



## PRESS KIT

# E-commerce of CITES-listed species

### *CITES World – Introduction*

New Information and Communication Technologies (ICTs) are impacting on the evolution of CITES in many significant ways, and Parties have been turning their attention to their growing importance. They recognize that they will face difficulties meeting obligations under CITES if they lack adequate access to the Internet and other new communication tools.

Some Parties are already using new technologies to optimize administrative trade procedures, facilitate legal trade and harmonize CITES permit and certificate issuance procedures with new international norms and standards. The advent of CITES electronic permitting and the single window environment illustrate these trends well (1).

Second, there is much discussion by Parties on the use of new ICTs to bypass older Internet-based technologies. New hand-held and palm devices, netbooks, and electronic books and tablets offer a number of innovative ways to communicate with Parties and regions with poor Internet connectivity. Mobile phones, for example, are widely used in Africa and offer the means for Parties in that region to receive, send and access CITES-related information. The possibility of using mobile phone technologies to assist with capacity-building activities also shows much promise (2).

More controversial, however, has been the rapid growth in the use of the Internet, particularly Web-based systems, to conduct trade in specimens of CITES-listed species. Indeed, reports claiming that the Internet is increasingly used to conduct illegal trade in wildlife have gained wide coverage in the media and are often cited to justify efforts to prohibit electronic commerce in certain categories of CITES-listed species.

The Secretariat acknowledges that publications that are not peer-reviewed play an important role in raising awareness about potential problems associated with the electronic facilitation of trade in wildlife. However, it also believes that policy decisions regarding such trade should be based on rigorous and scientific data. To date, the Secretariat is not aware of scientific literature identifying correlations

The Secretariat further concurs with the view expressed in the same resolution that actions to prevent illegal activities on the Internet should not hinder the growth of CITES-related electronic trade. Indeed, the resolution stresses “the need to create mechanisms for the adoption and strengthening of the necessary and appropriate enforcement measures and of more effective and concerted coordination, which will permit the combating and elimination of existing illegal online commercial behaviour especially with regard to cases liable to involve major public health risks, such as bogus medicines, without affecting the development of international e-commerce”.

This issue of *CITES World*, therefore, offers a forum to United Nations organizations, Parties and non-governmental organizations that have been studying the impact of the Internet on the rate of illegal trade in wildlife. This collection of articles should give Parties insights into many of the issues surrounding use of new ICTs and trade in CITES-listed species, and assist in discussions at the upcoming 15th meeting of the Conference of the Parties (CoP15, Doha, 13-25 March 2010).

The first article by Mr Trevor Salmon, Chair of the Standing Committee Working Group on E-commerce of Specimens of CITES-Listed Species, offers a synopsis of the issues faced by members of the Working Group during the intersessional period and some thoughts on future action. This article should be of special interest to Parties as the issues discussed by Working Group members will most likely be examined at CoP15.

In the second article, China presents a summary of actions at the national level to combat illegal trade in wildlife. Given that China is now the Party with the largest number of Internet users, this article presents a number of directions Parties can follow to understand and use more effectively a medium as dynamic as the Internet.

Using the Internet to combat illegal trade in CITES-listed species is the topic of the third article, submitted by the United States. Parties developing enforcement measures to deal with illegal Internet-based activities may be interested in how the US Fish and Wildlife uses Internet technologies in its intelligence gathering and investigations.

The Secretariat has also sought the experience of other United Nations organizations with experience in dealing with illegal trade and the Internet. In this regard, UNESCO

between the use of the Internet and the rate of illegal trade in wildlife. It believes, therefore, that decisions related to the Internet and trade in CITES-listed species should be guided by caution and a healthy dose of scepticism. The recent furore caused by the use of non-scientific literature by the Intergovernmental Panel on Climate Change in its 2007 report illustrates how crucial this is (3).

The Secretariat is also of the opinion that new ICTs facilitate legal trade in specimens of CITES-listed species. In this regard, it is noteworthy that the European Parliament referred in its resolution of 5 February 2009 on International Trade and the Internet to “the beneficial influence of the Internet over the different factors and stages in cross-border and international trading of goods and services during the last two decades” (4).



[Introduction by the Secretariat](#)

[Past, present and future of the Working Group on E-Commerce of Specimens of CITES-Listed Species](#)

[Control of Internet Wildlife Trade in China](#)

[Untangling the Net: U.S. Fish and Wildlife Service Efforts to Target Internet Wildlife Trafficking](#)

[Fighting against illicit trafficking of cultural goods on the Internet: UNESCO and its partners' response](#)

[Wildlife Trade on the Internet](#)

[Investigating the Internet Wildlife Trade](#)

[Electronic commerce toolkit](#)

submitted the fourth article describing its response to the illegal trafficking of cultural goods on the Internet. Of particular interest to Parties is UNESCO's description of partnerships with INTERPOL and eBay to discourage such activities.

The sixth and seventh articles are by TRAFFIC and the International Fund for Animal Welfare (IFAW), the non-governmental organizations most responsible for raising public awareness on the use of the Internet and illegal trade in CITES-listed species. In fact, most Google or Bing searches on the links between the Internet and the rate of illegal wildlife trade will retrieve primarily citations of or news items about their publications.

The Secretariat believes that the findings of these articles lead to several conclusions. First, there is an urgent need for scientific, peer-reviewed articles to confirm or refute the claims that the Internet fosters illegal wildlife trade. Parties need this information to understand the scope of the problem and to make decisions. Second, efforts to combat this type of illegal trade should not be made to the detriment of legal trade. Third, effective partnership among Parties, other organizations and enforcement agencies is absolutely essential in the effective development and implementation of policies to ensure legal trade and to discourage illegal activities on the Internet. Last, electronic commerce is bound to continue its rapid and exponential growth, creating new challenges and opportunities for Parties and enforcement agencies, particularly in the use of new ICTs, to encourage legal trade. Enhancing national capacities to benefit from these developments, therefore, must become a priority.

The Secretariat looks forward to discussions on the above topics at CoP15.

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1. More information on electronic permitting and the single window environment is available in: [CITES World: CITES and the advent of electronic permitting](#), No. 18, July 2009
2. See: Johnson, L., Levine, A., Smith, R., & Stone, S. (2010). [The 2010 Horizon Report](#). Austin, Texas: The New Media Consortium.
3. See: [IPCC statement on the melting of Himalayan glaciers](#), Geneva, 20 January 2010
4. [European Parliament resolution of 5 February 2009 on International Trade and the Internet](#) (T6-0049/2009).  
See also: European Parliament. 2009. [Report on International Trade and the Internet](#) (A6-0020/2009)



## ***Past, present and future of the Working Group on E-Commerce of Specimens of CITES-Listed Species***

Perhaps because I have demonstrated far too much of an unhealthy interest in the challenge of tackling CITES cybercrime, because I appear a bit of a nerd, or perhaps because I was just too vocal during the CITES E-Commerce working group last year, I was pleased to be elected to chair the CITES E-Commerce working group envisaged at the 14th meeting of the Conference of the Parties (CoP14, The Hague, 2007) and necessitated by the Vancouver workshop. This article reflects on the need for the Vancouver workshop, its deliberations and outcomes, and, most challenging of all, what we still have to do to make a difference.

