

## **CITES CoP16 - Enforcement Related Matters**

Discussions at CITES COP16 highlighted the fact that wildlife crime has become a serious threat to the security, political stability, economy, natural resources and cultural heritage of many countries and that the extent of the response required to effectively address this threat are often beyond the sole remit of environmental or wildlife law enforcement agencies, or of one country or region alone.

Wildlife crime has evolved into a serious transnational organized crime with clear involvement of well resourced organized crime groups. In recent years rebel militant groups have also become increasingly involved in wildlife crime. Wildlife rangers who are serving in the front-line are often quite literally being outgunned. There is some excellent enforcement-related work being done, but enforcement authorities are up against dangerous and ruthless opponents.

Wildlife crime was also recognized as a serious transnational organized crime during a thematic discussion on the challenge posed by emerging forms of crime that have a significant impact on the environment, during the 22<sup>nd</sup> Session of the United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ) in Vienna last week. A key outcome of the CCPCJ was the adoption of a Resolution titled "Crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora" on Friday 26 April 2013, which encourages States to take a number of measures to combat illegal wildlife trade more effectively.

If we are going to seriously combat illegal wildlife trade, we need to: treat it as a serious crime; coordinate enforcement efforts at global, regional and national levels; work across source, transit and destination States; make better use of forensics and the sharing of forensic evidence, in particular for large-scale seizures; take more aggressive enforcement action utilizing the sorts of techniques used to combat illicit trade in narcotics and other serious crimes - such as intelligence driven operations, risk profiling, controlled deliveries<sup>1</sup>, covert operations, and the use of anti-money laundering and asset forfeiture legislation; we need to move beyond seizures by ensuring follow-up investigations and prosecutions, especially targeted at the 'king pins' behind organized criminal syndicates. Such measures were discussed at length at CoP16 and incorporated in a suite of CoP decisions and resolutions to be implemented between now and 2016.

The International Consortium on Combating Wildlife Crime<sup>2</sup> (ICWC), comprising CITES, INTERPOL, the United Nations Office on Drugs and Crime (UNODC), the World Bank and the World Customs Organization (WCO), was actively involved at CoP16 and was recognized as the world's leading intergovernmental initiative in the fight against wildlife crime.

On the political level, ICWC hosted a side event at CoP16 that brought together Ministers and other high level representatives to discuss transboundary wildlife crime,

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<sup>1</sup> See for example: [http://www.cites.org/eng/news/sundry/2011/20111219\\_cd\\_workshop.php](http://www.cites.org/eng/news/sundry/2011/20111219_cd_workshop.php)

<sup>2</sup> See: <http://www.cites.org/eng/prog/icwc.php>

with a special focus on elephants and rhinoceros<sup>3</sup>. In another ICCWC event, the regional wildlife enforcement networks from around the world were brought together for the first time, recognizing the need for enhanced intra- and inter-regional cooperation<sup>4</sup>. The Asian Development Bank also hosted an event for senior judges, Attorneys General, prosecutors, senior customs officials, police and many others to discuss wildlife crime, where cutting-edge training in investigation techniques was delivered by ICCWC partners to wildlife law enforcement officials from across Asia, equipping them with specialized knowledge they can apply in their battle to halt transnational organized wildlife and forest crime<sup>5</sup>.

I would like to highlight some of the important enforcement related Decisions adopted by CITES CoP16, primarily focussing on those related to elephants and rhinoceroses:

### **Elephants**

With regard to elephants the 16<sup>th</sup> Conference of the Parties adopted a wide range of Decisions, including directing the Secretariat to convene a CITES Ivory Enforcement Task Force to:

- i) review existing strategies and develop new strategies to combat illegal trade in ivory; and
  - ii) propose measures to African and Asian enforcement authorities to promote long-term collaboration between them
- examine and advise about existing DNA-based and forensic identification techniques for sourcing and ageing ivory, identify relevant forensic facilities and research institutions, and consider the need for further research in these areas;
  - convene a workshop for Parties on the use of controlled deliveries with the aim of expanding the application of this investigation technique, particularly in Africa and Asia;
  - develop, in cooperation with the World Bank and other ICCWC partners, an anti-money-laundering and asset recovery manual with a specific focus on wildlife crime.

