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investigation  
agency

## Wildlife

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### **Wildlife crime enforcement support in West and Central Africa**

A guide to implementation of  
Decisions 18.90 (Rev. CoP19),  
18.91 (Rev. CoP19), 19.84, 19.85,  
19.86, 19.87 and 19.88

October 2023





## ACKNOWLEDGEMENTS

This report was written and edited by the Environmental Investigation Agency UK (EIA). This report was partly funded by the UK Government through the Illegal Wildlife Trade Challenge Fund. This report was funded in part by a grant from the United States Department of State. The opinions, findings and conclusions stated herein are those of the authors and do not necessarily reflect those of the United States Department of State.

EIA also wishes to thank its numerous other supporters whose long-term commitment to the organisation's mission and values helped make this report possible.



## ABOUT EIA

We investigate and campaign against environmental crime and abuse.

Our undercover investigations expose transnational wildlife crime, with a focus on elephants, pangolins and tigers, and forest crimes such as illegal logging and deforestation for cash crops such as palm oil. We work to safeguard global marine ecosystems by addressing the threats posed by plastic pollution, bycatch and commercial exploitation of whales, dolphins and porpoises. Finally, we work to avert climate catastrophe by strengthening and enforcing regional and international agreements that tackle short-lived climate super-pollutants, including ozone-depleting substances, hydrofluorocarbons and methane, and advocating corporate and policy measures to promote transition to a sustainable cooling sector and away from fossil fuels.

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**Front cover:** West and Central Africa is one of the most significant regions implicated in the illegal trade in elephant ivory, pangolin scales and rosewood

**Above:** Forest elephant populations in West and Central Africa have significantly declined and continued to be threatened by poaching.

## CONTENTS

Part 1- About these decisions	4
Part 2 - EIA recommendations	8
Part 3 - Guidance on the implementation of Decisions	12
Decision 18.90 (Rev. CoP19)	14
Decision 18.91 (Rev. CoP19)	18
Decision 19.84	20
Decision 19.85	24
Decision 19.86	28
Decision 19.87	30
Decision 19.88	34



# Part One

About these decisions

## Introduction

This report has been prepared by the Environmental Investigation Agency (EIA UK) to provide guidance to Parties and entities engaged with wildlife crime enforcement issues relating to West and Central Africa, including State agencies, intergovernmental (IGOs) and non-governmental organisations (NGOs).

Part 2 provides an overview of EIA analysis and recommendations to support the implementation of these Decisions.

Part 3 of provides the text of each Decision, a breakdown of the entities to which they apply and guidance on implementation and relevant resources linked to each Decision.

## History

This current set of Decisions was adopted at CITES CoP19 following discussions regarding wildlife crime enforcement support in West and Central Africa, in particular CoP19. Doc. 36.1 on *“Wildlife crime enforcement support in West and Central Africa”*, a report of the Standing Committee and Doc. 36.2 on *“Wildlife Crime and CITES Enforcement Support in West and Central Africa”*, submitted by Côte d’Ivoire, the Gambia, Liberia, Niger, Nigeria and Senegal.

The Decisions strongly encourage Parties in both West and Central Africa, and those importing CITES specimens from the two subregions, to use several robust and effective existing mechanisms and guidance for communication and collaboration against illegal wildlife trade (IWT), including INTERPOL, the World Customs Organisation (WCO) and the UN Convention Against Transnational Organized Crime (UNTOC).

Use of the International Consortium on Combating Wildlife Crime (ICWC) Toolkit assessment process was also recommended to be expedited across the region. Furthermore, the Decisions directed the Standing Committee to establish a Working Group from all regions to explore procedures to enhance collaboration and communication across all countries.



**Above:** All three pangolin populations in West and Central Africa including white-bellied pangolin, giant pangolin and black-bellied pangolin are declining



**Above:** Most of the West or Central African countries involved in trafficking are not rhino range States so trade routes to and from these countries are possibly linked to Southern Africa

## Why is this set of Decisions necessary?

Wildlife crime in West and Central Africa continues to affect the fauna and flora in the subregions and undermine CITES implementation and rule of law.

West and Central Africa is often cited as arguably the most significant region implicated in wildlife trafficking, involving several highly threatened species including, but not limited to, African elephants, pangolins, rhinoceros and birds.<sup>12</sup> The reach of the criminal networks involved often extends far beyond the region itself, devastating Africa's wildlife to supply markets beyond the continent, with one of the most exploited trafficking routes globally being between countries in West and Central Africa and South-East Asia, with Nigeria and Vietnam being two primary hubs.<sup>3,4</sup>

The response to these crimes remains challenging and, while significant efforts have been made over the last two decades, with more interdiction<sup>5</sup> and arrests of suspects, criminal justice outcomes and tangible

deterrents are still lacking. As a result, IWT continues to be a low-risk, high-profit activity.

Obstacles to an effective global response to wildlife trafficking from West and Central Africa centre around a lack of effective international cooperation, including the failure to exchange routine information (such as information on persons of interest and concealment methods) and urgent, actionable intelligence relating to crimes in progress.

Additionally, Parties continue to lack financial resources and face prioritisation of budget allocations in competition with other crime areas. While significant funding has been provided to support countries address wildlife crime, access to such funds can be challenging.

## Who do these Decisions apply to?

The geographical scope of this set of Decisions is vast, given that they effectively apply to all Parties that import, illicitly or otherwise, any CITES specimens from West and Central Africa. The West and Central Africa region comprises 26 countries (15 countries from West Africa<sup>6</sup> and 11 in Central Africa<sup>7</sup>).

CITES trade data<sup>8</sup> indicates some 180 countries import CITES specimens from West and Central Africa. Top importers by frequency of trade between 2013-22 include the United States of America (US), Germany, China, Japan, France, Hong Kong SAR, Republic of Korea, Thailand, Belgium and South Africa.

CITES specimens exported from West and Central Africa to these countries include a myriad of species of fauna and flora under all three Appendices for purposes including breeding in captivity, hunting trophy, educational, scientific, forensic, commercial, etc.



Furthermore, Decisions are directed to intergovernmental institutions, including the five members of the ICCWC: the CITES Secretariat, INTERPOL, the UN Office on Drugs and Crime (UNODC), WCO and the World Bank and towards the dozens of NGOs that support efforts to improve enforcement and implementation of CITES provisions.

**Above:** Currently there are 184 signatories to CITES and there are some 180 Parties import CITES specimens from West and Central Africa

## What are the implications of this set of Decisions?

Recognising the significance of wildlife trafficking from West and Central Africa to dozens of countries around the globe, Parties importing CITES specimens from West and Central Africa should assist their counterparts by implementing the measures described and evolving from this set of Decisions, ensuring an effective and collaborative response.

Parties, IGOs and NGOs should provide technical assistance to Parties in West and Central Africa, but must also accelerate and harmonise their own responses. Likewise, Parties in West and Central Africa must respond within their capacity.

