with NIAP implementation in the summer of 2020, in time for the 73rd meeting of the Standing Committee, the dates of which were then postponed (see document [SC2020 Inf. 9](#))

Turkey

1. The [ETIS Report](#) prepared for CoP18 identifies Turkey as a Party for consideration under Category C of the NIAP process. It notes that Turkey is a significant transit nation in the illegal trade in ivory, owing to the market growth of its national airline in connecting Africa with a range of Asian destinations. The report observes that trafficking of worked ivory from Africa to Asia is increasing and relying heavily on air travel to connect African producers with Asian consumers. The report concludes that, for this reason, strategic vigilance along specific airline routes is essential, including those routes transiting through Turkey.
2. Pursuant to Step 1 b) of the *Guidelines to the NIAP process*⁵, the Secretariat invited Turkey, in a letter dated 28 January 2019, to submit any additional information relevant for determining whether Turkey should participate in the NIAP process.
3. Turkey provided additional information in a comprehensive report, which the Secretariat made available to the Standing Committee at its 71st meeting (SC71, Geneva, 2019) as [Annex 13](#) to document SC71 Doc. 11.
4. At SC71, the Standing Committee agreed recommendation c) directed to Turkey, contained in document [SC71 SR](#). The Committee agreed not to include Turkey in the NIAP process at present but requested the Party to submit to the Secretariat a report on progress made and the results achieved in addressing illegal trade in ivory as it relates to Turkey. The Committee further agreed to consider at its 73rd meeting, on the basis of the report from Turkey and any recommendations from the Secretariat, if Turkey should be included in the NIAP process. Due to the challenges posed by COVID-19, the Committee was not able to address this matter at SC73 and the report is now expected to be discussed at the present meeting.
5. In accordance with the Committee's recommendation, Turkey submitted a report to the Secretariat on 24 June 2020. The report is available as Annex 10 to document SC74 Doc. 28.4. Turkey reports the measures and activities undertaken to implement the Convention which may be relevant for combatting ivory trafficking. The information provided indicates that the Party revised its CITES regulations in July 2019 and that, in the case of smuggling CITES-listed specimens, including ivory, the penal provisions provide for sentences of imprisonment from six months to two years and a judicial fine of up to five thousand days (of salary). Turkey further points out that its Customs Administration has continually improved its capacity to combat illegal trade in CITES-listed species by increasing awareness, capacity-building, enhancing its capabilities with technical tools, systems and databases, and by developing its legal capacity. Turkey reports that its CITES Management Authority performs per year seven to eight trainings on combatting wildlife trafficking for customs inspectors, two trainings for 50 police officers, and one training for the staff of the Management Authority's 81 provincial directorates. Turkey further highlights that from January to March 2020 it carried out a national operation in 17 cities focused *inter alia* on customs points. Turkey also reports that it is planning to establish a CITES Office at Customs in Istanbul Airport to strengthen CITES implementation and combat illegal trade in CITES-listed specimens, including ivory.
6. In preparing the present assessment the Secretariat consulted with TRAFFIC as the manager and coordinator of ETIS. The Secretariat would like to thank TRAFFIC for the information provided. TRAFFIC reported that Turkey has recently submitted ETIS data for 2020 and updated data for previous years up to and including 2012. The new and updated ETIS data shows that the quantity of ivory which was seized in Turkey increased from 0 in 2018 (0 seizures) to 18kg in 2019 (3 seizures) to 43kg in 2020 (8 seizures). Furthermore, the data shows that the quantity of ivory seized by other countries where Turkey was identified as part of the illegal trade chain decreased significantly from 276kg in 2018 (3 seizures) to 0.6kg in 2019 (2 seizures) and 0kg in 2020 (no seizures). These numbers represent by far the lowest quantities of seized ivory since 2016, when the amount of ivory seized 64kg in Turkey (6 seizures) and 1,168kg in other countries where Turkey was identified as part of the illegal trade chain (15 seizures).
7. The report submitted by Turkey shows that a number of activities have been conducted and that measures are being implemented by Turkey to respond to illegal trade in ivory as it affects the country. The Secretariat particularly welcomes the plan to open a CITES Office at Istanbul Airport. The Secretariat notes that, according to the latest ETIS data, the number and weight of seizures made by other countries where Turkey was identified as part of the illegal trade chain decreased significantly since 2016. It is also encouraging to see more seizures being made by the authorities in country rather than being missed. The Secretariat believes that these are positive signs which may indicate that less ivory is now being smuggled through

⁵ Referred to as 'the Guidelines' throughout the rest of the present document.

Turkey, as well as increased enforcement efforts by the country. Finally, the Secretariat draws the attention of the Committee to the presumption in Step 1 c) of the *Guidelines* stating that Category C Parties are generally not recommended for participation in the NIAP process.

8. In the light of the above, the Secretariat considers that it will not be appropriate to include Turkey in the NIAP process at present. However, considering the important role of Turkey as a transit hub from Africa to Asia, there is a need to remain vigilant and sustain strong enforcement action to combat illegal trade in wildlife, including ivory. The Secretariat suggests continuing to monitor Turkey's progress in this matter in accordance with the provisions of paragraph 10 of Resolution Conf. 10.10 (Rev. CoP18), and to bring any issues of concern that may arise to the attention of the Committee.

Parties that continue with NIAP implementation

Angola (Category C – in NIAP since 2014)

9. At SC70, the Standing Committee agreed recommendation a) i) to iii), contained in summary record [SC70 SR](#). The Committee agreed an overall rating of 'limited progress' for Angola, in line with Step 4, paragraph e), of the *Guidelines*. The Committee requested Angola to take urgent steps to significantly progress the implementation of its revised and updated NIAP between SC70 and SC73, with a particular focus on finalizing the new Criminal Code, and taking steps to put in place the Action Plan to involve the intelligence services in the fight against environmental crimes and to mobilize the Party's Ivory Seizure Task Force. The Committee also encouraged Parties, governmental, intergovernmental and non-governmental organizations and others to, where possible, provide financial and technical assistance to Angola.
10. Angola did not submit a report on progress with its NIAP implementation for the present meeting.
11. The Secretariat encourages Angola to submit its progress report ahead of SC74, so the Standing Committee can consider the Party's progress with NIAP implementation alongside that of the other NIAP Parties. If a progress report is not received from Angola, the Standing Committee might consider inviting Angola, if present, to provide an oral update on its progress at the present meeting.
12. In the absence of such reports or oral updates to SC74, the Committee may wish to, in line with Step 4, paragraph f), of the *Guidelines*, consider appropriate measures, in accordance with Resolution Conf. 14.3 on *CITES compliance procedures*, to ensure compliance with the NIAP Process.

Cambodia (Category C – in NIAP since 2014)

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Cambodia's assessment (SC74)	61% (8 of 13 actions)	8% (1 of 13 actions)	23% (3 of 13 actions)	8% (1 of 13 actions)	0% (0 of 13 actions)	0% (0 of 13 actions)
Secretariat's assessment (SC74)	23% (3 of 13 actions)	8% (1 of 13 actions)	61% (8 of 13 actions)	8% (1 of 13 actions)	0% (0 of 13 actions)	0% (0 of 13 actions)

13. At SC70 the Standing Committee adopted recommendation b) i) and ii) in summary record [SC70 SR](#). The Committee welcomed the progress made by Cambodia and agreed an overall rating of 'partial progress' for Cambodia, in line with Step 4, paragraph e), of the *Guidelines*. The Committee further encouraged Cambodia to consider the proposals made by the Secretariat following its mission to Cambodia in June 2018, as referred to in paragraph 13 in [Annex 1](#) to document SC70 Doc. 27.4, and to draw upon the offers of support from the Secretariat and the United Nations Office on Drugs and Crime (UNODC) in this regard, as deemed appropriate.
14. In response to the Committee's recommendation, Cambodia and the Secretariat signed a Small-scale Funding Agreement (SSFA) on 26 March 2019 for a project to support NIAP implementation in Cambodia. The project covered a wide range of the activities included in paragraph 13 in Annex 1 to document SC70

Doc. 27.4, namely: a) the establishment of a law enforcement advisory programme to facilitate the investigation of wildlife crime offences of a serious and transnational nature; b) the development of a national protocol for the collection of samples for forensic analysis; c) the development of a national protocol for the marking, recording, storage and disposal of seized and confiscated wildlife specimens; and d) the translation of the *ICCWC Wildlife and Forest Crime Analytic Toolkit* into Khmer and the organization of a national consultation workshop to discuss the development of a full request to submit for ICCWC Toolkit support. The project also included activities to strengthen the capacity for the implementation of the Convention and national legislation, and the conduct of a study of existing mechanisms for the registration of domesticated elephants in place in neighbouring countries to develop such a mechanism in Cambodia. The project was completed in August 2021.

