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Strengthening Front-Line Action to Combat Wildlife and Forest Crimes

The world has been confronted by illegal wildlife trade for decades, but the recent spike in the scale and change in the nature of this illicit activity have markedly exacerbated the severity of its impacts.

These far-reaching consequences are particularly evident for the illegal ivory trade—a crime that has not only had a devastating impact on African elephants, but also threatens people and their livelihoods, economies and, in some cases, national and regional security. Fortunately, the international community is awakening to the serious nature of wildlife crime¹ and is determined to work together to end this illicit trade.

Eight countries² are considered pivotal to global efforts to combat illegal ivory trade, representing the key range States, transit points and destination markets. These countries are at the center of collaborative and practical action to conserve African elephants, undertaken under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). In 2013, each of these States—upon recommendation of the CITES Standing Committee and following the adoption of decisive measures to combat wildlife crime at the 16th meeting of CITES Conference of the Parties (CoP16)³—developed a national ivory action plan outlining the urgent measures that it would undertake to combat illegal trade in ivory. In July 2014, the Standing Committee gathered for its 65th meeting to evaluate implementation of these plans, marking the first assessment of their effectiveness.

In the review process, the Standing Committee found that ivory action plans had provided a catalyst for a diverse range of national initiatives and international cooperation. New wildlife legislation had been enacted in Kenya and progressed in other countries, strengthening mandates and increasing penalties to provide a more effective deterrent to would-be offenders; enforcement efforts had been enhanced, including the establishment of cross-agency task forces in the Philippines and Uganda, and an increase in enforcement capacity, most notably in the United Republic of Tanzania, where efforts to recruit 1,000 game scouts were well underway; and the use of modern technologies had also been expanded, including greater implementation of DNA analysis to identify the origins of seized ivory and support efforts to trace sophisticated criminal networks behind ivory smuggling.

While much more needs to be done to combat illegal ivory trade, these results demonstrate the practical potential of action plans in helping nations to combat wildlife crime. The use of action plans has subsequently been broadened to cover more countries involved in the illegal ivory trade, and adopted as a tool to reduce the illegal trade in rhinoceros horn.⁴ This is just

one example of how CITES is strengthening front-line action to respond to wildlife crime, as part of its broader mandate to ensure that international trade in wildlife is sustainable, legal and traceable.

With 180 States (called Parties) signatory to the Convention, CITES is the principal instrument in regulating international trade in wildlife. Over 35,000 species of wild plants and animals are listed in its three Appendices,⁵ each corresponding to differing levels of trade control to ensure that trade is not detrimental to the survival of species in the wild. CITES Trade Database⁶ includes over 14 million legal trade transactions, indicating the extent of sustainable use regulated through the Convention. This important role of CITES as a regulating body operating at the “intersection between trade, the environment and development” was recognized by Governments at the United Nations Conference on Sustainable Development Rio+20, in 2012.^{7,8}

Through the Conference of the Parties (CoP) and Standing Committee, the Convention allows for the use of compliance measures—such as recommending trade sanctions—when a Party does not implement the provisions of the Convention effectively. The Secretariat monitors the implementation of the Convention and provides support to Parties, addressing scientific, legislative and enforcement matters, along with cross-cutting capacity-building, knowledge and outreach activities.

It is this mandate to regulate international trade in wild fauna and flora that led CITES, against a backdrop of escalating illegal wildlife trade and the increased involvement of organized criminal networks, to join forces with its International Consortium on Combating Wildlife Crime (ICCWC) partners, in order to provide globally-coordinated support to national law enforcement agencies and a more integrated response to wildlife and forest crime.

CITES Secretariat acts as the Chair of ICCWC, playing a coordinating role for the consortium. One recent development in this regard is the adoption of the ICCWC Strategic Mission 2014-2016,⁹ a document that outlines a medium-term strategy, identifying areas of mutual interest upon which ICCWC partners seek to collaborate. The alignment between CITES mandate and ICCWC focus areas is strengthened by the increasing attention to illegal wildlife trade paid in global, regional and national fora, including meetings of the governing bodies of ICCWC partners.

Illegal wildlife trade is now clearly integrated within both long- and short-term directions on CITES implementation provided by the CoP. Long-term guidance is primarily endorsed through a resolution¹⁰ on Compliance and enforcement, which urges Parties to make wildlife crime a priority for national law enforcement, and recognizes, among other things, the need for more cooperation and training, as well as for enhanced national control of trade. The resolution also recognizes the benefits that the flagship ICCWC Wildlife and Forest Crime Analytic Toolkit¹¹ offers Parties, encouraging its use to analyze national responses to wildlife crime. Toolkit implementation is now underway in a number of countries, coordinated by the United Nations Office on Drugs and Crime (UNODC).