We urge Parties in West and Central Africa to expedite the development of measures to address wildlife trafficking, including the implementation of ICCWC

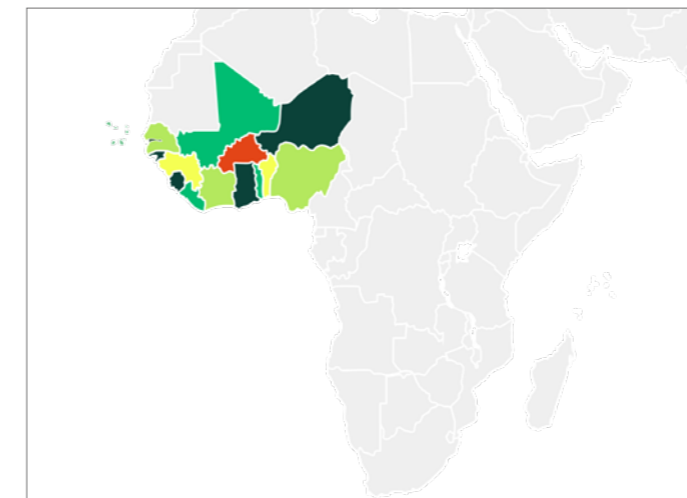
Toolkit assessments, the adoption of the West Africa Strategy on Combating Wildlife Crime (WASCWC) by the ECOWAS Parliament, the formal establishment of the West Africa Network to Combat Wildlife Crime (WAN) and the development of National Wildlife Crime Strategies and Wildlife Law Enforcement Task Forces.

## Conclusion

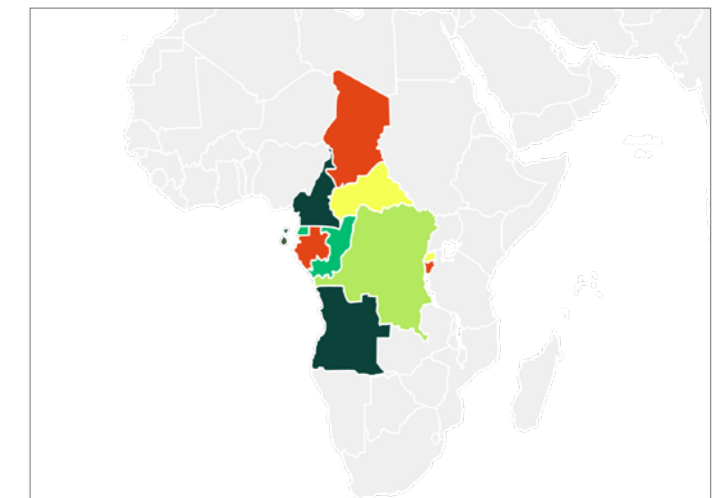
We applaud the Parties in the region for their wide range of programmes resulting in increased enforcement and capacity in recent years. EIA has extensive experience working with government and frontline partners in the region and witnesses at first-hand the need for these efforts and funding to be sustainable and consistent.

EIA also reminds Parties that enforcement actions such as seizures and arrests are only one part of a wider criminal justice response and that long-term, sustainable

responses must include the prosecution of serious and organised wildlife crime, supported by a robust and efficient judicial process.<sup>9</sup>



**Above:** 15 Parties in West Africa are encouraged to expedite the adoption of WASCWC to tackle wildlife trafficking



**Above:** 11 Parties in Central Africa are encouraged to expedite actions under COMIFAC to tackle wildlife trafficking

A close-up photograph of a tortoise shell, showing the intricate patterns and textures of the scutes. A prominent hole is visible in the upper right section of the shell, surrounded by a rough, irregular opening. The background is a plain, light-colored surface.

# Part Two

EIA's  
recommendations

Decision	EIA recommendation	Go to page
<b>18.90 (Rev.CoP19)</b>	<ul style="list-style-type: none"> <li>Donor community, Parties, IGOs and NGOs should increase funding and partnerships with academic institutions to enhance independent ecological research to inform NDF decision-making.</li> <li>Parties should make all data comprising the science-based rationale underlying NDF decisions publicly available.</li> <li>Parties that import from West and Central Africa are encouraged to voluntarily feed back to the Standing Committee on their efforts to implement this Decision, in particular on efforts to undertake due diligence.</li> <li>Parties should maintain up-to-date national contact details on the CITES website to enable smooth communication and timely resolution of concerns between importing, exporting and re-exporting Parties.</li> </ul>	14
<b>18.91 (Rev. CoP19)</b>	<ul style="list-style-type: none"> <li>IGOs and NGOs involved in counter-wildlife trafficking activities in the two subregions should increase communication and cooperation to avoid duplication of effort and to increase impact and reach of activities, including by joining relevant Working Groups</li> </ul>	18
<b>19.84</b>	<ul style="list-style-type: none"> <li>Parties should use existing mechanisms provided by INTERPOL and WCO and follow guidance under UNTOC to strengthen international law enforcement cooperation to tackle wildlife crime.</li> <li>Parties requiring guidance on the use of such mechanisms should seek support from ICCWC partners. Parties importing timber species from West and Central Africa should provide timely reports of seizures of timber exported from the two subregions to address illegal timber trade.</li> <li>Parties in West and Central Africa and Parties importing from the two subregions should implement measures and activities outlined in the Outcome document of the Task Force on illegal trade in specimens of timber CITES-listed tree species.</li> </ul>	20
<b>19.85</b>	<ul style="list-style-type: none"> <li>Parties should expedite actions to enhance bilateral, regional and international collaboration and communication to facilitate cross border investigation and prosecution of transnational trafficking networks, including through the provisions and mechanisms available under WASCWC and COMIFAC</li> <li>Parties should go beyond viewing seizures as an enforcement outcome and instead prioritise interagency post-incident investigations to secure prosecutions and convictions.</li> <li>Parties should expedite actions to tackle corruption, which continues to pose a systemic challenge to tackling wildlife crime, through targeted national anti-corruption strategies.</li> </ul>	24
<b>19.86</b>	<ul style="list-style-type: none"> <li>Parties in West Africa, through ECOWAS, should request the support of the CITES Secretariat as the Chair of ICCWC to accelerate the WAN establishment process.</li> <li>Parties in Central Africa, through COMIFAC, should request the support of the CITES Secretariat as the Chair of ICCWC to assess the performance of the COMIFAC WEN.</li> <li>ICCWC partners including the CITES Secretariat, INTERPOL, UNODC, WBG and WCO should provide support to Parties in West and Central Africa in the matters of WEN establishment and performance</li> </ul>	28

Decision	EIA recommendation	Go to page
<b>19.87</b>	<ul style="list-style-type: none"> <li>The Secretariat and ICCWC partners should promote and facilitate law enforcement cooperation between West and Central African Parties and others involved in the trafficking supply chain by convening WIRE and RIACM meetings to discuss ongoing cases.</li> <li>Parties in West and Central Africa which have not already done so should request an ICCWC Toolkit assessment by approaching the CITES Secretariat (ICCWC Chair), especially prior to the development of a national strategy to combat wildlife crime</li> <li>The Secretariat and its ICCWC partners should provide relevant capacity-building activities to national agencies in West and Central Africa after conducting the ICCWC Toolkit assessments.</li> <li>Parties and ICCWC partners should make Toolkit assessment results and recommendations publicly available in the interests of transparency and to enable stakeholders to align their activities with relevant recommendations.</li> </ul>	30
<b>19.88</b>	<ul style="list-style-type: none"> <li>The Working Group should make recommendations for consideration by the Standing Committee to enhance collaboration and communication, making use of existing tools, particularly those supported by mandated inter-governmental organisations including INTERPO and the WCO, with support from ICCWC.</li> <li>The Working Group should note the existence of many significant funds to support both compliance under CITES and enforcement against IWT and should work with the Secretariat to ensure Parties are aware of ways to secure such funding.</li> </ul>	34

