

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



Fifteenth meeting of the Conference of the Parties  
Doha (Qatar), 13-25 March 2010

Interpretation and implementation of the Convention

Compliance and enforcement

ENFORCEMENT MATTERS

1. This document has been prepared by the Secretariat.
2. As required in Resolution Conf. 11.3 (Rev. CoP14) (*Compliance and enforcement*), the Standing Committee reviewed this subject at its 57th and 58th meetings (Geneva, July 2008 and July 2009) (see documents SC57 Doc. 20 and SC58 Doc. 23).

Egypt

3. The Standing Committee, at its 57th and 58th meetings, considered reports from the Secretariat in relation to Egypt's implementation of recommendations that had been made after a mission to the country in November 2007. The report of the mission had been presented to the Committee in document SC57 Doc. 20 Annex. At its 58th meeting, the Committee expressed concern regarding the time being taken to fully implement the recommendations and it requested Egypt to submit a report on this matter for consideration by the Conference of the Parties at the present meeting.
4. The Committee's decision was communicated to Egypt by the Secretariat, which also suggested that a mission to Egypt to assess and verify implementation prior to CoP15 might be appropriate. Egypt has undertaken to submit such a report and has indicated its willingness to receive a mission by the Secretariat. Egypt's report will be annexed to this document in due course and the Secretariat will report further orally at CoP15 on this issue.

Nigeria

5. Nigeria remains the only Party currently affected by a recommendation for a suspension of trade because of enforcement issues. The Secretariat is conscious that the Standing Committee's recommendation that trade to and from Nigeria should be suspended has been in place for over four years. It has written repeatedly to the CITES Management Authority of Nigeria, encouraging its authorities to work with the Secretariat. It has similarly written to the Permanent Mission of Nigeria to the United Nations Office and other International Organizations at Geneva.
6. The Secretariat has suggested to the Permanent Mission that a high-level mission be conducted to Nigeria to provide further encouragement and to initiate discussions at a senior political level. The Secretariat understands that this proposal has been communicated to Nigeria's capital and a response is awaited. The Secretariat will report orally at CoP15 on this issue.

## Alerts

7. Since SC58, the Secretariat has issued Alerts on the following subjects:
  - Smuggling by post and courier mail services; and
  - Delivery techniques adopted by wildlife smugglers.
8. Alerts are now distributed solely through the restricted-access Enforcement Authority Forum on the CITES website. Interpol and the World Customs Organization also make them available to their members. Over 150 persons have registered to access the Forum and the Secretariat encourages more to do so. The forum also allows law enforcement officials to access a range of manuals and other enforcement-related guidance and to communicate with colleagues around the world.
9. The Secretariat is aware that many law enforcement agencies use its Alerts in their risk-assessment, targeting and profiling work. Since most Alerts are not lengthy documents, it encourages all Parties to translate them into national languages and distribute them widely among their enforcement agencies. The Secretariat also has numerous enforcement-related materials, including species and wildlife product identification advice, available in PowerPoint format. Since these also lend themselves to easy translation, it encourages more Parties use these too.

## Central and South America and the Caribbean

10. The Secretariat is conscious that, for several years, its focus in relation to enforcement matters has tended to be on Asia and Africa. It acknowledges that there is significant illegal trade involving Central and South America and the Caribbean. Much of this trade is destined for Europe and North America. Although there have been excellent examples of collaboration between these regions on a case-by-case basis, it believes there is scope for improvement and for greater support from the Secretariat. It is aware that there is interest in several countries to see sub-regional wildlife enforcement networks established in Central and South America and the Caribbean.
11. Intelligence suggests that organized crime groups are involved in various forms of illegal trade in the region, particularly that of timber. It is also suspected that species, such as the jaguar (*Panthera onca*), may not receive the attention they deserve. The Secretariat has received several reports of specimens of jaguar skin being traded illegally. In its work in relation to other big cat species, the Secretariat has noted that the lifestyle of these animals makes them difficult to monitor and that, historically, poaching and illegal trade often reduce numbers to dangerously low levels before the significance of criminal activities directed against such cats is recognized.
12. The Secretariat hopes that, between the 15th and 16th meetings of the Conference of the Parties, to work more actively on enforcement issues in Central and South America and the Caribbean and hopes that the Parties in the region will welcome and facilitate this. It also encourages potential donors to fund such activities, especially in the development of enforcement networks.

## Certificate of Commendation

13. In September 2009, the Secretary-General of CITES decided to award his Certificate of Commendation to the office of the General Department of Customs in the port of Hai Phong, Viet Nam, in recognition of the exemplary enforcement work that they conducted during 2009 in intercepting shipments of wildlife contraband. This included large quantities of raw ivory but also turtle shell and pangolin scales.

## CITES Enforcement Expert Group

14. At its 14th meeting (The Hague, 2007), the Conference of the Parties adopted Decisions 14.31 (*Gathering and analysis of data on illicit trade*) and 14.33 (*Enforcement Expert Group*), which require work to be conducted by the CITES Enforcement Expert Group. Decisions 14.32 and 14.34 directed the Standing Committee to consider the report of the Secretariat relating to the Group's activities.
15. The Group met at the U.S. Fish and Wildlife Service Forensics Laboratory, Ashland, Oregon, United States of America, from 8 to 10 June 2009. Its report (attached as an Annex) was presented at the 58th meeting of the Standing Committee in document SC58 Doc. 23 Addendum. The Standing Committee accepted the report and endorsed the Group's recommendation.