15. As recommended by the Committee at SC70, Cambodia also considered the offer of support from UNODC. The Secretariat consulted with UNODC in this regard, which reported that its support is focused on three main areas: a) the establishment of a multiagency law enforcement taskforce, b) forensic analysis, and c) capacity-building for law enforcement. UNODC reported that Cambodia established a Law Enforcement Advisory Taskforce (LEAT) team comprising 12 members from the Forestry Administration, Ministry of Justice, Ministry of Environment, General Department of Customs and Excise, Department of Anti-cyber Crime and Department of Anti-economic Crime Police of the Ministry of the Interior, and the Royal Gendarmerie of Cambodia. UNODC further reported that the LEAT has met four times, in August and December 2019 and in March and June 2021. UNODC highlighted that it held a course on controlled delivery in Cambodia in May 2019 with funding from ICCWC, as well as a crash course on wildlife investigations for members of the LEAT in the same month. UNODC further noted that it presented the PELTS solution, a portable laboratory for DNA analysis, at the first LEAT meeting in August 2019 and that subsequently it assisted upon a request by the LEAT in the forensic analysis of lion bones in March 2020, which is at the time of writing reportedly used by prosecution in an ongoing court case. The third meeting of the LEAT, held in March 2021, focused on online investigation techniques and intelligence analysis and resulted amongst others in the issuance of an arrest warrant for a wildlife trafficker. As part of its support of the LEAT, UNODC is procuring safes for the storage of confiscated wildlife products and providing the smartphone software “Magnet” for digital evidence recovery and memory analysis.
16. [Cambodia's NIAP](#) includes 13 priority actions. Cambodia's self-assessment submitted in November 2021 evaluates eight actions as ‘achieved’, one as ‘substantially achieved’, three as ‘on track’, and one as of ‘partial progress’. The report on progress with the implementation of its NIAP submitted by Cambodia for consideration of the present meeting is available as Annex 2 to document SC74 Doc. 28.4.
17. The Secretariat welcomes the progress made by Cambodia since SC70 in implementing its NIAP, as reflected in the Party's report. The Secretariat welcomes in particular the establishment of the LEAT (called the “Working Group for Searching, Investigation, Prevention and Suppression of Illegal Ivory Trade”) by government decision 358, in August 2019. The LEAT members are tasked, *inter alia*, with collaborating to effectively implement the NIAP of Cambodia, including resource mobilization; investigating illegal import, export and transit of ivory; and coordinating the collection of ivory samples for forensic analysis.
18. The Secretariat further notes various enforcement actions during the reporting period. The Wildlife Rapid Rescue Team (WRRT) conducted 16 operations against shops selling ivory and rhino horn which resulted in confiscations of worked ivory and associated court cases. In this context, the Secretariat also notes open-source information that suggests that the WRRT in March 2020, acting upon intelligence provided by non-governmental organizations, raided a carving factory in Phnom Penh, leading to the arrest of seven suspects and to the seizure of wildlife products, including ivory, tiger bones, pangolin scales and dried seahorses. One suspect is reported to be charged with wildlife offences.⁶ The Secretariat further notes the approval of a 10-year National Elephant Conservation Action Plan (2020-2029) by the Ministry of Environment in February 2020, as well as a number of awareness-raising and capacity-building activities conducted in 2020 for prosecutors and the judiciary and staff of the Forestry Administration of the Ministry of Agriculture, Forestry and Fisheries.
19. Regarding action 2.1 in the NIAP, the WRRT represents an important and commendable undertaking in Cambodia, as underscored by the successful operations highlighted in paragraph 18 above. However, as noted in the Secretariat's assessment of Cambodia's report on progress with NIAP implementation prepared for SC70, the activities of the WRRT seem to be limited to domestic level crime in Cambodia. The Secretariat believes that the establishment of the Working Group for Research, Investigation, Prevention and Suppression of Illegal Ivory Trade will facilitate the investigation of wildlife crime offences

⁶ <https://wildlifejustice.org/investigation-reveals-geographical-shift-ivory-trafficking-asia/>

of a transnational nature. The Secretariat proposes a rating of 'on track' for action 2.1, until the impact of the activities of the Working Group on such offences becomes apparent and leads to the full achievement of what is anticipated by this action in the NIAP. Regarding action 2.3, the Secretariat notes the participation of customs officers in trainings provided by UNODC as part of its support to Cambodia mentioned in paragraph 15 above. However, no information is provided on the provision of equipment to customs and border control agencies to enhance the detection of wildlife crime, as foreseen by this action. Cambodia may wish to clarify if such equipment has been provided. In the absence of such a clarification, the Secretariat proposes to rate action 2.3 as 'on track'.

20. Regarding action 4.1, the Secretariat welcomes the development of the 10-year National Elephant Conservation Action Plan (2020-2029) but notes that the milestones for this action include the implementation of the action plan. The Secretariat therefore is of the opinion that until progress with the implementation of the action plan is reported, the action should be rated as 'on track'.
21. Regarding action 5.1, the Secretariat notes the regular submission of reports and information by Cambodia to the CITES Secretariat but it believes that, given the ongoing nature of this action, a rating of 'on track' rather than 'achieved' would be more appropriate for this action.
22. Regarding action 6.1, the Secretariat welcomes the translation of the *ICCWC Wildlife and Forest Crime Analytic Toolkit* and its distribution to enforcement agencies and other relevant stakeholders in Cambodia. Cambodia may wish to clarify if it intends making a full request to ICCWC for support of the implementation of the toolkit. In the absence of such a clarification, the Secretariat proposes a rating of 'on track' for this action.
23. Overall, Cambodia has shown demonstrable progress with the implementation of its NIAP since SC70 and worked together with the Secretariat and UNODC to draw on additional support. The Committee may wish to agree an overall rating of 'partial progress' for Cambodia, in accordance with Step 4 paragraph e) of the *Guidelines*.

Cameroon (Category C – in NIAP since 2014)

24. At SC70, the Standing Committee agreed recommendation c) i) and ii), contained in summary record [SC70 SR](#). The Committee noted the progress made by Cameroon in the implementation of its NIAP and agreed an overall rating of 'limited progress' in line with Step 4, paragraph e), of the *Guidelines*. The Committee also encouraged Parties, governmental, intergovernmental and non-governmental organizations and others to, where possible, provide financial and technical assistance to Cameroon.
25. Cameroon did not submit a report on progress with its NIAP implementation for the present meeting.
26. The Secretariat encourages Cameroon to submit its progress report ahead of SC74, so the Standing Committee can consider the Party's progress with NIAP implementation alongside that of the other NIAP Parties. If a progress report is not received from Cameroon, the Standing Committee might consider inviting Cameroon, if present, to provide an oral update on its progress at the present meeting.
27. In the absence of such reports or oral updates to SC74, the Committee may wish to, in line with Step 4, paragraph f), of the *Guidelines*, consider appropriate measures, in accordance with Resolution Conf. 14.3 on *CITES Compliance Procedures*, to ensure compliance with the NIAP Process.

Congo (Category C – in NIAP since 2014)

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Congo's assessment (SC74)	16% (4 of 26 actions)	4% (1 of 26 actions)	38% (10 of 26 actions)	19% (5 of 26 actions)	4% (1 of 26 actions)	19% (5 of 26 actions)
Secretariat's assessment (SC74)	19% (5 of 26 actions)	23% (6 of 26 actions)	35% (9 of 26 actions)	11.5% (3 of 26 actions)	0% (0 of 26 actions)	11.5% (3 of 26 actions)

28. At SC71, the Standing Committee agreed recommendation e) in paragraph 11 of summary record [SC71 SR](#), noting the progress made by the Congo and agreeing on an overall rating of 'limited progress' for the Party, in line with Step 4 paragraph e) of the *Guidelines*.
29. The [NIAP of the Congo](#) includes 26 priority actions. The Congo's self-assessment submitted on 19 July 2021 evaluates four actions as 'achieved', one as 'substantially achieved', ten as 'on track', five with the rating of 'partial progress', one as 'pending completion of another action' and five as 'not commenced'. The report with NIAP implementation submitted by the Congo is made available for consideration of the present meeting as Annex 3 to document SC74 Doc. 28.4.
30. The Secretariat notes that it appears that the progress ratings contained in the report submitted in July 2021 refer to progress made by the Congo in the reporting period from SC70 to SC74 only, and not to the consolidated progress made by the Party since its NIAP was approved in 2015. The Secretariat therefore found it challenging to understand the ratings in the present self-assessment in comparison to those in the previous self-assessment prepared for SC70 (and considered by the Standing Committee at SC71).
31. The Secretariat notes the progress made by the Congo since SC70 in the implementation of some of its NIAP actions, as reflected in the Party's self-assessment report. The Secretariat welcomes in particular progress in the drafting of the implementing texts of the law on wildlife and protected areas, and progress in the establishment of a canine unit equipped with anti-poaching and substance detection sniffer dogs.
32. Regarding actions 1.2, 2.1, 2.2, 2.3, 3.4, 3.7, 4.2, 4.3, 4.4, 4.5, 5.3, 5.5 and 6.3, the Secretariat notes that the Congo assessed these actions with higher ratings in its report prepared for SC70 than in its current progress report (see table below).

Action	The Congo's assessment (SC70)	The Congo's assessment (SC74)
1.2	Substantially achieved	On track
2.1	Substantially achieved	Partial progress
2.2	On track	Not commenced
2.3	Substantially achieved	On track
3.4	Substantially achieved	Partial progress
3.7	On track	Not commenced
4.2	On track	Partial progress
4.3	Achieved	On track
4.4	On track	Partial progress
4.5	Achieved	Partial progress
5.3	Substantially achieved	On track
5.5	Achieved	Substantially achieved
6.3	Partial progress	Not commenced

Without further clarifications from the Congo on the reason for these lower ratings, it is not clear why they occurred, noting that some are significant. The Secretariat surmises that some of these changes may be due to the fact that the Party only assessed progress since SC70, and not overall progress, as mentioned in paragraph 30 above. Based on the consolidated progress made by the Party since its NIAP was approved in 2015, reported to [SC66](#), [SC67](#), [SC69](#) and [SC70](#), the Secretariat is of the opinion that the ratings as presented in the Secretariat's assessment for [SC71](#) might be more appropriate for these actions. The Secretariat further respectfully requests the Congo to report, in future self-assessments, on all progress made in the implementation of each NIAP action since the NIAP was approved in 2015, and to allocate a rating to each NIAP action based on the overall progress made in implementing the action since 2015.

33. Regarding action 3.1, the Secretariat notes that the Congo seems to have narrowed the scope of the action from 'Operationalizing a unit specialized in dismantling ivory trafficking networks' to 'Operationalizing a canine unit specialized in dismantling ivory trafficking networks'. The Secretariat believes that it therefore may be more appropriate to rate this action as 'on track' rather than 'achieved'. The Secretariat further respectfully reminds the Congo that changing the scope of any NIAP action is only possible as part of a

formal revision and update of the NIAP in accordance with the *Guidelines*. Should the Congo wish to revise and update its NIAP, it is encouraged to inform the Secretariat accordingly.

