

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

Seventeenth meeting of the Conference of the Parties
Johannesburg (South Africa), 24 September -5 October 2016

Interpretation and implementation matters

General compliance and enforcement

WILDLIFE CRIME ENFORCEMENT SUPPORT IN WEST AND CENTRAL AFRICA AND
DEVELOPMENT OF CITES DEMAND-REDUCTION GUIDELINES⁺

1. This document has been submitted by Gabon, Guinea, Nigeria, Senegal and Togo.^{*}

Background

2. The International Consortium of Combating Wildlife Crime defines crime as “acts committed contrary to national laws and regulations intended to protect natural resources and to administer their management and use”. Examples of wildlife crime include the poaching of elephants, pangolins, and other imperiled animals, as well as the unauthorized logging of trees and destruction of protected habitats. The term ‘wildlife crime’ also encompasses the illegal trade of fauna and flora which has now reached very significant—and unsustainable—levels, threatening the very survival of many species listed on the appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
3. Determining the scale of wildlife crime is extremely difficult because it is often not recorded by authorities in the same way as other types of criminal activity, and it is often combined with various other forms of crime including fraud, counterfeiting, and money-laundering. Difficulty in recording wildlife crime indicates that activity may be vastly underreported - hence the urgent need to address the ongoing crisis.
4. According to the US Department of State¹, wildlife trafficking has become a multi-billion dollar criminal enterprise that has expanded from being purely a conservation concern to an acute security threat. Activities of transnational organized crime syndicates which connect the trade, linking poachers in West, Central and East Africa to traders and sellers in East Asia, Europe and the United States, have an increasingly devastating impact on wildlife all over the West and Central African sub-regions. While predominantly targeting keystone species such as African elephants² and sharks, the illegal wildlife trade is having an equally devastating impact on the most threatened and endangered species that are protected by CITES. The intensity and immediacy of this threat is such that the UN Security Council has equated it to a “devastation of natural heritage” in Central Africa³.

⁺ *Agenda items 18.2 and 30 are based on a single working document with two distinct parts.*

^{*} *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

¹ Kerri-Ann Jones, Assistant Secretary, Bureau of Oceans and International Environmental and Scientific Affairs Before the Committee on Foreign Affairs, U.S. House of Representatives, Washington, DC, February 26, 2014

² See http://www.cites.org/eng/elephant_poaching_and_ivory_smuggling_figures_for_2013_released_for_information_on_the_increase_in_elephant_poaching_rates_in_Central_Africa.

³ http://www.cites.org/eng/news/sundry/2013/20131011_unsc_poaching.php

5. Illegal trade in products of endangered wildlife, including elephant ivory, rhino horn, pangolins scales, tiger parts, shark fins, turtle shells and many others, is reportedly worth an estimated \$8–10 billion annually, but those figures fail to account for unrecorded transactions. Illegal trade in natural resources threatens the livelihoods of rural communities and risks damaging entire ecosystems. Increasing profits and low deterrence associated with wildlife trafficking has resulted in the involvement of highly organized criminal syndicates—often the same syndicates trafficking in drugs, guns and people. As an example, there is emerging evidence that the poaching of African elephants for the illegal ivory trade is helping finance insurgencies and groups with terrorist ties.⁴ Poaching and trafficking are not only pushing vulnerable species toward extinction, but are fueling corruption and weakening the rule of law in countries that rely heavily on natural resources for economic growth.
6. The International community and decision-makers have made the fight against poaching and illegal wildlife trade a high priority through their contribution to and commitments made at multiple international conferences on wildlife crime and illegal wildlife trade, including:
 - the *International Conference on Illegal Exploitation and Illicit Trade in Wild Fauna and Flora in Africa* hosted in Brazzaville by the Republic of Congo in April 2015,
 - the *Elysée Summit on Peace and Security in Africa* (December 2013, Paris, France),
 - the two Conferences on Illegal Wildlife Trade (February 2014, London, UK and March 2015, Kasane, Botswana),
 - the African Ministerial Conference on the Environment (AMCEN, March 2015, Cairo, Egypt).
7. These initiatives culminated with the adoption in July 2015 of the United Nations General Assembly Resolution A/RES/69/314 on *Tackling the Illicit Trafficking in Wildlife* which encourages countries to “cooperate at the bilateral, regional and international levels to prevent, combat and eradicate international illicit trafficking in wildlife and wildlife products through, inter alia, the use of international legal instruments.”⁵

