

A. General information

Party	CANADA
Period covered in this report (e.g. 1 January 2003 to 31 December 2004)	1 January 2013 to 31 December 2014
Details of agency preparing this report	Canadian Wildlife Service, Environment and Climate Change Canada (ECCC)
Contributing agencies, organizations or individuals	Management, Scientific and Enforcement Authorities as well as Regulations and Compliance Promotion staff in ECCC

B. Legislative and regulatory measures

1	Has information on CITES-relevant legislation already been provided under the CITES National Legislation Project? If yes, ignore questions 2, 3 and 4.	Yes (fully) Yes (partly) No No information/unknown	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
2	If any CITES-relevant legislation has been planned, drafted or enacted, please provide the following details: Title and date: _____ Status: _____ Brief description of contents: _____					
3	Is enacted legislation available in one of the working languages of the Convention?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
4	If yes, please attach a copy of the full legislative text or key legislative provisions that were gazetted.	legislation attached provided previously not available, will send later	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>			
5	Which of the following issues are addressed by any stricter domestic measures adopted for CITES-listed species (in accordance with Article XIV of the Convention)?	Tick all applicable				
		The conditions for:				
		The complete prohibition of:				
Issue	Yes	No	No information	Yes	No	No information
Trade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Taking	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Possession	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>Additional comments</p> <p>No changes occurred to measures/regulations under Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA) during the reporting period. The implementation of CITES in Canada is done through the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA) and the Wild Animal and Plant Trade Regulations (WAPTR). This Canadian legislation not only protects CITES species but also protects federal and provincial/territorial endangered species subject to trade or commercial transactions, species protected by laws of any foreign state and controls the entry of species deemed injurious to Canadian ecosystems.</p>																																																			
6	<p>What were the results of any review or assessment of the effectiveness of CITES legislation, with regard to the following items? Tick all applicable</p> <table border="1"> <thead> <tr> <th>Item</th> <th>Adequate</th> <th>Partially Inadequate</th> <th>Inadequate</th> <th>No information</th> </tr> </thead> <tbody> <tr> <td>Powers of CITES authorities</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Clarity of legal obligations</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Control over CITES trade</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Consistency with existing policy on wildlife management and use</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Coverage of law for all types of offences</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Coverage of law for all types of penalties</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Implementing regulations</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Coherence within legislation</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Other (please specify)</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table> <p>Please provide details if available: Cohérence de la législation en place: Une revue ainsi qu'une évaluation ont déjà été entamées en 2013 suite à la COP 16 et sont toujours en cours, afin d'effectuer les ajustements nécessaires à Loi sur la protection d'espèces animales ou végétales sauvages et la réglementation de leur commerce international et interprovincial (WAPPRIITA) ainsi qu'au règlement s'y rattachant. Il est difficile de prévoir les résultats tant et aussi longtemps que le processus n'aura pas été complété. Les ajouts ou modifications à la législation couvriront les éléments des résolutions qui ont été adoptés par la CITES ainsi que des clarifications réglementaires lorsque nécessaire. Ces changements seront mis en place en plusieurs étapes afin de faciliter la mise à jour des règlements et de simplifier le processus d'approbation. Une révision a aussi eu lieu pour évaluer les amendes possibles et les situations dans lesquels elles peuvent être imposées.</p>	Item	Adequate	Partially Inadequate	Inadequate	No information	Powers of CITES authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clarity of legal obligations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Control over CITES trade	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Consistency with existing policy on wildlife management and use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Coverage of law for all types of offences	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Coverage of law for all types of penalties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Implementing regulations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Coherence within legislation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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7	<p>If no review or assessment has taken place, is one planned for the next reporting period?</p> <p style="text-align: right;">Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/></p> <p>Please provide details if available: Evaluation which was started in 2013 remains to be completed.</p>																																																		
8	<p>Has there been any review of legislation on the following subjects in relation to implementation of the Convention? Tick all applicable</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Yes</th> <th>No</th> <th>No information</th> </tr> </thead> <tbody> <tr> <td> </td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	Subject	Yes	No	No information		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																										
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	Access to or ownership of natural resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Harvesting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Transporting of live specimens	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Handling and housing of live specimens	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Please provide details if available:			
9	Please provide details of any additional measures taken:			

C. Compliance and enforcement measures

		Yes	No	No information
1	Have any of the following compliance monitoring operations been undertaken?			
	Review of reports and other information provided by traders and producers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inspections of traders, producers, markets	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Border controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Have any administrative measures (e.g. fines, bans, suspensions) been imposed for CITES-related violations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	<p>If Yes, please indicate how many and for what types of violations. If available, please attach details.</p> <p>For the period between January 1, 2013 and December 31, 2014, administrative measures were taken which were all Warnings (verbal or written). However the exact quantity of those measures is not available.</p>			
4	Have any significant seizures, confiscations and forfeitures of CITES specimens been made?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5	<p>If information available:</p> <p><input checked="" type="checkbox"/> Significant seizures/confiscations</p> <p><input checked="" type="checkbox"/> Total seizures/confiscations</p> <p>If possible, please specify per group of species or attach details.</p> <p>Seizures: cannot be provided</p> <p>Aves:</p> <p>Flora:</p> <p>Mammalia:</p> <p>Pisces and inverte:</p> <p>Reptilia and Amphibia:</p> <p>Significant seizures 2013 and 2014:</p> <p>Seizure #1: 250 Narwhal ivory tusks</p> <p>Seizure #2: 205 animals including 20 Chinese striped turtles or goldentreads, 20 African side neck turtles, 20 South American red-footed tortoises, one Herman's tortoise, one Serrated hinge back tortoise, eight African spurred tortoises, 25 Timor monitors, 20 Green iguanas, 51 Jackson's chameleons and 39 Helmeted chameleons</p> <p>Seizure #3: A carving made from Rhinoceros horn</p> <p>Seizures #4: Seven Alaskan brown bears, five mountain goats, two black bears, four ducks and three wolverines</p> <p>Seizures #5: 10,000 packages containing Aloe Ferox</p>	<p>Number</p> <p>5</p> <p>532 in 2013. The info for 2014 is not currently available.</p>
6	Have there been any criminal prosecutions of significant CITES-related violations?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
7	If Yes, how many and for what types of violations? If available, please attach details as Annex. Details in Annex 1	
8	Have there been any other court actions of CITES-related violations?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
9	If Yes, what were the violations involved and what were the results? Please attach details as Annex. Details in Annex 1	
10	How were the confiscated specimens usually disposed of?	Tick if applicable
	– Return to country of export	<input type="checkbox"/>
	– Public zoos or botanical gardens	<input checked="" type="checkbox"/>
	– Designated rescue centres	<input checked="" type="checkbox"/>
	– Approved, private facilities	<input checked="" type="checkbox"/>
	– Euthanasia	<input checked="" type="checkbox"/>
	– Other (specify):	<input type="checkbox"/>

	<p>Comments:</p> <p>As per the Enforcement Branch's Operational Directive 4-7-3: Evidence and Forfeiture, the following factors are considered when deciding of the destruction or disposal of samples should the courts not impose specific protocol:</p> <ul style="list-style-type: none"> a. legality of possessing the item (i.e., if there is a known legal owner); b. impact on the environment and other flora and fauna; c. monetary value; d. value to Canadians; e. perception by Canadians; f. condition of the item – damaged or unsafe; g. potential hindrance to future enforcement operations; h. potential benefit to enforcement operations; i. public safety; j. health issue to the general population; k. scientific or educational value; l. relative scarcity of the species (Appendix I, II or III CITES or SARA listing); m. origin (wild or captive bred/artificial propagation); n. availability of a recipient suitably equipped to house and care for the specimen; o. availability of suitable release site; p. requirements for survival in captivity; q. logistics (transportation, costs, time factor); r. conservation value of the specimen; s. possibility of returning the specimen to the country of origin; t. departmental or other agencies' needs; u. listings under Schedule II or III of the Wild Animal and Plant Trade Regulations. v. other relevant factors not listed above. <p>Environment Canada developed a database (Zoobot) which contain a list of organisations and individuals accredited for the custody of live species of animals or plants available to officers. Futhermore, an officer may dispose of or destroy detained or seized items that are perishable.</p>												
11	<table border="0"> <tr> <td>Has detailed information been provided to the Secretariat on significant cases of illegal trade (e.g. through an ECOMESSAGE or other means), or information on convicted illegal traders and persistent offenders?</td> <td>Yes</td> <td><input type="checkbox"/></td> </tr> <tr> <td></td> <td>No</td> <td><input type="checkbox"/></td> </tr> <tr> <td></td> <td>Not applicable</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td></td> <td>No information</td> <td><input type="checkbox"/></td> </tr> </table>	Has detailed information been provided to the Secretariat on significant cases of illegal trade (e.g. through an ECOMESSAGE or other means), or information on convicted illegal traders and persistent offenders?	Yes	<input type="checkbox"/>		No	<input type="checkbox"/>		Not applicable	<input checked="" type="checkbox"/>		No information	<input type="checkbox"/>
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	No	<input type="checkbox"/>											
	Not applicable	<input checked="" type="checkbox"/>											
	No information	<input type="checkbox"/>											
	<p>Comments:</p> <p>Ecomessages are sent to INTERPOL not to the CITES Secretariat</p>												
12	<table border="0"> <tr> <td>Have there been any cooperative enforcement activities with other countries (e.g. exchange of intelligence, technical support, investigative assistance, joint operation, etc.)?</td> <td>Yes</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td></td> <td>No</td> <td><input type="checkbox"/></td> </tr> <tr> <td></td> <td>No information</td> <td><input type="checkbox"/></td> </tr> </table>	Have there been any cooperative enforcement activities with other countries (e.g. exchange of intelligence, technical support, investigative assistance, joint operation, etc.)?	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>		No information	<input type="checkbox"/>			
Have there been any cooperative enforcement activities with other countries (e.g. exchange of intelligence, technical support, investigative assistance, joint operation, etc.)?	Yes	<input checked="" type="checkbox"/>											
	No	<input type="checkbox"/>											
	No information	<input type="checkbox"/>											
13	<p>If Yes, please give a brief description:</p> <p>Joint operations with other countries such as USA, Mexico. Technical assistance given to INTERPOL.</p>												
14	<table border="0"> <tr> <td>Have any incentives been offered to local communities to assist in the enforcement of CITES legislation, e.g. leading to the arrest and conviction of offenders?</td> <td>Yes</td> <td><input type="checkbox"/></td> </tr> <tr> <td></td> <td>No</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td></td> <td>No information</td> <td><input type="checkbox"/></td> </tr> </table>	Have any incentives been offered to local communities to assist in the enforcement of CITES legislation, e.g. leading to the arrest and conviction of offenders?	Yes	<input type="checkbox"/>		No	<input checked="" type="checkbox"/>		No information	<input type="checkbox"/>			
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	No	<input checked="" type="checkbox"/>											
	No information	<input type="checkbox"/>											