**Below:** Illegal and unsustainable trade in West African rosewood continues to persist despite its listing on Appendix II in January 2017



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# Part Three

Guidance on the implementation of decisions



## Decision 18.90 (Rev CoP19)

### 18.90 (Rev. CoP19) Decision directed to: Parties importing CITES specimens from West and Central Africa

Parties importing CITES specimens from West and Central Africa are encouraged to assist their counterparts in West and Central Africa by implementing measures that will address wildlife crime and support legal trade that is limited to sustainable levels, in particular by:

a) supporting efforts to determine and ensure sustainable levels of trade through scientific studies that can facilitate the making of robust non-detriment

findings;

b) undertaking due diligence as outlined in Resolution Conf. 11.3 (Rev. CoP19) on Compliance and enforcement and closely scrutinizing consignments of CITES-listed species imported from West and Central Africa and accompanying CITES documents to ensure that illegal species are not laundered into legal trade; and

c) as a priority, raise any concerns about imports with the exporting State, or with the Animals Committee, Plants Committee, Standing Committee, or the Secretariat

## Who is this directed to?

- Parties importing CITES specimens from West and Central Africa (i.e., most Parties to CITES)

According to the CITES trade database,<sup>10</sup> there are approximately 180 countries importing CITES specimens from West and Central Africa. Top importers by frequency of trade between 2013-22 include the US, Germany, China, Japan, France, Hong Kong SAR, Republic of Korea, Thailand, Belgium and South Africa.

- Parties from West and Central Africa:

**West Africa<sup>11</sup>:** Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo

**Central Africa<sup>12</sup>:** Angola, Burundi, Cameroon, Central Africa Republic, Chad, Congo, Democratic Republic of Congo (DR Congo), Equatorial Guinea, Gabon, Rwanda and Sao Tomé and Príncipe

## Context

Importing Parties are encouraged to assist Parties in West and Central Africa in addressing wildlife crime and ensuring sustainable levels of trade by:

- a) supporting efforts to determine and ensure sustainable levels of trade through scientific studies that can facilitate the making of robust non-detriment findings**

Before any permit for trade can be issued for a CITES listed-species, a non-detriment finding (NDF), a science-based assessment, must be carried out to determine whether trade will have a negative or detrimental impact on the survival of the species in question. NDFs also assess whether trade would allow the maintenance of populations of the specific species at a level consistent with its role in its ecosystems.<sup>13</sup> NDFs are therefore central to ensuring that permits are only issued in instances where it has been determined that trade is not a threat to the conservation of endangered species.

NDFs are enshrined in Articles III and IV of the Convention and Resolution Conf. 16.7 (Rev. CoP17) provides guiding principles to assist Parties meet NDF requirements; however, gaps remain in the proper implementation of NDFs.<sup>14</sup> Several Parties in West and Central Africa have been selected for inclusion in the Review of Significant Trade process due to concerns over the sustainability of exports of CITES-listed specimens and have been requested to improve their NDF measures before the export of fauna and flora species, including Nigeria,<sup>15</sup> DR Congo,<sup>16</sup> Guinea,<sup>17</sup> Cameroon, the Central African Republic, Chad, the Gambia, Guinea Bissau, Mali and Togo.<sup>18</sup>



A review of the NDF process was agreed at CoP18 and is currently under way to strengthen the capacity of CITES Parties to undertake NDFs using the best available science, which includes an international expert workshop to review and improve a suite of new NDF guidance materials that will be held in Nairobi, Kenya, in December 2023. This review process is expected to end in December 2024.

**Above:** Elephant ivory, pangolin scales and rhino horns are common contraband exported out of West and Central Africa destined for Asia



It is critical that the donor community and CITES Parties invest in, and partner with, academic institutions for independent scientific and ecological research to strengthen knowledge on conservation statuses of CITES-listed species and the impacts that trade and other offtake may have on their survival. Furthermore, Parties should make use of local and other civil society organisations (CSOs) and IGOs for information and data exchange. In line with Resolution 16.7 (Rev. CoP17), EIA further recommends that measures be taken to ensure transparency in the NDF process, including by providing written records of the science-based rationales and scientific information used for non-detriment finding assessments to the Secretariat for publication on the CITES website.

**b) undertaking due diligence as outlined in Resolution Conf. 11.3 (Rev. CoP19) on Compliance and enforcement and closely scrutinising consignments of CITES-listed species imported from West and Central Africa and accompanying CITES documents to ensure that illegal species are not laundered into legal trade**

Parties importing CITES specimens from West and Central Africa are requested to undertake due diligence as outlined in Resolution Conf. 11.3 (Rev. CoP19)<sup>19</sup> to ensure that CITES specimens are not involved in the

transaction and to ensure that the specimen in trade is accompanied by proper CITES documentation. Section II, paragraph 3 of Resolution Conf 11.3 details the procedures that States of import, re-export and export must follow to ensure due diligence, including actions to be taken by any Party in the transaction with concerns about non-compliant practices.

**c) as a priority, raise any concerns about imports with the exporting State, or with the Animals Committee, Plants Committee, Standing Committee, or the Secretariat**

Parties should raise any concerns about imports from West and Central Africa by contacting the exporting Party's National Authorities directly. Contact details of these agencies are available on the CITES website.<sup>20</sup> It is critical that Parties to CITES continuously update their national contact details on the website to enable smooth communication and better implementation of the Convention.

Parties may also report their concerns to the Enforcement, Legal or Science Unit<sup>21</sup> under the CITES Secretariat or the Chairs of the Animals Committee,<sup>22</sup> Plants Committee,<sup>23</sup> and Standing Committee.<sup>24</sup>

**Below:** There is a high level of convergence between ivory and pangolin trafficking and the timber trade from West and Central Africa



## EIA recommendations

EIA calls on Parties importing CITES specimens from West and Central Africa to contribute efforts and resources to support transparent, independent and robust NDF assessments. This includes providing funding for, and forming partnerships with, academia, IGO and NGO sectors. EIA calls for NDF data to be made publicly available in the interests of transparency and accountability and reminds Parties to maintain up-to-date national contact details on the CITES website to facilitate communications.

**Above:** Wildlife trafficking poses a serious threat to global biodiversity, including keystone species such as elephants



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## Decision 18.91 (Rev . CoP19)

### 18.91 (Rev. CoP19) Decision directed to: Parties, intergovernmental organisations and non-governmental organisations

Parties, intergovernmental and non-governmental organisations are encouraged to provide financial and technical assistance to Parties in West and

Central Africa and mobilise resources to support the implementation of Decisions 19.84, 19.85, paragraphs a) and b), 19.86, 19.87 paragraphs a), b) and c) and 18.90 (Rev. CoP19) and, as appropriate, take these Decisions into consideration in the development of work programmes or activities they initiate in the two subregions.