34. Regarding action 3.2, the Secretariat notes that the information provided is limited and does not justify the improved rating of 'on track' (from 'partial progress' at SC70). The Secretariat therefore believes that this action should continue to be rated 'partial progress' until more information is being provided. Regarding action 3.6, the Congo reports that the planned mission to Kenya and the United Republic of Tanzania to exchange experience could not take place due to circumstances related to the COVID-19 pandemic. The Secretariat therefore continues to believe that, as also highlighted in its assessment prepared for SC71, the rating of 'achieved' for this action might be premature and a rating of 'substantially achieved' would be more appropriate. Regarding action 4.1, evaluated as 'pending completion of another action', the Secretariat, as expressed in its assessment prepared for SC71, 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'.
35. The report from the Congo suggests that the Party has progressed the implementation of a number of NIAP actions. At the same time, the Secretariat notes that a number of the actions contained in the NIAP of the Congo have at the time of reporting not yet been commenced, and that progress on a number of other actions remains slow. The Secretariat encourages the Congo to move ahead with the implementation of these actions. The Secretariat also notes the difficulties expressed by the Congo 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.
36. The Secretariat recommends an overall rating of 'limited progress' for the Congo, in accordance with Step 4, paragraph e), of the *Guidelines*.

Democratic Republic of the Congo (Category C – in NIAP since 2014)

37. The Democratic Republic of the Congo (DRC) revised and updated its NIAP following SC69. At SC70, the Standing Committee agreed recommendation e) i) - iv), contained in summary record [SC70 SR](#), and noted the revised and updated NIAP of the DRC. The Committee agreed an overall rating of 'limited progress' in line with Step 4, paragraph e), of the *Guidelines*, and requested the DRC to enhance efforts to progress the implementation of its NIAP actions between SC70 and SC73. The Committee also requested the DRC to use the template for progress reports on NIAP implementation available on the NIAP webpage for future reporting on progress.
38. The [NIAP of the DRC](#) includes 28 priority actions. The report on progress with NIAP implementation submitted by the DRC for consideration of the present meeting is available as Annex 4 to document SC74 Doc. 28.4. The DRC did not use the template for reporting on progress, as required by Step 4, paragraph b), of the *Guidelines* and as requested by the Standing Committee, for its reporting to the present meeting. The Secretariat therefore converted the DRC's ratings to the new categories identified in the *Guidelines*.⁷ However, the Secretariat notes that the report on progress submitted by the DRC only contains information on 23 of the 28 actions contained in the NIAP. Furthermore, the order of the actions in the progress report is not the same as the order of the actions in the NIAP (see Table 1). Because of the five actions on which progress was not reported, the Secretariat found that it was not possible to fully evaluate progress made by the DRC. The Secretariat respectfully reminds the DRC that deleting any action from its NIAP is only possible as part of a formal revision and update of the NIAP and that, in accordance with the *Guidelines*, any such action must have been 'substantially achieved' or 'achieved'.

NIAP action	Action in progress report to SC74	Observations by the Secretariat
A.1	1.1	
A.2	1.2	
A.3	1.3	
A.4	1.4	

⁷ The rating 'substantially achieved' became 'achieved' or 'substantially achieved' in the new categories, 'on track' became 'on track', 'limited progress' became 'partial progress', 'pending completion of another action' became 'pending completion of another action', 'not commenced' became 'not commenced' and 'unclear' became 'partial progress'.

B.1	2.1	
B.2	2.2	Action in progress report is not the same as in the NIAP but the information provided against it corresponds to NIAP action
B.3	2.3	
B.4	2.4	
C.1		Action is missing in NIAP progress report
C.2		Action is missing in NIAP progress report
C.3		This action is numbered as action 5.1 in part B of the progress report but in part C of the progress report action 5.1 provides information corresponding to NIAP action C.4
C.4	5.1	
D.1	3.1	
D.2	3.2	
D.3	3.3	
D.4	3.4	
D.5	3.5	
D.6	3.6	
D.7	3.7	
D.8	3.8	
E.1		Action is missing in NIAP progress report
E.2		Action is missing in NIAP progress report
E.3	2.5	
F.1	4.1	
F.2	4.2	
F.3	4.3	
F.4	4.4	
F.5	4.5	

39. The DRC in its report to the present meeting highlights key achievements since SC70, including *inter alia* the establishment of an ivory stockpile management system in May 2020, the training of more than 200 court magistrates and other official stakeholders in the fight against wildlife, the carrying out of several raids which resulted in the seizures, including a large-scale seizure on 4 November 2021 of worked ivory with a total weight of 938 kg⁸, and the continuation of the Law Enforcement and Wildlife Crime Control Project (ALCRIF), which has intensified investigations and led to numerous seizures and arrests from July 2018 to date.
40. Upon review of the progress report received from the DRC, the Secretariat notes that the DRC did not report on the implementation of actions C.1, C.2, C.3, E.1 and E.2. The Secretariat also notes that the implementation of action F.5 has not yet commenced.
41. Regarding action A.2, the Secretariat notes that, from the information provided by the DRC, it appears that the draft decrees to implement measures of law n°14/003 of 11 February 2014 have not yet entered into force, as anticipated in the NIAP. The Secretariat therefore believes that a rating of 'on track' rather than 'substantially achieved' might be more appropriate for this action. Regarding action D.6, the Secretariat welcomes the participation of the DRC in Africa-TWIX and SADC-TWIX but it notes that the participation alone will not be sufficient to achieve the broader objective of this action. The Secretariat therefore believes that a rating of 'on track' rather than 'substantially achieved' might be more appropriate for action D.6.
42. The ETIS report to SC69⁹ highlights evidence of increased ivory processing in Africa for the purpose of exporting finished products to Asian markets. It identifies the DRC as one of the countries of origin and/or export behind the greatest numbers of seizures and quantities of worked ivory products moving out of Africa, mostly through air transport. The report states that the DRC has previously been identified as one of the countries with an ivory carving industry that, amongst similar industries in other countries, appears to be servicing ivory demand in Asia with the production of key generic products such as bangles, name seals and chopsticks. The report further states that much of this trade from countries with such industries involves the use of couriers, predominantly Asian nationals, who in recent years have frequently been detected wearing purposely designed clothing to conceal ivory on the body. The DRC is encouraged to

⁸ See also <https://www.reuters.com/world/africa/congo-seizes-35-mln-ivory-rhino-horn-pangolin-scales-2021-11-08/>

⁹ <https://cites.org/sites/default/files/eng/com/sc/69/E-SC69-51-01-A.pdf>

take these findings into consideration in the implementation of activities in accordance with action E.3 in its NIAP.

43. In preparing its document for the present meeting, the Secretariat informally consulted with TRAFFIC as the manager and coordinator of ETIS, requesting information on the latest data on the DRC available to ETIS. The Secretariat would like to thank ETIS for the information provided. ETIS noted that the DRC rarely reports to ETIS; the only official submissions occurred in 2015 and 2016. The information available to ETIS shows that there has been decrease in ivory seizures made in DRC prior to export abroad. In the period 2015-2017, the authorities in the DRC, prior to export from the country, made 19 seizures involving approximately 1,207 kg ivory and, in the period 2018-2020, eight seizures involving approximately 329 kg ivory were made. What raises significant concern however is the increase in the quantities of ivory seized by other countries, where the DRC is identified as part of the illegal trade chain. This number rose from approximately 14,000 kg ivory in the period 2015-2017 to approximately 21,644 kg ivory in the period 2018-2020, the bulk of which included record breaking seizures in 2019 amounting to a total of over 21,000 kg. This highlights the urgent need for action to be taken in the DRC to intensify and expand activities to progress the implementation of its NIAP.
44. The Secretariat encourages the DRC to submit a revised progress report ahead of SC74, using the template for reporting on progress available on the NIAP webpage, and including information on the implementation of actions C.1, C.2, C.3, E.1 and E.2, so the Standing Committee can consider the Party's progress with NIAP implementation alongside that of the other NIAP Parties. If a progress report is not received from the DRC, the Standing Committee might consider inviting the DRC, if present, to provide an oral update on its progress at the present meeting.
45. In the absence of such reports or oral updates to SC74, the Committee may wish to, in line with Step 4, paragraph f), of the *Guidelines*, consider appropriate measures, in accordance with Resolution Conf. 14.3 on *CITES compliance procedures*, to ensure compliance with the NIAP Process.

Ethiopia (Category C – in NIAP since: 2014)

46. At SC70, the Standing Committee agreed recommendation o) i) and ii), contained in summary record [SC70 SR](#). The Committee welcomed the progress made by Ethiopia and agreed an overall rating of 'partial progress' in line with Step 4, paragraph e), of the *Guidelines*. The Committee also requested Ethiopia to continue to progress the implementation of its NIAP between SC70 and SC73.
47. Ethiopia did not submit a report on progress with its NIAP implementation for the present meeting.
48. The Secretariat encourages Ethiopia to submit its progress report ahead of SC74, so the Standing Committee can consider the Party's progress with NIAP implementation alongside that of the other NIAP Parties. If a progress report is not received from Ethiopia, the Standing Committee might consider inviting Ethiopia, if present, to provide an oral update on its progress at the present meeting.
49. In the absence of such reports or oral updates to SC74, the Committee may wish to, in line with Step 4, paragraph f), of the *Guidelines*, consider appropriate measures, in accordance with Resolution Conf. 14.3 on *CITES compliance procedures*, to ensure compliance with the NIAP Process.