15	If Yes, please describe:		
16	Has there been any review or assessment of CITES-related enforcement?	Yes	<input type="checkbox"/>
		No	<input checked="" type="checkbox"/>
		Not applicable	<input type="checkbox"/>
		No information	<input type="checkbox"/>
	Comments:		
17	Please provide details of any additional measures taken: The Enforcement Authorities under ECCC undertook a renewal of its criminal intelligence program resulting in a partial refocussing of efforts to combatting illegal exports and imports of wildlife.		

D. Administrative measures

D1 Management Authority (MA)

1	Have there been any changes in the designation of or contact information for the MA(s) which are not yet reflected in the CITES Directory?	Yes	<input checked="" type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>
2	If Yes, please use the opportunity to provide those changes here. As a result of the last Canadian elections, the department name has changed. In english, Environment Canada should be now Environment and Climate Change Canada (ECCC). In french, Environnement Canada should be now Environnement et Changement climatique Canada (ECCC).		
3	If there is more than one MA in your country, has a lead MA been designated?	Yes	<input checked="" type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>
4	If Yes, please name that MA and indicate whether it is identified as the lead MA in the CITES Directory. The Wildlife Program Support Division in the Canadian Wildlife Service of ECCC is the Lead MA. It is identified as such in the Directory.		
5	How many staff work in each MA? The lead MA has 6 permanent staff members and 1 manager. Operations staff in other offices designated for issuance of CITES permits have varied numbers of staff members.		

6	Can you estimate the percentage of time they spend on CITES-related matters? If yes, please give estimation: In the case of the Lead MA staff in ECCC, the 6 staff dedicate 100% of their time to CITES and the manager allocates approximately 30%. Temporary staff is employed at various times to fill staffing gaps, undertake special projects or to process unusually large workloads or backlogs of requests. The percentage of time dedicated to CITES by operations staff in other designated CITES permit issuance offices is not known.	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
7	What are the skills/expertise of staff within the MA(s)? – Administration – Biology – Economics/trade – Law/policy – Other (specify): Computer science, finance and operations management – No information	Tick if applicable	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
8	Have the MA(s) undertaken or supported any research activities in relation to CITES species or technical issues (e.g. labelling, tagging, species identification) not covered in D2(8) and D2(9)?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
9	If Yes, please give the species name and provide details of the kind of research involved.		
10	Please provide details of any additional measures taken:		

D2 Scientific Authority (SA)

1	Have there been any changes in the designation of or contact information for the SA(s) which are not yet reflected in the CITES Directory?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2	If Yes, please use the opportunity to provide those changes here. There has been a similar change of the department name as indicated in the MA section D1.		
3	Is the designated Scientific Authority independent from the Management Authority?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4	What is the structure of the SA(s)? – Government institution – Academic or research institution – Permanent committee – Pool of individuals with certain expertise – Other (specify):	Tick if applicable	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5	How many staff work in each SA on CITES issues? ECCC (Lead) has 5 Scientific Authority staff; Designated Scientific Authorities in the provinces, territories and other Federal agencies have variable staff		

6	<p>Can you estimate the percentage of time they spend on CITES-related matters</p> <p>If yes, please give estimation: Variable for provinces, territories and other agencies; approximately 90% for the Lead SA staff at ECCC.</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>No information <input type="checkbox"/></p>					
7	<p>What are the skills/expertise of staff within the SA(s)?</p> <ul style="list-style-type: none"> - Botany <input checked="" type="checkbox"/> - Ecology <input checked="" type="checkbox"/> - Fisheries <input checked="" type="checkbox"/> - Forestry <input checked="" type="checkbox"/> - Welfare <input type="checkbox"/> - Zoology <input checked="" type="checkbox"/> - Other (specify): <input type="checkbox"/> - No information <input type="checkbox"/> 	<p>Tick if applicable</p>					
8	<p>Have any research activities been undertaken by the SA(s) in relation to CITES species?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>No information <input type="checkbox"/></p>					
9	<p>If Yes, please give the species name and provide details of the kind of research involved.</p>						
Species name		Populations	Distribution	Off take	Legal trade	Illegal trade	Other (specify)
see # 11 below							
<p style="text-align: right;">No information <input type="checkbox"/></p>							
10	<p>Have any project proposals for scientific research been submitted to the Secretariat under Resolution Conf. 12.2?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>No information <input type="checkbox"/></p>					
11	<p>Please provide details of any additional measures taken: Research on CITES listed species is done in Canada by universities and government wildlife managers and biologists in response to information needs and is too extensive to mention in detail here. Results are made publically available through reports and research papers and by presentation at meetings and conferences.</p>						

D3 Enforcement Authorities

1	Has the Secretariat been informed of any enforcement authorities that have been designated for the receipt of confidential enforcement information related to CITES?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
2	If No, please designate them here (with address, phone, fax and email).	
3	Is there a specialized unit responsible for CITES-related enforcement (e.g. within the wildlife department, Customs, the police, public prosecutor's office)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Under consideration <input type="checkbox"/> No information <input type="checkbox"/>
4	If Yes, please state which is the lead agency for enforcement: Environment and Climate Change Canada (ECCC), Enforcement Branch, Wildlife Enforcement Directorate	
5	Please provide details of any additional measures taken:	

D4 Communication, information management and exchange

1	To what extent is CITES information computerized? Tick if applicable																													
	- Monitoring and reporting of data on legal trade	<input checked="" type="checkbox"/>																												
	- Monitoring and reporting of data on illegal trade	<input checked="" type="checkbox"/>																												
	- Permit issuance	<input checked="" type="checkbox"/>																												
	- Not at all	<input type="checkbox"/>																												
	- Other (specify):	<input type="checkbox"/>																												
2	Do the following authorities have access to the Internet? Tick if applicable																													
	<table border="1"> <thead> <tr> <th>Authority</th> <th>Yes, continuous and unrestricted access</th> <th>Yes, but only through a dial-up connection</th> <th>Yes, but only through a different office</th> <th>Some offices only</th> <th>Not at all</th> <th>Please provide details where appropriate</th> </tr> </thead> <tbody> <tr> <td>Management Authority</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Scientific Authority</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Enforcement Authority</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td></td> </tr> </tbody> </table>	Authority	Yes, continuous and unrestricted access	Yes, but only through a dial-up connection	Yes, but only through a different office	Some offices only	Not at all	Please provide details where appropriate	Management Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Scientific Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Enforcement Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
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Scientific Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																									
Enforcement Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																									
3	Is there an electronic information system providing information on CITES species?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>																												

4	If Yes, does it provide information on: – Legislation (national, regional or international)? – Conservation status (national, regional, international)? – Other (please specify):	Tick if applicable <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
5	Is it available through the Internet: Please provide URL: http://www.ec.gc.ca/cites/	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not applicable <input type="checkbox"/> No information <input type="checkbox"/>

6	Do the authorities indicated have access to the following publications? Tick if applicable			
	Publication	Management Authority	Scientific Authority	Enforcement Authority
	2003 Checklist of CITES Species (book)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2003 Checklist of CITES Species and Annotated Appendices (CD-ROM)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Identification Manual	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	CITES Handbook	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	If not, what problems have been encountered to access this information?			
8	Have Enforcement Authorities reported to the Management Authority Tick if applicable on:			
	<ul style="list-style-type: none"> - Mortality in transport? <input type="checkbox"/> - Seizures and confiscations? <input checked="" type="checkbox"/> - Discrepancies in number of items in permits and number of items actually traded? <input checked="" type="checkbox"/> <p>Comments: The MA is typically the initiator of communications to Enforcement when there are discrepancies in the permit information.</p>			
9	Is there a government website with information on CITES and its requirements?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>	
	If Yes, please give the URL: http://www.ec.gc.ca/cites/			
10	Have CITES authorities been involved in any of the following activities to bring about better accessibility to and understanding of the Convention's requirements to the wider public? Tick if applicable			
	- Press releases/conferences <input checked="" type="checkbox"/>			
	- Newspaper articles, radio/television appearances <input checked="" type="checkbox"/>			
	- Brochures, leaflets <input checked="" type="checkbox"/>			
	- Presentations <input checked="" type="checkbox"/>			
	- Displays <input checked="" type="checkbox"/>			
	- Information at border crossing points <input checked="" type="checkbox"/>			
	- Telephone hotline <input checked="" type="checkbox"/>			
- Other (specify): <input type="checkbox"/>				
Please attach copies of any items. American Ginseng Brochure: https://www.ec.gc.ca/cites/default.asp?lang=En&n=9E21FDBF-1; Design and installation of two CITES exhibits at Pearson International Airport in Toronto, Ontario Appearance in TV documentary (DG Wildlife Enforcement); Articles in Canadian Veterinary Medicine Association newsletters; Newspaper coverage further to prosecutions and News Releases not available.				