### ***Past***

In the face of the threat of the sale of CITES products disappearing not underground but into the unclear and difficult-to-see alternative dimension of cyberspace, by becoming increasingly offered for sale and traded over the Internet, Parties at CoP14 stepped up and grasped the challenge by sectors responsible for this development. Those sectors include various and nefarious forms of illegal activities where the criminals have increasingly turned to using the Internet to advertise their goods and groom potential purchasers. We are all aware of the difficulties that law enforcement organisations have faced in trying to identify, track and catch criminals that use this medium to advertise their wares and to keep in touch with their networks. It was, therefore, a necessary and a brave move for the CITES community to take. By doing so, the CITES community is acknowledging that it needs to focus its attention on this medium much more than it has done previously in the face of a very steep and difficult path that needs to be traversed to first understand and then tackle the issue.

I was thus pleased to attend what was in effect the second step on that path, the CITES E-Commerce Workshop held in Vancouver in February 2009. Not only was the hospitality of our hosts, this month's guardians of the Olympic tradition, was outstanding, but the hard work they had put into ensuring that the right people were present and the facilities for their open dialogue were available, meant that the discussions were stimulating, informative, challenging and, above all, focussed.

Readers will have seen the report of the outcomes of that workshop in document SC58 Doc. 22, presented at the 58th meeting of the Standing Committee (SC58, Geneva, July 2009) for endorsement. Workshop participants agreed at the outset that it was only realistic initially to try to tackle Internet services, and the sites where potentially illegal CITES products were being offered for sale and purchased. When speaking about cybercrime, there are also forums and email mechanisms which may well be being equally used and abused. However, we have to be pragmatic and take steps to address one medium at a time and to do so publicly in a way that raises awareness of the threat of illegal sales, and specifically the potential for purchasers unwittingly becoming involved in such illegal and damaging practices. It was thought very beneficial that participants with different viewpoints and experiences were present. In that way, the workshop aired all the important issues that needed to be considered, even if it was not able to achieve a consensus on the way forward on all points and had to leave some issues unresolved for consideration at some point in the future. Like the overall challenge, getting consensus is a step by step process!

Those unresolved issues were discussed at SC58 last year and it was clear that the Standing Committee also recognized both the need to move forward in tackling the issue, and to do so with challenging objectives and time-scales, but also the need to be pragmatic and realistic about what can be done immediately and what may need to be addressed in a longer time-frame.

### ***Present***

The recommendations made at SC58 are presented in document CoP15 Doc. 32, and I hope that this stimulates a broad and deep discussion and agreement on both the need and the path for CITES to follow. It would of course be wrong of me to pre-judge those discussions, and as the Chair of the working group, I will listen to the views of the Parties and faithfully take those forward as efficiently as possible. However, I do think that it is important for all those with an interest in making this medium a safe and legal one for CITES trade to take place to take a pragmatic, realistic and achievable view of how best to move along the path ahead of us. Equally, I believe that this was the view of the workshop participants and the Standing Committee. It is much better to chip away at a challenge and make real but slow differences, than to try and tackle everything at once and fail to achieve anything.

### ***Future***

It will come as no surprise that I believe that the recommendations contained in document CoP15 Doc. 32 are considered positively and adopted. As a participant in the Vancouver Workshop and as a member of the Standing Committee, the United Kingdom of Great Britain and Northern Ireland fully supports the recommendations being put forward. No doubt that at the upcoming CoP15 (Doha, 2010), Parties, including potentially the United Kingdom, will want to amend and improve the draft

decisions and the proposed amendments to Resolution Conf. 11.3 (Rev. CoP14). What is nevertheless clear to me is that there is still a long way to go before we have a sufficiently strong toolkit of experience and measures that Parties can draw upon to improve our confidence that the sale of specimens of CITES-listed species on the Internet can be fully relied upon to be legal, and that prosecutions can successfully occur whenever this is not the case.

I trust that Parties and other participants at CoP15 will reflect on the urgency of moving forward on many of the recommendations proposed in relation to Resolution Conf. 11.3 (Rev. CoP14) and send a strong signal to Parties to take whatever actions are best suited to their circumstances. As ever, there will be no one-size-fits-all solution and we should guard against taking such an approach for fear that, by so doing, we will fail to enable actions in those countries where the circumstances vary from the norm, and in turn lose their experiences in tackling Internet trade and ensure that it is legal.

Of particular importance when considering what is pragmatic, realistic and achievable, is the need to acknowledge what CITES can and cannot do. The Convention's purpose is to ensure that where trade occurs it does so sustainably. Its purpose is not to curtail such trade where it is not necessary. We are all aware of how sustainable trade can provide benefits to source countries, local communities, consumer countries, the global economy and indeed the species' security itself, where undertaken in compliance with CITES rules. The establishment of a toolkit of measures can and should provide the opportunities for countries to contribute to and use whatever suits their circumstances best. The direction that we take to establish the toolkit and the tools that we put into it should not make it more difficult to conduct trade legally and sustainably, as to do so would risk alienating some sectors and driving both legal and illegal trade underground.

I believe that after the COP has concluded and the dust has settled, the United Kingdom will look at the CoP15 outcomes and consider how it should offer guidance on the use of the Internet when advertising and purchasing species at risk. At the same time as hoping that such guidance will be achieved with the assistance and agreement of all stakeholders, I hope that we will be given a good launch pad for considering and trialling such guidance. I hope that our developing and using such guidance will assist the E-Commerce Working Group, the Secretariat and, eventually, the wider CITES community by providing useful experience on which to build. I also hope that other stakeholders will also share with us their experiences to ensure that we have as broad a range of tools to use to make the maximum progress in tackling the threat of illegal e-commerce as quickly as possible.

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*1. E-commerce of specimens of CITES-listed species*

*2. E-commerce of specimens of CITES-listed species*

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## **Control of Internet Wildlife Trade in China**

The rise of the Internet has revolutionized the way ideas, information and merchandise are exchanged. This is largely due to the Internet's ability to facilitate communication and foster new commercial partnerships and social relationships around the globe. However, the Internet also provides an unprecedented platform for conducting undocumented trade in wildlife, making it one of the major wildlife conservation challenges of our generation. The number of Internet users is growing rapidly in China. A survey released by the China Internet Network Information Center (CNNIC) shows that, by the end of June 2009, China had the world's largest population of Internet users, with 338 million users. Among these, 87.9 million are online shoppers. This number has continued to increase rapidly, even during the recent economic recession.

eBay Eachnet used to be the biggest auction site in China, with more than 10 million users, but its market share has dropped gradually since 2004 with the launch of another Web-based auction site, Taobao. In 2007, eBay Eachnet closed its main auction site in mainland China and entered into a joint venture to create Tom Eachnet ([www.eachnet.com](http://www.eachnet.com)). Taobao ([www.taobao.com](http://www.taobao.com)) occupies most of the market. It is a subsidiary company of China's largest e-commerce platform ([www.alibaba.com](http://www.alibaba.com)), which claimed to have more than 240 million users from 200 countries in 2007. Its transactions exceeded CNY 1,690 million in the same year. Paipai ([www.paipai.com](http://www.paipai.com)) is the second largest e-commerce platform, and Tom Eachnet the third.

During a two-week period in 2004, the International Fund for Animal Welfare (IFAW) found over 1,390 ivory items on major Chinese-language auction sites. Based on these findings, the CITES Management Authority of China (CNMA) called in 2005 for a ban on the trade in ivory via the Internet. Additionally, the Ministry of Public Security of China (MPS) urged the major auction sites to remove ivory items and raise awareness among their registered users.

