

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



Seventy-fourth meeting of the Standing Committee  
Lyon (France), 7 - 11 March 2022

Interpretation and implementation matters

General compliance and enforcement

Enforcement matters

ENFORCEMENT MATTERS:  
REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.

Background

2. The Conference of the Parties in paragraph 22 b) of Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*, instructs the Secretariat to:
  - b) *submit a report on enforcement matters at each Standing Committee meeting and each regular meeting of the Conference of the Parties;*
3. In paragraph 13 a) and b) of Resolution Conf. 17.6 on *Prohibiting, preventing, detecting and countering corruption, which facilitates activities conducted in violation of the Convention*, the Conference of the Parties requests the Secretariat:
  - a) *to continue to report credible allegations of corrupt practices, or the results of its own investigations that lead to credible suspicions of corruption, to the relevant national authorities and intergovernmental entities; and*
  - b) *to include relevant information on such instances, and the outcome of investigations, in its report on enforcement matters to each Standing Committee meeting and each regular meeting of the Conference of the Parties, together with details of any anti-corruption activities the Secretariat has undertaken, along with its activities in implementation of Article XIII of the Convention;*
4. In Resolution Conf. 17.6, paragraphs 14 and 15, the Conference of the Parties:
  14. *REQUESTS the Standing Committee to take note of instances of corruption affecting the implementation or enforcement of the Convention and, where appropriate, make recommendations to the Parties concerned and to the Conference of the Parties on ways in which it may be combated more effectively, whilst also considering possible actions that the Committee itself might take under Resolution Conf. 14.3 (Rev. CoP18); and*
  15. *REQUESTS the Standing Committee with support from the Secretariat, to ensure close cooperation of CITES with UNCAC and UNTOC.*

5. At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted, *inter alia*, Decisions 18.77 and 18.78 on *Enforcement*, as follows:

**18.77 Directed to the Parties**

*Parties are encouraged to actively pursue and promote the use of the Integrity Guide for Wildlife Management Agencies to strengthen responses to and overcome the risks and challenges posed by corruption.*

**18.78 Directed to the Secretariat**

*The Secretariat shall, subject to external funding, work with the United Nations Office on Drugs and Crime (UNODC) and other partner organizations within the International Consortium on Combating Wildlife Crime (ICWC) to promote the use of the Integrity Guide for Wildlife Management Agencies and to, upon request, support Parties in implementing activities and measures to address the risks and challenges posed by corruption.*

6. The present document highlights resolutions and declarations concerning addressing wildlife crime adopted at the highest political levels since CoP18. It further provides information on activities conducted to implement the Resolutions and Decisions adopted by the CITES Conference of the Parties, outlined in paragraphs 2 to 5 above, and relevant to the resolutions and declarations adopted in other fora. Work on enforcement matters relevant to other documents prepared for the present meeting, are elaborated upon in those documents.

Resolutions, declarations and international commitments to combat wildlife crime

7. Several resolutions and declarations adopted since CoP18 in different fora, reflects the continued political concern over the devastating impacts of wildlife crime. These resolutions all place strong emphasis on the need to treat wildlife crime as serious and to step up efforts at national, regional and international levels to prevent, combat and eradicate it. They further, amongst others, place strong emphasis on addressing corruption and illicit financial flows associated with wildlife crime, reaffirms the intrinsic value of biological diversity and its various contributions to sustainable development and human well-being, and aligns well with the Resolutions and Decisions adopted at CoP18.
8. At its 73rd session in September 2019, the United Nations General Assembly (UNGA) adopted Resolution A/RES/73/343 on [Tackling illicit trafficking in wildlife](#). The Resolution, [welcomed](#) by the Secretariat, include numerous references to CITES and recognize the outcomes of CoP18. It reinforces the focus on key areas in the fight against illicit trafficking in wildlife, amongst others encouraging United Nations (UN) Member States to take appropriate measures to enforce the provisions of CITES and calling upon Member States to integrate, as appropriate, the investigation of financial crimes linked to wildlife trafficking into wildlife crime investigations, and to increase the use of financial investigation techniques and public private collaboration to identify criminals and their networks.
9. At its eighth session, held in Abu Dhabi in December 2019, the Conference of the States Parties (CoSP) to the United Nations Convention against Corruption (UNCAC) adopted Resolution 8/12 on [Preventing and combating corruption as it relates to crimes that have an impact on the environment](#), in which the role that corruption can play in crimes that have an impact on the environment is noted with concern.
10. In October 2020, the tenth session of the Conference of the Parties to the United Nations Convention on Transnational Organized Crime (UNTOC) passed a [Resolution on Preventing and combating crimes that affect the environment falling within the scope of the UNTOC](#). The Resolution amongst others calls upon Parties to implement legislation that will enable them to address wildlife crime that falls within the scope of UNTOC as a serious crime, as defined by UNTOC. It also encourages the implementation of effective risk-based anti-money laundering frameworks and calls upon Parties to mitigate corruption risks and scale up their efforts to combat corruption.
11. In November 2020, the UNGA adopted an omnibus Resolution on [Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity](#), which include several operative paragraphs denoting wildlife crime and urging Member States to treat it as a serious crime, whilst also acknowledging the assistance that can be provided to Member States by [ICWC](#).