Gabon (Category C – in NIAP since 2014)

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Gabon's assessment (SC74)	22% (7 of 32 actions)	28% (9 of 32 actions)	44% (14 of 32 actions)	6% (2 of 32 actions)	0% (0 of 32 actions)	0% (0 of 32 actions)
Secretariat's assessment (SC74)	19% (6 of 32 actions)	12.5% (4 of 32 actions)	56% (18 of 32 actions)	12.5% (4 of 32 actions)	0% (0 of 32 actions)	0% (0 of 32 actions)

50. At SC71, the Standing Committee agreed recommendation e) in paragraph 11 of summary record [SC71 SR](#), noting the progress made by Gabon and agreeing on an overall rating of 'limited progress' for the Party, in line with Step 4 paragraph e) of the *Guidelines to NIAP Process*.
51. The [NIAP of Gabon](#) includes 32 priority actions. Gabon's self-assessment evaluates seven actions as 'achieved', nine as 'substantially achieved', 14 as 'on track', and two as having achieved 'partial progress'. The report with NIAP implementation submitted by Gabon is made available for consideration of the present meeting as Annex 5 to document SC74 Doc. 28.4.
52. The Secretariat welcomes the progress made by Gabon since SC70 in implementing its NIAP, as reflected in the Party's self-assessment report. The Secretariat welcomes in particular the reported completion of the revision of the Gabonese Penal Code, including an increase of prison sentences up to 10 years, and the possibility to double the penalties for administrative personnel having abused their position to commit or facilitate ivory trafficking. The Secretariat also welcomes the establishment of an intelligence and investigation unit within the National Agency for National Parks, with the support of UNODC. The Secretariat further notes progress in the implementation of a number of actions aimed at increasing synergies among the national bodies concerned with combating illegal trade in ivory, including the organization of an 'appropriation workshop' to popularize the NIAP of Gabon. The Secretariat also notes achievements to inventory ivory seizures and ongoing efforts to strengthen the security of Gabon's ivory stockpile. The Secretariat notes that all actions contained in the NIAP have now been commenced.
53. Regarding action A.1, the Secretariat as mentioned above welcomes the completion of revision of the Gabonese Penal Code but notes that the revision of the Forestry Code is still ongoing. Without further clarification from Gabon, the Secretariat therefore believes that the rating for this action should be 'on track' rather than 'achieved'. Regarding action A.3, the Secretariat welcomes the progress made on this action but notes that the strategy for the management of human-elephant conflict, the revised decree on compensation for victims of human-wildlife/elephant conflicts, and the guide on the management of electric fences are all still draft versions. The Secretariat therefore believes that a rating of 'on track' may be more appropriate for this action.
54. The Secretariat notes that Gabon's present report on progress with NIAP implementation does not address questions the Secretariat raised in its assessments of Gabon's progress reports prepared for SC69 and SC70, 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).
55. Regarding action C.3, the Secretariat notes that Gabon has not yet created an information exchange system at the local level for law enforcement purposes and that at present the application WhatsApp is used as a means of exchanging information. In the absence of a formal and secure information exchange system, the Secretariat believes that the action should be rated as 'on track'.
56. Regarding action D.1, the Secretariat believes that a rating of 'partial progress' would be more appropriate, given that it appears that so far no intergovernmental protocols to combat poaching and illegal trade in ivory have been signed with Cameroon, the Central African Republic, Congo and Equatorial Guinea.
57. Regarding action E.1, the Secretariat welcomes use of SMART software to store mission information but notes that, according to the information provided, coordination between administrations have not yet reached a satisfactory level. The Secretariat therefore believes that a rating of 'on track' would be more appropriate for this action. Regarding action E.2, the Secretariat notes that working sessions were held with all partners on the revision of the process of wildlife protection plans in forest concessions. Gabon may wish to clarify what were the results of these working sessions, and if any of these results have been implemented in forest concessions. In the absence of such a clarification, the Secretariat proposes to rate this action as 'on track'. Regarding action E.4, the Secretariat, in its assessments of Gabon's progress reports prepared for SC69 and SC70, 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 Gabon's present report, the same information as provided in its reports prepared for SC69 and SC70 is repeated. The Secretariat therefore continues to conclude that a rating of 'partial progress' for this action may be more appropriate. Against this background, the Secretariat again respectfully encourages Gabon to elaborate in more details on the activities implemented to achieve actions B.2, C.2 E.4 and E.9.
58. The Secretariat recommends an overall rating of 'partial progress' for Gabon, in accordance with Step 4, paragraph e), of the *Guidelines*. The Committee may also wish to recommend that Gabon in its progress

report to SC77 elaborate in more details on the activities implemented to achieve actions B.2, C.2 E.4 and E.9 of its NIAP.

Lao People’s Democratic Republic (PDR) (Category C – in NIAP since 2014)

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Lao PDR’s assessment (SC74)	25% (5 of 20 actions)	45% (9 of 20 actions)	30% (6 of 20 actions)	0% (0 of 20 actions)	0% (0 of 20 actions)	0% (0 of 20 actions)
Secretariat’s assessment (SC74)	20% (4 of 20 actions)	20% (4 of 20 actions)	50% (10 of 20 actions)	10% (2 of 20 actions)	0% (0 of 20 actions)	0% (0 of 20 actions)

59. At SC70, the Standing Committee agreed recommendation g) in summary record [SC70 SR](#), welcoming the progress made by Lao PDR and agreeing on an overall rating of ‘partial progress’ for the Party, in line with Step 4 paragraph e) of the *Guidelines*. Lao PDR had indicated in its report on progress with NIAP implementation prepared for SC70 that it considered revising and updating its NIAP and against this background the Standing Committee requested Lao PDR to submit any revised and updated NIAP to the Secretariat for assessment in accordance with Step 3 of the *Guidelines*.
60. Lao PDR submitted its [revised and updated NIAP](#) to the Secretariat on 9 July 2020, using the template for NIAP development. Together with the submission of its revised and updated NIAP, Lao PDR, as required, provided full justification for the removal from the revised and updated NIAP of a number of actions that were contained in its 2015 NIAP and not achieved or substantially achieved. The Secretariat assessed the revised and updated NIAP as ‘adequate,’ made it available on the NIAP webpage, and informed the Party accordingly.
61. The revised and updated NIAP of Lao PDR contains 20 priority actions. Lao PDR’s self-assessment progress report evaluates five actions as ‘achieved’, nine as ‘substantially achieved’, and six as ‘on track’. The report with NIAP implementation submitted by Lao PDR is made available for consideration of the present meeting as Annex 7 to document SC74 Doc. 28.4.
62. The Secretariat welcomes the progress made by Lao PDR as reflected in the Party’s self-assessment report. The Secretariat welcomes in particular the progress in drafting the Decree to implement CITES in Lao PDR, as well as the ongoing discussions between relevant ministries and government departments to improve coordination and cooperation, and management and enforcement, related to illegal trade in wildlife. The Secretariat also welcomes the capacity-building activities conducted for wildlife law enforcement officers in several provinces on relevant laws and regulations, judicial procedures, investigations, and information management. The Secretariat also positively notes a significant number of inspections, seizures, arrests and prosecutions during the reporting period of offenders involved in the illegal trade in ivory. It also notes progress with awareness raising, for example through field workshops with member of the Lao Journalist Association.
63. Regarding action 1.1 the Secretariat welcomes the progress made the draft decree on CITES, the updated Wildlife Lists and the revision of the Wildlife and Aquatic Law No. 07/NA. However, given that the CITES decree and the Wildlife and Aquatic Law have not yet been adopted, as anticipated by the indicator for this action, the Secretariat is of the opinion that a rating of ‘on track’ for this action would be more appropriate than the rating ‘substantially achieved’.
64. Regarding action 2.3, the activities reported upon are welcome and commendable. The Secretariat notes however that ivory seizures remain limited, as seem to be the number of arrests and prosecutions associated with the identified seizures. The Secretariat would encourage Lao PDR to further scale up activities to target illegal ivory trade. The Secretariat believes that a rating of ‘on track’ would be more appropriate this action. Regarding action 2.5, the Secretariat notes the activities to improve the prosecution of ivory-related and other wildlife crime offenses and encourages Lao PDR to continue and build upon this momentum.

65. Regarding actions 3.2, the Secretariat welcomes the activities reported upon and encourages Lao PDR to continue to further expand these activities in accordance with the NIAP milestones, which anticipate at least two cooperation meetings and/or study visits with neighbouring and African countries. The Secretariat believes that a rating of 'on track' would be more appropriate this action. Regarding action 3.3, the Secretariat welcomes the progress made but believes that, given the exploratory nature of the activities reported, a rating of 'partial progress' would be more appropriate for this action.
66. Regarding action 5.1, the Secretariat consulted with TRAFFIC as the manager and coordinator of the ETIS. TRAFFIC indicated that the last official report on ivory seizures from Lao PDR was received in 2018 for three cases in 2017 and 2015, and that no official data was submitted for 2019 (though one case for this year was obtained from open-source information). Against this background, the Secretariat believes that the activities reported under this action should be strengthened and continue in accordance with the NIAP milestones. Furthermore, the Secretariat is of opinion that a rating of 'partial progress' seems more appropriate than the rating of 'substantially achieved'. Regarding action 5.3, the Secretariat welcomes the progress made but notes that no information is provided on the implementation of the Agreement with the Lao Customs Department. Lao PDR may wish to clarify how the Agreement is implemented. In the absence of such a clarification, the Secretariat proposes to rate action 5.3 as 'on track'. Regarding action 5.4, the Secretariat welcomes the development of a draft National Elephant Management Programme. However, given that the draft programme has yet to be approved, the Secretariat is of the opinion that a rating of 'on track' for this action would be more appropriate than the rating 'substantially achieved'.
67. The Secretariat recommends that the Standing Committee note the revised and updated NIAP of Lao PDR and consider an overall rating of 'partial progress' for Lao PDR, in accordance with Step 4, paragraph e), of the *Guidelines*.