Wildlife crime in West and Central Africa

8. West and Central Africa are rich in biodiversity. Both subregions are therefore being very heavily targeted by wildlife traffickers. The Guinean forest hotspot, a strip of fragmented forests along the coast of West Africa, has the highest mammal diversity and is one of the 25 richest and most threatened reservoirs of plant and animal life on Earth (the subregion contains an estimated 9,000 vascular plant species, about 20 percent of which are thought to be endemic, 785 bird species, of which roughly 75 species and seven genera are endemic, 320 mammal species, more than 200 reptile species including more than 100 species of snakes and all three species of African crocodiles, almost 225 amphibians, and more than 510 freshwater fishes, 35 percent of which are thought to be endemic).⁶ The Congo River Basin area includes 200 million ha of forests representing 30 percent of Africa's vegetation cover and 18 percent of the world's tropical forests.⁷ This very vast forested area is a biodiversity “hotspot” characterized by a very high plant diversity (with well over 10 000 species, 8 000 of which are found in the forest zone, of which 80 per cent are endemic) the highest primate diversity in Africa, and the second largest river system on Earth, the Congo River, containing at least 669 species of fish.⁸
9. Countries in Central Africa began cooperating to jointly fight against wildlife trafficking through their participation in the Central Africa Forests Commission (COMIFAC)⁹ which includes Burundi, Cameroon, Chad, Central African Republic, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Republic of Congo, Rwanda, and São Tomé and Príncipe. West African countries have similarly begun to

⁴ <http://www.nationalgeographic.com/tracking-ivory/article.html>

⁵ http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/69/314

⁶ <http://www.microsere.org/fr/ghana/guinean-forests-of-west-africa-biodiversity-hotspot.html>

⁷ <http://www.un-redd.org/>

⁸ *Africa Environment Outlook 2 – Our Environment, Our Wealth (AEO-2)*, Chapter 7 available at http://www.unep.org/DEWA/Africa/docs/en/AEO2_Our_Environ_Our_Wealth.pdf

⁹ See for instance the Sub regional action plan 2012-2017 adopted by COMIFAC member countries to strengthen implementation of national wildlife laws (PAPECALF) available at http://pfbc-cbfp.org/actualites/items/Atelier_SE_COMIFAC-Commerce_de_faune-F.html and the budding development of a Central Africa Wildlife Enforcement Network through COMIFAC.

coordinate their wildlife enforcement efforts to fight against illegal timber trade¹⁰ and illegal shark fin trade¹¹. However, wildlife enforcement coordination across the subregions remains insufficient to efficiently tackle illegal wildlife trade. Countries met in Dakar, Senegal on 15-17 March 2016 and adopted a declaration reaffirming their desire to strengthen wildlife enforcement coordination within and between West and Central African countries (see <http://www.fws.gov/international/pdf/Dakar-declaration-English-French.pdf> for a copy of the full *Dakar Declaration on the Development of Subregional Enforcement Collaboration*).

10. In addition to the challenges linked to enforcement coordination, the lack of information regarding trade routes, techniques and trends relating to wildlife trafficking in West and Central Africa remains a key obstacle for wildlife enforcement authorities. Such information is key to facilitate increased capacity of source and transit states to detect illegal wild fauna and flora parts and products, identify exit and transit points, and define the transboundary measures that could be adopted to efficiently detect and prevent illegal trade. This document makes recommendations to launch a CITES process to ensure that this information is made available to Parties in order to coordinate the implementation of national and transboundary measures aimed at tackling wildlife crime in West and Central Africa more effectively.

Wildlife Crime and Demand-reduction Strategies

11. Increasing anti-poaching and anti-trafficking enforcement efforts alone will not be sufficient to stop wildlife crime. CITES Parties also need to address the increasing market demand that drives this trade. The need to adopt measures to eradicate the demand for illegal wildlife products is recognized as an urgent priority in the multiple declarations adopted by the international community to curtail wildlife crime, including the 2014 United States National Strategy for Combating Wildlife Trafficking and associated Strategy Implementation Plan, the 2014 Declaration issued from the London Conference on illegal wildlife trade, the 2015 Kasane Statement on the Illegal Wildlife Trade, the joint 2015 declaration of the 7th College-to-College meeting between the European Commission and the African Union Commission, and the 2015 Brazzaville Declaration. The United Nations General Assembly Resolution A/RES/69/314 on Tackling the Illicit Trafficking in Wildlife urges member States to “take decisive steps at the national level to prevent, combat and eradicate the illegal trade in wildlife, on both the supply and demand sides”, “reduce the demand using targeted strategies in order to influence consumer behaviour”, and “engage actively in efforts to raise awareness about and address the problems and risks associated with the supply and transit of and demand for illegal wildlife products.”
12. Defining approaches to efficiently change the consumption patterns that drive wildlife trafficking and to reduce demand is complex and will to some extent be species- and destination-specific. Proponents of the present document consider that CITES has a crucial role to play in supporting Parties in the development and implementation of demand-reduction strategies to ensure that they are effective and contribute to reducing wildlife trafficking.
13. At the 66th Meeting of the CITES Standing Committee on 11-15 January 2016, the Standing Committee approved draft demand-reduction decisions for submission to CoP17 which were directed towards reducing demand for rhinoceros horn. Proponents of the present document support this initiative and consider that the CITES decisions on demand-reduction need to be expanded to:
 - ensure that the Secretariat can support Parties in implementing demand-reduction strategies and provide necessary technical cooperation for those Parties on an ongoing basis,
 - explore the development of formal CITES guidance on demand-reduction strategies for consideration at CoP18.