16. The principal recommendation was that a database, modelled upon EU-TWIX (a database used by the enforcement community in the European Union), should be developed for use by the CITES enforcement community. If the Conference of the Parties adopts this recommendation, the Secretariat suggests that a working group be formed to develop this concept and that it report on its work to the Standing Committee. Relevant draft decisions, for adoption by the Conference, are attached.
17. The Group noted the excellent work that has been done by a number of Parties, both at national and regional levels, in developing enforcement action and strategic plans and risk assessments. It listed a number of examples of such work that others could follow. It also welcomed the expansion of sub-regional wildlife enforcement networks but expressed concern at the continuing lack of resources at the international level that are available to support wildlife law enforcement and its coordination.
18. The Secretariat is very grateful to the Governments of the United Kingdom of Great Britain and Northern Ireland and the United States, and to the European Commission, for their financial and logistical contributions to the meeting.

#### Dealing with wildlife smugglers

19. The Secretariat welcomes the many interceptions that are made each year of persons smuggling wildlife contraband from one country to another. Many of these individuals have been recruited by other criminals to undertake such activities. Having been detected en route, these persons can be extremely important sources of intelligence about the nature of illegal trade in wildlife and those involved.
20. The Secretariat was concerned, however, that such smugglers were often not being questioned adequately or effectively to extract such intelligence. Consequently, it sought the assistance of the Interpol Wildlife Crime Working Group to prepare guidance on this subject. A project team of the Interpol Group drafted relevant text and this was subsequently edited and formatted by the CITES Secretariat and Interpol General Secretariat. It is intended that this guidance be translated and published jointly by the two organizations before the end of 2009.

#### Designation of Enforcement Authorities

21. Resolution Conf. 11.3 (Rev. CoP14) (*Compliance and enforcement*) recommends that Parties “as a matter of urgency, inform the Secretariat of contact details of their relevant national law-enforcement agencies responsible for investigating illegal trafficking in wild fauna and flora”.
22. The Secretariat first issued a Notification to the Parties calling for such information in 2004. A further call was issued in Notification to the Parties No. 2006/065 of 14 November 2006. This matter is reported upon at each regular meeting of the Standing Committee. In the five years since the Conference of the Parties made its recommendation, fewer than 70 Parties have complied.
23. The Secretariat is aware that many law enforcement agencies around the world find the contact details that are available on the CITES website very useful. It is also aware that the same agencies find it frustrating when they visit the website and find that a Party has failed to supply details to the Secretariat. The Secretariat has no explanation for why Parties seem reluctant to comply with this recommendation but urges them to do so. It hopes that a better response rate can be reported at the 61st Standing Committee meeting.

#### Designing a strategy for a coordinated approach to wildlife law enforcement

24. Whilst it is obviously for each country to determine how best to organize the enforcement of the Convention at the national level, the Secretariat believes that there are many examples of good practice that might be followed. It also believes that capacity-building support for Parties would be most effective if it could be delivered in a coordinated and structured manner.
25. In recent years, non-governmental organizations (NGOs) have begun to play an increasingly significant role in the delivery of enforcement-related training and in developing enforcement strategies at national and sub-regional levels. However, the Secretariat has noted examples where government agencies appear to have almost abdicated their statutory and constitutional role to NGOs. In some parts of the world, NGOs appear to gain access to enforcement-related information in a manner that may be legally questionable. Several NGOs have attempted to establish themselves as communication channels between national enforcement agencies and international bodies.

26. The Secretariat recognizes that the NGO community has a vital role to play in supporting wildlife law enforcement efforts. It is conscious that Resolution Conf. 11.3 (Rev. CoP14) specifically encourages Parties to work with NGOs with regard to enforcement matters. However, the Secretariat also believes that, in an increasing number of instances, the correct balance is not being struck. It is aware that other international organizations share its concerns.
27. With this in mind, to best support and guide both the enforcement and non-governmental communities, the Secretariat recently suggested to relevant partner agencies that the time had come to adopt a common strategy that could be followed at international levels but which would also benefit national activities. It therefore intends, before the end of 2009, to convene a meeting between its staff and representatives of Interpol, the United Nations Office on Drugs and Crime and the World Customs Organization. The aim will be to produce a document, perhaps something of a 'blueprint', which all relevant agencies, governmental or non-governmental, can use in designing, developing, establishing and supporting coordinated approaches to wildlife law enforcement at the national, regional and international levels.
28. This will be the first occasion when the major international bodies with a mandate in this field will come together to coordinate their work and to develop common approaches. The Secretariat believes this is very much in the spirit of Resolution Conf. 11.3 (Rev. CoP14) and offers an excellent opportunity to create foundations upon which the future of wildlife law enforcement can be built. It should also be of benefit to the donor community in determining how best to support countries in the developing world and countries with economies in transition. The Secretariat is very pleased that the World Bank has shown great interest in this initiative and has indicated potential willingness to support it.
29. The Secretariat hopes that what emerges from this initiative will, in due course, be endorsed by the decision-making bodies of the four organizations and it is intended that the final document will be available for consideration by CoP15. It will not, however, be produced in time for the mid-October 2009 deadline for the submission of documents.

#### Illegal, Unreported and Unregulated Fishing – Sturgeons

30. From 28 to 30 September 2009, the CITES Secretariat assisted at an enforcement-related workshop convened by the Food and Agriculture Organization (FAO) of the United Nations, which was held in Antalya, Turkey. The five littoral States of the Caspian Sea were each invited to send a three-person delegation, consisting of a fishery expert, a Customs official and a representative of the police or federal security service. Azerbaijan, the Islamic Republic of Iran, Kazakhstan and Turkmenistan all participated. The Russian Federation did not nominate or send any delegates. The Interpol General Secretariat also participated.
31. The workshop resulted in the identification of a number of actions and recommendations, which will require to be considered further by the governments of these countries. Principal among the outcomes was agreement that each country should develop a plan of action in relation to illegal, unreported and unregulated fishing and that FAO would subsequently offer to support the development of a regional plan on this subject. The report of the workshop was not available at the time of writing (early October 2009) but will be posted on the CITES website in due course.