Malaysia (Category A – in NIAP since 2013)

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Malaysia's assessment (SC74)	82% (9 of 11 actions)	9% (1 of 11 actions)	9% (1 of 11 actions)	0% (0 of 11 actions)	0% (0 of 11 actions)	0% (0 of 11 actions)
Secretariat's assessment (SC74)	73% (9 of 11 actions)	9% (1 of 11 actions)	18% (2 of 11 actions)	0% (0 of 11 actions)	0% (0 of 11 actions)	0% (0 of 11 actions)

68. Malaysia revised and updated its NIAP at the request of SC69. At SC70, the Standing Committee agreed recommendation i) i) - iv), contained in summary record [SC70 SR](#), and noted the revised and updated NIAP of Malaysia. The Committee requested Malaysia to pursue further capacity-building activities to implement action 2.2 in its NIAP, and to reach out to the Secretariat for support in this regard, if needed. The Committee also requested Malaysia to continue to progress the implementation of its NIAP between SC70 and SC73, and to provide sufficiently detailed reporting to SC73, to justify progress ratings allocated to its NIAP actions, and to enable the Secretariat to fully assess the progress made.
69. In response to recommendation i) iii), Malaysia and the Secretariat developed a project, which started in October 2020 and is implemented through the United Nations Development Programme (UNDP) to support NIAP implementation in Malaysia. The project covers a wide range of the activities to support the implementation of actions 2.2, 2.4, 3.1 and 4.1 of the NIAP, including comprehensive training on wildlife morphology forensics, the revision of the Wildlife Conservation Act, and law enforcement in the field (action 2.2). The project also covers the development of risk profiles and indicators for detecting and preventing illegal trade of ivory (action 2.4); participation in global enforcement operations against wildlife and timber crime and associated activities (action 3.1); and consultation sessions with stakeholders in the transportation and logistics industry at air and seaports and signboards for raising public awareness on import and export of wildlife at exit points in Sabah (action 4.1).
70. The [NIAP of Malaysia](#) contains 11 priority actions, of which Malaysia in its progress report to the present meeting, evaluates nine actions as 'achieved', one as 'substantially achieved' and one as 'on track'.

Therefore, according to its self-assessment rating, Malaysia fulfils the requirements outlined in Step 5 paragraph a) of the *Guidelines* to exit the NIAP process (i.e. having assessed more than 80% of NIAP actions as 'substantially achieved' and all remaining actions as 'on track'). The report on progress with the implementation of its NIAP submitted by Malaysia for consideration of the present meeting is available as Annex 8 to document SC74 Doc. 28.4.

71. The Secretariat welcomes the progress reported by Malaysia since SC70 in implementing its NIAP. In addition to the activities highlighted in paragraph 69 above, the Secretariat notes in particular the passing of the Wildlife Conservation (Amendment) Bill in October 2021, which significantly increases penalties and jail terms for wildlife crime offences, including illegal trade in ivory. The Secretariat also notes the establishment of the Malaysian National Wildlife Forensic Laboratory and its work on ivory DNA analysis, published in international scientific journals.
72. Upon review of Malaysia's progress report to SC74, the Secretariat notes that, in accordance with recommendation i) iv) of the Standing Committee agreed at SC70, Malaysia provided sufficiently detailed reporting to justify progress ratings allocated to its NIAP actions and to enable the Secretariat to fully assess the progress made. Regarding action 1.2, the Secretariat notes that the lower rate of successful prosecution of wildlife crime cases for the period 2018 to October 2021, compared to the period 2016-2017 is due to cases still under investigation. However, given the indicator for this action, the Secretariat believes that until the data is complete, the action would more appropriately be rated as 'on track'. Regarding action 5.2, the Secretariat engaged with TRAFFIC as the manager and coordinator of ETIS and was informed by TRAFFIC that ETIS has not received official data submissions from Malaysia for 2019 and 2020. The Secretariat therefore believes that the rating for this action should remain 'substantially achieved', i.e. the rating agreed at SC70.
73. The Secretariat notes that the report of the Elephant Trade Information System (ETIS) prepared for CoP18 identifies Malaysia as an important transit country in the illegal trade of ivory and as an entrepôt in the region consolidating ivory for eventual export. The report highlights evidence suggesting that the illegal trade in ivory involving Malaysia is no longer restricted to shipments in transit, but also involves the country as an important consolidation and distribution hub, and that Malaysian nationals have been identified in Africa and Asia-based ivory smuggling operations on numerous occasions.
74. In preparing its document for the present meeting, the Secretariat informally consulted with TRAFFIC as the manager and coordinator of ETIS, requesting information on the latest data concerning Malaysia available to ETIS. The Secretariat would like to thank ETIS for the information provided. The information shows that there has been a decrease in ivory seizures made in Malaysia prior to export abroad. In the period 2015-2017 the authorities in Malaysia, prior to export from the country, made 23 seizures involving approximately 6,487 kg ivory, and in the period 2018-2020 seven seizures involving approximately 265 kg ivory were made. At the same time, the information provided by ETIS also notes a decrease in the quantities of ivory seized by other countries, where Malaysia is identified as part of the illegal trade chain. This number fell from approximately 15,943 kg ivory in the period 2015-2017, to approximately 3,638 kg ivory in the period 2018-2020. TRAFFIC noted that, as highlighted in paragraph 72 above, no official records were submitted by Malaysia for 2019 and 2020, and that therefore the data available to ETIS to date might be an underestimate.
75. In light of the above, the Secretariat believes that it is premature for Malaysia to exit the NIAP process at present but given the ongoing nature of activities and measures being implemented, requesting the Party to revise or update the completed NIAP would also at present not be appropriate. The Secretariat believes that it will be appropriate to invite Malaysia to continue to pursue implementation of the activities in its NIAP that have not yet been rated as "Achieved", and to consider pursuing further measures and activities to combat illegal trade in ivory affecting the country, and that the Secretariat monitor progress in this matter in accordance with the provisions of paragraph 10 of Resolution Conf. 10.10 (Rev. CoP18).

Mozambique (Category A – in NIAP since 2014)

76. The Standing Committee at SC71 agreed recommendation j) i) and ii) in summary record [SC71 SR](#), requesting Mozambique to revise and update its National Ivory and Rhinoceros Action Plan (NIRAP). Pursuant to the Committee's request, Mozambique submitted its revised and updated NIRAP on 11 September 2020. The Secretariat assessed the revised and updated NIRAP as adequate, in accordance with Step 3 of the *Guidelines*, and informed Mozambique accordingly.
77. Mozambique did not submit a report on progress with its NIAP implementation for the present meeting.

78. The Secretariat encourages Mozambique to submit its progress report ahead of SC74, so the Standing Committee can consider its progress with NIAP implementation alongside that of the other NIAP Parties. If a progress report is not received from Mozambique, the Committee might consider inviting Mozambique, if present, to provide an oral update on its progress at the present meeting.
79. In the absence of such reports or oral updates to SC70, the Standing Committee may wish to, in line with Step 4, paragraph f), of the *Guidelines*, consider appropriate measures, in accordance with Resolution Conf. 14.3 on *CITES compliance procedures*, to ensure compliance with the NIAP Process.

Nigeria (Category A – in NIAP since 2014)

80. The Standing Committee at SC71 agreed recommendation f) i) to iii) in summary record [SC71 SR](#), requesting Nigeria to revise and update its NIAP. Pursuant to the Committee's request, Nigeria submitted its revised and updated NIAP on 5 May 2020. The Secretariat assessed the revised and updated NIAP as adequate, in accordance with Step 3 of the *Guidelines*, and informed Nigeria accordingly.
81. The Secretariat highlighted in [Annex 1 to document SC70 Doc. 27.4](#) the fact that Nigeria has since 2014 not submitted a single report on progress with NIAP implementation to the Secretariat in time for progress to be assessed and reflected in the document the Secretariat prepares for consideration by the Standing Committee at its meetings. For the present meeting, Nigeria again did not submit a report on progress with its NIAP implementation.
82. In the ETIS report prepared for CoP18, Nigeria moved to a category of higher prominence and is now identified as a Category A Party. In preparing its document for the present meeting, the Secretariat informally consulted with TRAFFIC as the manager and coordinator of ETIS requesting information on the latest data on Nigeria available to ETIS. The Secretariat would like to thank ETIS for the information provided. ETIS noted that Nigeria last reported data to ETIS in 2016. The information available to ETIS shows that there has been a continuous decrease in ivory seizures made in Nigeria prior to export abroad since 2016. The numbers decreased from nine seizures involving 1,765 kg ivory in 2016, to seven seizures involving 474 kg ivory in 2017, four seizures involving 303 kg ivory in 2018 and one seizure involving 9 kg ivory in 2019. No ivory seizures made by Nigeria were reported to ETIS for 2020 and 2021, however, the Secretariat is aware of two large seizures in January and August 2021 weighing 4,752 kg and 870 kg, respectively¹⁰. Regarding the quantities of ivory seized by other countries, where Nigeria is identified as part of the illegal trade chain, the weight of seized ivory increased from 2016 to 2019, from 3,501 kg in 2016, to 3,915 kg in 2017, 8,038 kg in 2018 and 10,768 kg in 2019. In 2020, only 52 kg ivory were seized by other countries, where Nigeria is identified as part of the illegal trade chain, but it is worth noting that 2020 was an abnormal year due to the COVID-19 pandemic, and therefore might be a data deficient year considering the possible impacts of the pandemic on enforcement capacity, data gathering and submission, etc. Overall, the information provided by ETIS indicates that, up to 2019, the weight of ivory seized outside of Nigeria for shipments that left or transited via Nigeria undetected is much higher than the weight of the ivory seized in Nigeria itself. As it did in its assessments of Nigeria's progress prepared for SC70 and SC71, the Secretariat notes that Nigeria continues to be significantly affected by illegal trade in ivory and the information available suggests that the Party is targeted by organized crime groups as a country through and from which illegal trade in wildlife is conducted.
83. The lack of reporting from Nigeria in accordance with the timeframe and provisions set in Step 4, paragraphs a) and b), of the *Guidelines*, poses a serious challenge in determining the engagement of the Party in the NIAP process and progress with NIAP implementation. The constant failure of the Party in reporting on progress with its NIAP implementation in a timely manner impedes the ability of the Secretariat and the Committee to understand the progress made by Nigeria in implementing measures and activities to address illegal trade in ivory as it affects Nigeria. The escalation in quantities of ivory and other wildlife specimens seized by Parties elsewhere, identifying Nigeria as part of the illegal trade chain, demonstrate the urgent need for Nigeria to engage fully in the NIAP process, amongst others.
84. In this context, the Secretariat notes that Nigeria is subject to an ongoing Article XIII process and has a similar record of non-compliance with reporting obligations under that process. The Secretariat also notes that as a result of the ongoing Article XIII process, Nigeria is under a suspension of commercial trade in specimens of *Pterocarpus erinaceus*.