However, in another two-week period in 2006, IFAW found 835 items of ivory for sale on the Internet. This investigation found many new names for the word "ivory" used by traders to evade monitoring and the law. Following this investigation, Taobao and eBay responded to government requests and decided to ban and remove all ivory products from their websites.

In 2007, a year-long online random check of the four major e-commerce sites was conducted for CITES Appendix-I listed and/or State Class-I protected species. Although all of the monitored websites have imposed a ban on ivory and a "no endangered species and their products" policy, a total of 1,973 wildlife products from over 30 species were found on these websites, 75 % of which were ivory products. Furthermore, many other endangered species were for sale on these websites. Wildlife items found to be illegally traded via the Internet were from over 30 locations, the majority of which were large cities and provinces such as Beijing, Guangzhou, Shanghai and Jiangsu Province. This geographical profile correlates with investigations made in the local markets located in those cities and provinces.

Many traders of illegal wildlife items are obviously aware that selling such items on the Internet is a violation of the law. As a result, they disguise the illegal items by using nicknames or incorrect spelling, or by advertizing the items as 'ersatz' or 'imitation' while certifying their authenticity in their detailed description. Sellers based in other countries were also responsible for posting advertisements for wildlife products on Chinese web auction sites. Finally, it was also found that wildlife products smuggled from overseas were sold on Chinese Web auction sites.

To further reduce illegal trade in wildlife via the Internet, CNMA and MPS co-organized a workshop on Control of Internet Wildlife Trade in January 2008. Thirty participants from all concerned government law enforcement and wildlife management agencies, four major websites, IFAW and TRAFFIC attended. Law enforcement actions were taken afterwards. All participants from Web auction websites contributed to the keyword pool the names/terms sellers used to evade inspection in an effort to enhance screening. Both Eachnet and Paipai removed all reported wildlife products. Finally, more than 80 % of wildlife items identified by IFAW were deleted from the Web auction sites.

Many cases related to illegal online wildlife trade have been handled by wildlife enforcement agencies. For example, in 2008 and 2009, the Shenyang Forest Police Bureau of China's Liaoning province detected three wildlife cases and arrested four suspects involved in online trade in wildlife.

In addition to investments in efforts to eliminate illegal trade in wildlife products on the Internet, it is also crucial to educate online shoppers to not trade in endangered wildlife species. On 20 November 2008, in Beijing, Taobao and IFAW launched a month-long campaign to raise consumer awareness about illegal trade of wildlife on the Internet and to reject online trade in animals and their products. On Taobao, IFAW opened an e-store to collect information from Taobao users about wildlife crime. The event was endorsed by and counted on the participation of CNMA and the Forestry Police Agency. During this month, Taobao received more than 3,900 reports of illegal wildlife product sale on its website, an amount four times the number received in the month prior to the campaign. Taobao users and website visitors can also acquire knowledge of wildlife conservation, CITES and relevant laws and regulations by visiting IFAW's online "store" and education webpage on Taobao. Moreover, as part of this collaboration, Taobao announced the ban of shark fin products on its website and asked its online traders to remove all fin products by 1 January 2009.

Similar to Taobao, Alibaba International, the largest B2B (business-to-business) e-commerce website in the world, also banned trade in shark fins in October 2009. In addition, Alibaba has enhanced its internal control of trade in wildlife products to meet international and national regulations. With IFAW's support, 333 wildlife product advertisements and five registered traders from Canada, Cameroon and the United States have been removed from the Alibaba website, and many new keywords have been added to its control filter system.

As a result of the joint effort among government agencies, websites, NGOs and the public, illegal trade in wildlife on Chinese e-commerce websites has been greatly reduced. However, we have found that illegal trade in wildlife conducted on art and craft collection websites and specialized forums has increased. These websites and forums suffer from a lack of internal control and regulations, which creates blind spots in enforcement. Many traders who originally used the auction websites have moved their business to these uncontrolled websites and specialized forums. This new trend sets new challenges for enforcement agencies.

Given the scale of trade, the speed and geographic span of Web transactions and the anonymity of the Internet, the Internet is posing a huge challenge to governments and law enforcement agencies. It clearly continues to facilitate significant trade in wildlife worldwide without immediate and coordinated action from all key actors.

All Parties to the Convention need to evaluate or develop CITES implementing legislation and regulations sufficient to address the challenges of controlling trade in wildlife via the Internet. It is also necessary to establish a mechanism to coordinate, at the national level, the monitoring of Internet-related wildlife trade and the sharing of monitoring result with CITES Management and Enforcement Authorities. Enforcement Authorities need to allocate sufficient resources to the investigation and targeting of illegal Internet-related trade in specimens of CITES-listed species and to participate in furthering international cooperation to better tackle illegal trade in wildlife on the Internet. Owners of auction websites also need to take responsibility for illegal trade in protected species occurring on their websites and to take measures to monitor, delete and report any suspicious items listed. They should also educate website users. Non-governmental organizations can help with monitoring and reporting illegal wildlife trade on the Internet and with raising public awareness. The public should report suspicious advertisements on the Internet and reject the purchase of illegal wildlife products.

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## ***Untangling the Net: U.S. Fish and Wildlife Service Efforts to Target Internet Wildlife Trafficking***

Wildlife law enforcement authorities worldwide have been battling Internet-based wildlife trafficking for over a decade. In the late 1990s, special agents with the U.S. Fish and Wildlife Service, Office of Law Enforcement, first started spotting online sale postings for items that ranged from live tortoises and waterfowl mounts to seal oil pills and frozen tiger cubs.

Ever expanding public access to the Web gives almost anyone anywhere the opportunity to be a 'player' in the illegal wildlife trade. The Internet clearly offers many advantages as a vehicle for international commerce and crime. Benefits to 'e-marketers' include speed of transaction and communication, options for anonymity and a customer base that encompasses virtually every corner of the globe. The features that make the Internet a valuable trading tool for wildlife traffickers are also, of course, some of the very features that make it difficult to police and a new and unique challenge for the Service and other wildlife law enforcement agencies around the world.

The Service is committed to protecting U.S. and global wildlife and plant resources from unlawful exploitation regardless of the means used to commit such crimes. As a law enforcement priority, the Service investigates all trafficking in protected species – including trade conducted via the Internet. The agency's law enforcement programme has responded to the increase in wildlife cybercrime by using Internet technologies in its intelligence gathering and investigations. Service efforts also include capacity building (so that enforcement officers are better equipped and better prepared to address 'e-crime') as well as partnerships – with other agencies, other countries, and even with 'e-business' itself.

### ***Intelligence and investigations***

The Service and other wildlife law enforcement agencies were quick to recognize both the impossibility and the limited pay-offs of attempting to investigate every Web posting that offers some potentially prohibited wildlife item for sale or trying to police the Internet 24/7. The volume of trade is too large, the turnaround too rapid, the scope of the Web too extensive, the global array of laws too varied and complex, and the enforcement resources needed too massive for such an undertaking.

As part of a 'smart response' strategy, however, Service intelligence analysts use an Internet targeting plan and 'triage' procedures to locate ads and other online sales activity, assess the species and possible violations, and dispatch that information to 'end users' that not only include Service officers in the field and international partners, but also members of the Internet community, such as the eBay Fraud Investigations team (with whom Service intelligence analysts and special agents have established a good working relationship). As a result of this strategy, the Service has seized numerous wildlife items being unlawfully sold via the Internet.