**Above:** Parties, IGOs, and NGOs are called to provide technical and financial support to increase law enforcement response to tackle wildlife trafficking in West and Central Africa

## Who is this directed to?

- all CITES Parties
- intergovernmental organisations (IGOs)
- non-governmental organisations (NGOs)

## Context

Parties, IGOs and NGOs are encouraged to provide financial and technical support to Parties in West and Central Africa to tackle illegal trade in wild fauna and flora. This includes the provision of training courses for national authorities in the two subregions to support implementation of activities described in Decisions 19.84, 19.85, paragraphs a) and b), 19.86, 19.87 paragraphs a), b) and c) and 18.90 (Rev. CoP19). Key activities under these Decisions include enhancing law enforcement cooperation and communication at national, regional and international levels to tackle wildlife and timber trafficking.

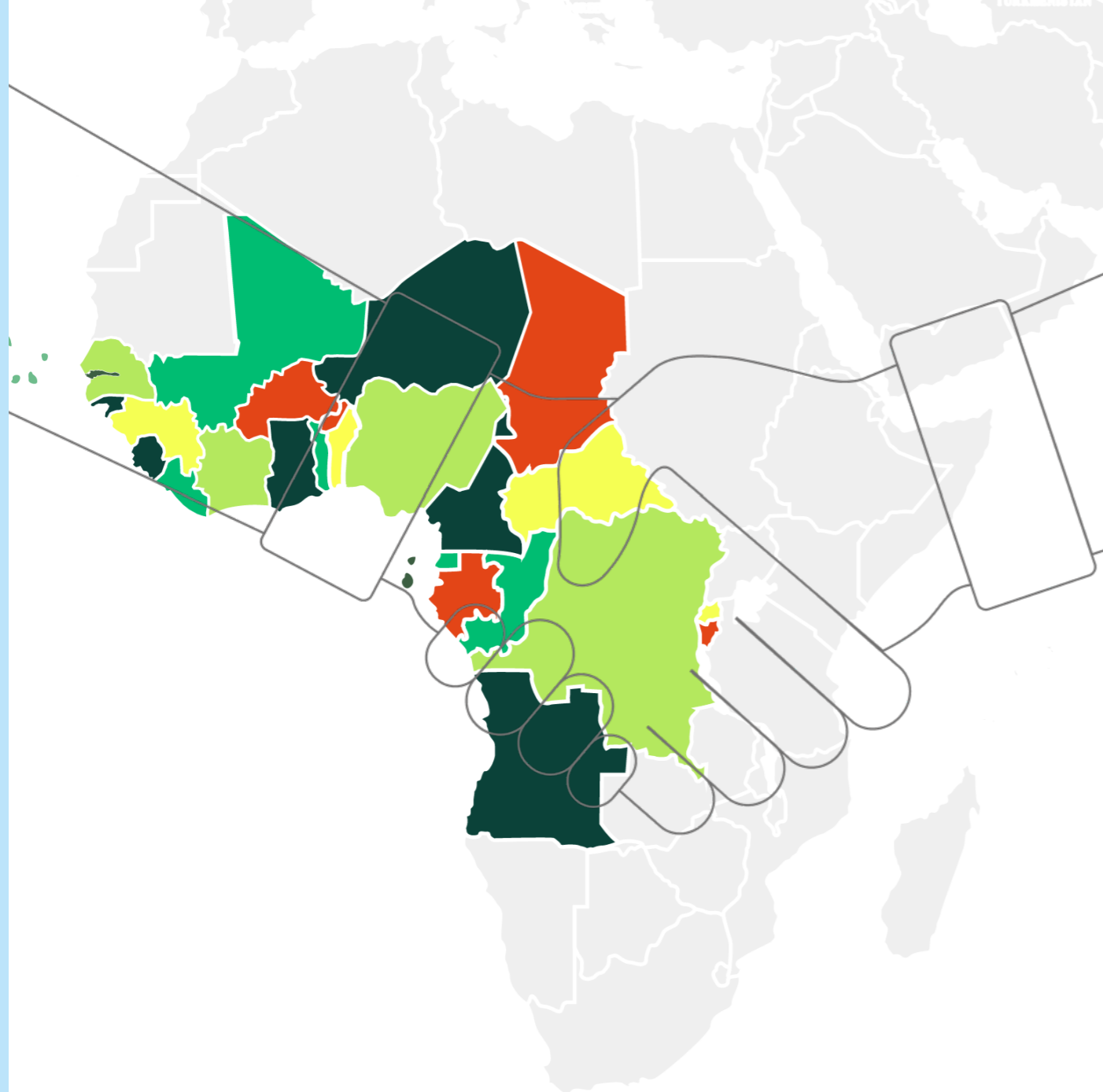
Over the past decade, the West and Central African region has been a top recipient of counter wildlife trafficking (CWT) funding. For example, between 2010-16, Central and West Africa received 25 per cent and five per

cent respectively of the total of CWT funding during this period.<sup>25</sup> Top donors of this funding included the Global Environment Facility (GEF), Germany, the US, the EU and the WBG.

NGOs at the international and national levels have contributed efforts to reducing wildlife trafficking in West and Central Africa through implementing projects funded by the above governments and other donors. For example, in partnership with Africa Nature Investors Foundation (ANI), EIA has worked to strengthen criminal justice responses to wildlife crime in Nigeria through legislative analysis and specialist-led financial crime investigation training courses for relevant law enforcement agencies. EIA's SCJ programme of work is underpinned by close ties with relevant national law enforcement agencies and local CSOs.<sup>26</sup>

## EIA recommendations

This Decision encourages Parties, IGOs and NGOs to further mobilise resources and activities in the region, although it is critical that these efforts be harmonised and complementary to avoid duplication of effort and to strengthen the outcomes and long-term viability of counter-wildlife trafficking efforts in the region. EIA also encourages NGOs and IGOs active in the counter-wildlife trafficking space in the WCA region to join Working Groups that may be established on this topic.



## Who is this directed to?

- **Parties in West and Central Africa**
- **Parties importing CITES specimens from West and Central Africa**

## Context

International cooperation is vital for the protection of species exploited for the illegal trade and essential to combat organised wildlife crime.

In West and Central Africa, there has been limited law enforcement cooperation between countries in the region and destination countries in Asia.<sup>28</sup> Implicated Parties are strongly encouraged to improve their collaboration to tackle wildlife trafficking in West and Central Africa by using existing secure communication channels and enforcement focal points.

**a) using existing secure communication channels such as those provided by INTERPOL and the World Customs Organization for exchange of enforcement and illegal trade related information and by drawing upon the enforcement focal point information available through the National CITES Authorities and Enforcement focal points webpages**

Three inter-governmental entities arguably provide all the information exchange platforms and mechanisms necessary to support Parties, including INTERPOL, WCO and the CITES Secretariat, with additional support provided by other ICCWC partners and the CITES enforcement focal points.

Almost all CITES Parties are member countries of INTERPOL. Services provided by INTERPOL to support Parties include **I-24/7**, a secure communication system for all member countries to communicate with each other via their respective INTERPOL National Central Bureaus (NCBs)<sup>29</sup> or directly via specialised crime units and border officials.

Parties should also make use of the system of **INTERPOL Notices**, colour-coded requests for cooperation or alerts allowing police (and others) to share critical crime-

related information<sup>30</sup> at the request of the member country. There are currently eight types of Notices with different purposes, in which the following may be relevant for wildlife crime:

- o **Red Notice:** To seek the location and arrest of wanted persons with a view to extradition or similar lawful action
- o **Blue Notice:** To collect additional information about a person's identity, location or activities in relation to a crime
- o **Green Notice:** To provide warnings and intelligence about persons who have committed criminal offences and are likely to repeat these crimes in other countries
- o **Purple Notice:** To seek or provide information on

modus operandi, objects, devices and concealment methods used by criminals.

