

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

Trade control and marking

E-COMMERCE OF SPECIMENS OF CITES-LISTED SPECIES

1. This document has been prepared by the Secretariat.
2. In compliance with Decision 14.35, paragraph c), adopted at the 14th meeting of the Conference of the Parties (The Hague, 2007), a workshop was convened in Vancouver, Canada, from 24 to 26 February 2009, discuss e-commerce in specimens of CITES-listed species.
3. As directed by paragraph d) of Decision 14.35, the Secretariat published the workshop report with Notification to the Parties No. 2009/010, of 20 March 2009, seeking additional comments. None was received.
4. At its 58th meeting (Geneva, July 2008), the Standing Committee directed the Secretariat to draft an amendment to Resolution Conf. 11.3 (Rev. CoP14) on *Compliance and enforcement* taking into account recommendations in the Annex to document SC58 Doc 22.
5. The Standing Committee also directed the Secretariat to develop a toolkit to assist Parties with the regulation of legal commerce in specimens of CITES-listed species via the Internet;
6. At the same meeting, a Working Group on E-commerce of Specimens of CITES-Listed Species was established to:
 - a) collaborate with the Secretariat to amend Resolution Conf. 11.3 (Rev. CoP14);
 - b) collaborate with the Secretariat to develop the toolkit containing guidelines on legal commerce in specimens of CITES-listed species via the Internet;
 - c) receive feedback from Parties regarding the effectiveness of the implementation of toolkit recommendations; and
 - d) discuss other issues related to e-commerce and report at the 61st meeting of the Committee.
7. The Working Group comprised Australia, Cameroon, Canada, China, France, Germany, Kenya, Peru, Portugal, Switzerland, the United Kingdom of Great Britain and Northern Ireland (Chair), the United States of America, the European Commission, UNEP World Conservation Monitoring Centre, Humane Society International, IWMC – World Conservation Trust, International Fund for Animal Welfare, TRAFFIC, VC International and the Secretariat.
8. The Working Group was of the view that some elements of the recommendations in the Annex to document SC58 Doc. 22 should be prepared as a draft decision. This draft decision is available in Annex 1 to the present document.

9. Annex 2 contains draft amendments to Resolution Conf. 11.3 (Rev. CoP14) as prepared by the Secretariat in collaboration with the Working Group.

Recommendation

10. To enable a better understanding of the extent of legal and illegal commerce conducted over the Internet, the Secretariat recommends that the Conference of the Parties adopt the draft decision in Annex 1 and the draft amendments to Resolution Conf. 11.3 (Rev. CoP14) in Annex 2.

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

E-commerce of specimens of CITES-listed species

Directed to Parties

15.XXX Parties are urged to:

- a) submit information to the CITES Secretariat on best practices and on websites adhering to codes of conduct for posting on the CITES website;
- b) publish results of scientific research on correlations between use of the Internet and the rate of wildlife crime, and share these results with the CITES Secretariat;
- c) assess the extent of and trends in commerce of CITES-listed species via the Internet and submit such information to the Secretariat for analysis; and
- d) submit information to the CITES Secretariat for analysis on any changes in trade routes and methods of shipment that have been observed as a result of increased use of the Internet to promote trade in wildlife.

Directed to the Secretariat

15.XXX The Secretariat shall:

- a) develop an Internet portal on the CITES website to compile, publish and disseminate information submitted by Parties and stakeholders related to e-commerce of CITES-listed species; and
- b) write to Interpol encouraging it to establish a secure interactive website or electronic forum containing information and intelligence regarding Internet-related wildlife crime, capable of being updated in a 'real-time' manner by authorized contributors.

PROPOSED AMENDMENTS TO RESOLUTION CONF. 11.3 (Rev. CoP14)

NB: Proposed new text is underlined.

Two new paragraphs are inserted in the preamble immediately following the fifth paragraph beginning with the word recognizing.

A new section is added following the section entitled Regarding communication of information and coordination

RECOGNIZING that illegal trafficking in wild fauna and flora continues to be a major concern;

RECOGNIZING the rapid growth in e-commerce of specimens of CITES-listed species;

NOTING the conclusions and recommendations of the meeting on e-commerce of specimens of CITES-listed SPECIES in Vancouver (Canada) in February 2009;

Regarding communication of information and coordination

RECOMMENDS that:

- a) Management Authorities coordinate with governmental agencies responsible for enforcement of CITES, including Customs and Police, and, where appropriate, sectoral NGOs, by arranging training activities and joint meetings, and facilitating the exchange of information;
- b) Parties establish inter-agency committees at the national level, bringing together Management Authorities and governmental agencies responsible for the enforcement of CITES, including Customs and the police;
- c) 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;
- d) Parties, when informed by the Secretariat of the fraudulent use of documents issued by them, carry out an inquiry to identify the instigators of the crime, calling on ICPO-Interpol where necessary;
- e) When presented with a false document, Parties do everything in their power to determine where the specimens are and where the false document originated and inform the Secretariat and other Parties involved where appropriate;
- f) Parties work together within their regions to develop appropriate mechanisms for cooperation and coordination between wildlife-law enforcement agencies at the regional level;
- g) the Secretariat, in consultation with the Standing Committee, establish *ad hoc* CITES enforcement task forces as needed focusing initially on species included in Appendix I;
- h) Parties that have not already done so consider nominating officials from relevant national enforcement and prosecuting agencies to participate in the Interpol Wildlife Crime Working Group;
- i) Parties provide to the Secretariat detailed information on significant cases of illegal trade; and
- j) Parties inform the Secretariat, when possible, about convicted illegal traders and persistent offenders; and

DIRECTS the Secretariat to communicate such information quickly to the Parties; and

Regarding e-commerce of specimens of CITES-listed species

RECOMMENDS that Parties:

- a) evaluate or develop CITES-implementing legislation and regulations to ensure that they are sufficient to address the challenges of controlling legal and illegal wildlife trade, giving high priority to the offer for sale of specimens of species listed in Appendix I;
- b) establish, at the national level, a unit dedicated to investigating wildlife crime linked to the Internet or incorporate wildlife trade issues into existing units that investigate or monitor computer or cyber-crime; and
- c) establish at the national level a mechanism to coordinate the monitoring of Internet-related wildlife trade and to provide for the timely sharing between designated contact points in CITES Management and Enforcement Authorities of information that results from these activities;

RECOMMENDS further that Parties and Interpol:

- a) submit information to the Secretariat on methodologies used by other agencies that may assist in the evaluation of mechanisms to regulate legal commerce of CITES-listed species via the Internet;
- b) ensure that sufficient resources are directed to the investigation and targeting of illegal Internet-related trade in specimens of CITES-listed species;
- c) use the data acquired during monitoring activities to establish strategies regarding enforcement, capacity building and public awareness; and
- d) consider ways in which funding may be provided for the establishment of a full-time position, dedicated to e-commerce aspects of wildlife crime, within the General Secretariat of Interpol. The responsibilities of such a position should include ensuring that all information or intelligence regarding e-commerce is consistently collected and disseminated to the relevant Enforcement Authorities designated by Parties.