The Service also processes 'leads' regarding wildlife for sale on the Internet that are received from the public, non-profit organizations and other groups. Efforts also include monitoring Web sites and collecting and analysing data to identify the scope and scale of the trade, and to provide intelligence for use in channelling and coordinating Service investigations.

These efforts support both Service and global wildlife-crime investigations. For example, analyses of Web sales of Asian arowanas (which cannot be legally imported or sold in interstate commerce in the United States) allowed national coordination of casework across the country. As a result, investigators were able to avoid duplication of effort and better utilize their time and resources in addressing this trafficking. Last fall, information about sales solicitations for a primate skull was passed on to Cameroon, resulting in the arrest of an Internet scammer in that country.

Service special agents routinely investigate Internet wildlife trafficking, focusing on commerce in high-priority wildlife species such as those listed on CITES Appendix I or protected under the U.S. Endangered Species Act. In fact, use of the Internet by officers working 'undercover' has often proved key to cracking cases involving Web-based wildlife sales.

In a recent joint U.S.-Thai investigation, for example, investigators monitored and documented sales of elephant ivory on eBay and PayPal, including sales arranged by undercover officers to substantiate key subjects' involvement in the smuggling network. In the United States, this effort resulted in Service seizure of dozens of raw ivory pieces and ivory products and the January 2010 felony indictments of a U.S. businessman and Thai national. The Thai defendant, in this case (which traced raw ivory being funnelled from Africa to Thailand for carving and sale to Thai and global customers), had already been charged in Thailand along with another individual for wildlife smuggling in November 2009. Continued work on the case led to a January 2010 raid on ivory shops in Nakhon Sawan Province, Thailand; the arrest of two ivory dealers; and the seizure of six whole, raw African elephant tusks weighing 32 kilograms and valued at more than USD 30,000.

In another recent ivory trafficking case involving undercover Internet buys, the Service worked with Her Majesty's Royal Customs in the United Kingdom to secure evidence needed to bring charges against a man in that country using e-Bay to sell elephant tusks, whale teeth and ivory products. A Service agent also went undercover on the Web to deal with and document the

smuggling activities of a Japanese butterfly collector, whose 'wares' included rare specimens of CITES-protected species.

## *U.S. capacity building*

Over the past decade, the Service has worked to improve its ability to detect, document and disrupt Internet-based wildlife trafficking. The agency's Intelligence Unit itself was created and expanded during this time. Both Service investigators and intelligence analysts have completed training on cybercrime techniques, open source information gathering, officer safety on the Internet, collecting Web-based evidence, and related topics.

The Service added computer forensics staff at its wildlife forensics laboratory in Ashland, Oregon, and trained select officers across the country in the seizure and analysis of computers and electronic media to bolster investigative capacity in the field. In 2009, the law enforcement programme established a new support unit staffed by special agents with both computer forensic and high-tech investigative skills to further improve the Service's ability to identify, retrieve, analyse and utilize 'e-evidence' of wildlife crimes.

## *Partnership*

From the beginning, partnership has played an important role for the Service in combating wildlife cybercrime. Service outreach to eBay, PayPal and other auction site owners, for example, has raised corporate awareness about wildlife conservation and secured the development of better guidance for site users, the removal of hundreds of postings and assistance in wildlife crime investigations. In fact, the recent U.S.-Thai ivory investigation described above benefited from corporate cooperation: a PayPal representative travelled to Los Angeles at company expense to provide testimony to a Royal Thai Police investigator who had come to the United States as part of the cooperative work on the case.

The Service has worked with the United Kingdom, Canada, Australia, New Zealand, Germany, Belgium, Cameroon and other countries to share information and pursue investigations. In 2009, the Service launched a joint Internet intelligence gathering project with Canada to identify CITES species for sale on the web, emerging trends, possible violations and major players. Service law enforcement staff work closely with the U.S. National Central Bureau-Interpol and the Interpol Wildlife Working Group. Agency intelligence analysts and special agents coordinate their efforts with other U.S. Federal agencies that deal with cybercrime.

Partnership is also critical to improving enforcement capacity at the national, regional and global levels. As a member of the North American Wildlife Enforcement Group, the Service helped plan and participate in a video-conference on Internet investigative techniques in 2006, and Service law enforcement managers and field agents met last November with their Mexican and Canadian counterparts to better coordinate investigative efforts. Service law enforcement staff have provided training on cybercrime investigations and Internet wildlife trafficking to officers with State wildlife agencies and U.S. prosecutors. Last February, Service law enforcement and international affairs staff represented the United States at the CITES Secretariat's cybercrime workshop in Vancouver, Canada. In November, the Service hosted a meeting of the CITES Law Enforcement Experts Group at its forensics laboratory, where Internet wildlife trafficking and the Secretariat's findings and recommendations were among the topics discussed.

The Secretariat's commitment to facilitating efforts to combat Internet wildlife trafficking is clearly a call for increased global cooperation. Expanded country-to-country communication, intelligence sharing, and investigative coordination represent one trend that is bound to continue – and bound to benefit wildlife worldwide.

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## ***Fighting against illicit trafficking of cultural goods on the Internet: UNESCO and its partners' response.***

### **Introduction**

UNESCO has been a major actor in the fight against illicit trafficking of cultural property for many years.

At the level of normative action, UNESCO has elaborated different treaties to fight against this reprehensible phenomenon which may occur in different contexts: the [Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict](#) (1954) and its two protocols (1954 and 1999), and the [UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property](#) (1970). The latter was completed by the [UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects](#) in 1995, and both are operative in time of peace. The more recent conventions [the [Convention on the Protection of the Underwater Cultural Heritage](#) (2001), the [Convention for the Safeguarding of the Intangible Cultural Heritage](#) (2003) and the [Convention on the Protection and Promotion of the Diversity of Cultural Expressions](#) (2005)] also play an important role in the protection of the cultural heritage in all its dimensions.

At the level of diplomatic action and 'good offices', an [Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation](#) was established to deal with more exceptional cases generally outside the scope of those international treaties.

With the advent of the Internet, the traffic of cultural goods has become more and more complex. Indeed, the Internet allows traffickers to sell stolen cultural artefacts more easily and more rapidly. However, at the same time, the Internet also provides tools that help fighting against illicit trafficking.

### **1. The illicit trafficking of cultural property on the Internet: the issue**

The illicit traffic of cultural property is a very important issue and, as such, it is regularly the object of recommendations adopted at meetings of the INTERPOL Expert Group (IEG) on Stolen Cultural Property, in which UNESCO participates. The necessity to create a committee of experts dealing with stolen cultural property became apparent after the destruction of the Buddhas of Bamyan in 2001 and the looting of the National Museum of Iraq in Baghdad in 2003.

The IEG on Stolen Cultural Property discussed illicit trafficking of cultural property through the Internet for the first time at its third meeting (Lyon, March 2006). **Recognizing** the difficulties for law enforcement agencies to respond to the increasing sale of cultural objects through the Internet, participants in that meeting recommended that "INTERPOL, UNESCO and ICOM develop and disseminate to their respective member countries a common list of basic recommended actions to counter the increasing illicit sale of cultural objects through the Internet". This led to the elaboration of the list of "[Basic Actions concerning Cultural Objects being offered for Sale over the Internet](#)".