¹⁰ See the *2015 Déclaration Finale de la Réunion quadripartite entre le Bénin, la Côte d'Ivoire, le Ghana et le Togo pour l'amélioration de la coopération en matière d'exploitation des ressources forestières* available in Appendix 2 of document PC22 Inf. 13.

¹¹ See the *2014 Conclusions on the development of an action plan for the implementation of the Shark and Ray Listings under the Convention on International Trade in Endangered Species of Wild Fauna and Flora by member range states in the African Region* available at http://www.nmfs.noaa.gov/ia/international_development/west_africa/dakar_actionplan-en.pdf

Recommendations:

14. The Proponents would therefore like to recommend that the Conference of the Parties adopt the draft Decisions contained in Annex of this document.

COMMENTS FROM THE SECRETARIAT

- A. The present document contains two distinct parts, one focusing on wildlife crime enforcement support in West and Central Africa, and the other on the development of CITES demand-reduction guidelines. The contents of the present document as it relates to the “development of CITES demand-reduction guidelines”, and the associated draft decisions on demand-reduction, will be discussed during agenda item 18.2. The comments of the Secretariat on draft decisions 17.AA to 17.EE on demand reduction in the Annex to the present document are presented in document CoP17 Doc. 18.2. The comments of the Secretariat on “wildlife crime enforcement support in West and Central Africa”, can be found below.
- B. The Secretariat acknowledges the efforts made by Parties in Central and West Africa to strengthen coordination and cooperation to combat wildlife crime. The present document notes a lack of information about illegal trade in Central and West Africa, as well as the need for capacity building support in these two regions.
- C. The Secretariat considers that additional research would be beneficial, but notes that a number of sources of information on illegal trade in wildlife affecting to Central and West Africa already exists. Parties are encouraged to draw these sources upon in support of the design of appropriate responses to wildlife crime. These include amongst others: the World Wildlife Crime Report¹² developed by the United Nations Office on Drugs and Crime (UNODC), with the support of the International Consortium on Combating Wildlife Crime (ICWC), a UNODC report on Organized crime and Instability in Central Africa,¹³ the Elephant Trade Information System (ETIS) report¹⁴, the Monitoring the Illegal Killing of Elephants (MIKE) report,¹⁵ the United Nations Secretary-General’s report on the activities of the UN Regional Office for Central Africa and on the areas affected by the Lord’s Resistance Army (LRA), to the UN Security Council,¹⁶ and the UN Security Council brief on the situation in the Central African sub-region by the Special Representative of the Secretary-General and Head of the UN Regional Office for Central Africa¹⁷.
- D. In addition, the reports on Transnational Organized Crime in West Africa,¹⁸ and Drug Trafficking as a Security Threat in West Africa,¹⁹ produced by UNODC, although not focusing on wildlife crime, serve as examples of the kinds of reports that could be considered to address the issue of illegal wildlife trade in Central and West Africa. The Secretariat recommends that a similar threat assessment report on wildlife crime in Central and West Africa be undertaken to implement Decision 17 AA.
- E. The Secretariat notes that a number of activities have been implemented in recent years in Central and West Africa by ICWC partners as well as by a number of other organizations. These include, among others, the first Regional Workshop of Central African States convened by UNODC on strengthening border controls to address illicit wildlife and forest crime²⁰, INTERPOL’s Operation Log²¹ and an INTERPOL regional law enforcement meeting targeting illegal trade of timber and forest products in West Africa, a UNODC workshop to provide training for national law enforcement agencies to better fight

¹² <http://www.unodc.org/unodc/en/data-and-analysis/wildlife.html>

¹³ https://www.unodc.org/documents/data-and-analysis/Studies/Central_Africa_Report_2011_web.pdf