Comment [D[1]: We are using the most up-to-date version on CITES website

11	<p>Please provide details of any additional measures taken:</p> <p>Update of Frequently Asked Questions on CITES/WAPPRITA on ECCC's web site: https://www.ec.gc.ca/cites/default.asp?lang=En&n=990E5322-1</p> <p>Provided updated content on CITES targeted at Canadian travelers for the following Government of Canada web site: http://travel.gc.ca/</p> <p>Sent compliance promotion letter to auction house operators in Canada informing them of their responsibilities under CITES.</p>
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D5 Permitting and registration procedures

1	<p>Have any changes in permit format or the designation and signatures of officials empowered to sign CITES permits/certificates been reported previously to the Secretariat?</p> <p>If no, please provide details of any:</p> <ul style="list-style-type: none"> - Changes in permit format: - Changes in designation or signatures of relevant officials: 	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Not applicable <input type="checkbox"/></p> <p>No information <input type="checkbox"/></p>																																		
2	<p>To date, has your country developed written permit procedures for any of the following?</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;"></th> <th style="width: 10%; text-align: center;">Yes</th> <th style="width: 10%; text-align: center;">No</th> <th style="width: 10%; text-align: center;">No information</th> </tr> </thead> <tbody> <tr> <td>Permit issuance/acceptance</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Registration of traders</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Registration of producers</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </tbody> </table>		Yes	No	No information	Permit issuance/acceptance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Registration of traders	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Registration of producers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Tick if applicable</p>																		
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Registration of producers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																	
3	<p>Please indicate how many CITES documents were issued and denied in the two-year period? (Note that actual trade is reported in the Annual Report by some Parties. This question refers to issued documents).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;"></th> <th style="width: 10%; text-align: center;">Year 1</th> <th style="width: 10%; text-align: center;">Import or introduction from the sea</th> <th style="width: 10%; text-align: center;">Export</th> <th style="width: 10%; text-align: center;">Re-export</th> <th style="width: 10%; text-align: center;">Other</th> <th style="width: 30%; text-align: center;">Comments</th> </tr> </thead> <tbody> <tr> <td>How many documents were issued?</td> <td style="text-align: center;">175</td> <td></td> <td style="text-align: center;">5791*</td> <td></td> <td></td> <td style="text-align: center;">* This data combines export and re-export permit</td> </tr> <tr> <td>How many applications were denied because of serious omissions or misinformation?</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">This information is not tracked</td> </tr> <tr> <td>How many documents were issued?</td> <td style="text-align: center;">190</td> <td></td> <td style="text-align: center;">5023*</td> <td></td> <td></td> <td style="text-align: center;">* This data combines export and re-export permit</td> </tr> <tr> <td>How many applications were denied because of serious omissions or misinformation?</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">This information is not tracked</td> </tr> </tbody> </table>		Year 1	Import or introduction from the sea	Export	Re-export	Other	Comments	How many documents were issued?	175		5791*			* This data combines export and re-export permit	How many applications were denied because of serious omissions or misinformation?						This information is not tracked	How many documents were issued?	190		5023*			* This data combines export and re-export permit	How many applications were denied because of serious omissions or misinformation?						This information is not tracked
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4	<p>Were any CITES documents that were issued later cancelled and replaced because of serious omissions or misinformation?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>No information <input checked="" type="checkbox"/></p>																																		
5	<p>If Yes, please give the reasons for this.</p>																																			

6	Please give the reasons for rejection of CITES documents from other countries.			Tick if applicable	
	Reason	Yes	No	No information	
	Technical violations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Suspected fraud	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Insufficient basis for finding of non-detriment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Insufficient basis for finding of legal acquisition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other (specify):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7	Are harvest and/or export quotas used as a management tool in the procedure for issuance of permits?		Yes	<input checked="" type="checkbox"/>	
			No	<input type="checkbox"/>	
			No information	<input type="checkbox"/>	
Comments : Management tools for the species (including but not limited to regulations, harvest and collection permits, reporting protocols, and quotas) established by the respective authorities for wildlife management in Canada are taken into consideration in the evaluation of requests for CITES permits.					
8	How many times has the Scientific Authority been requested to provide opinions? Scientific Authority is routinely consulted by the MA for determination of Non-Detriment Findings				
9	Has the MA charged fees for permit issuance, registration or related CITES activities?			Tick if applicable	
- Issuance of CITES documents:				<input type="checkbox"/>	
- Licensing or registration of operations that produce CITES species				<input type="checkbox"/>	
- Harvesting of CITES-listed species				<input type="checkbox"/>	
- Use of CITES-listed species				<input type="checkbox"/>	
- Assignment of quotas for CITES-listed species				<input type="checkbox"/>	
- Importing of CITES-listed species				<input type="checkbox"/>	
- Other (specify):				<input type="checkbox"/>	
10	If Yes, please provide the amounts of such fees.				
11	Have revenues from fees been used for the implementation of CITES or wildlife conservation?			Tick if applicable	
- Entirely				<input type="checkbox"/>	
- Partly				<input type="checkbox"/>	
- Not at all				<input type="checkbox"/>	
- Not relevant				<input checked="" type="checkbox"/>	
Comments:					
12	Please provide details of any additional measures taken:				

D6 Capacity building

1	Have any of the following activities been undertaken to enhance effectiveness of CITES implementation at the national level?					Tick if applicable	
	Increased budget for activities	<input type="checkbox"/>	Improvement of national networks	<input checked="" type="checkbox"/>			
	Hiring of more staff	<input type="checkbox"/>	Purchase of technical equipment for monitoring/enforcement	<input type="checkbox"/>			
	Development of implementation tools	<input checked="" type="checkbox"/>	Computerization	<input type="checkbox"/>			
	Other (specify): Percentage spent by MA staff on CITES-related matters was increased. Percentage spent by ECCC Wildlife Enforcement staff on CITES-related matters was increased.				<input checked="" type="checkbox"/>		
2	Have the CITES authorities received or benefited from any of the following capacity-building activities provided by external sources?						
	Please tick boxes to indicate which target group and which activity.	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	What were the external sources?
	Target group						
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of enforcement authorities	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Monetary donations to INTERPOL
	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3	Have the CITES authorities been the providers of any of the following capacity-building activities?						
	Please tick boxes to indicate which target group and which activity.	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	Details
	Target group						
	Staff of Management Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of enforcement authorities	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other parties/International meetings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Other (specify) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4	Please provide details of any additional measures taken:

D7 Collaboration/cooperative initiatives

1	Is there an inter-agency or inter-sectoral committee on CITES? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>																								
2	<p>If Yes, which agencies are represented and how often does it meet?</p> <p>Canadian federal and provincial and territorial governments are represented in the Scientific Authorities Working Group (SAWG) which meets twice annually via teleconference with a face-to-face meeting every 2-3 year. The SAWG is routinely consulted on CITES activities. The Scientific Authority has also established a communication network of agencies and Aboriginal organizations involved in wildlife management across northern Canada.</p> <p>MA and SA hold biweekly meetings and MA consults SA routinely for evaluation of permitting processes and CITES technical discussions. MA also meet regularly with Enforcement Authorities and adhoc consultations occur as required to synchronize efforts or investigate issues.</p> <p>MA and SA also meet with the Department of Fisheries and Oceans (DFO) for marine species, the Canadian Food Inspection Agency (CFIA) for the import and export of live animals and plants and with the Natural Resources Canada (NRCAN) for their expertise on timber and timber products as needed. As well, the Canadian Border Services Agency (CBSA) are engaged to ensure proper procedures are in place for the validation of trade at the border crossings.</p> <p>The North America Wildlife Enforcement Group (NAWEG) is a network of senior wildlife enforcement officials from Canada, US and Mexico that works to stop illegal shipments of wildlife by strengthening the enforcement of laws and regulations, information exchange and training enforcement agents. A face-to-face occurs once a year with working group meetings on specific subjects as needed.</p> <p>INTERPOL. Proactive discussions and recommendations on environmental crime issues and effectively communicate and decide on an action plan to address them; Design and develop strategies and operations to enhance the effectiveness and efficiency of national and international responses to wildlife enforcement issues.</p>																								
3	<p>If No, please indicate the frequency of meetings or consultations used by the Management Authority to ensure coordination among CITES authorities (e.g. other MAs, SAs, Customs, police, others):</p> <table border="1"> <thead> <tr> <th></th> <th>Daily</th> <th>Weekly</th> <th>Monthly</th> <th>Annually</th> <th>None</th> <th>No information</th> <th>Other (specify)</th> </tr> </thead> <tbody> <tr> <td>Meetings</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Consultations</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td></td> </tr> </tbody> </table>		Daily	Weekly	Monthly	Annually	None	No information	Other (specify)	Meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Consultations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Daily	Weekly	Monthly	Annually	None	No information	Other (specify)																		
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4	<table border="1"> <thead> <tr> <th>At the national level have there been any efforts to collaborate with:</th> <th>Tick if applicable</th> <th>Details if available</th> </tr> </thead> <tbody> <tr> <td>Agencies for development and trade</td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Provincial, state or territorial authorities</td> <td><input checked="" type="checkbox"/></td> <td>See #2</td> </tr> <tr> <td>Local authorities or communities</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> </tbody> </table>	At the national level have there been any efforts to collaborate with:	Tick if applicable	Details if available	Agencies for development and trade	<input type="checkbox"/>		Provincial, state or territorial authorities	<input checked="" type="checkbox"/>	See #2	Local authorities or communities	<input checked="" type="checkbox"/>													
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Local authorities or communities	<input checked="" type="checkbox"/>																								