#### Scientific Authorities

32. Resolution Conf. 10.3 (*Designation and role of the Scientific Authorities*) directs the Secretariat to identify in its reports for meetings of the Conference of the Parties those countries that have not informed the Secretariat of their Scientific Authorities. In accordance with Articles III and IV of the Convention, the issuance of import and export permits requires the provision of advice from Scientific Authorities. Consequently, permits and certificates issued by the Management Authority of a Party that has not designated a Scientific Authority are liable to be considered as issued contrary to the provisions of the Convention and invalid.
33. At the time of writing, the following Parties had not designated a Scientific Authority: Armenia, Bosnia and Herzegovina, Cape Verde, Eritrea and Oman. Unfortunately, this is an increase since CoP14. Several of these countries are relatively new Parties and, thus, the lack of designation may be understandable. However, this is the second time that the Secretariat has listed Cape Verde and the fourth time it has listed Eritrea.

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

Regarding the gathering and analysis of data on illegal trade

**Directed to the Secretariat**

- 15.XX The Secretariat shall establish an Illegal trade database working group to:
- a) design and implement a database to be used by the Parties and the Secretariat for the gathering and analysis of data related to illegal trade in specimens of CITES-listed species;
  - b) seek external funding to enable the group to conduct its activities, assisted by a relevant consultant if appropriate; and
  - c) report to the Standing Committee at its 61st and 62nd meetings on the progress of the working group.

**Directed to the Standing Committee**

- 15.XX The Standing Committee shall consider the reports of the Secretariat and also consider:
- a) endorsing any relevant recommendation or measure that could be implemented prior to the 16th meeting of the Conference of the Parties; or
  - b) requesting the Secretariat to prepare a report for consideration at the 16th meeting of the Conference of the Parties.

SC58 Doc. 23 Addendum

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
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FIFTY-EIGHTH MEETING OF THE STANDING COMMITTEE  
GENEVA (SWITZERLAND), 6-10 JULY 2009

Interpretation and implementation of the Convention

Compliance and enforcement

Enforcement matters

REPORT OF THE CITES ENFORCEMENT EXPERT GROUP

1. This document has been prepared by the Secretariat.
2. In compliance with Decisions 14.31, 14.33 and 14.72, adopted by the Conference of the Parties at its 14th meeting (The Hague, 2007), enforcement experts from each of the CITES regions of the world, comprising representatives of CITES Management Authorities, parks authorities, national and specialized wildlife crime units and bureaux, forensic scientists, prosecution authorities, the ASEAN Wildlife Enforcement Network, the CITES Falcon, Great Ape, Rhinoceros and Tiger Enforcement Task Forces, the Lusaka Agreement Task Force, the Interpol General Secretariat, the Interpol Wildlife Crime Working Group, the World Customs Organization and the CITES Secretariat, met in Ashland, Oregon, United States of America, from 8 to 10 June 2009. A list of participants is attached as Annex 3.
3. The observations and conclusions of the Group are presented below.

Decision 14.31

4. Having considered presentations from the United Nations University, the Federal Police of Belgium, Interpol, the World Customs Organization and the CITES Secretariat, the Group agreed that there continues to be a serious lack of data with regard to illegal trade in wildlife. This inhibits the ability of the law enforcement community to assess the seriousness of such trade, its scope and trends. The lack of data also inhibits the ability to develop strategies and responses at the national, regional and international levels.
5. The Group noted the Wildlife Enforcement Monitoring System (WEMS), which has been developed by the United Nations University. Whilst the Group agreed that WEMS appears to have considerable potential, it was concerned that the system has yet to be tested operationally. The Group was, therefore, reluctant to endorse WEMS at this time. It noted information from the UN University that WEMS is apparently to be adopted by the Government of India and looked forward to learning the results of its introduction at a national level. Since WEMS is being considered by ASEAN-WEN, there may also be an opportunity for its operation at a sub-regional level to be assessed.
6. The Group noted the success of EU-TWIX, a system that was established by the Government of Belgium, the European Commission and TRAFFIC. EU-TWIX has achieved a high rate of reporting of seizures of contraband wildlife throughout the European Union Member States. This provides for an accurate overview of illegal trade and a reliable analysis of data. EU-TWIX has also attracted engagement from some countries neighbouring the European Union and benefits from cooperation from the World Customs Organization. Aside from acting as a database for recording seizures of illegally-traded wildlife, EU-TWIX also offers a restricted-access messaging system for the enforcement community, together with reference sections relating to forensic science and species identification support. The Group also noted the

advantages in EU-TWIX's ability to facilitate the input of data 'remotely', thereby avoiding many of the labour-intensive difficulties that have been faced by other systems.

7. The Group was firmly of the opinion that EU-TWIX should be expanded to become a worldwide system. It encouraged the Government of Belgium and the European Commission to agree to such expansion. It noted that there would be financial implications in such an expansion but believed that the system's proven record of success would justify this. Representatives on the Group from regions other than Europe were convinced that their regions would welcome the opportunity to participate in a global-TWIX. The Group acknowledged that such a system required management and maintenance and noted that this work was currently conducted by a non-governmental organization, under contract to the European Commission. The Group believed, were EU-TWIX to be expanded, that this work should not be undertaken by a non-governmental organization but that it should rather be allocated to a suitable international and intergovernmental body, such as UNEP-WCMC.
8. It was recognized that, whilst a system such as EU-TWIX benefits from a 'remote' data-entry capability, there nonetheless remains a need for the database and other parts of the system to be managed on a routine basis. It was also acknowledged that it may not be practical or realistic to implement a worldwide system quickly. The Group believed that there may be scope for EU-TWIX to be expanded via the existing and forthcoming regional and sub-regional enforcement networks. It believed that, if agreement were reached for such a system, it would be logical for a working group to be established (perhaps at CoP15) to take this issue forward.
9. The Group noted the success of the Elephant Trade Information System (ETIS) but was not in favour of the creation of any further species-specific databases. If EU-TWIX could be expanded to capture worldwide data, there should be no need for additional species-specific data collection at the international level and it might also make some existing systems redundant.
10. The Group noted the low level of use of the Ecomessage, developed by Interpol and referred to in Notification to the Parties No. 2008/068 of 16 December 2008. The importance of the Ecomessage is that it facilitates the exchange and storage of nominal data (i.e. names of individuals and companies). The Group recommended that the Secretariat should issue another Notification, explaining the Ecomessage system in the following terms.