INTERPOL also supports coordinated law enforcement operations and projects such as the **West Africa Police Information System (WAPIS)**, a project enhancing the use of INTERPOL services in the region.

Another key tool is INTERPOL's **Ecomessage**, which serves as a simple form template for sharing information<sup>31</sup> on environmental crime and persons and enables law enforcement authorities to share details such as subject's identity, place and method of discovery, contraband products; means of transport and route and other intelligence.

The CITES Secretariat has provided instructions on the use of Ecomessage and encouraged Parties to use the form to increase international cooperation to tackle IWT.<sup>32</sup> Members of the public, IGOs, NGOs and CSOs may also use Ecomessage to report environmental crime to INTERPOL.

**The World Customs Organization (WCO)** facilitates the international movement of goods through the development of international standards and by fostering cooperation between member countries. WCO provides its members with several relevant tools which can be applied to tackling wildlife crime. These include:

- **Customs Enforcement Network (CEN)<sup>33</sup>:** a central depository for enforcement-related information to assist Customs to gather intelligence, to help build a comprehensive overview of transnational organised crime dynamics
- **CEN Communication Platform (CENcomm)<sup>34</sup>:** a web-based, encrypted, communication system enabling messages to be exchanged in real time, for the duration of an operation or project
- **National Customs Enforcement Network (nCEN)<sup>35</sup>:** can be used either as a standalone or networked system to assist national Customs administrations with the collection and storage of law-enforcement information (e.g., on seizures, offences, suspects and businesses) with the additional capability to exchange this information at the regional and international levels
- **Regional Intelligence Liaison Offices (RILO)<sup>36</sup>:** 11 RILO offices cover the globe and facilitate the exchange of intelligence, respond to requests, provide operational support to agencies using CEN and CENcomm to analyse seizures and develop regional intelligence products

## Decision 19.84

### 19.84 Decision directed to: Parties

Parties in West and Central Africa and Parties importing CITES specimens from West and Central Africa are strongly encouraged to enhance collaboration and communication regarding illegal wildlife trade affecting the two subregions, including by:

a) using existing secure communication channels such as those provided by INTERPOL and the World Customs Organization for exchange of enforcement and illegal trade related information and by drawing upon the enforcement focal point information available through the National CITES Authorities and Enforcement focal points webpages;

b) actively pursuing international law enforcement collaboration through the mechanisms established by

the United Nations Convention against Transnational Organized Crime (UNTOC) and other relevant information exchange platforms;

c) reporting seizures on timber exported from West and Central Africa to the exporting countries as soon as practical, as appropriate, including sharing information described in paragraph 2.1 d) under Strengthen regional and international collaboration to address illegal trade in CITES-listed tree species in the outcome document of the Task Force on illegal trade in specimens of CITES-listed tree species; and d) actively pursuing the implementation of the measures and activities outlined in the Outcome document of the Task Force on illegal trade in specimens of CITES-listed tree species.

**Above:** CITES Parties are strongly encouraged to increase transnational law enforcement cooperation to address wildlife crime in West and Central Africa

- **Information and Intelligence Centre (I2C)**<sup>37</sup>: operating under the oversight of the WCO Compliance and Enforcement Sub-Directorate, the I2C aims to enable better operational law enforcement coordination at the international level and helps Customs RILOs' **Global Rapid Alert Network (GRAN)** which is an exchange platform for urgent and sensitive Customs related messages.

agencies responsible for wildlife law enforcement in different countries.

**b) actively pursuing international law enforcement collaboration through the mechanisms established by the UN Convention against Transnational Organized Crime (UNTOC) and other relevant information exchange platforms**

**The UN Convention against Transnational Organised Crime (UNTOC)**<sup>38</sup> is the primary international instrument in the fight against transnational organised crime, providing guidance to 191 member States including on measures to enable and facilitate international. These include:

**CITES national enforcement focal points**, including agencies responsible for investigating trafficking in wild fauna and flora and focal points for wildlife enforcement networks (WEN), can be accessed on the CITES website. Parties are encouraged to make use of these details to improve collaboration and communication between

<b>Extradition</b>	Under Article 16, UNTOC provides a legal basis for extradition. UNTOC allows a State Party that receives a request for extradition from another State Party to deliver a person accused or convicted of committing a crime, including wildlife crime, in their jurisdiction to the law enforcement authorities of the other State Party. A condition for extradition under the UNTOC is that the criminal offence for which extradition is sought is punishable under the domestic law of both the requesting and requested State Party, namely that the dual criminality principle is met – i.e., wildlife trafficking needs to be recognised as a punishable offence in the domestic laws of both Parties.
<b>Mutual legal assistance</b>	Under Article 18, UNTOC requests State Parties to provide mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offences covered by the Convention. Key purposes for such assistance include taking evidence or statements from persons; effecting service of judicial documents; executing searches, seizures and freezing; examining objects and sites, among others.
<b>Joint investigations</b>	Under Article 19, UNTOC requests Parties to consider establishment of bilateral or multilateral agreements or arrangements to conduct joint investigations, prosecutions and proceedings in one or more States. <sup>39</sup> In the absence of a specific agreement or arrangement, the article provides for the granting of legal authority to conduct joint investigations, prosecutions and proceedings on a case-by-case basis.
<b>Law enforcement support</b>	Under Article 27, UNTOC requests States Parties to work closely with one another in terms of law enforcement (police-to-police cooperation). <sup>40</sup> This includes strengthening communication among law enforcement authorities; exchanging information of criminals or methods used by organised crime groups; and conducting other cooperation for the purpose of facilitating early identification of offences.
<b>Transfer of proceedings</b>	Under Article 21, UNTOC provides other mechanisms to facilitate international cooperation including requesting States Parties to consider the transfer of criminal proceedings when in the interest of the proper administration of justice and to consider the transfer of a sentenced person as in Article 17, to their territory, in order that they may complete their sentence there.

Other relevant law enforcement exchange mechanisms are available but none of these are global in scope, nor directly connected to law enforcement agencies in the same way INTERPOL and WCO are. These mechanisms include:

- **Trade in Wildlife Information Exchange (TWIX):** TWIX is an online tool to help enforcement and management officials responsible for the implementation of international wildlife trade and CITES regulations to rapidly share information and expertise.<sup>41</sup> It consists of a centralised website recording incidents and a mailing list which allows enforcement officials to communicate and exchange relevant enforcement actions. There are four operating TWIX platforms including EU-TWIX, AFRICA-TWIX, SADC-TWIX and Eastern Africa-TWIX. AFRICA-TWIX is currently limited to eight Central African Forest Commission (COMIFAC) members including Cameroon, Gabon, Republic of

Congo, DR Congo and Central African Republic, Chad, Rwanda and Burundi. It is EIA's understanding that West African countries such as Nigeria and Togo are not yet able to benefit from TWIX.