At its 63rd meeting, which immediately preceded CoP16 the CITES Standing Committee requested the Secretariat to use its best endeavours in the course of CoP16 to assist eight Parties (China, Kenya, Malaysia, Philippines, Thailand, Uganda, the United Republic of Tanzania and Viet Nam) to develop national action plans aimed at reducing illegal trade in ivory, with time frames and milestones to be implemented by the 65th meeting of the Standing Committee (SC65).

The Secretariat worked closely with representatives of all eight Parties within the margins of CoP16 and at the 64<sup>th</sup> meeting of the CITES Standing Committee, which took

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<sup>3</sup> See: [http://www.cites.org/eng/news/pr/2013/20130305\\_ministerial.php](http://www.cites.org/eng/news/pr/2013/20130305_ministerial.php)

<sup>4</sup> See: [http://www.cites.org/eng/news/pr/2013/20130307\\_wen.php](http://www.cites.org/eng/news/pr/2013/20130307_wen.php)

<sup>5</sup> See: [http://www.cites.org/eng/news/sundry/2013/20130313\\_iccwc\\_training.php](http://www.cites.org/eng/news/sundry/2013/20130313_iccwc_training.php)

place immediately after CoP16, the CITES Standing Committee adopted a number of recommendations aimed at combating the poaching of elephants and the associated illegal trade in ivory.

These recommendations amongst others require that the eight mentioned countries should finalize their national ivory action plans and submit them to the Secretariat by 15 May 2013.

CoP16 Decisions also requires from the Secretariat to contact each Party identified as being of 'secondary concern' by the Elephant Trade Information System (ETIS) (Cameroon, [the Congo, the Democratic Republic of the Congo, Egypt, Ethiopia, Gabon, Mozambique, Nigeria and Uganda) to seek clarification on their implementation of CITES provisions concerning control of trade in elephant ivory and ivory markets;

The Secretariat will further contact each country identified in the ETIS report presented to CoP16 as being of 'importance to watch' (Angola, Cambodia, Japan, Laos People's Democratic Republic, Qatar and United Arab Emirates) to seek clarification on their implementation of CITES and other provisions concerning control of trade in elephant ivory and ivory markets.

### **Rhinoceroses**

All Parties should:

- immediately bring every seizure of illegal rhinoceros specimens made within their territories to the attention of authorities in countries of origin, transit and destination, and to the attention of the Secretariat.
- notify the Secretariat of seizures of rhinoceros horn for which the origin cannot be determined. Such a notification should include information describing the circumstances of the seizure;
- develop and implement strategies or programmes to enhance community awareness with regard to the economic, social and environmental impacts of illicit trafficking in wildlife, and to encourage the general public to report activities related to illegal wildlife trade to appropriate authorities for further investigation.
- Secretariat is further required to convene a CITES Rhinoceros Enforcement Task Force to develop strategies to improve international cooperation.

In compliance with another enforcement related decision, the Secretariat will, in cooperation with its ICCWC partners, establish Wildlife Incident Support Teams (WISTs) consisting of enforcement staff or relevant experts. WISTs shall be dispatched at the request of a country that has been affected by significant poaching of CITES specimens, or that has made a large-scale seizure of such specimens, to assist it, and guide and facilitate appropriate follow-up actions in the immediate aftermath of such an incident.

Parties also took significant decisions on other species being pressured by illegal trade, such as Asian big cats, great apes, freshwater turtles and tortoises, certain timber species, the Tibetan antelope and others, but unfortunately time will not allow me to go into more detail with regard to these.

The strategic and operational decisions taken on enforcement matters at CITES CoP16 provide a strong basis for Parties to take concrete action to put an end to the current high levels of illegal wildlife trade.

Thank you

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