*Given the international nature of much of environmental crime, international cooperation between national law enforcement agencies is vital if the criminals involved are to be successfully apprehended and deterred. With the Ecomessage system, data are entered into the Interpol database where they can be cross-referenced with other entries. The system has a number of important benefits:*

- *The cross-referencing of material can produce rapid and valuable feedback. For example, if a country reports via Ecomessage the arrest of a suspect, the Interpol database may produce information that the same suspect is wanted on similar charges in a different country, or indeed may have prior convictions to his or her name. Information on outstanding arrest warrants or prior convictions is of great interest and importance to prosecuting authorities. Furthermore, through Interpol's I-24/7 global police communications system, law enforcement officials on the ground will soon have immediate access to this information.*
- *The Ecomessage form enables the reporting country to ask questions or make requests and, in doing so, encourages international cooperation between law enforcement agencies. For example, a Customs agency in one country may have seized contraband smuggled from a second country. The Ecomessage system allows the first country to enquire about the exporter or carrier in the second country. In the case of smuggled wildlife, the Ecomessage system also allows countries to address such issues as the repatriation and preservation of the seized wildlife specimens.*
- *Information collected by Ecomessages and entered into the database allows Interpol's criminal analysts to study the data and begin to discern such information as the structure, extent and dynamics of international criminals and organizations involved.*
- *Increased submission of Ecomessages is also needed to raise awareness of criminal activity and they should always be submitted in relation to incidents involving Appendix-I species or other significant illegal trade as determined by Parties. The Ecomessage should be considered as a valuable enforcement tool in combating illegal trade.*

#### Decision 14.72

11. The Group believed that, if EU-TWIX can be expanded, it would serve as a mechanism to monitor and evaluate the scale and nature of illegal trade in Asian big cats. It saw no need, therefore, to propose any specific system for Asian big cats. The Group agreed that these views should be communicated to tiger range States at the conservation strategy workshop that is planned to take place in Nepal later in 2009.

#### Decision 14.33 a) i)

12. The Group reviewed the conclusions reached at its meeting in 2004 and found them to be generally still relevant. It then reviewed the recommendations from 2004 as follows (the Group's statement from 2004 is attached as Annex 1).

- a) It was thought that there was now a greater appreciation of the seriousness of wildlife crime and, in some countries, considerable progress had been made in achieving support from policymakers and enacting new legislation. It was noted that this was common in countries that had established national or specialized enforcement units. Whilst progress was welcomed, the Group believed there was no room for complacency.
- b) The Group noted that no progress whatsoever had been made in the implementation of this recommendation, which remained highly relevant.
- c) The Group recommended that the Practical Guide be reviewed and re-published. It noted that the Forensics Laboratory had undertaken several training initiatives but the number of Parties submitting evidence for examination remained low and this important source of support to the CITES community was under-utilized.
- d) The Group noted that the number of Parties that have submitted contact details remained disappointingly low.
- e) This recommendation remained relevant and the Group also encouraged representation at meetings of the Conference of the Parties by staff of the Interpol General Secretariat.
- f) This recommendation was noted to be redundant.
- g) This recommendation remained relevant. The Group noted the success of Project Oasis (Interpol's capacity-building initiative in Africa), and believed it should be expanded to other parts of the world. It expressed concern regarding the delivery of enforcement-related training by non-governmental organizations and believed that this should only be conducted by suitably experienced enforcement officers. It encouraged the creation of a list of such persons who could act as trainers. It also noted a lack of coordination in the delivery of training and observed that unnecessary duplication occurred. The Group encouraged those organizing training to advise the CITES Secretariat, so that it could include details of any courses in the CITES Calendar section of its website.
- h) This recommendation remained relevant but the Group was unable to determine how such an association could be established.
- i) The Group welcomed the fact that there were currently two officers working full-time on wildlife crime issues but expressed concern that these positions relied upon external funding and were not permanent.
- j) This recommendation remained relevant.

13. The Group noted the development, since its last meeting, of regional and sub-regional wildlife enforcement networks and encouraged this to continue around the world. It welcomed news that Arabian-WEN was in the process of being established.

#### Decision 14.33 a) ii)

14. The Group reviewed information that had been received from Australia, Germany, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the European Commission. It noted that several excellent examples of various approaches to enforcement action plans were available,

including national enforcement plans, regional action plans, national risk assessments and strategic assessments. Since some of these examples contained information of a restricted nature, it encouraged interested Parties to contact the relevant country direct. The Group found particularly useful a checklist of actions that had been developed by TRAFFIC for the Wildlife Trade Enforcement Group of the European Union and was also impressed by the work undertaken by the Government of Scotland to review the prevention, investigation and prosecution of wildlife crime.

15. The Group prepared a template for use by Parties considering establishing national task forces or specialized units and this is attached as Annex 2. The Group wished to remind the Parties that Resolution Conf. 11.3 (Rev. CoP14) (Compliance and enforcement) recommended the formulation of national and regional action plans.