¹⁰ See document SC74 Doc. 28.2.4 on the application of Article XIII in Nigeria.

85. The Committee may wish to, in line with Step 4, paragraph f), of the *Guidelines*, consider if any measures in accordance with Resolution Conf. 14.3 on *CITES compliance procedures* are needed, including recommending all Parties to suspend commercial trade in all CITES-listed species with Nigeria until Nigeria submits a progress report to the Secretariat confirming that progress has been made towards NIAP implementation, and complies with the Standing Committee's recommendations under the ongoing Article XIII process.

Qatar (Category C – in NIAP since 2017)

	% OF NIAP ACTIONS IN EACH CATEGORY					
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Qatar's assessment (June 2020) ¹¹	33.3% (5 of 15 actions)	33.3% (5 of 15 actions)	33.3% (5 of 15 actions)	0% (0 of 15 actions)	0% (0 of 15 actions)	0% (0 of 15 actions)
Secretariat's assessment (June 2020)	33% (5 of 15 actions)	27% (4 of 15 actions)	40% (6 of 15 actions)	0% (0 of 15 actions)	0% (0 of 15 actions)	0% (0 of 15 actions)

86. At SC70, the Standing Committee agreed recommendation k) in summary record [SC70 SR](#), agreeing on an overall rating of 'partial progress' for Qatar, in line with Step 4 paragraph e) of the *Guidelines*.

87. The [NIAP of Qatar](#) contains 15 priority actions. Qatar's self-assessment on progress with NIAP implementation, submitted on 24 June 2020, evaluates five actions as 'achieved', five as 'substantially achieved', and five as being 'on track'.

88. As reported in the Secretariat's intersessional [update](#) to the Standing Committee in November 2020, Qatar submitted its report on progress with NIAP implementation in June 2020, within the deadline initially scheduled for the SC73. The Secretariat prepared a preliminary assessment of the report received and informally shared it with Qatar. The Secretariat invited Qatar to update, if it so wished, its progress reports for re-submission 90 days in advance of a rescheduled SC73, taking into account the observations made by the Secretariat in its assessments. Qatar did not submit an updated version of its progress report. The report submitted in June 2020 is available as Annex 9 to document SC74 Doc. 28.4.

89. Qatar in its report highlights several activities conducted, including on training workshops for law enforcement officers working at Hamad International Airport (HIA), which were held in July 2018 and March 2019. The Party also reports that an identification manual and operational handbook for NIAP implementation at HIA has been prepared though printing is delayed due to lockdown measures during the COVID-19 crisis. Qatar further reports that Qatar Airways was independently assessed by the International Air Transport Association (IATA) and became the first airline to achieve a new industry standard for the prevention of illegal wildlife trafficking in aviation. Qatar reports that it is planning to work with Qatar Airways to build awareness and capacity in the most relevant ivory source countries where the company operates. The Party also notes that for the period from April 2018 to December 2019, no illegal ivory shipments were detected at HIA.

90. Regarding action B.4, the Secretariat notes that the milestone corresponding to this action mentions at least two operations to be conducted by 31/12/2019. To better allow the Secretariat to assess the progress made on this action, Qatar may wish to clarify at SC74 how many enforcement operations at HIA were conducted to date. Regarding action D.3, the Secretariat notes that Qatar provided the same information as in its report prepared for SC70, yet the rating of this action has changed from 'on track' to 'substantially achieved'. In the absence of further information, the Secretariat is of the opinion that the rating of 'on track' should remain in place. Regarding actions E.2 and E.3, the Secretariat respectfully requests Qatar to continue submitting its inventory of government-held ivory stock and significant privately held ivory stocks, and annual illegal trade reports to the Secretariat.

¹¹ The Secretariat noted a number of discrepancies between the ratings of actions B.3, B.5, C.1, C.3, D.1, D.3, E.1 and E.2 in parts A (synopsis of NIAP implementation) and C (detailed evaluation of actions) versus part B (summary evaluation of actions) of the progress report to SC73. The Secretariat used the ratings in parts A and C as the basis for its assessment.

91. Overall, on the basis of the reporting provided by Qatar for the present meeting and considering the progress ratings concerning Qatar in document SC70 Doc. 27.4, the Secretariat concludes that progress with NIAP implementation since 2018 has been limited. Although some excellent work has been done, there is no room for complacency and Qatar is encouraged to step up efforts to progress the implementation of the actions in its NIAP. Open-source information suggests that the illegal trade route through Qatar remains active and again emphasizes the need for continued vigilance and further scaled up effort.¹² In this regard, Qatar is encouraged to remain vigilant and continue to pursue activities as anticipated by actions B4, B5, C1, C2 and C3 outlined in its NIAP as a matter of priority, in addition to those actions in its NIAP that have not yet been achieved.
92. In its report, Qatar wishes to exit the NIAP process in accordance with Step 5 paragraph a) of the *Guidelines*. The Secretariat however notes that Qatar does not fulfill the requirements outlined in Step 5 paragraph a) of the *Guidelines* to exit the NIAP process (i.e. having assessed more than 80% of NIAP actions as 'substantially achieved' and all remaining actions as 'on track'). The Secretariat recommends that Qatar continue with the implementation of its NIAP. The Committee may wish to, in line with Step 4, paragraph e) of the *Guidelines*, consider an overall rating of 'partial progress' for Qatar.

Togo (Category A – in NIAP since 2017)

93. 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 summary record [SC70 SR](#). 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).
94. The Standing Committee considered the progress report of Togo at SC71 and agreed recommendation g) i) to iii) contained in summary record [SC71 SR](#), noting 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*. The Committee also requested Togo to enhance efforts to progress the implementation of its NIAP actions between SC71 and SC73; and encouraged Parties, governmental, intergovernmental and non-governmental organizations and others to, where possible, provide financial and technical assistance to Togo.
95. For the present meeting, Togo again did not submit a report on progress with its NIAP implementation.
96. In preparing its document for the present meeting, the Secretariat informally consulted with TRAFFIC as the manager and coordinator of ETIS, requesting information on the latest data on Togo available to ETIS. The Secretariat would like to thank ETIS for the information provided. ETIS noted that Togo has submitted data to ETIS for 2020 but highlighted that there is a reporting gap from 2015-2019. The information available to ETIS shows that ivory seizures made both in Togo prior to export abroad and by other countries, where Togo is identified as part of the illegal trade chain, are decreasing in both number and weight. In the period 2015-2017 the authorities in Togo, prior to export from the country, made nine seizures involving approximately 253 kg ivory, and in the period 2018-2020 three seizures involving approximately 71 kg ivory were made. The number of seizures made by other countries, where Togo was identified as part of the illegal trade chain, fell from two seizures involving approximately 227 kg ivory in the period 2015-2017 to one seizure involving approximately 16 kg ivory in the period 2018-2020. The Secretariat notes that while these numbers are relatively small and seem to imply that Togo is now less targeted as a transit and destination country in the illegal trade in ivory, the Party needs to remain vigilant and fully engaged in the NIAP process.
97. The Secretariat encourages Togo to submit its progress report ahead of SC74, so the Standing Committee can consider its progress with NIAP implementation alongside that of the other NIAP Parties. If a progress report is not received from Togo, the Committee might consider inviting Togo, if present, to provide an oral update on its progress at the present meeting.
98. In the absence of such reports or oral updates to SC70, the Standing Committee may wish to, in line with Step 4, paragraph f), of the *Guidelines*, consider appropriate measures, in accordance with Resolution Conf. 14.3 on *CITES compliance procedures*, to ensure compliance with the NIAP Process.

¹² <https://e.vnexpress.net/news/news/man-held-at-saigon-airport-with-six-kg-of-rhino-horns-4065654.html>,
<https://www.wionews.com/world/rhino-horns-worth-7-million-seized-by-customs-official-at-south-african-airport-313312>

Viet Nam (Category A – in NIAP since 2013)

% OF NIAP ACTIONS IN EACH CATEGORY						
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
Viet Nam's assessment ¹³ (July 2020 assessment, February & November 2021 updates)	88% (22 of 25 actions)	12% (3 of 25 actions)	0% (0 of 25 actions)	0% (0 of 25 actions)	0% (0 of 25 actions)	0% (0 of 25 actions)
Secretariat's assessment (SC74)	76% (19 of 25 actions)	0% (0 of 25 actions)	16% (4 of 25 actions)	4% (1 of 25 actions)	0% (0 of 25 actions)	4% (1 of 25 actions)