- **Wildlife Enforcement Networks (WENs):** WENs are an initiative developed to provide a platform to member States to increase cooperation and communication to combat wildlife trafficking at regional, sub-regional and international levels. There are 12 WENs worldwide. Guidelines<sup>42</sup> and focal points<sup>43</sup> are made available on the CITES website. In Africa, there are four WENs, including Horn of Africa Wildlife Enforcement Network (HAWEN), Lusaka Agreement Taskforce (LATF), Rhino and Elephant Security Group (RESG, Southern Africa) and Central Africa WEN, which was established in 2012 bringing together law enforcement agencies from 11 COMIFAC member States to combat wildlife crime.

The West Africa Network (WAN) has yet to be formally established. During the fourth global meeting of WEN in Panama in 2022, alongside CITES CoP19, it was recommended that Africa WENs need to increase direct, face-to-face communication between members, designate relevant focal points and build trusted, long-term partnerships between members to combat wildlife trafficking impacting the continent more effectively.<sup>44</sup> More details on WEN Guidelines and ICCWC can be found below under analysis of Decisions 19.86 and 19.87.

**c) reporting seizures on timber exported from West and Central Africa to the exporting countries as soon as practical, as appropriate, including sharing information described in paragraph 2.1 d) under Strengthen regional and international collaboration to address illegal trade in CITES-listed tree species in the outcome document of the Task Force on illegal trade in specimens of CITES-listed tree species**

At CoP18 in 2019, Decision 18.79<sup>45</sup> was adopted, tasking the Secretariat to convene a Task Force on illegal trade in specimens of CITES-listed tree species.<sup>46</sup> The Task Force members include Parties affected by trafficking in such specimens, ICCWC partner organisations, other IGOs, regional enforcement networks and NGOs. The key responsibility of the Task Force is to develop strategies to combat illegal trade in specimens of CITES-listed tree species, including measures and activities that promote and further strengthen regional and international cooperation.

In February 2022, the Secretariat held an online CITES Tree Task Force meeting that brought together representatives from 34 Parties and other stakeholders.<sup>47</sup> As a result, an Outcome Document<sup>48</sup> was developed outlining a set of measures and activities as required in the Decision 18.79. Article 2.1 d) under the Outcome Document requested Parties to share information on timber seizures with countries of origin, transit and destination, in particular information on *modus operandi* and details of individuals and entities involved.

Parties are encouraged to report timber seizures exported from West and Central Africa by contacting the exporting Party's National Authorities directly. Contact details of these agencies are available on CITES website.<sup>49</sup> It is critical that Parties to CITES continuously update their national contact details on the website to enable smooth communication and better implementation of the Convention.

**d) actively pursuing the implementation of the measures and activities outlined in the Outcome document of the Task Force on illegal trade in specimens of CITES-listed tree species**

Parties should actively pursue the implementation of measures and activities outlined in the Outcome Document of the CITES Tree Task Force:

- improve legality and traceability and strengthen the implementation of CITES provisions regarding trade in CITES-listed tree species
- strengthen regional and international collaboration to address illegal trade in CITES-listed tree species
- detection and identification of illegal consignments of CITES-listed tree species and mobilising available tools
- addressing corruption and mobilising investigations into illicit financial flows from illegal trade in CITES-listed tree species

EIA encourages Parties in West and Central Africa to strictly implement provisions of CITES resolutions such as Resolution Conf. 18.7 on Legal acquisition findings and Resolution Conf. 16.7 (Rev. CoP17) on NDFs to ensure tree species exported from the two subregions have undergone the verification of legal origin before the issuance of any CITES permits to prevent export from threatening the survival of the species.

West and Central African Parties should also increase use of existing mechanisms such as INTERPOL Notices and bilateral agreements on mutual administrative assistance in Customs matters<sup>50</sup> to increase regional and international collaboration and strengthen border controls to address illegal timber trade, in particular West African rosewood (*Pterocarpus erinaceus*).

In addition, EIA urges the national law enforcement agencies to conduct investigations into illicit financial flows associated with wildlife crime, including illegal timber trade, to support prosecutions and address corruption facilitating such crime.

Parties importing timber from West and Central Africa, the Secretariat and other ICCWC partners and the Financial Action Task Force (FATF) are encouraged to provide technical and financial support where necessary to West and Central Africa to enable effective implementation of provisions.

## EIA recommendations

EIA calls on Parties in West and Central Africa to make use of the existing mechanisms under INTERPOL, WCO and UNTOC as these provide clear frameworks to strengthen law enforcement cooperation to tackle wildlife and timber trafficking. ICCWC Partners are also encouraged to assist Parties bilaterally with queries or concerns about the processes available to them.



## Decision 19.85

### 19.85 Decision directed to: Parties in West Africa and Central Africa

#### Parties in West and Central Africa should:

a) as relevant to them and where not yet done, continue to actively pursue the implementation of the Recommendations to Parties in West and Central Africa for consideration in their implementation of measures and activities to address wildlife crime affecting the two subregions;

b) engage in regional and bilateral activities to share information on their national legislative and regulatory measures, exchange experiences and best practices and identify opportunities for regional and cross-border cooperation and joint actions to address illegal trade

in wildlife, taking into consideration paragraph 13 e) of Resolution Conf. 11.3 (Rev. CoP19) on Compliance and enforcement; and

c) identify priority actions that could benefit from support, including activities referenced in Decisions 19.84, 19.85, paragraphs a) and b), 19.86, 19.87 paragraphs a), b) and c) and 18.90 (Rev. CoP19), and present these to the International Consortium on Combatting Wildlife Crime (ICWC), donors and the development community, to seek support to implement them.

**Above:** West and Central African Parties should strengthen border controls to address illegal timber trade in particular West African rosewood

## Who is this directed to?

- **Parties in West Africa<sup>51</sup>:** Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo
- **Parties in Central Africa<sup>52</sup>:** Angola, Burundi, Cameroon, Central Africa Republic, Chad, Congo, DR Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tomé and Príncipe

## Context

**a) as relevant to them and where not yet done, continue to actively pursue the implementation of the Recommendations to Parties in West and Central Africa for consideration in their implementation of measures and activities to address wildlife crime affecting the two subregions<sup>53</sup>**

At CoP18, in recognition of the region's significant role in wildlife and timber trafficking, highlighted in the West and Central Africa Threat Assessment Report available as Annex 4 to document CoP18 Doc. 34, a set of recommendations was issued to encourage West and Central African Parties to address six key gaps in the region's responses to wildlife crime including:

- national and regional strategies and activities
- legislation
- addressing corruption
- international cooperation
- stakeholder engagement
- controlling trade in specimens of *Pterocarpus erinaceus* (*P. erinaceus*)

This Decision calls for Parties to expedite progress in implementing these recommendations to ensure holistic regional responses to wildlife crime.

EIA encourages Parties to expedite actions to enhance international and regional collaboration and communication to facilitate cross-border investigation and prosecution of transnational trafficking networks.

Furthermore, while EIA welcomes the interceptions of significant quantities of illegal wildlife in the region and/or coming from the region, prosecution and conviction rates of those responsible for the illegal trade remain conspicuously low and/or unreported. Parties in West and Central Africa and others involved in the trafficking supply chains should prioritise post-incident investigations, including financial investigations, following the interception of wildlife contraband or the arrest of a suspect to secure prosecutions of key offenders.