	Indigenous peoples	<input checked="" type="checkbox"/>	
	Trade or other private sector associations	<input checked="" type="checkbox"/>	CAZA
	NGOs	<input checked="" type="checkbox"/>	
	Other (specify)	<input type="checkbox"/>	
5	To date, have any Memoranda of Understanding or other formal arrangements for institutional cooperation related to CITES been agreed between the Management Authority and the following agencies?		Tick if applicable
	Scientific Authority		<input type="checkbox"/>
	Customs		<input checked="" type="checkbox"/>
	Police		<input checked="" type="checkbox"/>
	Other border authorities (specify): Canadian Food Inspection Agency		<input checked="" type="checkbox"/>
	Other government agencies		<input checked="" type="checkbox"/>
	Private sector bodies		<input type="checkbox"/>
	NGOs		<input checked="" type="checkbox"/>
	Other (specify):		<input type="checkbox"/>
6	Have government staff participated in any regional activities related to CITES?		Tick if applicable
	Workshops		<input type="checkbox"/>
	Meetings		<input checked="" type="checkbox"/>
	Other (specify): training		<input checked="" type="checkbox"/>
7	Has there been any effort to encourage any non-Party to accede to the Convention?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
8	If Yes, which one(s) and in what way?		
9	Has technical or financial assistance been provided to another country in relation to CITES?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
10	If Yes, which country(ies) and what kind of assistance was provided?		
11	Has any data been provided for inclusion in the CITES Identification Manual?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
12	If Yes, please give a brief description.		
13	Have measures been taken to achieve coordination and reduce duplication of activities between the national authorities for CITES and other multilateral environmental agreements (e.g. the biodiversity-related conventions)?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

14	If Yes, please give a brief description. Consultation and coordination occur between Federal staff involved in Multi-lateral Environmental Agreement (MEA) - e.g.: CITES, Basel, Stockholm, Montreal Protocol, etc. - implementation to ensure consistency in Canadian approach.
15	Please provide details of any additional measures taken:

D8 Areas for future work

1	Are any of the following activities needed to enhance effectiveness of CITES implementation at the national level and what is the respective level of priority?			
	Activity	High	Medium	Low
	Increased budget for activities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Hiring of more staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Development of implementation tools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Improvement of national networks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Purchase of new technical equipment for monitoring and enforcement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Computerization	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2	Were any difficulties encountered in implementing specific Resolutions or Decisions adopted by the Conference of the Parties?	Yes	<input checked="" type="checkbox"/>	
		No	<input type="checkbox"/>	
		No information	<input type="checkbox"/>	
3	If Yes, which one(s) and what is the main difficulty? The Canadian legal framework does not allow for the direct enforcement of resolutions or decisions from the Convention until they have been included in our domestic legislation through a regulatory amendment process			
4	Have any constraints to implementation of the Convention arisen in your country requiring attention or assistance?	Yes	<input type="checkbox"/>	
		No	<input checked="" type="checkbox"/>	
		No information	<input type="checkbox"/>	
5	If Yes, please describe the constraint and the type of attention or assistance that is required.			
6	Have any measures, procedures or mechanisms been identified within the Convention that would benefit from review and/or simplification?	Yes	<input checked="" type="checkbox"/>	
		No	<input type="checkbox"/>	
		No information	<input type="checkbox"/>	
7	If Yes, please give a brief description. Captive breeding registration, use of source codes, use of annotations, procedures for Appendix III species, temporary movement of specimens which are legally harvested and acquired which are NOT pre-convention, captive bred or artificially propagated. The language of the annotations adopted by the Parties to the Convention should be simplified so that challenges associated with their compliance verification would be reduced.			
8	Please provide details of any additional measures taken:			

E. General feedback

Please provide any additional comments you would like to make, including comments on this format.

Thank you for completing the form. Please remember to include relevant attachments referred to in the report. For convenience, these are listed again below:

Question	Item		
B4	Copy of full text of CITES-relevant legislation	Enclosed	<input type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input checked="" type="checkbox"/>
C3	Details of violations and administrative measures imposed	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C5	Details of specimens seized, confiscated or forfeited	Enclosed	<input type="checkbox"/>
		Not available	<input checked="" type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C7	Details of violations and results of prosecutions	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
C9	Details of violations and results of court actions	Enclosed	<input type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input checked="" type="checkbox"/>
D4(10)	Details of nationally produced brochures or leaflets on CITES produced for educational or public awareness purposes	Enclosed	<input checked="" type="checkbox"/>
		Not available	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>
	Comments		

ANNEX 1 – Response to Compliance and Enforcement Measures

Wildlife Enforcement Directorate – ACT: WAPPRIITA

R vs. SHILLINGFORD, Stephen Malcolm - On February 10, 2014, Stephen Malcolm Shillingford, of Cornwall, Ontario, was convicted in the Ontario Court of Justice for illegally importing reptiles, listed under the Convention on International Trade in Endangered species of Wild Fauna and Flora (CITES), into Canada from the United States. Mr. Shillingford was sentenced to a six-month conditional sentence, a fine of \$5000, and ordered to report to Environment Canada Enforcement for a period of two years before importing plants and animals, for violating the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA) and the regulations thereunder. The fine will be directed to the Environmental Damages Fund.

This case represents a joint investigation with the Canada Border Services Agency and the United States Fish and Wildlife Service (USFWS). Mr. Shillingford was also convicted for smuggling under the Customs Act and received a six-month conditional sentence to be served concurrently.

Mr. Shillingford was found guilty of unlawfully importing CITES-listed reptiles, primarily tortoises, a popular species within the pet trade, into Canada at the Cornwall border crossing, between February 26, 2011 and November 1, 2011, without the required permit under CITES. Mr. Shillingford purchased reptiles in the United States and brought them into Canada. Most of the reptiles were pre-sold to pet stores and individuals in Ontario, using various internet classifieds sites to solicit his clientele.

R vs. DAY, Dennis - On November 5 Dennis Day of Cobden, Ontario, was sentenced in the Ontario Court of Justice after pleading guilty on July 23, 2013 to two counts of violating federal laws regulating the import of reptiles. Mr. Day was sentenced to a 90 day jail term to be served on weekends, and ordered to pay \$50,000 to the Environmental Damages Fund. The court also imposed a three year probation in which Mr. Day is prohibited from possessing any listed species of wildlife except in accordance with the provisions of the Wild Animal and Plant Protection and Regulation of International and interprovincial Trade Act (WAPPRIITA) and the regulations thereunder.

On August 4, 2010, a joint operation by Environment Canada, the Canada Border Services Agency, the Royal Canadian Mounted Police, the United States Fish and Wildlife Service, and the United States Customs and Border Protection found Mr. Day to be in possession of three containers of reptiles that were smuggled into Canada near Cornwall, Ontario by a vessel originating from the United States. Inspection of the containers revealed a number of reptiles that are prohibited in Canada for health and safety reasons and others that are illegal to import into Canada without a permit.

Officers seized 205 animals including 20 Chinese striped turtles or goldentheads, 20 African side neck turtles, 20 South American red-footed tortoises, 1 Herman's tortoise, 1 Serrated hinge back tortoise, 8 African spurred tortoises, 25 Timor monitors, 20 Green iguanas, 51 Jackson's chameleons and 39 Helmeted chameleons. The estimated retail value of these animals is approximately \$50,000.

Mr. Day was convicted under WAPPRIITA for importing animals without a permit and making false or misleading statements to an officer. Mr. Day was also charged by the Canada Border Services Agency

DISCLAIMER: This document is produced for reference only – it is compiled from individual agency submissions. To obtain accurate information about any of these cases, please contact the corresponding prosecuting agency directly. This document is also NOT a comprehensive collection of ALL existing WAPPRIITA cases.

and convicted on March 14, 2013, of smuggling, keeping, acquiring, and disposing of goods illegally imported under the Customs Act. Mr. Day received an additional 90 day jail sentence to be served on weekends, and the reptiles were ordered to be forfeited to the Crown.

As a result of the evidence obtained during the Day investigation, another accused, Mr. Mark Ostroff, was convicted in the Ontario Court of Justice in Cornwall, Ontario on December 14, 2012, after pleading guilty to one count of unlawfully importing animals in violation of the WAPPRIITA. Mr. Ostroff was fined \$40,000 and sentenced to three years' probation.

R vs. WHITMARSH, John, & Lyle – On October 16, 2013, John (Jack) Whitmarsh of Dunmore, Alberta, was convicted in Alberta Provincial Court on two counts for illegally possessing and importing an Alaskan brown bear into Canada. Whitmarsh was sentenced to pay \$15,000 for violating subsection 6(1) and paragraph 8(a) of the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA). The Environmental Damages Fund (EDF) will receive \$13,500 of the \$15,000. Whitmarsh is also prohibited for a period of two years from importing wildlife into Canada and travelling outside of Alberta for the purposes of hunting. He was required to forfeit the hide and skull seized during the investigation.