100. Viet Nam revised and updated its NIRAP at the request of SC69. At SC70, the Standing Committee agreed recommendation n) i) - iii), contained in summary record [SC70 SR](#), and noted the NIRAP of Viet Nam and the report on progress with implementation prepared for SC70. The Committee requested Viet Nam to continue to progress the implementation of its NIRAP between SC70 and SC73, and to use the template for progress reports on NIAP implementation for future reporting on progress with NIRAP implementation.
101. Viet Nam at the request of the Standing Committee submitted a [report to SC71](#) in the context of the measures and activities it implemented to address illegal rhinoceros horn trade. At SC71, the Standing Committee agreed recommendations a) to c) on *Conservation of and trade in African and Asian rhinoceroses (Rhinocerotidae spp.)*, contained in summary record [SC71 SR](#), encouraging Viet Nam to pursue the analyses of information to identify organized crime groups involved in illegal rhinoceros horn trade in the country, and the locations in Viet Nam where they operate, to undertake investigations and operations involving all relevant authorities to halt these activities, and to review the Penal Code 2017, in particular regarding existing exemptions on legal trade, so that the current legislation sufficiently responds to illegal trade. The Committee further requested Viet Nam to include, in its report on the implementation of its NIRAP to SC73, the status of activities conducted regarding SC71 recommendation a) i) and ii) and to ensure that, as part of its report, the reporting on the implementation of Penal Code 2017 includes further information on arrests, prosecution and convictions as well as details on the outcome of cases and administrative penalties imposed for offences involving illegal trade committed at both border points and domestic markets in Viet Nam. The Committee agreed that, in the absence of a report as required under SC71 recommendation b), it may wish to consider appropriate measures, which might include measures in accordance with Resolution Conf. 14.3 on *CITES compliance procedures*.
102. In accordance with the recommendation agreed by the Standing Committee at SC70, Viet Nam used the template for progress reports on NIAP implementation and submitted its report on progress to the Secretariat on 6 July 2020, followed by updates in February and November 2021 (for which Viet Nam did not use the template). The report on progress with NIRAP implementation submitted in July 2020 includes reporting as anticipated by SC71 recommendation b) on *Conservation of and trade in African and Asian rhinoceroses (Rhinocerotidae spp.)*. The implementation by Viet Nam of measures to combat illegal trade in rhinoceros horn is also addressed in document SC74 Doc. 37.
103. The [NIRAP of Viet Nam](#) includes 25 priority actions. Viet Nam's self-assessment, contained in its report on progress of July 2020 and revised in its update of February 2021, evaluates 22 actions as 'achieved' and three as 'substantially achieved'. In accordance with its self-assessment rating, Viet Nam therefore fulfils the requirements outlined in Step 5 paragraph a) of the *Guidelines* to exit the NIAP process (i.e. having assessed more than 80% of NIAP actions as 'substantially achieved' and all remaining actions as 'on track'). The report on progress with the implementation of its NIRAP submitted by Viet Nam for consideration of the present meeting is available as Annex 11 to document SC74 Doc. 28.4.

¹³ The Secretariat noted a discrepancy between the rating of action 4.5 in parts A (synopsis of NIAP implementation) and C (detailed evaluation of actions) versus part B (summary evaluation of actions) of the July 2020 self-assessment. In parts A and C, the action is rated as 'on track' whereas in part B, the action is rated as 'achieved'. The Secretariat used the rating in parts A and C as the basis for its assessment.

104. The Secretariat welcomes the progress reported by Viet Nam since SC70 in implementing its NIRAP. The Secretariat notes in particular the reported completion of the legal framework for controlling illegal trade in ivory and rhinoceros horn, the Party's reported efforts to strengthen its wildlife law enforcement capacity, as well as the follow up on seizures with subsequent arrests, prosecutions and convictions. In this context, for instance, Viet Nam reports that penalties from 210 cases and 292 defendants include two fines, six non-custodial reform sentences, 137 suspended sentences, 83 imprisonment sentences of three years or less, 39 imprisonment sentences of three years to seven years, and 25 imprisonment sentences from seven years to 15 years. Viet Nam also reports progress, *inter alia*, in its efforts to address domestic and foreign market demand for ivory and rhinoceros horn products, for example by conducting a survey of domestic demand for these products, the findings of which will be used as a basis for raising public awareness and reducing demand.
105. Regarding action 3.1, the Secretariat notes the importance of implementing this action, as highlighted also in Decision 18.111. In this context, the Secretariat welcomes the exchanges of information with Indonesia and South Africa which are reported by Viet Nam but it believes that, given the ongoing nature of this action and the indicator for achieving it, a rating of 'partial progress' rather than 'achieved' would be more appropriate for this action. Regarding action 3.2, the Secretariat notes that although a number of requests for mutual legal assistance were sent by Viet Nam, the number of cases in which legal assistance information was actually exchanged seems limited. Viet Nam reports in this context that only a limited number of responses were received, which is a common challenge which Parties have highlighted also in the meeting of representatives of Parties concerned with the development and implementation of National Ivory Action Plans (Maputo, Mozambique, 2018).¹⁴ The Secretariat is of the opinion that more can be done by Viet Nam to further improve and strengthen the implementation of action 3.2, in particular by Viet Nam's judiciary, by requesting support from UNODC and further strengthening collaboration by exploring how existing Memoranda of Understanding could be used more effectively. Against this background, the Secretariat believes that a rating of 'on track' would be more appropriate for this action.
106. Regarding action 4.2, the Secretariat notes that the NIRAP of Viet Nam seems to anticipate an extracurricular programme approved by the National Assembly, but the reporting provided by Viet Nam against this action does not seem to correspond to this. The report on progress with NIRAP implementation refers to campaigns to reduce demand for rhinoceros horn, and the information in the update of February 2021 appears to refer to activities under action 4.1. Viet Nam may wish to clarify if an extracurricular programme for general education has been approved by the National Assembly and applied nationwide. In the absence of such a clarification, the Secretariat proposes to rate this action as 'not commenced'. Regarding action 4.5, the Secretariat notes that Viet Nam reports that it conducted three 'social behavioural change communications' campaigns to stop illegal wildlife trafficking. Viet Nam may wish to clarify if these campaigns have included communications to business groups, as anticipated by this action. In the absence of such a clarification, the Secretariat proposes to rate action 4.5 as 'on track'.
107. Regarding action 5.1, the Secretariat notes that Viet Nam reports that a national database is under development and was expected to be completed by the 2nd quarter of 2021. Viet Nam may wish to clarify if the database has been completed as expected and if the information therein is regularly updated and a statistical report made annually, as anticipated by the indicator for this action. In the absence of such a clarification, the Secretariat proposes to rate action 5.1 as 'on track'. Regarding action 5.2, Viet Nam reports *inter alia* that reports on the storage of rhinoceros specimens have been submitted to the Secretariat. The Secretariat notes that, at the time of writing, it has received the latest of these reports from Viet Nam in 2018 and that the reports of 2019 through 2021 have not been received. Against this background, the Secretariat believes that a rating of 'on track' would be more appropriate for this action.
108. The Secretariat notes that the report of the Elephant Trade Information System (ETIS) prepared for CoP18 identifies Viet Nam as the leading destination for illicit ivory. The report further notes that Viet Nam is particularly affected by large-scale ivory movements, signalling the presence of organized criminal syndicates in the trade, and that the Corruption Perception Index score for Viet Nam is the second poorest of all countries in the ETIS analysis. The Secretariat notes that, although more than 70 percent of actions in Viet Nam's NIRAP have formally been achieved, it is important that activities under many of these actions continue and focus on the issues of organized crime and corruption, in order to successfully combat illegal trade in ivory and rhinoceros horn as it affects Viet Nam.
109. Overall, the reporting from Viet Nam indicates that progress has been made in the implementation of a large number of actions contained in its NIRAP. The continued dedication of Viet Nam to implement measures and

¹⁴ See paragraph 3 b) in the [Guidance to Parties developing and implementing National Ivory Action Plans](#)

activities to ensure sustained action to address ivory and rhinoceros horn trafficking as it affects Vietnam are a good indication of the firm commitment of the Party to build upon the progress made to date through sustained action.

110. Viet Nam remains a key Party affected by illegal trade in ivory and for the period since SC70 a significant number of seizures of ivory and rhino horn were made implicating Viet Nam. The Secretariat engaged with TRAFFIC as the manager and coordinator of ETIS and received data from TRAFFIC confirming a general upward trend in ivory seizures concerning Viet Nam in 2019 compared to 2018. The data indicates that in 2019 Viet Nam made 23 seizures involving approximately 14,135 kg of ivory compared to seven seizures in 2018 involving approximately 5,359 kg. In 2020, only three was an abnormal year due to the COVID-19 pandemic, and therefore might be a data deficient year considering the possible impacts of the pandemic on enforcement capacity, data gathering and submission, etc. With regards to seizures made by other countries, where Viet Nam was identified as a transit or destination country, the data indicates 81 seizures in 2018 involving approximately 6,294 kg of ivory and 66 seizures in 2019 involving approximately 3,709 kg of ivory. In 2020, 24 seizures were made by other countries, where Viet Nam was identified as a transit or destination country, involving approximately 243 kg of ivory. The increase in seizures and associated weights made by the authorities in Viet Nam is a good sign and suggests scaled up enforcement effort by Viet Nam. This seems to be corroborated by recent open-source information highlighting a number of seizures¹⁵ as well as increasing arrests and prosecutions of suspects involved in illegal wildlife trade.¹⁶
111. In its self-assessment, Viet Nam rates more than 80% of NIRAP actions as 'substantially achieved' and all remaining actions as 'on track'. The Secretariat however does not concur with the self-assessment of Viet Nam and believes that the Party does not fulfil the requirements outlined in Step 5 paragraph a) of the *Guidelines* to exit the NIAP process. The Secretariat recommends that Viet Nam continue with the implementation of its NIRAP. The Committee may wish to note the progress made by Viet Nam and agree an overall rating of 'partial progress' for the Party, in accordance with Step 4, paragraph e), of the *Guidelines*. The reporting provided by Viet Nam suggests that hotspot-oriented and local-focus investigations as anticipated by action 2.3 in the NIRAP resulted in some key enforcement successes. The Committee may wish to encourage Viet Nam to continue to implement activities specifically targeting key locations known to be associated with illegal wildlife trade, both at its borders and in domestic markets. The Standing Committee may further wish to encourage Viet Nam to build upon the findings made through the survey conducted in accordance with action 2.5 in the NIRAP, regarding illegal online wildlife trade, and to respond to the findings of the survey through the implementation of appropriate measures and activities.