EIA further encourages Parties to expedite actions to tackle corruption, which continues to pose a systemic challenge to addressing wildlife crime. For example, since 2016 the Corruption Perception Index<sup>54</sup> score of

Nigeria has decreased, indicating increasing levels of corruption. Both Nigeria and DR Congo have recently been subject to compliance proceedings under CITES Article XIII in which Nigeria was specifically encouraged to implement a strategy to counter corruption.<sup>29</sup> Furthermore, the recent designation by the US of DR Congo public officials involved in counter-wildlife trafficking activities for significant corruption highlights the ongoing and urgent need for anti-corruption measures to be implemented.<sup>55</sup>

Illegal and unsustainable trade in West African rosewood (*P. erinaceus*) also continues to persist despite its listing on Appendix II in January 2017 and despite a trade suspension implicating Nigeria since November 2018. At SC74, in an unprecedented development, the Standing Committee requested the Secretariat to open an expedited compliance procedure for *P. erinaceus* for all range States in light of the scale and urgency of the illegal trade.<sup>56</sup>

**b) engage in regional and bilateral activities to share information on their national legislative and regulatory measures, exchange experiences and best practices and identify opportunities for regional and cross-border cooperation and joint actions to address illegal trade in wildlife, taking into consideration paragraph 13 e) of Resolution Conf. 11.3 (Rev. CoP19) on Compliance and enforcement**

Under paragraph 13 e) of Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*, Parties are encouraged to enhance national and regional capacity-building activities with a focus on "legislation; risk analysis and investigation of criminal actions; and delivering successful prosecutions and deterrent penalties".

There are several existing initiatives in West and Central Africa to tackle illegal wildlife trade at the regional level and Parties should make sustained efforts to implement these strategies:

- **WASCWC:** validated by Economic Community of West African States (ECOWAS) member States in October 2020, recognising wildlife crime as a serious crime. Under WASCWC, all ECOWAS member States are required to develop a National Wildlife Crime Strategy (NWCS) and Wildlife Law Enforcement Task Force (WLETF). A West Africa Network to Combat Wildlife Crime (WAN) is currently being established as an implementing mechanism of the WASCWC

- **COMIFAC:** In Central Africa, a wildlife enforcement network (WEN) has been the primary mechanism for member States to exchange information and coordinate activities against illegal wildlife trade in the subregions. The WEN monitors the implementation of the subregional Action Plan PAPECALF Phase Two 2022-25.<sup>57</sup>

CITES Resolution Conf. 11.3 (Rev. CoP19)<sup>58</sup> also contains several provisions to facilitate and strengthen enforcement cooperation “across exporting, transit, and importing States to address illegal trade in fauna and flora” and “to develop appropriate mechanisms for cooperation and coordination among relevant law enforcement agencies at the regional level.” Furthermore, Pillar 3 of the NIAP Guidelines emphasises the need to prioritise international and regional law enforcement cooperation, specifically using MLATs to combat illegal trade in ivory. The guidance above under Decision

19.84 provides a more detailed explanation of other mechanisms Parties can employ to increase regional cooperation.

**c) identify priority actions that could benefit from support, including activities referenced in Decisions 19.84, 19.85, paragraphs a) and b), 19.86, 19.87 paragraphs a), b) and c) and 18.90 (Rev. CoP19), and present these to the International Consortium on Combatting Wildlife Crime (ICCWC), donors and the development community to seek support to implement them**

To assist Parties with the implementation of this decision, EIA has identified several priority actions for Parties in West and Central Africa to present to ICCWC, donors and the development community for support. See table in Part 2 of this report for more information..

## EIA recommendations

EIA encourages Parties in West and Central Africa to urgently pursue the implementation of the Recommendations to Parties in West and Central Africa issued at CoP18 and activities to strengthen international and regional collaboration; post-incident investigations; prosecutions and convictions and national anti-corruption strategies.

**Below:** While African savanna elephant ivory is typically exported from ports in East/Southern Africa, large-scale ivory seizures trafficked through West and Central Africa is largely from forest elephants





## Decision 19.86

### 19.86 Decision directed to: Parties in West Africa and Central Africa

a) Parties in West Africa are invited to, through the Economic Community of West African States (ECOWAS) Commission, request support from ICCWC for the implementation of the ICCWC Guidelines for Wildlife Enforcement Networks, to facilitate fully operationalizing the West Africa Network to Combat Wildlife Crime (WAN); and

b) Parties in Central Africa are invited to, through the Commission of Central African Forests (COMIFAC) or other appropriate platforms, request support from ICCWC

for the implementation of the ICCWC Guidelines for Wildlife Enforcement Networks.

This Decision is directed to Parties in West and Central Africa inviting them to, through ECOWAS and COMIFAC, request support from the ICCWC for the implementation of the ICCWC Guidelines for Wildlife Enforcement

Networks (WEN), and to facilitate fully operationalizing the West Africa Network to Combat Wildlife Crime (WAN).

**Above:** Organised wildlife crime networks are actively sourcing and exporting vast quantities of pangolin scales from West and Central Africa to Asia

## Who is this directed to?

- **Parties in West Africa<sup>59</sup>:** Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo
- **Parties in Central Africa<sup>60</sup>:** Angola, Burundi, Cameroon, Central Africa Republic, Chad, Congo, DR Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tomé and Príncipe

## Context

**Wildlife Enforcement Networks (WEN)**, of which there are currently 12 worldwide, are initiatives developed to provide a platform to member States to increase cooperation and communication to combat wildlife trafficking at regional, sub-regional and international levels.

ICCWC supports Parties in the development and implementation of WENs through Guidelines<sup>61</sup> and focal points<sup>62</sup> are made available on the CITES website. The Guidelines<sup>63</sup> consist of:

- Guideline 1 – Establishing a new WEN (which applies to West Africa)
- Guideline 2 – Strengthening an existing WEN (which applies to Central Africa).

Parties in West and Central Africa are invited to request support from ICCWC for the implementation of the Guidelines as follows.

### Parties in West Africa

There are five key considerations when establishing a new WEN including Members, Governance, Finances, Support and Deliverables. National agencies responsible for wildlife law enforcement should actively engage in WEN activities, be engaged in combatting wildlife crime, show leadership and derive value from being in the WEN.

A WEN should have strong governance, comprehensive integrity measures and reporting procedures and should have access to sustained funding to support its activities. Mechanisms and procedures should be in place to enable it to undertake its functions in full and the WEN undertakes and achieves a variety of deliverables directed towards supporting its member States to combat wildlife crime collectively, increasingly and effectively.

Given that a West African Network (WAN) has not yet been formally established, it is recommended for ECOWAS, currently chaired by Nigeria, to liaise with

ICCWC requesting support to accelerate the SureWAN establishment process. In cases where ICCWC determines that the Guidelines have not been met for the establishment of the WAN, ECOWAS should seek advice and support from the ICCWC Chair, ideally would include and be led by national agencies such as police, customs, prosecutors and CITES MAs, will be able to provide its members with a platform to share intelligence, experience and best practices to combat wildlife trafficking impacting the subregion more effectively.

### Parties in Central Africa

It is vital that the WEN gains a full understanding of the WEN Evaluation Matrix (the Matrix) for evaluating its maturity and/or operational performance.

The Matrix consists of a scale of maturity, namely Absent, Emerging, Fragile, Maturing, or Well-established and five categories for attention including Members, Governance, Finances, Support and Deliverables.