Short-term action is driven by critical, time-bound decisions to tackle wildlife crime adopted at CoP16—the instructions that underpin many of the activities being currently pursued by ICCWC. The enforcement-related decisions agreed upon at CoP16 include measures in fighting illegal trade in ivory, rhinoceros horn, Asian big cats, cheetahs, Tibetan antelope, pangolins, snakes, turtles and tortoises, with a number of agreements recognizing the role of ICCWC in their implementation. The meeting was also noted for a shift away from finger-pointing and apportionment of

blame, in favor of collective actions to combat wildlife crime by enabling various agencies to work together to interdict the range of illegal supply chains—as the spirit of collaboration that echoes the founding principles upon which ICCWC was established.

In response to a CoP16 decision, CITES Secretariat, in cooperation with its ICCWC partners, convened a CITES Rhinoceros Enforcement Task Force meeting, bringing together 21 range, transit and destination States to strategize how to combat the illegal rhinoceros horn trade. The event culminated in an agreement on a set of actions¹² to be pursued by Parties, both individually and collectively. Regional collaboration was also strengthened by the first global meeting of wildlife enforcement networks, convened by ICCWC in the aftermath of CoP16.¹³

Both long- and short-term directions for CITES implementation recognize the importance of using the specialized investigation techniques deployed against other serious crimes in the fight against illegal wildlife trade. Among them are such methods as covert operations, controlled deliveries, and asset seizure and recovery. A range of capacity-building activities are being delivered by ICCWC in response, including training in the use of controlled deliveries and the development of an e-module on anti-money laundering techniques.

The Consortium also provided hands-on training in specialized investigation techniques and secure communication tools to Customs, police and wildlife law enforcement officers from 28 countries, ahead of a global law enforcement operation held in January 2014. The benefits of this collaboration and of the practical support provided by ICCWC to participants are apparent in the excellent results achieved. The month-long Operation COBRA II yielded more than 350 major seizures of wildlife products and over 400 arrests. This included the arrest of those behind a transnational organized ivory smuggling syndicate and, notably, the extradition of a Chinese smuggler from Kenya to China—the first-ever extradition of a Chinese national for a wildlife-related criminal offence.

CITES also acknowledges the benefits that modern technology offers to wildlife law enforcement. Led by UNODC, ICCWC is finalizing best practice guidelines for DNA analysis of ivory, creating a practical tool for enforcement officers and forensic facilities worldwide, and supporting the attention given to forensic identification techniques by CoP16. In a similar vein, a CITES decision on promoting follow-up actions to large-scale seizures led to the deployment of the first ICCWC Wildlife Incident Support Team (WIST), a group of enforcement experts led by the International Criminal Police Organization (INTERPOL) that assisted Sri Lankan officers in taking DNA samples from 359 elephant tusks seized by national authorities at the Port of Colombo.

These activities delivered through ICCWC form a part of the extensive CITES response to illegal wildlife trade, with a diverse range of actions underway to support the effective implementation of the Convention.

Capacity-building is spearheaded by CITES Virtual College,¹⁴ a comprehensive e-learning facility offering interactive courses, reference materials and a training center for Parties and the wider CITES community. The College offers instruction on enforcement, including a course tailored for Customs officials, to increase knowledge of CITES across the enforcement chain.

Legal aspects of trade are strengthened by the National Legislation Project, which provides technical assistance to Parties—particularly new CITES signatories—to develop and enact CITES-implementing legislation. Many

Parties have benefitted from the practical measures offered through this project, such as regional legislative workshops, national missions and direct drafting assistance.

In addition to ICCWC-targeted action on forensics, CITES Secretariat is working with the private sector on the creation of an impact investment fund to finance new and innovative technologies that may play a role in combating wildlife crime and help bring these innovations to market.¹⁵

Activities to improve the traceability of CITES specimens also support the prevention of illegal trade. A CITES e-permitting toolkit aligned to international trade standards provides a framework for electronic trade in CITES-listed species, streamlining transactions for CITES authorities and Customs officials, and reducing the potential for the use of fraudulent CITES paperwork as a means of conducting illegal trade. Several Parties have created such e-permitting systems, including a €10 million German KfW Development Bank project, which supports the deployment of CITES e-permitting toolkit across Amazon Cooperation Treaty Organization (ACTO) Member States. Further practical support for Customs officials will be provided with the development of a module for international trade in CITES-listed species, which will be integrated into the United Nations Conference on Trade and Development Automated System for Customs Data (ASYCUDA), a Customs management tool in use in over 90 countries.¹⁶ Investigations into potential global track-and-trace standards for wildlife also offer promise, both in facilitating trade across business chains and in ensuring its sustainability.

This article highlights just some of the most practical tools and tangible front-line support provided by CITES, both individually and under the ICCWC banner. Combined, these well-targeted actions are helping to ensure that international trade in wildlife is sustainable, legal and traceable. In so doing, these initiatives are reducing opportunities for illegal trade in CITES-listed species, making wildlife crime more likely to be detected and subjected to stronger deterrent penalties, with the ultimate objective of avoiding the devastating social, economic and environmental consequences of these serious and highly destructive crimes.