12. At the [14th United Nations Congress on Crime Prevention and Criminal Justice](#) organized under the theme of *Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda*, held in Kyoto, Japan, in March 2021, Heads of State and Government, Ministers and Representatives of UN Member States unanimously adopted the [Kyoto Declaration](#). The Declaration specifically addresses the need to adopt effective measures to prevent and combat crimes that affect the environment, including flora and fauna as protected by CITES. It highlights the need to strengthen capacity among relevant agencies and personnel in order to combat wildlife crime, and amongst others emphasize the importance of making the best possible use of relevant international instruments and of strengthening legislation, cooperation, and law enforcement efforts aimed at dealing with money-laundering linked to wildlife crime, and illicit financial flows derived from such crimes, while acknowledging the need to deprive criminals of proceeds of crime.
13. In June 2021 the [Special Session of the General Assembly against Corruption 2021 \(UNGASS\)](#), took place. The UNGASS was the first of its kind in history to tackle the issue of corruption and provided an opportunity to galvanize the political will of governments and the international community in enhancing and progressing the fight against corruption. The Assembly unanimously adopted a Political Declaration entitled *Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation*.
14. On 23 July 2021, the UNGA adopted a new Resolution on [Tackling illicit trafficking in wildlife](#). This Resolution reaffirms and builds upon other Resolutions on this topic adopted by the UNGA in [2015](#), [2016](#), [2017](#) and [2019](#). The Resolution, [welcomed](#) by the Secretariat, amongst others places strong emphasis on the link between wildlife crime and financial crime and calls upon Member States to integrate financial crime investigations into wildlife crime investigations. It further calls upon UN Member States to strengthen the capacity of law enforcement agencies to monitor and investigate wildlife crime linked to the internet, to increase exchange of information and knowledge at national and international levels, and to prohibit, prevent and counter any form of corruption that facilitates wildlife crime. Through the Resolution, the UNGA also encourages UN Member States to enforce all necessary sanitary monitoring, measures and controls to protect human or animal health with regard to markets selling wildlife specimens.

#### Implementation of Decisions 18.77 and 18.78 and Resolution Conf. 17.6 paragraphs 13 and 14

15. Corruption continues to pose a challenge in the context of addressing wildlife crime, as demonstrated by the attention afforded to it in the resolutions and declarations adopted at the highest levels. This is further exemplified by incidents that occurred since CoP18, which included the involvement of [protected area employees](#) in poaching and the involvement of [police officers](#) and [military personnel](#) in illegal trade, as [reported upon](#) in [different sources](#). The concerns expressed in various fora and the examples of incidents highlighted demonstrates that it remains essential for Parties to step up efforts and ensure that measures are in place to prevent, identify and address corruption. While such incidents are regrettable, it must however also be noted that it is encouraging to see that in many of the cases where corrupt activities were exposed, action was taken against the individuals involved.
16. As required by Resolution Conf. 17.6, the Secretariat continues to address credible allegations of corrupt activities that come to its attention with the Parties concerned, for such allegations to be followed up on and investigated by national authorities. In August 2019, the Secretariat formally wrote to Ghana in the context of paragraph 13 a) in Resolution Conf. 17.6, regarding allegations of corruption related to illegal rosewood (*Pterocarpus erinaceus*) trade from the Party. The Secretariat requested that these allegations be investigated and that the results of investigations be reported to the Secretariat. The Party in October 2019 responded to the Secretariat, informing about the establishment of a seven-member Committee to investigate the corruption allegations. The Secretariat in the same month responded to the Party requesting further information about the nature of the investigations, i.e., whether it was administrative, disciplinary or criminal in nature. The Secretariat in December 2019 again wrote to Ghana requesting an update on the progress and findings of the work conducted by the seven-member Committee and information on any measures or activities that may have been implemented as a result of this work. In the absence of a response from Ghana to the December 2019 letter of the Secretariat, the Secretariat subsequently provided information to the UN Environment Programme World Conservation Monitoring Centre (UNEP-WCMC) to take into consideration in the preparation of the report on the international trade in *Pterocarpus erinaceus* available in the Annex to document PC25 Doc. 15.5 on *Inclusion of Pterocarpus erinaceus from all range States in the Review of Significant Trade*, considered by the Plants Committee at its 25th meeting (PC25, online, June 2021). As detailed in the *Range state reviews* included in the Annex to document PC25 Doc. 15.5, the Ghana news agency amongst others reported that the Committee established in Ghana shared its findings with the Minister of Land and National Resources of Ghana in January 2020, noting that it did not have adequate evidence to establish corruption cases against any officials of government. At PC25,