This resolution is one element of Operation Bruin, an extensive three year multi-agency international investigation into the illegal hunting of Alaskan wildlife. Environment Canada, the United States Fish and Wildlife Service, Alaska Wildlife Troopers and Alberta Fish & Wildlife worked together after Alaskan authorities determined that several Alberta hunters were illegally killing brown bears and importing them into Canada. The investigation revealed that, in addition to the brown bears, a number of mountain goats and two black bears were also allegedly illegally harvested and imported into Canada.

Investigators in Canada seized seven brown bears, five mountain goats, two black bears, four ducks and three wolverines during the investigation. Import and export of all species of bear are controlled by the Convention on the International Trade in Endangered Species of Wild Flora and Fauna (CITES).

To date, 15 Alberta residents have been charged by Environment Canada for alleged contraventions of WAPPRIITA, and two, including John Whitmarsh, have been convicted as a result of Operation Bruin. Lyle Whitmarsh of Cochrane, Alberta, was previously convicted on March 22, 2013 in Calgary Provincial Court for illegally importing a brown bear that was illegally killed in Alaska. He was fined \$4,000, of which \$3,600 will go to the EDF. Additionally, Lyle Whitmarsh was ordered to declare all wildlife imports into Canada to Environment Canada for a period of two years. He also forfeited an Alaska brown bear skull and hide. As a further result of the investigation, three Alaska residents have also been indicted in Alaska, along with a guide. A fourth Alaskan has also been charged in both the United States and Canada.

R vs. LOGAN, Gregory – On October 01, 2013 in provincial court, Gregory (Greg) Logan, of Woodmans Point, New Brunswick, was convicted of seven counts for offences related to the illegal export of about 250 Narwhal ivory tusks to the United States. These offences were committed over a period of seven years. Mr. Logan was sentenced to pay a penalty of \$385,000. This penalty is the largest in Canada for offences under the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA).

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In addition to the \$385,000 penalty, Mr. Logan must serve an eight-month conditional sentence to be served in the community, including four months of house arrest. Mr. Logan is prohibited from possessing or purchasing marine mammal products for a period of 10 years. Mr. Logan is also required to forfeit items used to smuggle the tusks across the Canada-United States border, including a truck and trailer seized during the investigation.

In Canada, only Inuit may harvest Narwhal, which is a source of food and income in northern communities. The harvest and transport of tusks is regulated to ensure that legal trade continues to remain viable and sustainable. The Narwhal, often referred to as “the unicorn of the sea”, is recognized as a species of special concern by the Committee on the Status of Endangered Wildlife in Canada. It is also listed as a protected species under Appendix II of the Convention in International Trade in Endangered Species of Wild Fauna and Flora (CITES). CITES, an international agreement, sets controls on the movement of animal and plant species that are, or may be, threatened due to excessive commercial exploitation.

Operation Longtooth, a two-and-a-half-year investigation, began in April 2009, when Environment Canada’s Enforcement Branch received information from enforcement agencies in the United States regarding the illegal purchase of Narwhal tusks in that country which had originated from Canada. The investigation involved enforcement agencies from across Canada and the United States, producing evidence of ongoing smuggling of Narwhal tusks from Canada to buyers in the United States.

R. vs. 888 Auctions Inc. - On March 21, 2013, 888 Auctions Inc. of Richmond Hill, ON were convicted in the Ontario Court of Justice, after pleading guilty to one count of contravening subsection 6(2) of the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRITA) for unlawfully exporting a carving made from Rhinoceros horn. The court fined 888 Auctions Inc. \$1000.00. The fines will be directed to the Clerk of the Court, Ontario Court of Justice. In addition, the company was ordered to forfeit the Item to the Crown. The incident leading to this conviction occurred in February 27th 2012, when 888 Auctions Inc. exported the Rhinoceros horn carving (Rhinocerotidae spp.), which are in great demand among Asian collectors. All species of Rhinoceros are protected by the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES).

R. vs. OSTROFF, Mark & REPTILE AMAZONE - On December 14, 2012 Mr. Mark Ostroff, doing business as Reptile Amazone, a retailer of reptiles and amphibians located in Montreal, Quebec, was convicted in the Ontario Court of Justice in Cornwall, Ontario after pleading guilty to one count of unlawfully importing animals in violation of a foreign state law (S. 6(1) WAPPRITA). He was fined \$40,000 for unlawfully importing 132 Tortoises, 90 Chameleons, 20 Iguanas and 25 Monitor lizards. Mr. Ostroff was charged in March, 2012, as a result of a multi-agency investigation which included officers from Environment Canada, the Canada Border Security Agency, Royal Canadian Mounted Police and the United States Fish and Wildlife Service. Authorities determined that between June 2010 and August 2010, Mark Ostroff smuggled into Cornwall, Ontario, multiple shipments of reptiles without the required import permits issued in compliance with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

R. v. IP, Muk Leung (Jimmy) & LUCKY AQUARIUM - On November 9, 2012, a joint Environment Canada and Ontario Ministry of Natural Resources operation has resulted in significant penalties against

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two defendants convicted of the unlawful sale, exportation and inter-provincial transport of live Snakehead fish. 1240197 Ontario Inc., operating as Lucky Aquarium in Markham, and an employee of Lucky Aquarium, Mr. Muk Leung (Jimmy) Ip of Toronto, each pleaded guilty in the Ontario Court of Justice in Newmarket to two charges under the federal *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA) of illegally exporting an invasive species, Snakehead fish (*Channidae*) to the United States and illegally transporting Snakehead fish from Ontario to Manitoba. Lucky Aquarium and Mr. Ip also pleaded guilty to four counts under the Ontario *Fish and Wildlife Conservation Act, 1997*, of illegally selling Snakehead fish. Lucky Aquarium was ordered to pay a total of \$75,030 in fines and surcharges with an additional \$1,250 to be paid for the publication of notices that warn of the dangers of invasive species, and outline the potential penalties for those who defy the law. Lucky Aquarium was also sentenced to two years of probation. During probation, Lucky Aquarium must meet stringent requirements for reporting imports, exports, and sales of fish to Environment Canada and the Ontario Ministry of Natural Resources. Mr. Ip was sentenced to two 60-day jail terms to be served concurrently, followed by two years of probation and will pay \$1,250 towards the warning publication referenced above. Lucky Aquarium and Mr. Ip were charged on June 5, 2012, by Environment Canada and the Ontario Ministry of Natural Resources at the conclusion of a 12-month joint-forces undercover operation dubbed “Operation Serpent” by Environment Canada. As a result of the joint-forces operation, Mr. Ip received a penalty of \$13,000 for related charges brought by the United States Fish and Wildlife Service, and the New York Department of Environmental Conservation Police.

ANNEXE 1 – Réponses aux mesures de conformité et d’application de la loi

Direction de l’application de la loi sur la faune – LOI: LPEAVSRCII

R. c. SHILLINGFORD, Stephen Malcolm - Le 10 février 2014, Stephen Malcolm Shillingford de Cornwall, en Ontario, a été reconnu coupable devant la Cour de justice de l’Ontario, d’importation illégale de reptiles inscrits à la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d’extinction (CITES), au Canada depuis les États-Unis. Pour avoir contrevenu à la Loi sur la protection d’espèces animales ou végétales sauvages et la réglementation de leur commerce international et interprovincial (WAPPRIITA) et au règlement qui s’y rattache, M. Shillingford s’est vu condamner à une peine de six mois avec sursis, à une amende de 5 000 dollars et a reçu l’ordre de déclarer au préalable toute importation de plantes ou d’animaux à la Direction générale de l’application de la loi d’Environnement Canada pendant une période de deux. L’amende sera versée au Fonds pour dommages à l’environnement.

Ce cas a fait l’objet d’une enquête conjointe avec l’Agence des services frontaliers du Canada et le Fish and Wildlife Service des États-Unis. M. Shillingford a également été déclaré coupable de contrebande en vertu de la Loi sur les douanes et a été condamné à une peine de six mois avec sursis à purger de façon concurrente.

M. Shillingford a aussi été reconnu coupable d’importation illégale des reptiles inscrits à une annexe de la CITES au Canada – principalement des tortues, une espèce populaire dans le commerce d’animaux de compagnie –, et ce, depuis le poste frontalier de Cornwall, entre le 26 février et le 1er novembre 2011, sans détenir le permis de la CITES exigé. M. Shillingford a acheté des reptiles aux États-Unis et les a transportés au Canada. La plupart des reptiles avaient été vendus à l’avance à des animaleries et à des particuliers en Ontario, à l’aide de divers sites de petites annonces sur Internet où il sollicitait sa clientèle.

R. c. DAY, Dennis - Le 5 novembre Dennis Day, de Cobden, en Ontario, a été condamné devant la Cour de justice de l’Ontario après avoir plaidé coupable, le 23 juillet 2013, à deux chefs d’accusation d’infraction aux lois fédérales régulant l’importation de reptiles. M. Day a écopé d’une peine d’emprisonnement de 90 jours, qu’il purgera les fins de semaine, et d’une amende de 50 000 dollars, qui devra être versée au Fonds pour dommages à l’environnement. La Cour a également imposé à M. Day une période de probation de trois ans au cours de laquelle il lui sera interdit de posséder toute espèce sauvage inscrite, sauf dans les conditions prescrites par la Loi sur la protection d’espèces animales ou végétales sauvages et la réglementation de leur commerce international et interprovincial (WAPPRIITA) et les règlements qui s’y rattachent.