¹⁴ available as an Annex to document CoP17 Doc. 57.6 on Report on the Elephant Trade Information System (ETIS)

¹⁵ available as document CoP17 Doc. 57.5 on Monitoring the Illegal Killing of Elephants (MIKE)

¹⁶ http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/297

¹⁷ http://www.cites.org/eng/news/sundry/2013/20130531_un_Ira.php

¹⁸ https://www.unodc.org/documents/data-and-analysis/tocta/West_Africa_TOCTA_2013_EN.pdf

¹⁹ <https://www.unodc.org/documents/data-and-analysis/Studies/Drug-Trafficking-WestAfrica-English.pdf>

²⁰ <https://www.unodc.org/westandcentralafrica/en/congo---regional-workshop-of-central-african-states-june-2015.html>

²¹ <http://www.interpol.int/News-and-media/News/2015/N2015-206>

wildlife crime through the control of maritime containers,²² and a regional workshop organized by TRAFFIC with the support of the Secretariat on implementation of national ivory action plans for Central Africa²³. Considerable support and efforts have therefore been placed in both regions.

- F. The Secretariat notes that none of the proposed actions under the different decisions are directed to the Parties in the region. The Conference of the Parties may wish to add a decision to request Parties to report on such activities in order to be able to assess the benefits of the different activities that have been conducted in the region and where additional and targeted support might be required. Parties in Central and West Africa are in particular encouraged to:
- a. consider the use and implementation of the ICCWC Wildlife and Forest Crime Analytic Toolkit to ensure that capacity building interventions and support are focused and directed to the areas where it is most needed;
 - b. make use of the ICCWC Indicator Framework for wildlife and forest crime to enable Parties to measure and monitor the effectiveness of their own law enforcement responses to wildlife and forest crime and to assist Parties to monitor their performance over time;
 - c. continue to actively implement, and strengthen, where applicable, the CITES National Ivory Action plan (NIAP) process. NIAPs provide an important tool for Parties to focus their activities to combat elephant poaching and ivory trafficking,
 - d. access funds available through, for example, the Global Environmental Facility (GEF) funded Global Wildlife Program to support and enhance the implementation and enforcement of CITES, and to implement measures to combat wildlife crime, and
 - e. implement priority measures identified in the threat assessment report.
- G. The Secretariat reminds Parties in Central and West Africa that the ICCWC Strategic Programme for 2016-2020, as highlighted in document CoP17 Doc. 14.2, comprises of a set of concrete priorities and activities to substantially reduce poaching and trafficking in wildlife and forest products. ICCWC can continue to provide Parties with continued support upon request, and based on funding availability.
- H. Based on the above, the Secretariat recommends the adoption of Decisions 17.AA, 17.EE, the second 17.FF, and 17.HH on enforcement in the Annex to the present document with the following revisions:

Directed to the CITES Secretariat

- 17.AA The Secretariat shall, subject to external funding, ~~contract independent consultants to undertake,~~
- a. in collaboration with UNODC and with the support of ICCWC ~~CITES Parties~~ and relevant stakeholders, commission a threat assessment report study on illegal wildlife trade in West and Central Africa, to:— identify and collate information regarding trade routes, techniques and trends relating to wildlife trafficking in the two sub-regions, including; make recommendations on priority measures necessary to address and significantly reduce wildlife crime in the two sub-regions; and
 - b. produce the report in the working languages of CITES and make it available to CITES Parties; and
 - c. Assist Parties, upon request, with the implementation of the recommendations and priority measures identified in the threat assessment report.

²² <https://www.unodc.org/westandcentralafrica/en/wildlife-workshop-and-ccp.html>

²³ <https://cites.org/sites/default/files/eng/prog/niaps/Kinshasa-NIAP-Workshop-Proceedings-May-2016.pdf>

Directed to the Standing Committee

17.EE The Standing Committee shall review findings and recommendations emanating from the implementation of decisions 17. AA to 17. DD, and make recommendations for further action to the 18th meeting of the CITES Conference of the Parties;

Directed to Parties

17.FF Parties are urged to support the activities to be conducted in compliance with assist the consultants commissioned to undertake study developed in in accordance with decision 17.AA through the provision of information relating to on legal and illegal trade, as may be requested seizures and any other relevant information.

17.HH Parties, governmental, intergovernmental and non-governmental organizations and other entities are invited to provide financial or technical assistance to ensure the effective are encouraged to support capacity building for the implementation of the priority enforcement recommendations identified in the threat assessment report study to effectively combat wildlife crime in West and Central Africa commissioned in accordance with the provisions of Decision 17.AA.