At the fifth meeting of the IEG on Stolen Cultural Property (Lyon, 4-5 March 2008), participants stated that they were "conscient of the persistent use of the Internet for the illicit sale of cultural property involving responsibility on the part of the Internet platforms", and recommended to the INTERPOL General Secretariat "to collect and periodically disseminate information from member countries concerning agreements with Internet platforms with a view to reducing the illicit online sales of cultural property." They also recommended to INTERPOL and UNESCO member countries "to conclude agreements with Internet platforms containing the limitation of sale of cultural property according to national law, the self control of the Internet platforms, and activities of raising public awareness of the need for the protection of cultural property", and "to encourage Internet platforms, auction houses and art dealers to grant free access to online and conventional catalogues for law enforcement agencies".

In February 2009, participants in the sixth **meeting of the IEG on Stolen Cultural Property** acknowledged the use of the Internet for the illicit sale of cultural property and recommended to national authorities to continue their efforts to fight against the illicit transfer of cultural property through the Internet, and to establish specific agreements with the main Internet platforms.

A study by INTERPOL on the use of the Internet in the selling of cultural goods has underlined the huge difficulties that authorities face in this field. These difficulties are also mentioned in a document drafted by UNESCO, in close collaboration with INTERPOL and ICOM, to provide advice to its Member States on "[Basic Actions concerning Cultural Objects being offered for Sale over the Internet](#)".

This document lists a number of reasons why monitoring the traffic of cultural property on the Internet is so difficult:

- a) the sheer volume and diversity of items offered for sale;

- b) the variety of venues or platforms for the sale of cultural objects on the Internet;
- c) missing information that hinders proper identification of objects;
- d) the limited reaction time available owing to short bidding periods during a sale;
- e) the legal position of the companies, entities or individuals serving as platforms for the trade in cultural objects over the Internet;
- f) the complex issues related to jurisdiction concerning these sales; and
- g) the fact that the objects sold are often located in a country different from that of the Internet platform.

As a consequence INTERPOL, UNESCO and ICOM have developed a list of "Basic Actions to counter the Increasing Illicit Sale of Cultural Objects through the Internet" inviting the Member States of INTERPOL and UNESCO and the States with ICOM National Committees to:

1. Strongly encourage Internet sales platforms to post the following disclaimer on all their cultural objects sales pages:

*With regard to cultural objects proposed for sale, and before buying them, buyers are advised to:*

*i) check and request a verification of the licit provenance of the object, including documents providing evidence of legal export (and possibly import) of the object likely to have been imported;*

*ii) request evidence of the seller's legal title. In case of doubt, check primarily with the national authorities of the country of origin and INTERPOL, and possibly with UNESCO or ICOM.*

2. Request Internet platforms to disclose relevant information to law enforcement Agencies and to cooperate with them on investigations of suspicious sales offers of cultural objects;

3. Establish a central authority (within national police forces or other), which is also responsible for the protection of cultural properties, in charge of permanently checking and monitoring sales of cultural objects via the Internet;

4. Cooperate with national and foreign police forces and INTERPOL as well as the responsible authorities of other States concerned, in order to:

- 1. Insure that any theft and/or any illegal appropriation of cultural objects be reported to INTERPOL National Central Bureaux, in order to enable relevant information to be posted on the INTERPOL Stolen Works of Art Database;
- 2. Make information available about theft and/or any illegal appropriation of cultural objects, as well as about any subsequent sale of such cultural objects, from or to national territories, using the Internet;
- 3. Facilitate rapid identification of cultural objects by:

i) ensuring updated inventories with photographs of cultural objects, or at least their description, for example through the Object ID standard;

ii) maintaining a list of recommended experts;

- 1. Use all the tools at their disposal to conduct checks of suspicious cultural property, in particular the INTERPOL Stolen Works of Art Database and the corresponding INTERPOL DVD;
- 2. Track and prosecute criminal activities related to the sale of cultural objects on the Internet and inform the INTERPOL General Secretariat of major investigations involving several countries.

5. Maintain statistics and register information on the checks conducted concerning the sale of cultural objects via the Internet, the vendors in question and the results obtained;

6. Establish legal measures to immediately seize cultural objects in case of a reasonable doubt concerning their licit provenance;

7. Assure the return of seized objects of illicit provenance to their rightful owners.

It has been specified in the report on the 2006-2007 activities of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, that, despite its advisory nature, the document entitled *Basic Actions to counter the Increasing Illicit Sale of Cultural Objects through the Internet* had been submitted for consideration to the State Members of UNESCO and Interpol and to the members of ICOM and that these States were strongly encouraged to convince Internet platforms to adopt such measures.

Concrete measures have also been taken following the various recommendations issued by UNESCO and its partners.

## **2. Concrete measures**

Most of the measures have been undertaken in partnership with eBay. eBay has 83.9 million active users in the world and there are 8.29 million new objects which are put up for sale on eBay's website each day. One of eBay's main objectives is to maintain trust on the market and to provide for a safe and efficient platform. There are rules imposed by eBay meant to guarantee the legality of all the exchanges which take place on the platform. For example there will be warning messages, according to the category of the object, advising sellers to abide by the law and warning them about the legal proceedings that can be carried out

if the rules are infringed.

eBay also cooperates with some national authorities to fight against the illicit trafficking of cultural property. In France, eBay has built an interface that the OCBC can use to search for stolen goods and artefacts which would be put up for sale online. Thus the OCBC agents can use this tool in the course of their inquiries. Moreover, eBay regularly transfers data to the OCBC for deeper verifications.

A pilot project was also developed in Germany, Austria and Switzerland. In those countries, the sale of a cultural good was only possible via the Internet platform if the seller could prove that the object was authentic. In order to do so, the seller had to provide a legible document. Otherwise, the object was taken off the site.

In Switzerland, this pilot project lasted three months and yielded excellent results. As a result, the Swiss authorities decided to sign a memorandum of understanding with eBay, aimed at preventing the illicit trafficking of cultural goods on the Internet. This memorandum directly results from the application by Switzerland of the recommendations of INTERPOL's Expert Group on Stolen Cultural Property held on 4-5 March 2008 and 10-11 February 2009 concerning the illicit trafficking of cultural property on the Internet. By signing this memorandum of understanding, eBay has accepted to authorize the sale in Switzerland of cultural property only if the goods are certified by competent Swiss or foreign authorities. This limitation applies particularly to cultural property which belongs to 'risk categories', such as those in ICOM's Red Lists. There will be controls to ensure that this condition is respected. There will also be preventive information on the issue of the traffic of archaeological goods coming from illicit excavations.

Nevertheless, one must not forget that, if the Internet makes illicit trafficking of cultural goods easier for the traffickers, it also provides new tools for the authorities to fight them.

### **Conclusion**

The Internet provides a valuable tool for traffickers, making the illicit trafficking of cultural property faster, easier and ever more difficult to fight for the authorities. However, the Internet can also be used against traffickers. The Internet makes communications faster and easier. Today, when an object is stolen, warnings can be issued throughout the world very easily and rapidly. But the Internet's role does not stop here: many databases and software have been created to flag up stolen artefacts and to help their being found on the market when thieves try to re-sell them.

INTERPOL has developed a database on stolen works of art, which can be accessed by specialized services and by individuals who have requested a special authorization. National police forces have also developed similar databases, such as TREIMA for the OCBC in France.