the Plants Committee as detailed in paragraph 15.5 of document [PC25 SR](#), amongst others agreed to categorise Ghana as one of the *Pterocarpus erinaceus* range States to be included in the Review of Significant Trade process as Party for which action is needed. PC25 further agreed to refer all *Pterocarpus erinaceus* range States to the Standing Committee for further consideration under Decision 18.92, based on documented wide spread and pervasive illegal trade. This matter is further addressed in document SC74 Doc. 35.1.1 on *Inclusion of Pterocarpus erinaceus in the Review of Significant Trade* prepared for consideration by the Standing Committee at the present meeting.

17. In the context of Decisions 18.77 and 18.88, several activities have been undertaken or are ongoing as part of the implementation of the ICCWC Strategic Programme and UNODCs broader program on combatting corruption. Information on the work conducted can be found in the *ICCWC Annual Report 2020* and a research paper entitled *Preventing and combating corruption as it relates to crimes that have an impact on the environment* prepared by UNODC. Activities conducted included amongst others supporting Parties in the undertaking of anti-corruption risk assessments, supporting the implementation of identified risk mitigation strategies and the implementation of key tools such as: *Scaling Back Corruption: A guide on addressing corruption for wildlife management authorities* and *Rotten Fish: A guide on addressing corruption in the fisheries sector*. A guide on *Rooting out Corruption: An introduction to the corruption that fuels forest loss* is also currently being developed by UNODC.
18. In March 2021, the Specialized Working Group on the Fight Against Transnational Corruption (GTCT), a technical body of the Latin American and Caribbean Organization of Supreme Audit Institutions (OLACEFS), also drew to the attention of the Secretariat a publication entitled *Species trafficking as a paradigmatic case of transnational corruption: potential contributions of external governmental control*. This publication, which provides information on the role that could be played by governmental external control bodies in the fight against corruption related to wildlife crime, is available in [English](#) and [Spanish](#) on the CITES Secretariat [Enforcement webpage](#).

#### Implementation of Resolution Conf. 17.6, paragraph 15

19. The Secretariat continued its engagement in various fora to facilitate cooperation and engagement between CITES, UNCAC and the UNTOC, as required by Resolution Conf. 17.6.
20. In October 2020, the Secretariat participated online in the tenth session of the Conference of the Parties to UNTOC, referred to in paragraph 10 above. The Secretariat also participated online in and delivered a presentation at a side event entitled *Wildlife Crime in the Spotlight: Recent trends and policy implications*, convened by UNODC in the margins of the meeting. The Secretariat [welcomed](#) the Resolution on *Preventing and combating crimes that affect the environment falling within the scope of the UNTOC* adopted at the meeting, noting the importance of UNTOC as a legal instrument to mobilize in the fight against wildlife crime that is strongly recognized by CITES Parties, and that the Resolution adopted demonstrated the complementarity between CITES and UNTOC in the fight against wildlife crime.
21. The Secretariat also participated in and contributed to the intersessional meetings of the Conference of the States Parties to the UNCAC on preparations for the [Special Session of the General Assembly against Corruption 2021 \(UNGASS\)](#) referred to in paragraph 13 above. The Secretariat further submitted a [contribution](#) for the UNGASS. The Political Declaration adopted by the UNGASS is directly relevant to the provisions of [Resolution 17.6](#), which stresses that failure to prohibit, prevent, and counter corruption which relates to the implementation or enforcement of CITES greatly undermines the effectiveness of the Convention, and was [welcomed](#) by the Secretariat.
22. Further, the Secretary-General of CITES delivered a [statement](#) online, during the high-level segment of the 14th United Nations Congress on Crime Prevention and Criminal Justice, referred to in paragraph 12 above, highlighting the need to address wildlife crime as a serious transnational organized crime, and that strengthened international collaboration and coordination in the fight against wildlife crime is essential. The [Kyoto Declaration](#) adopted at the Congress was [welcomed](#) by the Secretariat, and as noted in paragraph 12 above, amongst others emphasize the importance of making the best possible use of relevant international instruments and of strengthening legislation, international cooperation, criminal justice responses and law enforcement efforts aimed at dealing with transnational organized crime, corruption and money-laundering linked to such crimes.
23. The Commission on Crime Prevention and Criminal Justice (CCPCJ), as the follow-up body for the United Nations Crime Congresses held in Kyoto, at its thirtieth session in May 2021, adopted a Resolution on [Preventing and combating crimes that affect the environment](#), which was subsequently adopted by the Third Committee of the General Assembly. The Resolution recognizes the legal framework provided by and the