#### Other matters

16. The Group reviewed a draft checklist of questions and advice, intended to be used when smugglers of wildlife are intercepted, which had been prepared by a project team of the Interpol Wildlife Crime Working Group. It encouraged the CITES and Interpol Secretariats to finalize the list and make it available as soon as possible.
17. In looking to the future, the Group recognized that matters such as climate change and deforestation were having increasingly adverse impacts upon populations of animals and plants and that, consequently, combating illegal trade remained a highly important element in the various approaches to natural resource conservation, if threatened species were not to move closer to extinction. The Group also recognized, however, that enforcement alone would never be sufficient and that it must be applied alongside issues such as education, awareness raising, demand reduction, community involvement, etc.
18. The Group noted a report that had been received from a non-governmental organization, the Environmental Investigation Agency. This focused, to a considerable extent, on illegal trade in specimens of Asian big cat species. The Group welcomed the submission and encouraged the CITES Secretariat to take account of the submission as it prepared for the tiger conservation strategy workshop, expected to be convened in Nepal later in 2009.

#### Final remarks

19. The Group was of the opinion that two items that it had discussed deserved high priority. Firstly, the need to establish a database that could provide an overview of illegal trade in wildlife worldwide. This was long overdue. Various bodies have attempted to capture such data but with limited success to date. Of existing databases, EU-TWIX appeared to be the most successful and to have achieved the greatest level of engagement from potential contributors. Consequently, it was the model that the Group recommended.
20. Secondly, international level support to and coordination of the enforcement community needed to be increased. In particular, the CITES Secretariat should have more staff dedicated to these activities.
21. The CITES Enforcement Expert Group concluded its work by recording its appreciation to the Governments of the United Kingdom and the United States of America and to the European Commission, which had contributed financially or logistically to the convening of its meeting.

2004 statement of the CITES Enforcement Expert Group

In compliance with Decision 12.88 adopted by the Conference of the Parties at its 12th meeting (Santiago, 2002), enforcement experts, including representatives of CITES Management Authorities, the CITES Tiger Enforcement Task Force, Customs authorities, fishery protection authorities, intelligence agencies, the Interpol Wildlife Crime Working Group, the Lusaka Agreement Task Force, police and wildlife authorities, from each of the CITES regions of the world, met in Shepherdstown, West Virginia, United States of America, from 2 to 5 February 2004. The meeting resulted in the following statement.

CONSIDERING that, from 2 to 14 October 2005, the 13th meeting of the Conference of the Parties will be held in Bangkok, Thailand;

RECALLING Resolution Conf. 11.3 (Compliance and enforcement) adopted at the Conference of the Parties at its 11th meeting (Gigiri, 2000), especially the following paragraphs from its preamble;

*RECOGNIZING that illegal exports from producing countries of specimens included in the Appendices cause serious damage to the valuable resources of wildlife, and reduce effectiveness of their management programmes;*

...

*CONVINCED that enforcement of the Convention must be a constant concern of the Parties if they are to succeed in fulfilling the objectives of the Convention;*

*CONVINCED of the need to strengthen enforcement of the Convention to address serious problems caused by the illegal trafficking of wild fauna and flora, and that the available resources for enforcement are negligible when compared to the profits gained from such trafficking;*

CONSCIOUS that its discussions related to the combating of illegal trade in wild fauna and flora and not to compliance with the provisions of the Convention;

THE CITES ENFORCEMENT EXPERT GROUP

CONCLUDES that:

- a) illegal trafficking of wild fauna and flora continues to be a matter of great concern, which increasingly involves organized crime and organized criminal networks using sophisticated poaching and smuggling techniques, the fraudulent use of permits and certificates, corruption of relevant officials, threats and violence towards enforcement personnel, and that insufficient attention is being given to this subject by the Parties;
- b) many CITES Management Authorities are not suitably resourced or experienced to address illegal trafficking of wild fauna and flora and that this challenge must be combated by adequately staffed, trained and equipped professional law enforcement officers and agencies;
- c) insufficient liaison occurs between and among national CITES authorities and national wildlife law enforcement agencies to coordinate the efforts of Parties to combat illegal trafficking of wild fauna and flora. In particular, there is insufficient dissemination of enforcement-related information, such as CITES Alerts and Notifications to the Parties;
- d) insufficient consultation is made with relevant national, regional and international law enforcement agencies prior to meetings of the CITES technical committees and the Conference of the Parties, which may lead to the adoption of resolutions and decisions that are difficult or impossible to enforce; and
- e) insufficient information regarding illegal trade is being exchanged at national, regional and international levels and that the majority of Parties are failing to implement the recommendations relating to the provision of information and support to the Secretariat outlined in Resolution Conf. 11.3; and

RECOMMENDS that:

- a) the Parties recognize the seriousness of illegal trade in wild fauna and flora and identify it as a matter of higher priority for their national law enforcement agencies. In particular, wildlife law enforcement officials should have parity in training, status and authority with their counterparts in Customs and police;
- b) the Parties, inter-governmental and non-governmental organizations implement the recommendations in Resolution Conf. 11.3 with regard to the provision of financial support to the Secretariat to enable the appointment of additional officers to work on enforcement-related matters, to assist in the development of regional law-enforcement agreements and to provide training and technical assistance to the Parties;
- c) the Parties review and, where appropriate, implement or use the following enforcement-related information distributed by the Secretariat, ICPO-Interpol, the CITES Tiger Enforcement Task Force and the World Customs Organization:
  - the Practical Guide for National Central Bureaux and CITES Management Authorities;
  - the draft Memorandum of Understanding for Customs Authorities and CITES Management Authorities;
  - the Guidance of the CITES Tiger Enforcement Task Force distributed in Notification to the Parties No. 2001/047 of 9 July 2001; and
  - the availability of forensic science support from the Clark R. Bavin National Fish and Wildlife Forensics Laboratory of the U.S. Fish and Wildlife Service, such as is described in Notification to the Parties No. 2002/075 of 19 December 2002;
- d) the Parties, as a matter of urgency, inform the Secretariat of contact details of their relevant national law enforcement agencies responsible for investigating illegal trafficking in wild fauna and flora;
- e) the Parties that have not already done so consider nominating officials from relevant national enforcement agencies to participate in the Interpol Wildlife Crime Working Group and that this group be represented at meetings of the Conference of the Parties;
- f) the Parties, inter-governmental and non-governmental organizations provide funds to enable the Secretariat to organize regular meetings of the CITES Tiger Enforcement Task Force, to enable its initial work to continue and to aid the development of networks that are considered vital to the exchange of information, coordination of international investigations and maintenance of confidentiality of law enforcement information. Consideration should also be given to expanding the remit of the Task Force, when appropriate, beyond issues relating to Asian big cats;
- g) the Parties, inter-governmental and non-governmental organizations provide funds and expertise to enable enforcement-related training or the provision of training materials, which is urgently needed in many developing countries and countries with economies in transition, preferably on a regional or sub-regional basis, and provide funds to ensure that wildlife law enforcement personnel in such countries are adequately trained and equipped;
- h) an international association of wildlife law enforcement officers be established, to assist the dissemination of technical advice and information to wildlife law enforcement staff;
- i) a dedicated officer specializing in wildlife crime be appointed, seconded or funded within the ICPO-Interpol General Secretariat in Lyon, France; and
- j) national law enforcement agencies, as allowed by national legislation, share information collected during investigations of illegal trafficking in wild fauna and flora among the enforcement agencies of the Parties to detect, investigate and prosecute violators. Where appropriate, the ECOMESSAGE (described in Notification to the Parties No. 966 of March ) should be used.

Steps recommended for developing a Wildlife Trafficking Interdiction and Enforcement Action Plan

By the CITES agency:

1. Identify the agencies who would be stakeholders in addressing these issues:
  - Agency containing the CITES Management Authority and Scientific Authority
  - Agency with authority to investigate CITES violations
  - Agency with authority to investigate non-CITES wildlife violations (Customs violations involving wildlife)
  - Agency with authority to prosecute CITES and non-CITES wildlife violations
  - Agency containing the Interpol National Central Bureau
2. Invite a single member of each representative agency to a “scoping committee” meeting to discuss creation of a Wildlife Crime Enforcement And Prosecution Unit or task force. The agenda for the initial scoping committee meeting should include:
  - National or provincial legislation addresses transnational illegal wildlife trafficking, including:
    - CITES violations
    - Non-CITES wildlife import/export wildlife violations
  - NGOs present in-country who are knowledgeable and reliable
  - Existing regional structures (like Lusaka Agreement Task Force, ASEAN-WEN) to which a task force might wish to relate
  - Terms of reference for a Task Force comprising relevant government agencies
  - Initial prioritization of national illegal wildlife trade issues
3. Develop Terms of Reference for a Wildlife Trafficking Interdiction and Enforcement Task Force

Suggested priorities:

- Investigation and enforcement priorities
  - Intelligence gathering and sharing
    - domestically
    - internationally, via Eco-message, TWIX, etc.
    - task and pay someone to be the national wildlife trade database curator
  - Capacity Building
    - domestic and international training
  - Cooperation and communication
    - among domestic agencies
    - with policy-makers
    - with existing regional structures
    - outreach to the public
  - Funding
4. Schedule first meeting of the Task Force to include:
    - “NGO day”
    - ratification of Terms of Reference
    - adoption of priorities

CITES Enforcement Expert Group

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## REPORT SUBMITTED BY EGYPT

Regarding the secretariat request that Egypt should provide CoP 15 with documented evidences for sound implementation of CITES articles as well as accurate enforcement measures, we would like to supply you with the following:

We would like to emphasize on the fact that since October 2007 (CITES mission), CITES Egypt has kept on improving performance level concerning enforcement matters through adopting procedures reflect the positive response towards CITES mission recommendation (on a special way recommendations 12 up to 17), such procedures were represented by the following acts:

Recommendations 1- 11:Focused on capacity building, awareness matters and fighting wildlife crimes:**A. Capacity building & awareness raising program:**

1. The management authority stepped the first step toward capacity building & national awareness raising programs through cooperation with IFAW (International Fund for Animal welfare) the agency held a training workshop in Cairo from 20-24/4/2008 under title of "Workshop on Implementation of CITES & Illegal Trade in Fauna & Flora" under the supervision of CITES secretariat capacity building officer, the training course have supplied the trainees with awareness specially for those who are working in CITES implementation sites and relevant agencies "Airports, Overland ports, Sea ports, Veterinary Quarantine, Customs, Environmental Police".
2. As a proceeding for the plan cited to reach out a level of capacity building suites the recommended convention implementation and compliance in Egypt, Memorandum of Understanding (MOU) was signed between the Egyptian CITES management authority (CMA) and IFAW (International Fund for Animal welfare) under the supervision of Mr. Steven Nash, CITES Secretariat Capacity Building Senior and his Excellence the Minister of Agriculture on 25<sup>th</sup> of October 2008.
3. The Ministry of Agriculture sponsored the announcement of MOU launching the training program for the wildlife staff and relevant CITES officers at both ports and land borders (quarantine dept. veterinarians, environment police, customs, EEAA and tourism personnel).
4. According to the protocol of the MOU, seven workshops are going to be held through the year 2008 up to the year 2011 covering the land and sea border governorates.
5. Until now three workshops have been already held as follows: The first workshop was in Sharm el-Sheik City on November 2008, the second was in Aswan border City on February 2009 and the third was in Marsa Matrouh land border governorate all under the title: Implementation of CITES convention and the illegal trade in endangered species, each workshop was attended by 25 participants from all the previously mentioned relevant agencies concerned with CITES implementation.
6. In addition to the posters on the Egyptian CITES fauna, and Ivory previously printed, CITES Egypt is going to distribute illustrated guide for the most common CITES species involved in illegal trade to all wildlife relevant agencies.
7. Copies of all printed posters were delivered to the Ministry of Tourism to be distributed their way to the wildlife relevant agencies concerned with tourism and deals with tourists.
8. Also warning posters about the primates smuggling in ports and land borders are already distributed.