Finally there are also non-governmental databases, such as the Art Loss Register. Created in 1991, this register is the work of a private company whose mission is the cooperation between the police and the art world. The database works on the following principle: a commission is paid to the Art Loss Register by the victim or the insurance company once the object is retrieved (the restitution rate is usually of 15 %). Similarly, in France, a private network of insurance companies, known as Argos, uses a database with the data provided by insurance companies and software (web crawler) that helps retrieve images from the Internet and treat the information thus retrieved.

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## Wildlife Trade on the Internet

Illegal wildlife trade is gaining ground on the Internet, as evidenced by the booming popularity of the Internet and the burgeoning number of websites where wildlife goods are offered, often with clearly suspect origins. A wide range of species are available and openly advertised on popular websites around the world, including those derived from 'high profile' animal species, such as elephants, rhinoceroses, the tiger and marine turtles (Williamson, 2004; IFAW 2005; Wu, 2007; IFAW 2008). While wildlife law enforcement has made gains in policing physical markets for wildlife, the Internet presents a set of new challenges via 'virtual' markets that have yet to be properly regulated. Concerted effort is needed by CITES Parties, international agencies and the private sector to combat the danger that expanding online availability poses to wild populations of endangered animal and plant species.

By September 2009, over 1.73 billion people globally – around a quarter of the world population – had access to the Internet, an increase of almost 380 % between 2000 and 2009 (Anon., 2009a). The Internet provides quick and extensive information to a vast and interconnected audience, with much of the exchange focused on commerce. Internet markets are flourishing, with eBay the most popular auction website visited by users worldwide (Anon., 2009b). In addition to auction websites, chat rooms on thematic websites also allow traders to advertise, communicate with customers and make deals for almost any products, including those derived from wild animals and plants.

Species are sold as live or whole, as well as products derived from them. Many of the rhinoceros horn and tiger products (apart from tiger 'wine') offered on Chinese-language auction websites are advertised as historical artefacts, with some sellers claiming to have documentation showing their provenance. However, the veracity of such documents is difficult to confirm. Many products derived from wild species are sourced from a wide geographical area, and these are not necessarily the countries where the website domains are hosted. For example, a TRAFFIC investigation into the use of Internet auction websites in the illegal ivory trade in the United States found some of the sites based in China (Williamson, 2004). Furthermore, from July 2005 to February 2006, TRAFFIC found 4,291 unique advertisements offered by almost 2,000 sellers for CITES-listed species on the Chinese-language Internet, including auction websites and chat rooms in the thematic websites (Wu, 2007). Most of the sellers were individuals and not professional wildlife traders, which poses questions about their eligibility to sell CITES Appendix-I species within national borders. It also indicates that Internet trade in wildlife might not yet be dominated by organized criminals.

Legal trade in specimens of CITES-listed species, including products, is possible, particularly for those listed in Appendix II, and illegality of trade typically cannot be determined simply from advertised availability on the Internet. For example, pre-Convention and captive-bred specimens, such as Asian arowanas (*Scleropages formosus*) marked by microchip transponders, may be legally traded internationally as well as domestically. However, given the nature of restrictions on trade in CITES-listed species, it is likely that many, if not most, of the CITES-listed species offered on Chinese-language websites are illegal. This is particularly clear for CITES Appendix-I species. Other examples were auctions of veiled chameleons (*Chamaeleo calyptrotus*) in China (Wu, 2007) and 50 Kaiser's Spotted Newts (*Neurergus kaiseri*, endemic to the Islamic Republic of Iran with a total population of fewer than 1,000 individuals) in Canada (E. Cooper, pers. comm., December 2009), where the CITES trade data from the UNEP-WCMC database, and the responses from the source country (the Islamic Republic of Iran, in the case of *N. kaiseri*), showed that the legality of this trade or actual availability of live specimens was clearly questionable. Like any other venue for trade, the Internet can facilitate illegal activities; however, unlike other marketplaces, trade on the Internet does not necessarily mean it is actually available, authentic or illegal.

The Internet is a platform with an ever-expanding number of users, and Internet protocols like email, World Wide Web, discussion groups, telephony and others have been created to conduct communication, and this facilitates the exchange of wildlife trade information (Anon. 2009c). The methods of monitoring, regulation of legal and the combating of illegal wildlife trade are different from those employed to deal with trade in 'bricks-and-mortar' marketplaces, and there are different challenges in terms of tools and capacity. The authenticity of products can not be tested because they exist in 'virtual' space and are not physically present. At the CITES e-commerce workshop in Vancouver, Canada, in February 2009, some CITES Parties explained that it was difficult to monitor, quantify and prosecute e-commerce offences (particularly for Internet providers located beyond national borders) (Anon. 2009d). Parties also reported that sellers on the Internet are good at adapting strategies to evade detection, and some advertisements are hoaxes and fraudulent sales. According to a report from the Internet Crime Complaint Center (IC3) of the United States, 'non-delivery' and 'auction fraud' have been the top two reported cybercrimes since 2005 (Anon. 2008).

To deal with these challenges, wildlife law enforcement authorities may need to develop specific strategies to police virtual markets, such as cybercrime units and special monitoring programmes. New regulations may be required to account for unique difficulties, such as the obligation to demonstrate the legal origin of CITES Appendix-I specimens and provide accurate information for advertised specimens. In addition, improved communication among agencies uncovering evidence of criminal actions and cooperation with source countries in their investigation will increase the success of prosecutions in addressing illegal trade in source nations and Internet provider countries.

TRAFFIC has developed a methodology for monitoring Internet trade, to gather data consistently and make sure it is comparable across regions (Wu, 2007). This method has been designed to ensure that data collection effort is also measured, as this helps guide an indication of the scale and significance of the findings. Internet studies are performed in nearly all wildlife

trade research that TRAFFIC conducts, looking at availability on the Web and cross-verifying it with other sources and field research.

Research findings and information on suspected illegal wildlife trade can be passed on to relevant wildlife enforcement authorities for further investigation as well as to e-commerce websites to aid them in improving their strategies to keep any wildlife trade legal. TRAFFIC has provided information to relevant authorities in China (including Hong Kong SAR), Canada and the European Union regarding suspect advertisements found on auction websites. An investigation in Hong Kong SAR concerning tiger skin products offered for sale on an auction website resulted in a conviction in February 2006 and a fine of HKD 15,000 (USD 1,913).

TRAFFIC has also worked with Web-based business sites to reduce the possibility of illegal wildlife trade taking place on the Internet. In 2004, TRAFFIC advised eBay to stop all trade in ivory on their websites because of the difficulties in distinguishing legal from fraudulent ivory for sale (Williamson, 2004). In June 2007, eBay announced a ban on the international trade of elephant ivory on all its sites worldwide. In 2008, TRAFFIC worked with the Chinese CITES Management Authority to provide information and experiences to relevant authorities and website managers in China in order to deter illegal trade in CITES-listed species on the Internet. Following the workshop, participating auction websites contacted TRAFFIC for more assistance in improving the capacity of their managers in dealing with this issue – clear evidence that responsible websites and authorities view seriously the extension of illegal wildlife markets onto the Internet.

Companies providing auction websites seem generally to be aware of wildlife trade regulations. For example, eBay has a policy to prohibit the trade in live specimens and ivory products globally. On the other hand, 27 out of 35 thematic websites that were monitored in TRAFFIC's research into the Chinese-language Internet were engaged in the live pet trade, and over 50 % of the advertised species were listed in the CITES Appendices. Although the Internet can facilitate illegal activities, the Internet also facilitates opportunities and avenues for monitoring and responding to wildlife trade activities.