important role of CITES as the primary mechanism for regulating international trade in CITES-listed species, as well as the important role of inter-agency collaboration such as through the ICCWC, to effectively prevent and combat wildlife crime. It *inter alia* calls upon Parties to strengthen crime prevention and criminal justice responses against crimes that affects the environment, including against corruption and money laundering related to such crimes. Operative paragraph 15 of the Resolution calls upon the CCPCJ to hold expert discussions on preventing and combating crimes that affect the environment with a view to discussing concrete ways to improve strategies and responses to effectively prevent and combat these crimes and to strengthen international cooperation at the operational level on this matter. The Secretariat in response to an invitation from UNODC submitted nominations for participation in the expert discussions scheduled to take place from 14 to 16 February 2022 and will provide an oral update in this regard at the present meeting.

24. As noted in paragraph 9 above, the CoSP to the UNCAC at its eighth session, held in Abu Dhabi in December 2019, adopted Resolution 8/12, entitled *Preventing and combating corruption as it relates to crimes that have an impact on the environment*, in which it noted with concern the role that corruption can play in crimes that have an impact on the environment. To support the implementation of resolution 8/12, UNODC prepared a research paper also entitled *Preventing and combating corruption as it relates to crimes that have an impact on the environment*, as referred to in paragraph 17 above. The research paper aims to provide an overview of the relationship between corruption and crimes that have an impact on the environment and of the efforts made at the national and international levels to prevent and counter corruption related to such crimes. This research paper was presented at the ninth session of the CoSP to UNCAC, held in Egypt in December 2021, and is available to Parties on the CITES Secretariat website [Enforcement webpage](#).

#### Money-laundering and illicit financial flows from wildlife crime

25. As noted in paragraph 8 above, the UNGA at its 73rd session in September 2019 adopted a Resolution on [Tackling illicit trafficking in wildlife](#), that called upon UN Member States to integrate, as appropriate, the investigation of financial crimes linked to wildlife trafficking into wildlife crime investigations, and to increase the use of financial investigation techniques and public private collaboration to identify criminals and their networks.
26. The Kyoto Declaration adopted in March 2021, as referred to in paragraph 12 above, emphasize the importance of making the best possible use of relevant international instruments and of strengthening legislation, cooperation, and law enforcement efforts aimed at dealing with money-laundering linked to wildlife crime, and illicit financial flows derived from such crimes, while acknowledging the need to deprive criminals of proceeds of crime.
27. Further, as highlighted in paragraph 14 above, the UNGA Resolution on [Tackling illicit trafficking in wildlife](#), adopted in July 2021 places strong emphasis on the link between wildlife crime and financial crime and calls upon UN Member States to integrate financial crime investigations into wildlife crime investigations.
28. The Secretariat since CoP18 continued and strengthened its engagement and collaboration with the Financial Action Task Force (FATF), as global standard setting body on anti-money laundering and counter-terrorism financing, and the Egmont Centre of Financial Investigations Unit Excellence and Leadership ([ECOFEL](#)).
29. The Secretariat contributed to various FATF reports on addressing illicit financial flows from environmental crime, including illegal logging and wildlife trafficking. These reports amongst others identifies methods that criminals use to launder proceeds from environmental crime, and aims to provide guidance to Parties, relevant authorities and the private sector on the measures they can take to combat money laundering from the illegal wildlife trade. The FATF report and handouts on [Money Laundering from Environmental Crime](#), and the reports on [Money Laundering and the Illegal Wildlife Trade](#) and [Trade-Based Money Laundering: Risk Indicators](#), are available to Parties through the CITES Secretariat website [Enforcement webpage](#). In December 2021 the Secretary-General of CITES also delivered a [keynote address](#) during an online [FATF High-Level Conference on Environmental Crime](#) hosted by Germany, in which over 100 senior experts from the public, private, not-for-profit sectors and academia participated.
30. The Secretariat further supported and contributed to workshops initiated by ECOFEL as part of a project it implemented on Financial Investigations in Wildlife and Forestry Crime (FIWFC). The Secretariat participated in person in a workshop hosted in Bangkok, Thailand, in March 2020, and in a workshop hosted online by ECOFEL in June 2020 due to restrictions related to the COVID-19 pandemic. The over-arching objective of the FIWFC project is to reduce illicit financial flows linked to wildlife crime by involving financial intelligence units (FIUs) in investigations related to these crimes. The related [Financial Investigations into Wildlife Crime](#) report developed by ECOFEL is available to Parties on the CITES Secretariat website