Le 4 août 2010, à l’issue d’une opération mixte d’Environnement Canada, de l’Agence des services frontaliers du Canada, de la Gendarmerie royale du Canada, ainsi que du Fish and Wildlife Service et du Customs Border Patrol des États-Unis, il a été établi que M. Day était en possession de trois conteneurs de reptiles qu’il faisait passer en contrebande au Canada, près de Cornwall, à bord d’un navire provenant des États-Unis. L’inspection des conteneurs a révélé la présence d’un certain nombre de reptiles qui sont interdits au Canada pour des raisons de santé et de sécurité ainsi que d’autres espèces dont l’importation au Canada est illégale sans permis.

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Les agents ont saisi 205 animaux, dont 20 émydes à cou rayé communes, 20 tortues à cou caché de l'Afrique, 20 tortues charbonnières à pattes rouges de l'Amérique du Sud, 1 tortue d'Hermann, 1 Kynixis rongée, 8 tortues sillonnées, 25 Varans de Timor, 20 iguanes verts, 51 caméléons de Jackson et 39 caméléons à casque élevé. La valeur au détail de ces animaux est estimée à environ 50 000 dollars.

M. Day a été condamné en vertu de la WAPPRIITA pour importation d'animaux sans permis et fausses déclarations ou déclarations trompeuses à un agent. M. Day a également été accusé par l'Agence des services frontaliers du Canada et reconnu coupable, le 14 mars 2013, de contrebande, de possession, d'acquisition et de cession de marchandises importées illégalement en vertu de la Loi sur les douanes. Il a été condamné à une peine d'emprisonnement additionnelle de 90 jours qu'il purgera les fins de semaine, et les reptiles ont été confisqués par la Couronne.

En raison de la preuve obtenue au cours de l'enquête sur M. Day, un autre accusé, M. Ostroff a été condamné devant la Cour de justice de l'Ontario, à Cornwall, en Ontario, le 14 décembre 2012 après avoir plaidé coupable à un chef d'accusation d'avoir enfreint la WAPPRIITA en important illégalement des animaux. M. Ostroff a été condamné à verser une amende de 40 000 dollars et à une période de probation de trois ans.

R. c. WHITMARSH, John, et Lyle -, Le 16 octobre 2013, John (Jack) Whitmarsh, de Dunmore, en Alberta, a été condamné devant la cour provinciale de l'Alberta sous deux chefs d'accusation de possession et d'importation illégales d'un ours brun de l'Alaska au Canada. Il a été condamné à une amende de 15 000 dollars pour avoir enfreint le paragraphe 6(1) et l'alinéa 8a) de la Loi sur la protection d'espèces animales ou végétales sauvages et la réglementation de leur commerce international et interprovincial. De cette somme, le Fonds pour dommages à l'environnement recevra 13 500 dollars. M. Whitmarsh s'est également vu interdire d'importer des espèces sauvages au Canada pendant deux ans et de voyager à l'extérieur de l'Alberta à des fins de chasse. Il a dû renoncer à la peau et au crâne qui lui avaient été confisqués au cours de l'enquête.

Cette résolution représente un volet de l'opération Bruin, une vaste enquête internationale multi-organismes menée pendant trois ans dans le domaine de la chasse illégale de la faune de l'Alaska. Environnement Canada, le Fish and Wildlife Service des États-Unis, le Alaska Wildlife Troopers et le Fish & Wildlife de l'Alberta ont travaillé en collaboration après que les autorités de l'Alaska ont déterminé que plusieurs chasseurs de l'Alberta chassaient illégalement des ours bruns et qu'ils les importaient au Canada. L'enquête a révélé que, en plus des ours bruns, un certain nombre de chèvres de montagne et deux ours noirs auraient également été illégalement tués et importés au Canada.

Des enquêteurs au Canada ont saisi sept ours bruns, cinq chèvres de montagne, deux ours noirs, quatre canards et trois carcajous au cours de l'enquête. La Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction (CITES) régit l'importation et l'exportation de toutes les espèces d'ours.

À ce jour, Environnement Canada a porté des accusations contre quinze résidents de l'Alberta pour des allégations d'infraction à la Loi sur la protection d'espèces animales ou végétales sauvages et la réglementation de leur commerce international et interprovincial, et deux résidents, dont John Whitmarsh, ont été reconnus coupables dans la foulée de l'opération Bruin. Lyle Whitmarsh, de Cochrane, en Alberta, a déjà été déclaré coupable, le 22 mars 2013, devant la cour provinciale de Calgary pour avoir importé illégalement un ours brun qui avait été tué illégalement en Alaska. Il a reçu une amende de 4 000 dollars, dont 3 600 dollars seront versés au Fonds pour dommages à l'environnement. De plus, Lyle Whitmarsh est

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tenu de déclarer à Environnement Canada tous les animaux sauvages qu'il importe au Canada pendant deux ans. Le crâne et la peau d'un ours brun de l'Alaska lui ont également été confisqués.

L'enquête a également permis de porter des accusations contre trois résidents de l'Alaska et un guide. Une quatrième personne de l'Alaska a aussi été accusée aux États-Unis et au Canada.

R. c. LOGAN, Gregory – Le 01 octobre 2013 devant la cour provinciale, Gregory (Greg) Logan, de Woodmans Point, au Nouveau-Brunswick, a été reconnu coupable de sept chefs d'accusation concernant l'exportation illégale d'environ 250 défenses de narval en ivoire vers les États-Unis. Les infractions ont été commises sur une période de sept ans. M. Logan a été condamné à payer une amende de 385 000 dollars. Cette amende est la plus lourde imposée au Canada pour des infractions à la Loi sur la protection d'espèces animales ou végétales sauvages et la réglementation de leur commerce international et interprovincial.

En plus de l'amende de 385 000 dollars, M. Logan a été condamné à une peine de huit mois avec sursis à purger dans la communauté, y compris quatre mois de détention à domicile. Il est interdit à M. Logan de posséder et d'acheter des produits dérivés de mammifères marins pour une période de 10 ans. M. Logan doit également renoncer aux objets ayant servi à la contrebande de défenses en traversant la frontière des États-Unis et du Canada, y compris un camion et une remorque saisis au cours de l'enquête.

Au Canada, seuls les Inuits ont le droit de capturer le narval, qui est une source de nourriture et de revenus chez les collectivités du Nord. La capture et le transport de défenses sont réglementés pour assurer que le commerce légal demeure viable et durable. Le narval, aussi connu sous le nom de « licorne de mer », est reconnu comme une espèce préoccupante par le Comité sur la situation des espèces en péril au Canada. Il est également inscrit comme étant une espèce protégée à l'Annexe II de la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction (CITES). La CITES, un accord international, établit des contrôles sur le déplacement des espèces animales et végétales qui sont, ou qui peuvent être, menacées du fait d'une exploitation commerciale excessive.

L'opération Longtooth, une enquête de deux ans et demi, a été lancée en avril 2009, lorsque la Direction générale de l'application de la loi d'Environnement Canada a obtenu des renseignements d'organismes d'application de la loi des États-Unis au sujet de l'achat illicite de défenses de narval dans ce pays en provenance du Canada. L'enquête a entraîné la participation d'organismes d'application de la loi du Canada et des États-Unis, qui ont fourni des preuves de contrebande continue de défenses de narval du Canada vers des acheteurs aux États-Unis.

R. c. 888 Auctions Inc. – Le 21 mars 2013, 888 Auctions Inc., de Richmond Hill, en Ontario, a été condamné en Cour de justice de l'Ontario, après avoir plaidé coupable à un chef d'accusation d'exportation illégale d'une sculpture en corne de rhinocéros, ce qui constitue une infraction au paragraphe 6(2) de la *Loi sur la protection d'espèces animales ou végétales et la réglementation de leur commerce international et interprovincial* (WAPPRIITA). La Cour a condamné 888 Auctions Inc. à 1 000 \$ d'amende. Cette somme sera versée au greffier de la Cour de justice de l'Ontario. De plus, l'entreprise s'est vue confisquer l'article au profit de la Couronne. L'incident qui a entraîné cette déclaration de culpabilité a eu lieu le 27 février 2012, lorsque 888 Auctions Inc. a exporté la sculpture en corne de rhinocéros (famille des Rhinocerotidés), qui compte parmi les objets très recherchés des collectionneurs asiatiques. Toutes les espèces de rhinocéros sont protégées par la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction (CITES).

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R. c. OSTROFF, Mark, et REPTILE AMAZONE – Le 14 décembre 2012, M. Mark Ostroff, faisant affaire sous la raison sociale Reptile Amazone, un détaillant de reptiles et d'amphibiens de Montréal, au Québec, a été déclaré coupable devant la Cour de justice de l'Ontario à Cornwall, en Ontario, après avoir plaidé coupable à un chef d'accusation pour avoir importé illégalement des animaux, ce qui constitue une infraction à une loi d'un état étranger (par. 6(1) de la WAPPRIITA). Il a écopé d'une amende de 40 000 \$ pour avoir importé illégalement 132 tortues, 90 caméléons, 20 iguanes et 25 varans. M. Ostroff a été accusé en mars 2012 suite à une enquête pilotée par plusieurs organismes, entre autres, des agents d'Environnement Canada, de l'Agence des services frontaliers du Canada, de la Gendarmerie royale du Canada et du Fish and Wildlife Service des États-Unis. Les autorités ont déterminé que, entre juin 2010 et août 2010, Mark Ostroff a passé en contrebande à Cornwall, en Ontario, des expéditions multiples de reptiles sans les permis d'importation requis qui sont délivrés conformément à la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction (CITES).