The Internet is an excellent vehicle for sharing information; however, consumers are not receiving appropriate information with regard to compliance with wildlife trade regulations. Websites and businesses hosting wildlife trade e-commerce and associated information exchanges should make greater efforts to keep such trade legal, provide information on wildlife trade regulation in a friendly way to potential Internet shoppers, and provide an easy way for shoppers to report suspected illegal or fraudulent trade to servers and authorities. For example, in the United States, eBay provides to its customers links to the Internet Crime Complaint Center (IC3) website (Anon. 2008). Internet providers should also have a policy for advertisements that could be removed if they are found to be in breach of the law, whether national or international in jurisdiction.

Non-Governmental Organizations can also cooperate with Internet providers and wildlife enforcement authorities to heighten awareness among consumers and potential sellers about what is legal and illegal. NGOs can assist by disseminating information, publishing accurate and impartial updates on CITES-listed species trade, and conducting public awareness programmes.

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## Investigating the Internet Wildlife Trade

### Introduction

The Internet has revolutionized the way we exchange ideas, information and merchandise. Understandably, this pervasive and powerful technology has become the world's largest marketplace, one that is always open for business. Unregulated, anonymous and unlimited, the Internet provides endless opportunities for criminal activity and transactions. Increasingly, it is the means by which the illicit trade in wildlife is conducted. The illegal wildlife trade is having a devastating effect on animals, ecosystems, and the communities that rely on them worldwide, making it one of the major wildlife conservation challenges of our generation.

Techniques for subverting the law or avoiding detection on the Internet are continuously evolving and becoming more sophisticated, causing overwhelming challenges to law enforcement authorities. Yet contemporary international law has fallen behind in its consideration of wildlife trade conducted via the Internet. Despite recognition by international law enforcement agencies, governments, non-governmental organizations and the general public of the challenges associated with Internet wildlife trade, some national legislation and enforcement schemes have proven insufficient in dealing with the problem.

Since 2004, the International Fund for Animal Welfare (IFAW) has investigated the Internet wildlife trade, and these studies have revealed high numbers of wildlife products exchanged on a daily basis. In 2004, IFAW uncovered a brisk ivory trade on the Internet in the United Kingdom. In a 2007 follow-up report, IFAW focused specifically on the ivory trade on eBay, and found 2,275 ivory items for sale on eight national eBay websites in a single week. As a result of this study and ongoing consultations with IFAW, eBay, Inc. announced a global ban on cross-border trade in ivory products in June 2007 for all eBay national sites.

In 2008, IFAW undertook the largest investigation into the wildlife trade on the Internet the organization has ever attempted. The results of the investigation were published in a report entitled *Killing with Keystrokes: An Investigation of the Illegal Wildlife Trade on the World Wide Web* (available at [www.ifaw.org](http://www.ifaw.org)). The purposes of this investigation, discussed below, were to understand the volume and geographic scope of the global Internet wildlife trade, to identify key Internet wildlife trade markets, to determine the species most affected by the trade, and to identify significant issues and trends related to the online trade in CITES-listed species. Specifically, IFAW asked the research question: "Is the Internet a significant conduit for the illegal wildlife trade?"

### Methods

IFAW's investigation was conducted as a two-phase, three-month survey carried out simultaneously in 11 countries – Argentina, Australia, Canada, China, Colombia, France, Germany, Mexico, the Russian Federation, the United Kingdom and the United States. These countries were selected based on the prevalence of Internet use and cross-matched with IFAW's capacity to perform the investigation using organizational or other in-country resources. Each of the countries chosen for this investigation is a Party to the CITES convention.

Phase I was a scoping exercise to determine the Web-based marketplaces that would be investigated and the specific search terms that would be used. Each investigator used common search engines such as Google.com and Yahoo.com to locate websites in each country that could contain offers for trade in wildlife specimens. Websites that would be investigated during Phase II of the investigation in each country were then identified by further surveying more than 1,000 websites to determine which were offering significant numbers of live animals and animal specimens from species listed on the CITES Appendices.

All of the websites chosen for further investigation were readily accessible to the public. Although IFAW investigators also identified a number of password-protected, paid, and/or private websites that could also contain offers for trade in CITES-listed species, these were not included in Phase II of the investigation.

Keyword search terms were chosen based on the internationally accepted framework of CITES-listed species, specifically those that are listed on Appendix I. Although these species were the focus of this study, products from some Appendix-II species were also searched and recorded; other Appendix-II species that fell under the global keywords were recorded opportunistically.

The second phase of the investigation was conducted using a series of six one-week "snapshot" surveys from 12 May to 29 June 2008, in each country. During these surveys, in-country investigators tracked advertisements for live animals and wildlife products protected by CITES on 183 websites around the globe. Investigators recorded a number of data points for each individual assessment including list price, shipping range, website policy, species, product type, keywords and final sale status.

An actual assessment of the legality of each product listing was beyond the scope of the investigation, so IFAW instead employed a three-tiered system of categorizing listings based on the information presented. Items were identified as "Likely Compliant" (listings offering some form of documentation or proof that they complied with domestic law and/or website policy), "Potential Violation" (advertisements that made a claim of compliance but failed to provide any supporting proof or documentation), or "Likely Violation" (advertisements containing no reference to compliance with domestic law or

website policy).

Investigators used a conservative approach in assigning a violation category to a listing. In cases of uncertainty, listings were given the “benefit of the doubt” because the purpose was to determine the scope and scale of the overall Internet wildlife trade, not the specific number of illegal items online at any one point in time.

## Results

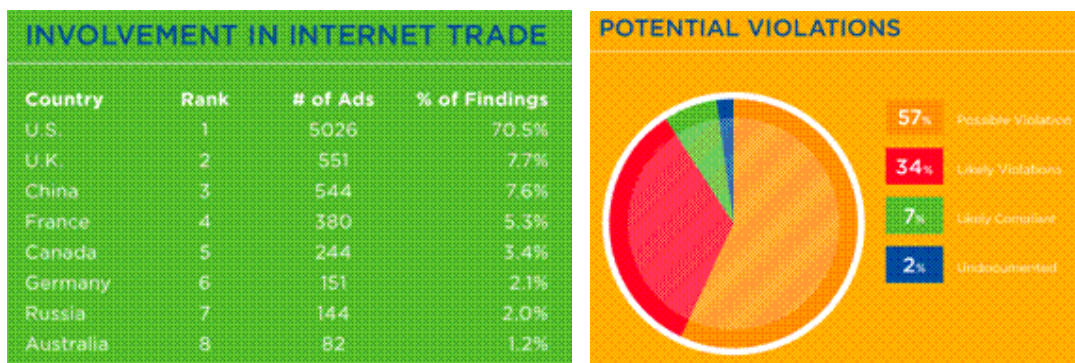
During the six-week “snapshot” investigations, IFAW investigators tracked 7,122 online listings offering wildlife and wildlife products for sale domestically and internationally from eight countries (data from Argentina, Colombia and Mexico were statistically insignificant and therefore not included in the global calculations).