**B. Interpol wildlife crime working group:**

1. In accordance with CITES secretariat directions, and from point of fact we do believe that convention implementation and compliance both need regional cooperation, CITES Egypt as a focal point (under sponsorship of his excellence the minister of Agriculture) adopted on 2<sup>nd</sup> June 2009, the first meeting to

discuss the MOU for Arabian –WEN (enforcement network for Arabic speaking countries) with the presence of CITES secretariat representative Mr. John Sellar who gave great hand of support through displaying similar experiences for such groups in different nations like ASEAN- WEN. MOU of Arabian – WEN was accepted by the four countries shared in the meeting, it is going to be distributed to all Arab countries ministers of environment affairs, on their meeting in Arab league November 2009 for evaluation and decision- making.

2. Concerning the recent environment law, it is to be noted that the modified environment law is declared at the beginning of February 2009 where the relevant agencies considered with the implementation of the law are going to follow the new regulations just after announcing the guiding rules of the law.
  3. The modification included elevation of the financial fine of the environmental crime to the maximum of 50000 Egyptian pounds, beside prison punishment which may reach one year according to the severity of the crime.
- C. As a regulatory procedure to control export/ import through the Egyptian borders Cairo International Airport was assigned to be the only port for CITES specimens traded to enter or leave the country.**

#### Recommendation 12:

##### Involved the National policy concerning private parks and rescue centers:

It is doubtless that national policy and legislations concerning the wild species generally and CITES species on a special case aim to Prevent trade or exchange of App. I specimen for commercial purposes, noting that undersecretary of state for zoos and E. W. S. located at Giza zoo is the only Egyptian governmental facility authorized to keep confiscated alive specimens.

#### National Policy

- Noting that national policy should follows legislations cope with CITES provision, for that purpose the Egyptian government declared the ministerial decree 1150 announced on 1999 for CITES Implementation in Egypt in which article II stated the following:
- Trade is prohibited in any specimen of the species listed in Appendix I of CITES, unless an export or import permits or re-export certificate is issued for scientific research or other approved purposes carried out by government officials or private bodies authorized to do so and only when such trade is for non primarily commercial purposes. A permit shall be granted only when the following conditions have been met:
  - a) The submission of a request for the import, export re-export or introduction from the sea to the National Standing Committee of CITES.
  - b) The request is examined by the specialized scientific authority to verify that issuing the permit shall not have a detrimental effect on the conservation of the species concerned.
  - c) The management committee verifies that live specimens to be exported or re-exported have been prepared for shipment in a manner minimizing the risk of injury, damage to health or cruel treatment.
    - For the re- export of specimens the applicant shall provide evidence that the previous import was in compliance with the decree.
    - In the case of import of a specimen of a species listed in App. I to the convention all necessary procedures concerning the Agriculture and Veterinary Quarantine shall be followed according to the Law of Agriculture No. 53 for the year 1966. The shipment also has to be accompanied by a valid CITES document issued by the country of export or re- export.
    - In accordance with the previously mentioned ministerial decree, it is obviously clear that CITES Egypt would not hesitate to draw back any confiscated specimen proved to belong to a confirmed country of origin.
    - Additionally ministerial decree 1374 for the year 2001 was assigned for determining the regulations and conditions under which registering and licensing wild animals for private facilities should be.

- According to such conditions:
  - 1) Announcing a private wild animals' park is not allowed except under permission of GOVS the official agency authorized to inspect, supervise and detect all the hygienic measures, husbandry and animal welfare in the facility requesting license.
  - 2) All private parks licensed to keep wild animals are registered in GOVS as well as both CITES scientific and Management authorities registration files which include:
    - a) Name of possessor,
    - b) Location and manager of the facility.
    - c) Registration No. and date of license.
    - d) Name, sex and age of specimen.
    - e) Route of entry into the facility.

From the previously mentioned regulations it is guaranteed that any CITES specimen present in either governmental or private facility is kept under sound programs for husbandry and welfare.

Recommendation 13:

Concerned with renewal of Giza zoo as a place for the governmental rescue center:

As a fact Giza zoo is one of the most famous places contain scenic views represent national heritage, for that reason ministry of Culture added Giza zoo to the places under protection of department of monuments for sustainable renewal

In the same time undersecretary of state for zoos and E.W.S. specified the area should be the rescue center, however lack of financial support lead to delay in constructing such rescue center.

Recommendation 14:

Claimed that App. I confiscated specimen should be kept in governmental rescue center with a written confession from illegal possessor that the specimen has got a governmental property:

As a matter of fact this is the policy we are following regarding any CITES specimen illegally possessed, denoting that CITES management authority has notified the Customs department to confiscate and return back to country of origin, any App. I specimen detected in any border reporting the possessor to the Interpol.

In the same time, environment police arranges unannounced campaigns to check on compliance in wildlife market, they do not hesitate to confiscate any illegally traded specimens as well as apply the punishment either financial fines or prison on wildlife smugglers according to the modification carried out on the environment Law (Law 4) which was declared as law 9 on February 2009.

None of the confiscated alive specimens kept at Giza Zoo is used for commercial purposes; they are kept at primates' house for accommodation until building a special rescue center for confiscated apes either from markets or areas around Cairo and Giza, emphasizing on the notification sent to customs advising return of any seized primates or great apes on borders to their country of origin.