R. c. IP, Muk Leung (Jimmy) et LUCKY AQUARIUM - Le 9 novembre 2012, une opération conjointe d'Environnement Canada et du ministère des Richesses naturelles de l'Ontario s'est traduite par d'importantes peines contre deux accusés reconnus coupables de vente illégale, d'exportation et de transport interprovincial de poissons-serpents vivants. La société 1240197 Ontario Inc., exploitant sous le nom de Lucky Aquarium à Markham, et un employé de Lucky Aquarium, Muk Leung (Jimmy) Ip, de Toronto, ont chacun plaidé coupable devant la Cour de justice de l'Ontario, à Newmarket, à deux accusations d'exportation illégale d'une espèce envahissante, le poisson-serpent (*Channidae*), vers les États-Unis et de transport illégal de cette espèce, de l'Ontario vers le Manitoba, en vertu de la *Loi sur la protection d'espèces animales ou végétales sauvages et la réglementation de leur commerce interprovincial et international* (WAPPRIITA). Lucky Aquarium et M. Ip ont également plaidé coupables à quatre chefs d'accusation de vente illégale de poissons-serpents en vertu de la *Loi de 1997 sur la protection du poisson et de la faune* de l'Ontario. L'entreprise Lucky Aquarium a été condamnée à payer une somme de 75 030 dollars en amendes et en suramendes en plus d'une somme additionnelle de 1 250 dollars aux fins de la publication d'avis qui traitent des dangers des espèces envahissantes et qui soulignent les pénalités dont sont passibles les contrevenants. Lucky Aquarium a également été condamnée à une période de probation de deux ans. Au cours de cette période de probation, Lucky Aquarium devra satisfaire à des exigences rigoureuses en déclarant ses activités d'importation, d'exportation et de vente de poissons à Environnement Canada et au ministère des Richesses naturelles de l'Ontario. M. Ip a été condamné à purger deux peines d'emprisonnement de 60 jours concurremment, suivies d'une période de probation de deux ans, et à payer une somme de 1 250 dollars aux fins de la publication des avis susmentionnés. Lucky Aquarium et M. Ip ont été accusés le 5 juin 2012 par Environnement Canada et le ministère des Richesses naturelles de l'Ontario à la suite d'une opération d'infiltration des forces conjuguées menée sur une période de douze mois et nommée « opération Serpent » par Environnement Canada. À la suite de cette opération conjointe, M. Ip a été sanctionné par une pénalité de 13 000 dollars pour des accusations de même nature portées contre lui par le Fish and Wildlife Service des États-Unis et le Department of Environmental Conservation Police de l'État de New York.

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American ginseng (*Panax quinquefolius*)

- American ginseng is a wild perennial plant that has become very rare in Canada—the harvest of wild American ginseng is considered unsustainable.
- American ginseng is an endangered species and is protected by law.
 - It is protected on federal lands under the *Species at Risk Act*.
 - The harvest, trade and cultivation of wild, wild-simulated and woods-grown American ginseng is prohibited under Ontario's *Endangered Species Act, 2007*.
 - In Quebec, under the *Loi sur les espèces menacées ou vulnérables*, harvest or trade of wild American ginseng is prohibited.
- The export of wild American ginseng is prohibited from Canada—only cultivated American ginseng can be legally traded in Canada.
- The export from Canada of cultivated ginseng requires a Canadian CITES export permit.

Situation

When American ginseng was first discovered growing in North America in 1715, it set off a lucrative trade business and rapidly became the second most important Canadian export after fur. The roots of ginseng had been used for centuries in traditional Asian medicine, and it was in high demand. Ginseng is still used by many people today in the practice of traditional medicine.

Unfortunately, this wild perennial plant has become very rare in Canada, and the harvest of wild American ginseng is now considered unsustainable. Very few viable populations remain in Canada; even low levels of harvest and poaching pose a real threat to its survival because of its slow growth and low rate of reproduction in the wild. American ginseng plants are long-lived but can take three to eight years to reach maturity and begin flowering.

In Canada, wild American ginseng is found only in southern Ontario and Quebec. Over-harvesting, poaching and habitat destruction have led to its being listed as nationally endangered (*Species at Risk Act*), provincially endangered in Ontario (highest risk category, *Endangered Species Act, 2007*), and threatened in Quebec (highest risk category, *Loi sur les espèces menacées ou vulnérables*).

For this reason, the harvest, import and export of American ginseng in Canada today is regulated and carefully monitored. **Only cultivated American ginseng can be legally traded in Canada.** Even the possession of wild American ginseng collected in Canada is prohibited, and the export of wild American ginseng from Canada is also prohibited. However, wild or cultivated American ginseng legally imported from the U.S. can still be legally traded.

Photo: Brenda Buchart © Environment Canada



What is the law?

The export of wild American ginseng is prohibited from Canada. Only cultivated ginseng may be authorized for export when conditions are met. The export from Canada of cultivated ginseng requires a Canadian CITES ([Convention on International Trade in Endangered Species of Wild Fauna and Flora](#)) export [permit](#) issued by Environment Canada's Canadian Wildlife Service. Permits are issued for personal or commercial purposes. There is no exemption for American ginseng purchased by tourists, and a CITES export permit is required to bring any amount of American ginseng home.

The requirements for CITES permits apply to whole or sliced roots and parts of roots, whether fresh or dried. As the roots require permits, whole plants with roots, live or dead, require permits as well. A CITES export permit is not required for exporting ginseng seeds, or manufactured parts or derivatives of ginseng such as powders, pills, extracts, tonics, teas and confectionery. For more information you can refer to the [Notice for Exporters of North American Ginseng from Canada](#) on www.ec.gc.ca/CITES.

American Ginseng	Requirements	Applicable Laws
Harvested from the wild in Canada	Harvest, possession, sale: Prohibited and illegal International and interprovincial trade: Prohibited and illegal	<ul style="list-style-type: none"> • Species at Risk Act • WAPPRIITA/CITES • Provincial legislation
Cultivated	Export from Canada: Canadian CITES Export Permit Harvest, possession, sale – Ontario: Prohibited and illegal unless the American ginseng is cultivated on land in respect of which license fees are payable to the Ontario Ginseng Growers Association without the use of any material such as seeds, roots or cuttings, taken from the wild in Ontario on or after June 30, 2008; and cultivated using structures that produce artificial shade. International trade: Legal to trade within provinces and to export from provinces within Canada, if legally acquired, in accordance with provincial laws.	<ul style="list-style-type: none"> • WAPPRIITA/CITES • Provincial legislation



What you can do!

You can help protect this Canadian species at risk by avoiding contributing to its illegal harvest from the wild and its trafficking.

If you own or operate a pharmacy, or sell herbal plants or animal parts, or medicines that contain wildlife derivatives, you must ensure there are no illegal parts of American ginseng in the ingredients in any of the medicines in your store. You may sell cultivated American ginseng from Canada (live plants and whole or sliced roots and parts of roots), but make sure you know the name of the company or wholesaler where it was obtained. If you sell wild or cultivated American ginseng imported from another country, ask the importer to give you a copy of the CITES export [permits](#). Your store may be inspected by Environment Canada, so keep a record to prove the American ginseng roots were legally obtained.

If you import or export herbs or medicines containing wildlife parts or derivatives that include American ginseng roots, whole or sliced roots or parts of roots, be sure that none of the ginseng is from wild harvested plants from Canada or from cultivated plants from Ontario that do not meet Ontario legal requirements. If you import cultivated or wild American ginseng from the U.S. or export cultivated American ginseng from Canada, you must first obtain the necessary CITES [permits](#) and present them to the Canada Border Services Agency upon entry to and exit from Canada.

If you are a customer or user of traditional herbs and medicines, you must only buy products that have been grown and/or imported legally. Ask the store owner for proof of legal import/export or purchase. If you travel with medicines, make sure you have all the required [permits](#) before leaving or entering Canada with live American ginseng plants and whole or sliced roots or parts of roots. American ginseng that is native to Canada or the U.S., even if it is returned after being shipped to Asia, is not exempt for live plants, whole or sliced roots and parts of roots, and needs a re-export permit.



Photo: Brenda Buchart © Environment Canada



What happens if you do not comply with the law?

The goods will be seized, and you may receive a warning or a ticket, or fines of up to \$150,000 and/or five years in jail for individuals, and fines of up to \$300,000 for businesses. A separate fine can be imposed for every illegal item. For instance, an individual could be charged for every box of a product containing endangered species parts or derivatives. Serious offences may be subject to a broader range of penalties and higher fines.



Photo: Brenda Buchart © Environment Canada



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For more information on [American ginseng](#), please visit Environment Canada's [CITES](#) website.

For more information on how and where to apply for a CITES [permit](#), contact Environment Canada at cites@ec.gc.ca

or

Management Authority
Convention on International Trade in Endangered Species
Canadian Wildlife Service
Environment Canada
Ottawa ON K1A 0H3

Telephone: **1-800-668-6767**
or **819-997-1840** (National Capital Region)
Fax: **819-953-6283**

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Ginseng à cinq folioles (*Panax quinquefolius*)

- Le ginseng à cinq folioles est une plante vivace sauvage devenue très rare au Canada. La cueillette d'individus dans une population sauvage de ginseng à cinq folioles n'est pas une pratique appropriée pour la survie des populations.
- Le ginseng à cinq folioles est une espèce en voie de disparition, et à ce titre, elle est protégée par plusieurs lois.
 - Sur le territoire domanial fédéral, cette espèce est protégée en vertu de la *Loi sur les espèces en péril*.
 - En Ontario, la cueillette, le commerce et la culture du ginseng à cinq folioles sauvage, semi-naturel et cultivé en forêt sont interdits en vertu de la *Loi de 2007 sur les espèces en voie de disparition*.
 - o Au Québec, la cueillette et le commerce du ginseng à cinq folioles sauvage sont interdits en vertu de la *Loi sur les espèces menacées ou vulnérables*.
- L'exportation du ginseng à cinq folioles sauvage est interdite au Canada. Seul le commerce du ginseng à cinq folioles cultivé y est légal.
- L'exportation de ginseng cultivé à partir du Canada exige un permis canadien d'exportation de la CITES.