Overall the results show a high volume of wildlife trade conducted via the Internet, with thousands of CITES-listed specimens offered for sale on the Internet every week. The United States was responsible for 70 % of the trade, while the countries with the next highest volume, China and the United Kingdom, accounted for nearly 8 % each.

	Number of Websites Tracked	Number of Ads	Number of Ads found on eBay	Number of Ads that were Elephant Products	Number of Ads that were Exotic Birds	Number of Ads that Offered International Shipping	Percentage of Total Ads Tracked	Advertised Monetary Value of All Ads	Value of Final Sales Recorded
US	28	5026	3690	3921	1025	260	70.50%	\$1,896,827	\$370,365.00
UK	22	551	289	285	217	66	7.70%	\$383,149	\$28,719
CHINA	5	544	n/a	376	17	28	7.60%	\$654,283.00	1,268.00
FRANCE	11	380	249	325	10	69	5.40%	\$376,816.00	22,391.00
CANADA	11	244	167	178	34	165	3.40%	\$197,922.00	29,982.00
GERMANY	14	151	39	90	28	31	2.10%	\$90,019.00	3,514.00
RUSSIA	24	144	n/a	35	43	9	2.00%	\$247,831.50	n/a
AUSTRALIA	11	82	35	13	42	32	1.20%	\$24,352.00	1,103.00
<b>TOTAL</b>	<b>126</b>	<b>7122</b>	<b>4470</b>	<b>5223</b>	<b>1416</b>	<b>660</b>	<b>99.90%</b>	<b>\$3,871,201.45</b>	<b>\$457,341.68</b>

Wildlife products represented 79.2 % of the total 7,122 listings, while the remaining 20.8 % (1,483 listings) were for live animals. 54 % of the total listings were categorized as “Potential Violation”; 34 % were “Likely Violations”; lastly, 7 % were considered “Likely Compliant”.

The data indicated that the online wildlife trade is dominated by two categories of Appendix I species: elephant products and live exotic birds. Together, these two categories make up 93.2 % of items monitored.



Elephant products comprised 73 % of the online offers tracked, totalling 5,223 listings. Of these, 93.77 % were listings for ivory. About 74 % of the ivory listings were assessed as “Potential Violation”, and 15 % were assessed as “Likely Violation”. Trade in live exotic birds accounted for 1,416 listings or 19.9 %. The majority of these listings, 92 %, were categorized as “Likely Violation”; in a number of cases sellers admitted outright their birds were illegal. If indeed illegal, this may indicate major conservation and animal welfare concerns associated with the live bird trade that should be further investigated.

Investigators also found that the Internet was a conduit for a variety of other categories of protected wildlife, including primates, big cats, reptiles, sharks, rhinoceros, sturgeon and others. However, trade in these animals made up only 6.8 % of the total trade investigated.

Because very few sites confirm sales and publish the final sale price of an item, estimating an accurate overall monetary value of the Internet trade in wildlife was a substantial challenge. Investigators recorded two monetary data points for each listing: advertised price and final sale price. IFAW’s

calculation of the total value of trade during the 6 weeks of this investigation was conservative, totalling USD 3,871,201 in advertisements and USD 457,341 in final sales. The wide disparity between these figures has a specific source – without proof that money changed hands it is impossible to state that a sale actually occurred. Throughout this investigation, a final sale was only recorded if it could be verified, a feature only available on eBay and its subsidiaries. Therefore, a large amount of actual commerce is likely not to be represented in the final sale total tally.

ADVERTISED MONETARY VALUE OF ALL LISTINGS (\$US)		MONETARY VALUE OF FINAL SALES RECORDED (\$US)	
U.S.	\$1,896,827.97	U.S.	\$370,365.89
CHINA	\$654,282.95	CANADA	\$29,982.18
U.K.	\$383,150.00	U.K.	\$28,719.45
FRANCE	\$376,815.90	FRANCE	\$22,391.10
RUSSIA	\$247,831.50	GERMANY	\$3,514.00
CANADA	\$197,922.20	CHINA	\$1,265.66
GERMANY	\$90,019.23	AUSTRALIA	\$1,103.40
AUSTRALIA	\$24,351.70	TOTAL	\$457,341.68
TOTAL	\$3,871,201.45		

Finally, although this investigation did not focus on Appendix-II species, Appendix-II specimens were recorded opportunistically. Investigators in several countries, including Australia, China and the United Kingdom, found over 958 advertised offers. Though these were not researched more thoroughly, they were instructive of what Appendix-II species are being traded and indicate that more research needs to be done in this area. The Appendix-II species most commonly found were: sharks, bears, lions, pangolins, reptiles, birds and primates.

**Conclusion**

The Internet clearly continues to facilitate significant trade in wildlife, and the unique characteristics of the global Internet marketplace make it almost impossible to determine whether the trade is occurring in compliance with or in contravention of international and domestic law governing trade in CITES-listed species. For this reason, eBay, Inc. announced on 19 October 2008 that it was banning all trade in ivory products on its websites worldwide effective 1 January 2009. IFAW congratulates eBay, Inc. for its decision, which was in the best spirit of environmental responsibility and precautionary conservation, a guiding principle of CITES.

The rules, regulations and laws governing the trade in endangered species are complex, diverse and differ from country to country. This jumble of laws and policies, ranging from local to international, are not unified and are not simple. Furthermore, Web-based marketplace rules are not cohesive or necessarily reflective of these laws and policies. The end result is a virtually unregulated trade that could undermine the fundamental guidelines and mechanisms for trade regulation outlined in the Convention.

Through its investigations, IFAW has come to the conclusion that the only way to fully address the problem of illegal wildlife trade on the Internet is for Parties and Web-based marketplaces to work together to prohibit the online trade in Appendix-I species. CITES Parties can take important steps to address this problem through domestic wildlife trade legislation and policies, if given the proper guidance by the Convention of the Parties. These steps include:

1. Recognizing that trade via the Internet is inherently international;
2. Ensuring that the online facilitation of the illegal trade in wildlife is treated as a contravention of CITES-implementing legislation and penalized accordingly;
3. Ensuring that potential purchasers of CITES-listed species for sale online have reasonable access to information regarding origin, legal status and documentation, if required, for the specimens offered in international commerce via the Internet; and
4. Resolving jurisdictional issues that would arise if an individual who is physically located within the geographic boundaries of one Party offers into Internet commerce or purchases a CITES-listed specimen in violation of the CITES-implementing legislation of another party.

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## **Electronic commerce toolkit**

At its 58th meeting, in July 2009, the Standing Committee directed the Secretariat to develop a toolkit, subject to the availability of funding, in order to assist Parties and the general CITES community with the regulation of legal trade in specimens of CITES-listed species via the Internet.

The Enforcement Branch of Environment Canada has graciously offered to begin development of the toolkit. The first draft will be reviewed by the Working Group on E-Commerce of Specimens of CITES-Listed Species and the Secretariat. Possible elements in the toolkit will include:

- Introductory and intermediate search techniques in written and graphic formats to assist with research on the Internet;
- Numerous samples of applied search techniques;
- Methodologies for conducting searches on business entities, and/or species of interest as advertised on the Internet; and
- Quick-reference sheets for Internet sites of interest.

Queries on the toolkit should be directed to the Enforcement Branch of Environment Canada at the following email address: [wildlife.enforcement@ec.gc.ca](mailto:wildlife.enforcement@ec.gc.ca)



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**If you would like to submit an article, or make suggestions or comments, please contact the Capacity-Building Unit.**

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