- I. The Secretariat recommends that draft decisions 17.BB, 17.CC, 17.DD, and the first 17.FF on enforcement are not adopted.
- J. The tasks allocated to the Secretariat will require external funds. The Secretariat estimates that approximately 50,000 USD would be required for the threat assessment and 20,000 USD for the translation and printing of the report into the official languages of CITES. The overview of the tasks can be accommodated within the regular work programme of the Secretariat.

PROPOSED ENFORCEMENT AND DEMAND REDUCTION DECISIONS

ENFORCEMENT DECISIONS

Directed to the CITES Secretariat

Decision 17. AA. The Secretariat shall, subject to external funding, contract independent consultants to undertake, in collaboration with CITES Parties and relevant stakeholders, a study on illegal wildlife trade in West and Central Africa, to:

- identify and collate information regarding trade routes, techniques and trends relating to wildlife trafficking in the two sub-regions;
- make recommendations on priority measures necessary to address and significantly reduce wildlife crime in the two sub-regions

Decision 17.BB. The Secretariat shall seek funds for the translation of the study referred to in Decision 17.AA into the CITES working languages and shall seek West and Central African countries' feedback and suggestions in this regard. The Secretariat shall exchange and share information with stakeholders through the CITES website. The Secretariat shall also seek funding for capacity-building for the implementation of the most urgent enforcement recommendations identified in the study as priorities to effectively combat wildlife crime in West and Central Africa.

Decision 17.CC. The Secretariat, in its capacity-building efforts, shall provide the support necessary to enable countries in the West and Central African sub-regions to strengthen, update, harmonize and enforce national legislation to enable an effective response to wildlife trafficking at the national, sub-regional and regional levels, taking account of the recommendations emanating from the implementation of Decision 17. AA.

Decision 17.DD. The Secretariat shall present the report issued from the implementation of Decision 17.AA to the Standing Committee for consideration and report progress made with the implementation of decisions 17.AA. to 17.CC. at the 69th Standing Committee meeting.

Directed to the Standing Committee

Decision 17.EE. The Standing Committee shall review findings and recommendations emanating from the implementation of Decisions 17. AA to 17. DD, and make recommendations for further action to the 18th meeting of the CITES Conference of the Parties;

Directed to Parties

Decision 17.FF. Parties and donors are encouraged to provide funding to the Secretariat to finance the study on illegal wildlife trade in West and Central Africa identified in Decision 17.AA.

Decision 17.FF. Parties are urged to assist the consultants commissioned to undertake study developed in accordance with decision 17.AA through the provision of information relating to legal and illegal trade, seizures and any other relevant information.

Decision 17.HH Parties are encouraged to support capacity-building for the implementation of the priority enforcement recommendations identified in the study to effectively combat wildlife crime in West and Central Africa.

DEMAND-REDUCTION DECISIONS

Directed to Parties

17.AA. Parties and technical and financial partners are encouraged to provide the financial and technical support necessary to promote and facilitate the implementation of demand-reduction strategies.

17. BB. Parties that are destinations for illegal wildlife trade are encouraged to implement demand-reduction strategies and to report to the Standing Committee on the implementation of this decision.
17. CC. Parties and partners that have implemented demand-reduction strategies and campaigns are encouraged to provide the Secretariat with relevant details on the measures implemented and lessons learnt before the 69th meeting of the Standing Committee, so that these may be shared with other Parties.

Directed to the Secretariat

- 17.DD. The Secretariat, subject to external funding, shall:
- a) appoint external consultants to conduct a review of demand reduction practices and challenges experienced, with the aim of developing recommendations to further enhance the effectiveness of demand-reduction strategies, and preparing a report for consideration at the 69th Meeting of the Standing Committee.
 - b) support the consultants in the preparation of their report in collaboration with Parties, intergovernmental and non-governmental organizations and any relevant stakeholder. The consultants shall also take into account recommendations from reports submitted by Parties in response to Decision 16.85 on demand for rhinoceros horn;
 - c) convene an expert workshop for Parties to review the consultants' report and agree practical steps to be taken, including recommendations for the Standing Committee to submit to CoP18;
 - d) support interested Parties in implementing demand-reduction strategies and provide necessary technical cooperation to those Parties on an ongoing basis.

Directed to the Standing Committee

- 17.EE. The Standing Committee shall review recommendations issued from the implementation of Decision 17DD, assess the need for the development of CITES guidance on demand-reduction strategies and make recommendations for consideration at CoP18.