Parties that have 'substantially achieved' their NIAPs at previous meetings of the Standing Committee

Hong Kong, Special Administrative Region of China (Category B – in NIAP since 2013)

112. At SC70, the Standing Committee agreed recommendation t) i) - iv), contained in summary record [SC70 SR](#). The Committee commended Hong Kong SAR of China for implementing its NIAP, the additional measures and activities implemented to address illegal trade in ivory, and the firm commitment demonstrated. The Committee also encouraged Hong Kong SAR to submit a comprehensive report to SC73, however, due to the challenges posed by the COVID-19 pandemic, the Committee was not able to address this matter at SC73 and the report is now expected to be discussed at SC74. In line with the Committee's recommendation, the report should address the following matters:

- (A) any further measures taken and activities implemented to combat illegal trade in ivory;
- (B) progress with the implementation of the three-step plan to phase out trade in elephant ivory;
- (C) any measures and activities implemented to prevent the displacement of illegal trade in ivory to Hong Kong SAR, that may result from the closure of domestic ivory markets in mainland China; and
- (D) measures implemented to deter and detect worked ivory products moving out of Africa to Hong Kong SAR, and to penalize offenders involved.

¹⁵ <https://www.tienphong.vn/xa-hoi/bat-container-chua-hon-2-tan-nga-voi-vay-te-te-1371479.tpo>; <https://e.vnexpress.net/news/news/vietnam-customs-seize-nine-tons-of-elephant-tusks-from-congo-3901434.html>

¹⁶ <https://env4wildlife.org/wp-content/uploads/2021/03/prosecution-review-for-wildlife-crimes-from-2015-to-2020.pdf>

The Committee agreed that it will consider at its meeting whether Hong Kong SAR should exit the NIAP process, in accordance with Step 5 of the *Guidelines*.

113. Hong Kong SAR submitted a comprehensive report to the Secretariat on 30 June 2020 and an updated version on 30 November 2021. The updated report submitted by Hong Kong SAR for consideration of the present meeting is available as Annex 6 to document SC74 Doc. 28.4.
114. In its assessment prepared for SC70, the Secretariat observed that Hong Kong SAR is implementing a three-step plan to phase out trade in elephant ivory by the end of 2021 and to impose heavier penalties to enhance deterrence against illicit trade in endangered species. In this context, Hong Kong SAR reports that, in August 2018, it commenced with implementation of Step 2 of the plan, according to which the import and re-export of pre-Convention ivory has been banned and that, starting from 31 December 2021, possession for commercial purposes of all ivory will be banned and the domestic ivory market will be shut down. The Secretariat notes that, at the time of writing, the plan to phase out trade in elephant ivory in Hong Kong SAR has come into effect.¹⁷ The Secretariat would like to encourage Hong Kong SAR to give an oral update at present meeting on the implementation of the plan.
115. Hong Kong SAR also reports on further measures taken and activities implemented to combat illegal trade in ivory. The territory reports that it has been conducting a total of 2,151 inspections of ivory outlets to check license compliance and to detect and deter illegal ivory trade. Hong Kong SAR further highlights that it has been applying radiocarbon dating analysis to determine the age and hence the legality of ivory. Hong Kong SAR reports that it conducted covert buy operations, leading to the identification of four licensed shops illegally selling ivory products and to the subsequent prosecution and conviction of the offenders.
116. Regarding measures and activities implemented to prevent the displacement of illegal trade in ivory to Hong Kong SAR, that may result from the closure of domestic ivory markets in mainland China, Hong Kong SAR reports that it has been in close contact with mainland China to coordinate measures and activities. Hong Kong SAR highlights that it introduced a marking system for legal ivory including a tamper-proof hologram which was put on registered ivory tusks and worked ivory of over 0.1 kg. Hong Kong SAR also reports that it took photographic record for worked ivory and increased inspections of licensed ivory shops as well as enforcement actions when irregularities were found.
117. Hong Kong SAR further reports on measures implemented to deter and detect worked ivory products moving out of Africa to Hong Kong SAR, and to penalize offenders involved. In this context, Hong Kong SAR reports that it has conducted forensic analyses of ivory from two major seizures in July 2017 and January 2019, and that on this basis it has shared relevant information with the African countries of origin of the seized ivory. Hong Kong SAR also highlights that it remains vigilant in combating the entry of illegal ivory into the territory. It reports that, from September 2015 to June 2020, it made a total of 203 seizures that involved about 10.8 tonnes of ivory, including the two major seizures in 2017 (7 tonnes) and 2019 (2 tonnes of ivory and 8 tonnes of pangolin scales). Hong Kong SAR again highlights that it increased the maximum penalties for illegal trade in wildlife. It reports that for offences convicted on indictment, the maximum penalty for Appendix-I species is a fine of 10 million Hong Kong dollars (1.29 m USD) and imprisonment for 10 years, with the previous maximum penalty having been a fine of 5 million Hong Kong dollars and imprisonment of 2 years. Hong Kong SAR reports that it has noted a significant deterrent effect of its continuous effort in combating illegal trade in ivory and the large increase in maximum penalties in that the once common *modus operandi* of passengers smuggling ivory in their personal luggage has been reduced in recent years.
118. The Secretariat in its assessments prepared for SC69 and SC70 observed that Hong Kong SAR is taking significant steps to respond to illegal trade in ivory, and that law enforcement action is being taken by authorities in Hong Kong SAR, as also highlighted in the ETIS report prepared for CoP18. The ETIS reports prepared for CoP16 and CoP17 identified Hong Kong SAR as Category A. In the ETIS report prepared for CoP18, Hong Kong SAR moved to a category of lesser prominence and it is identified as Category B. The ETIS report prepared for CoP18 further notes that a positive attribute of the cluster of Hong Kong SAR and China is the exceptionally high Law Enforcement (LE) Ratio which stands at 90%, indicating very strong policing performance in this group. The report also states that, equally, the Corruption Perception Index (CPI) variable as a measure of corruption collectively is the third best in this ETIS analysis. The ETIS report notes that Hong Kong SAR and China together still rank as the second most prominent destinations for illegal ivory in the period under examination, although their collective proportion of estimated trade quantities is now less

¹⁷ <https://www.citizen.co.za/news/news-world/2950531/hong-kong-ban-on-ivory-sales-finally-comes-into-effect/>

than half of what it was in the ETIS report to CoP17. This is considered as a positive development that could partially be related to recent policy changes.

119. In preparing the present assessment, the Secretariat informally consulted with TRAFFIC as the manager and coordinator of ETIS, requesting information on the latest data on Hong Kong SAR available to ETIS. The Secretariat would like to thank TRAFFIC for the information provided. The information provided by ETIS shows that the quantity of ivory which was seized both in Hong Kong SAR and by other countries where Hong Kong SAR was identified as part of the illegal trade chain, in the period 2017 to 2020 remained high, and totals nearly 11 tonnes in this four-year period. Important to note though is that overall quantities significantly declined since 2017, with 7,846 kg seized in 2017, 905 kg in 2018, and 2,165 kg in 2019. Less than a total of 1 kg of ivory was seized in 2020 by Hong Kong SAR and other countries where Hong Kong SAR was identified as part of the illegal trade chain, but it is worth noting that 2020 was an abnormal year due to the COVID-19 pandemic, and therefore might be a data deficient year considering the possible impacts of the pandemic on enforcement capacity, data gathering and submission, etc. The Secretariat notes that Hong Kong SAR has been successfully interdicting large-scale ivory consignments in 2017 and 2019, as noted in paragraph 117 above. It is also worth noting that as the quantities of ivory seized in Hong Kong SAR decreased, so did the number of seizures made both by Hong Kong SAR (from 66 in 2017, to 52 in 2018, and 25 in 2019) and by other countries, where Hong Kong SAR was identified as part of the illegal trade chain (from 18 in 2017, to 12 in 2018, and 9 in 2019). In addition, the weight of ivory seized by other countries where Hong Kong SAR was identified as part of the illegal trade chain also decreased from 2018 onwards, from 482 kg in 2018 to 25 kg in 2019. This, coupled with a consistently very high law enforcement ratio of over 90%, suggests that the activities and measures implemented by Hong Kong SAR are producing encouraging results, and that levels of illegal trade in ivory associated with Hong Kong SAR are continuously decreasing as a result of sustained efforts.
120. NIAPs are developed in compliance with recommendations made by the Standing Committee and facilitate the implementation of enhanced and strengthened measures and activities by Parties affected by illegal trade in ivory, to address this illegal trade. Each plan outlines the urgent measures that a Party commits to deliver along with specified timeframes and milestones for implementation. Hong Kong SAR continues the implementation of measures and activities to address illegal trade in ivory, and it is unlikely that requesting Hong Kong SAR to continue activities under the NIAP process will at present have any significant additional impact beyond what is already being done.
121. In light of the above, the Secretariat considers that the substantial efforts made by Hong Kong SAR to implement its NIAP, the additional measures implemented, the ongoing initiatives and activities, and the progress made to date, deserve full recognition. The measures and activities implemented by Hong Kong SAR are diverse and comprehensive. At SC66 in 2016, the Committee already agreed that Hong Kong SAR substantially achieved implementation of its NIAP. Since then, Hong Kong SAR has consistently demonstrated its commitment to respond to and address illegal ivory trade, implementing a variety of additional measures and activities. The Secretariat believes that further activities can be pursued outside the NIAP process and therefore recommends that Hong Kong SAR exit the NIAP process in accordance with the provisions of Step 5 paragraphs b) and c) of the *Guidelines*.
122. It will be important to continue monitoring and assessing the impact of the measures taken by Hong Kong SAR, in particular the effects of the ivory ban. As sustained action by Hong Kong SAR to address illegal trade in ivory remains essential, the Committee may wish to request the Secretariat to continue monitoring this matter in accordance with the provisions of paragraph 10 of Resolution Conf. 10.10 (Rev. CoP18) and to bring any matters of concern that may arise to the attention of the Committee.