Situation

Lorsque le ginseng à cinq folioles a été découvert pour la première fois en Amérique du Nord en 1715, un commerce lucratif s'est alors mis en place et cette plante est rapidement devenue la marchandise la plus exportée du Canada après la fourrure. Les racines de ginseng étaient utilisées depuis des siècles dans la médecine traditionnelle asiatique, et la demande était forte. Encore aujourd'hui, le ginseng est couramment utilisé, par de nombreuses personnes, dans la médecine traditionnelle.

Malheureusement, cette plante vivace sauvage est devenue très rare au Canada, et la cueillette des populations sauvages du ginseng à cinq folioles est désormais une pratique jugée non durable. Très peu de populations viables sont encore présentes au Canada. La cueillette légale et illégale, même à très faible niveau constitue une véritable menace pour sa survie, en raison de sa lente croissance et de son faible taux de reproduction en milieu naturel. La durée de vie du ginseng à cinq folioles est longue, mais il lui faut trois à huit ans pour atteindre sa maturité et commencer sa floraison.

Au Canada, les populations sauvages du ginseng à cinq folioles poussent uniquement dans le sud de l'Ontario et au Québec. En raison de la cueillette excessive et illégale, et de la destruction de son habitat, cette espèce a été inscrite sur la liste des espèces en voie de disparition à l'échelle nationale (*Loi sur les espèces en péril*), tandis qu'elle est considérée à l'échelle provinciale comme une espèce en voie de disparition en Ontario (catégorie de risque la plus élevée, *Loi de 2007 sur les espèces en voie de disparition*) et elle détient le statut d'espèce menacée au Québec (catégorie de risque la plus élevée, *Loi sur les espèces menacées ou vulnérables*).

C'est pourquoi aujourd'hui la cueillette, l'importation et l'exportation du ginseng à cinq folioles au Canada sont réglementées et soigneusement surveillées. **Seul le commerce du ginseng à cinq folioles cultivé est légal au Canada.** Même la possession de ginseng à cinq folioles sauvage cueilli au Canada est interdite, et il en va de même pour son exportation à partir du Canada. Toutefois, les populations sauvages ou cultivées du ginseng à cinq folioles qui ont été importées légalement des États-Unis peuvent encore faire l'objet d'un commerce légal.

Photo : Brenda Buchart © Environnement Canada



Quelle est la loi?

L'exportation du ginseng à cinq folioles sauvage depuis le Canada est interdite. Seul le ginseng cultivé peut être exporté sous certaines conditions. L'exportation de ginseng cultivé à partir du Canada exige un [permis canadien d'exportation de la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction](#) (CITES). Ce permis est délivré par le Service canadien de la faune d'Environnement Canada. Les permis sont délivrés à des fins personnelles et commerciales. Il n'y a pas d'exemption pour le ginseng à cinq folioles acheté par des touristes, et un permis d'exportation de la CITES est exigé pour en rapporter chez soi, peu importe la quantité.

Les exigences relatives aux permis de la CITES s'appliquent aux racines entières ou coupées et aux parties de racines, qu'elles soient fraîches ou séchées. Étant donné que la possession de racines exige la détention d'un permis, les plantes entières avec des racines, vivantes ou mortes, exigent également la détention d'un permis. Un permis d'exportation de la CITES n'est pas exigé pour l'exportation de graines de ginseng, de parties ou de produits transformés du ginseng comme les poudres, les comprimés, les extraits, les lotions toniques, les tisanes et les confiseries. Pour obtenir de plus amples renseignements à ce sujet, vous pouvez consulter l'[Avis aux exportateurs de ginseng à cinq folioles à partir du Canada](#) sur la page Web suivante : www.ec.gc.ca/CITES.

Ginseng à cinq folioles	Exigences	Lois applicables
Spécimens provenant de populations sauvages au Canada	La cueillette, la possession et la vente sont interdites et illégales . Le commerce international et interprovincial est interdit et illégal .	<ul style="list-style-type: none"> • Loi sur les espèces en péril • WAPPRIITA et CITES • Législations provinciales
Spécimens provenant de populations cultivées	L'exportation à partir du Canada nécessite un permis canadien d'exportation de la CITES . En Ontario, la cueillette, la possession et la vente sont interdites et illégales à moins que le ginseng à cinq folioles soit cultivé sur des terres ayant obtenus des droits de permis payables à l'Ontario Ginseng Growers Association. De plus, depuis le 30 juin 2008, il est interdit d'utiliser dans la culture une partie de ginseng, comme les graines, les racines ou les boutures, prélevée de la nature en Ontario ; et la culture doit se faire à l'aide de structures qui produisent de l'ombre artificielle. Commerce international : Au Canada, le commerce est légal au sein des provinces, et l'exportation internationale est légale depuis les provinces, à condition que le ginseng ait été obtenu légalement conformément aux lois provinciales.	<ul style="list-style-type: none"> • WAPPRIITA et CITES • Législations provinciales



Et vous, que pouvez-vous faire?

Vous pouvez contribuer à la protection de cette espèce canadienne en péril en vous abstenant de cueillir du ginseng illégalement dans la nature et d'en faire le trafic.

Si vous êtes le propriétaire ou opérez une pharmacie ou si vous vendez des plantes, des parties d'animaux ou des médicaments contenant des produits dérivés d'espèces sauvages :

Vous devez vous assurer qu'il n'y a aucune partie illégale de ginseng à cinq folioles dans les ingrédients des médicaments ou produit que vous avez dans votre magasin.

- Vous pouvez vendre du ginseng à cinq folioles cultivé du Canada (plantes vivantes et racines entières ou coupées, ou parties de racines), mais vous devez connaître le nom de l'entreprise ou du grossiste où il a été obtenu.
- Si vous vendez du ginseng à cinq folioles sauvage ou cultivé qui a été importé d'un autre pays, demandez à l'importateur de vous remettre une copie des permis d'exportation de la CITES. Votre établissement pourrait faire l'objet d'une inspection par Environnement Canada. Vous devez donc conserver une preuve que les racines de ginseng à cinq folioles ont été obtenues légalement.

Si vous importez ou exportez des herbes ou des médicaments contenant des parties d'espèces sauvages ou des produits dérivés qui contiennent des racines de ginseng à cinq folioles, des racines entières ou coupées, ou des parties de racines :

- assurez-vous que le ginseng ne provient d'aucune plante sauvage cueillie au Canada ou d'aucune plante cultivée en Ontario qui ne respecte pas les exigences juridiques de la province.
- Si vous importez du ginseng à cinq folioles cultivé ou sauvage des États-Unis ou exportez du ginseng à cinq folioles cultivé à partir du Canada, vous devez d'abord obtenir les permis de la CITES exigés et les présenter à l'Agence des services frontaliers du Canada à l'arrivée du produit au Canada ou à sa sortie du Canada.

Si vous êtes un consommateur ou un utilisateur d'herbes et de médicaments traditionnels :

- vous devez acheter uniquement des produits qui ont été cultivés ou importés en toute légalité. Demandez au propriétaire de l'établissement une preuve que l'importation, l'exportation ou l'achat a été fait dans le respect des lois.

Si vous voyagez avec des médicaments, assurez-vous que vous détenez tous les permis exigés avant de quitter ou d'entrer au Canada avec des plantes vivantes et des racines entières ou coupées, ou des parties de racines de ginseng à cinq folioles. Notez, que toutes les plantes vivantes et les racines entières ou coupées, ou les parties de racines de ginseng à cinq folioles provenant du Canada et des États-Unis puis retournés au Canada après avoir été envoyé en Asie ne sont pas exemptés d'obtenir un permis de la CITES. Dans cette situation, un permis de réexportation de la CITES est exigé.



Photo : Brenda Buchart © Environnement Canada



Qu'arrive-t-il si vous ne respectez pas la loi?

Les marchandises seront confisquées et, si vous êtes un particulier, vous pourriez recevoir un avertissement, une contravention, une amende pouvant atteindre 150 000 \$ ou une peine d'emprisonnement pouvant aller jusqu'à cinq ans. Dans le cas d'une entreprise, l'amende pourrait aller jusqu'à 300 000 \$. Une amende différente pourrait être imposée pour chaque article illégal. Par exemple, un particulier pourrait se voir imposer une amende pour chaque boîte d'un produit contenant des parties ou des produits dérivés d'espèces en voie de disparition. Les infractions graves peuvent entraîner une plus grande variété de sanctions et des amendes plus élevées.



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Pour obtenir de plus amples renseignements sur le [ginseng à cinq folioles](#), veuillez consulter les pages Web consacrées à la [CITES](#) sur le site Web d'Environnement Canada.

Pour savoir comment et où présenter une demande de [permis](#) de la CITES, veuillez communiquer avec Environnement Canada à l'aide des coordonnées suivantes : cites@ec.gc.ca

ou

Organe de gestion

Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction

Service canadien de la faune

Environnement Canada

Ottawa (Ontario) K1A 0H3

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