[Enforcement webpage](#). The ECOFEL also participated in and contributed to the *Meeting of Range, Transit and Consumer States of Totoaba (Totoaba macdonaldi)*, reported upon in more detail in document SC74 Doc. 28.5 on *Totoaba (Totoaba macdonaldi)*, and both the ECOFEL and the FATF will as appropriate be engaged to participate in and contribute to future meetings related to enforcement and addressing wildlife crime to be arranged by the Secretariat.

31. In March 2020 a [Customs – FIU Cooperation Handbook](#) was also [launched](#). The main objective of the handbook is to further promote cooperation between FIUs and Customs services to effectively disrupt cross-border money laundering and terrorism financing activities. The Secretariat trust that this Handbook will also be of assistance to Parties in the context of targeting and dismantling transnational organized crime groups involved in wildlife crime and the associated money laundering. The public version of the handbook is available to Parties on the CITES Secretariat website [Enforcement webpage](#).
32. The need to scale up efforts to address illicit financial flows from wildlife crime is evident. A report entitled [Illegal Logging, Fishing and Wildlife Trade: The Costs and How to Combat It](#), launched by the World Bank with support from the Global Environment Facility funded Global Wildlife Program in November 2019, estimate the annual cost of these illegal activities to amount to \$1 trillion to \$2 trillion, and states that Governments in source countries forego an estimated \$7-12 billion each year in potential fiscal revenues that aren't collected due to illegal logging, fishing, and, in some instances, wildlife trade. The report notes that international criminal organizations exploit low-risk, high-reward opportunities to conduct the multibillion-dollar illegal trade that is comparable in economic value and global scope to human and drug trafficking. Considering the involvement of transnational organized crime groups in crimes affecting the environment, and the scale and nature of these crimes observed in recent years, the engagement of bodies such as the FATF and ECOFEL in the fight against wildlife crime is essential. CITES authorities have a crucial role in encouraging, pursuing, and facilitating such engagement, through the implementation of the provisions outlined in paragraphs 10 to 12 under *Regarding coordination and capacity-building* in Resolution Conf. 18.6 on *Designation and role of Management Authorities*. This should also be actively pursued in the implementation of paragraphs 10. a) and b), 15. e), f) and g) in Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*.
33. Such activities and engagement could increasingly result in concrete action in the field to ensure that wildlife crime committed by transnational organized crime groups are treated as serious by national authorities, and facilitate that it becomes a high risk, low profit undertaking for the criminals involved. Strengthening and expanding measures to address illicit financial flows from wildlife crime will help ensure that the criminals involved do not benefit from the proceeds of their crimes and facilitate a shift in focus from the lowest level of the trafficking chain, the poachers, to those at the top level managing the trafficking operations at the international level.

#### Recommendations

34. The Secretariat recommends that the Standing Committee:
  - a) note the activities reported upon;
  - b) note the reporting of the Secretariat in accordance with the provisions of Resolution Conf. 17.6, paragraph b), concerning Ghana;
  - c) welcome the resolutions and declarations adopted since CoP18 in different fora concerning addressing wildlife crime, and encourage Parties to actively pursue the implementation of the commitments made by UN Member States in these fora;
  - d) encourage Parties to step up efforts to actively pursue activities at national level to facilitate engagement to target money-laundering and illicit financial flows associated with wildlife crime, in particular by pursuing the implementation of paragraph 15.f) in Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*; and
  - e) encourage Parties to draw upon the tools, reports, handbooks and other resources developed that are available to them through the *Enforcement webpage* on the CITES Secretariat website, to inform and strengthen their responses to wildlife crime.