Following tables depicted for confiscations took place due to the efforts of environment police personnel and Cairo International Airport Wildlife officers since the year 2007 up to now:

- 1) Table cited by environment police for confiscated alive wild animals specimen since year 2007 until now:

Chimpanzees	Monkeys	Spiny tailed Lizards	Nile & Desert Monitor	crocodiles	Lion cubs	tortoises	species
3	17	1	2	4	2	27	Number

2) Table cited by environment police represent wildlife trophy confiscated from markets:

Worked Ivory	Wild cats	Shoulder mount gazelle	Crocodile leather	Turtle	Monitor	Taxidermist Gazelle	Sea shells	Worked crocodile leather (Bags)	Corals	Species
507	4	1	10	1	1	3	209	51	375	Number

3) Table represents confiscated specimens from borders mostly Cairo International Airport and Aswan Borders:

No.	Date of confiscation	Species	Place of confiscation	Destination
<b>Ivory</b>				
1.	17/11/2008	• (one piece of raw Ivory) 4kgs	Cairo International Airport	Agriculture museum
2.	18/2/2009	• One piece of Raw Ivory 3kgs	Cairo International Airport	Agriculture museum
3.	20/2/2009	• One piece of worked ivory 0.6 kg	Cairo International Airport	Agriculture museum
<b>Corals and Sea Horses</b>				
4.	20/1/2008	10 pieces of Coral Reef	Cairo International Airport	Agriculture museum
5.	14/2/2008	17 pieces of Coral Reef	Cairo International Airport	Agriculture museum
6.	24/5/2008	8 pieces of Coral Reef	Cairo International Airport	Agriculture museum
7.	26/7/2008	6 pieces Sea shells, 8 pieces of Coral reefs	Cairo International Airport	Agriculture museum
8.	18/9/2008	6kgs sea horse	Cairo International Airport	Agriculture museum
9.	30/9/2008	37 pieces of Coral reefs	Cairo International Airport	Agriculture museum
10.	29/10/2008	24 pieces of sea shells, 12 pieces of corals	Cairo International Airport	Agriculture museum
11.	30/10/2008	12 tridacna spp.	Cairo International Airport	Agriculture museum
12.	1/1/2009	Corals & 3 bags of sea horse (35kgs)	Cairo International Airport	Agriculture museum
13.	20/3/2009	Coral reefs	Cairo International Airport	Agriculture museum
14.	22/3/2009	Sea horse	Cairo International Airport	Agriculture museum
15.	29/3/2009	Sea horse	Cairo International Airport	Agriculture museum

No.	Date of confiscation	Species	Place of confiscation	Destination
<b>Tortoises , Lizards&amp; Others</b>				
16.	24/1/2008	10 bags of crocodile leather		Agriculture museum
17.	2/2/2008	9 pieces of crocodile leather, 17 bags of Nile crocodile leather.		Agriculture museum
18.	18/5/2008	(1) Taxidermist Egyptian fox		Agriculture museum
19.	25/5/2008	(6) Greece tortoise	Cairo International Airport	Giza Zoo
20.	7/6/2008	600 soft shell Nile turtles		Giza Zoo
19.	16/6/2008	• (3) Taxidermist crocodile& live snakes		Agriculture museum
20	2/7/2008	• 1 Nile monitor • 40 Ornate Dabb Lizard • 4 Egyptian spinney tailed lizard • 2 desert monitor		Giza Zoo
21.	28/7/2008	(2) Taxidermist of Egyptian Gazelle	Cairo International Airport	Agriculture museum
22.	8/1/2009	(2) taxidermist wild Cat	Cairo International Airport	Agriculture museum
23.	1/2/2009	(3) Taxidermist Egyptian fox	Cairo International Airport	Agriculture museum
24.	11/2/2009	40 pieces of Python leather	Cairo International Airport	Agriculture museum
25.	14/2/2009	(1) Greece tortoise	Cairo International Airport	
26.	16/2/2009	Taxidermist crocodile	Cairo International Airport	Agriculture museum
27.	17/2/2009	Horns and shoulder mount of Egyptian Gazelle	Cairo International Airport	Agriculture museum
28.	19/2/2009	Taxidermist Egyptian Mongoose	Cairo International Airport	Agriculture museum
29.	4/3/2009	tortoise	Cairo International Airport	Giza Zoo
30.	5/3/2009	tortoise	Cairo International Airport	Giza Zoo
31.	5/4/2009	tortoise	Cairo International Airport	Giza Zoo
32	22/4/2009	Taxidermist crocodile	Cairo International Airport	Agriculture museum
33	5/5/2009	Taxidermist crocodile	Cairo International Airport	Agriculture museum
34	17/5/2009	Egyptian Tortoise	Cairo International Airport	Giza Zoo

No.	Date of confiscation	Species	Place of confiscation	Destination
35	3/6/2009	Egyptian Tortoise	Cairo International Airport	Giza Zoo
31	13/3/2009	Live lion cubs		Giza Zoo

#### Recommendations 15& 16

Emphasized on the necessity of registering all great apes present in Egypt through microchip implantation and new registration document denotes full details for each individual specimen present in both governmental and private parks.

As an action of compliance and cooperation CMA of Egypt has completed microchip implantation for all great apes present in both private and governmental parks licensed by GOVS and subjected to CITES Management Authority supervision

Regarding the registration official documents criticized for their being on old system, we would like to inform you the up grading our official filing took place, a separate document for each individual specimen is present in which: origin, sort of admission, age, sex and Code No. of microchip implanted is cited.

However for their being in Arabic language a parallel authentic English version will be available for the inspection mission supposed to visit Egypt by the end of this year 2009 or the beginning of the year 2010.

#### Recommendation 17:

There is no trade at all in Appendix I specimens out of provision of CITES.