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Notes

1 For an indication of the increasing attention to illegal wildlife trade in recent years, see the following schematic representation of high- level global, regional and national initiatives prepared by the CITES Secretariat: http://www.cites.org/sites/default/files/eng/news/pr/2014/cITES%20Jun%20attention_chart_fixed.pdf

2 CITES Elephant Trade Information System (ETIS) analysis reported in annex 1 of document Sc62 Doc. 46.1 (Rev. 1) prepared for the 62nd meeting of the CITES Standing committee held in Geneva, Switzerland, in July 2012, identified a number of Parties as being involved in substantial illegal ivory trade as a source, transit, or destination country. Kenya, Uganda and the United Republic of Tanzania were identified as source countries for illegal elephant ivory; Malaysia, the Philippines, and Viet Nam as transit countries of such ivory; and China and Thailand as destination countries. Hong Kong, China, was also identified as an important transit place. Available from: <http://www.cites.org/sites/default/files/eng/com/sc/62/E62-46-01.pdf>

3 John E. Scanlon, "A 'watershed moment' for combating wildlife crime," *Biodiversity Policy and Practice*, International Institute for Sustainable Development (iisd), 15 April 2013. Available from: <http://biodiversity-l.iisd.org/guest-articles/cites-cop16-bangkok-2013-a-%E2%80%98watershed-moment%E2%80%99-for-combating-wildlife-crime/>

4 A summary of the conclusions stemming from the 65th meeting of the CITES Standing committee can be found at: http://www.cites.org/eng/news/pr/2014/Sc65_focus_on_the_front_lines

5 Appendix I includes species threatened with extinction (e.g. tigers, sea turtles, primates). Trade in specimens of these species is permitted only in the most exceptional circumstances. Appendix II includes species not necessarily threatened with extinction, but in which trade must be regulated (e.g. mahogany, scorpions, falcons). Appendix III lists species that are protected in at least one country which has asked other CITES Parties for assistance in controlling the trade. Information on the CITES appendices is available from: <http://www.cites.org/eng/disc/how.php>

6 The records in CITES Trade Database can be publicly searched via: <http://trade.cites.org/>

7 The importance of CITES as "an international agreement operating at the intersection between trade, the environment and development" is recognized in paragraph 203 of the outcome resolution *The Future We Want* from the Rio+20, the United Nations Conference on Sustainable Development (a/RES/66/288). Available from: http://www.un.org/en/ga/search/view_doc.asp?symbol=%20a/RES/66/288

8 John E. Scanlon, "CITES: From Stockholm in '72 to Rio+20 – Back to the future," *Sustainable Development Policy and Practice*, International Institute for Sustainable Development (iisd), 6 July 2012. Available from: <http://uncsd.iisd.org/guest-articles/cites-from-stockholm-in-%E2%80%9872-to-rio20-back-to-the-future/>

9 ICCWC, *ICCWC Strategic Mission 2014-16*, July 2014. Available from: http://cites.org/sites/default/files/eng/prog/iccwc/ICCWC_Strategic_Mission_WEB.pdf

10 CITES Resolution conf. 11.3 (Rev. coP16) *Compliance and enforcement*, available from: <http://www.cites.org/eng/res/11/E-Res-11-03R16.pdf>

11 The *ICCWC Wildlife and Forest Crime Analytic Toolkit* was developed by the United Nations office on Drugs and crime on behalf of the ICCWC. The Toolkit is available in English, French and Spanish. It can be accessed via: <http://www.cites.org/eng/prog/iccwc.php/Tools>

12 Strategies and proposed actions to combat poaching of and illegal trade in rhinoceros horn are stemming from the CITES Rhinoceros Task Force meeting held in Nairobi, Kenya, on 28-29 October 2013. available from: <http://cites.org/sites/default/files/notif/E-notif-2014-006a.pdf>

13 CITES, "First global meeting of wildlife enforcement networks highlights importance of cross-border cooperation to combat trans-national organized wildlife and forest crime," 7 March 2013. Available from: http://www.cites.org/eng/news/pr/2013/20130307_wen.php

14 CITES Virtual college can be accessed at: <https://cites.unia.es/>

15 World Economic Forum, "Creating the business case for CITES: a new finance mechanism," *Green Light: A monthly look at new sustainability initiatives*, Global agenda council on Governance for Sustainability, October 2013. Available from: http://www.cites.org/fb/2013/wef_greenlight2013.pdf

16 CITES, "CITES Secretariat and UNCTAD join forces to assist Customs authorities to regulate trade in wildlife," 2014. Available from: http://www.cites.org/eng/news/pr/2014/CITES_UNCTAD

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