A WEN is optimal if the five categories are met at the highest rating, reflecting the highest level of maturity. WENs are encouraged to use the Matrix to conduct expert-based self-assessments of the five categories, supported by inputs from WEN members and agencies.

It is recommended the assessment indicators are aligned with some Parts and Outcomes of the ICCWC Wildlife and Forest Crime Analytic Toolkit<sup>64</sup> and the ICCWC Indicator framework for wildlife and forest crime.<sup>65</sup>

It is unknown if COMIFAC WEN and others have conducted the Matrix self-assessment, aside from the Horn of Africa WEN which planned to start the process in December 2022.<sup>66</sup> COMIFAC WEN was established in 2012 and the COMIFAC Chair, Burundi, is encouraged to seek support from ICCWC to conduct the assessment if it has not already done so. Matrix assessments are critical to ensure that the platform is functioning effectively to increase law enforcement cooperation to tackle wildlife crime implicating Central Africa. Contact details of ICCWC partners can be found online.<sup>67</sup>

## EIA recommendations

**EIA encourages Parties in West Africa to accelerate the establishment of the West Africa Network to Combat Wildlife Crime (WAN) and encourages Parties in both West and Central Africa to seek support from the ICCWC Chair (CITES Secretariat) to implement ICCWC Guidelines on Wildlife Enforcement Networks, including their assessment, to ensure harmonisation, efficiency and complementarity.**



## Decision 19.87

### 19.87 Decision directed to: Secretariat, with its ICCWC partners

#### The Secretariat shall:

a) subject to external funding, work with its ICCWC partners to support Parties in West and Central Africa in addressing illegal trade in wildlife, including by promoting and facilitating collaboration and communication between Parties in West and Central Africa, transit and destination countries, through the convening of Wildlife Inter-Regional Enforcement (WIRE) and Regional Investigative and Analytical Case (RIACM) meetings as appropriate and by supporting Parties upon request as anticipated in Decision 19.86;

b) subject to external funding, work with ICCWC partners to expedite ICCWC Wildlife and Forest Crime Analytic Toolkit in West and Central African Parties to inform capacity building activities;

c) subject to external funding and upon request from Parties, undertake general and targeted capacity-building activities to strengthen the effective implementation of CITES in the two subregions

d) issue a Notification to the Parties requesting them to provide information on their implementation of Decisions 19.84, 19.85, 19.86 and 18.90 (Rev. CoP19);

e) report to the 78th meeting of the Standing Committee on the implementation of Decision 19.87, paragraphs a), b) and c), and the responses to the Notification in Decision 19.87, paragraph d), together with any recommendations it may have; and

f) support the Standing Committee in the implementation of Decision 19.88, paragraph a) and b).

**Above:** Wildlife crime in West and Central Africa also involves the illegal trade of African grey parrots (*Psittacus erithacus*) in particular in DR Congo

## Who is this directed to?

- the CITES Secretariat
- ICCWC partners (CITES Secretariat, INTERPOL, UNODC, WBG and WCO).

Within ICCWC, the CITES Secretariat plays a key coordination role as ICCWC Chair. INTERPOL and WCO function as enforcement bodies working closely together

to build capacity and provide operational support to address illegal trade in wildlife. UNODC is responsible for leading the implementation of the ICCWC Toolkit and the ICCWC Framework to identify strengths and weakness of requesting countries in criminal justice responses to wildlife. Finally, the WBG provides technical assistance to member countries on anti-money laundering policies and practices and leads national risk assessments.

## Context

### a) subject to external funding, promoting and facilitating collaboration and communication between Parties in West and Central Africa, transit and destination countries, through the convening of Wildlife Inter-Regional Enforcement (WIRE) and Regional Investigative and Analytical Case (RIACM) meetings as appropriate

Wildlife Inter-Regional Enforcement (WIRE) meetings are an operational support service available through ICCWC that provide specialised platforms for national law enforcement agencies to engage and cooperate directly with their counterparts in different countries in the region. Three platforms, WIRE-Police, WIRE-Customs and WIRE-Prosecution support police, customs and prosecutors with their respective roles.

Regional Investigative and Analytical Case Meeting (RIACM) led by INTERPOL in cooperation with WCO and UNODC aims to promote cooperation between countries to exchange information and develop operational and tactical plans to identify and disrupt organised networks involved in ongoing cases of transnational wildlife crime.

Given the number of large-scale seizures of elephant ivory and pangolin scales implicating West and Central Africa, in particular those exported from Nigeria destined for Vietnam since 2018<sup>68</sup> which have not resulted in successful enforcement outcomes, EIA encourages ICCWC partners, in particular INTERPOL and WCO, to lead on convening WIRE and RIACM meetings to discuss ongoing cases for potential investigations and prosecutions. Parties in West and Central Africa are also encouraged to approach the CITES Secretariat as Chair of the ICCWC group to request meetings. Parties may similarly request a RIACM following serious transnational wildlife crime cases through their INTERPOL NCBs.

### b) subject to external funding, working with ICCWC partners to expedite ICCWC Wildlife and Forest Crime Analytic Toolkit in West and Central African Parties to inform capacity building activities

The Wildlife and Forest Crime Analytic Toolkit (the Toolkit)<sup>69</sup> was developed by ICCWC partners to enable countries to undertake a comprehensive assessment of their preventive and criminal justice responses to

wildlife and forest crime, including legal frameworks, enforcement measures, prosecutorial and judicial mechanisms, international cooperation and drivers and prevention. To date, the ICCWC Toolkit assessment process has been completed in 18 countries, including Congo and Gabon, and is at different stages of implementation in eight others, including Nigeria and DR Congo.<sup>70</sup>

The Toolkit assessment can provide a foundation for Parties to develop and implement key counter-wildlife trafficking activities, in line with numerous CITES recommendations and Decisions and Resolutions. EIA therefore urgently recommends that Parties in West and Central Africa who have not already done so, should request a Toolkit assessment by contacting the CITES Secretariat as ICCWC Chair. Contact details of the ICCWC are available on its website.<sup>71</sup>

At SC74, the Standing Committee recommended that donors and international and national organisations with ongoing initiatives in countries that implemented the Toolkit to liaise with national authorities to align their activities with the implementation of the Toolkit assessment recommendations.<sup>72</sup> For this to happen, it is first critical that Toolkit assessments, such as Gabon's and the Republic of the Congo's, be made publicly available in the interests of transparency and effectiveness of the process. This would also facilitate implementation of Decision 18.91 (Rev. CoP19), directed at Parties, IGOs and NGOs.

EIA notes that a major aspect of the West Africa Strategy on Combatting Wildlife Crime (WASCWC), which is pending adoption by ECOWAS, is the development of National Wildlife Crime Strategy (NWCS) and Wildlife Law Enforcement Task Force (WLETF) in the 13 ECOWAS member States. As such, EIA recommends as standard practice for the ICCWC Toolkit assessment to take place in each country before the development of the NWCS to enable a clear gap analysis and the identification of key priorities in contribution to the national strategy. For example, given Nigeria's significant role as the world's largest export hub for illicit wildlife, it would have been impactful for the ICCWC assessment to have taken place prior, and in contribution to, the development of Nigeria's National Strategy.



**c) subject to external funding and upon request from Parties, undertaking general and targeted capacity-building activities to strengthen the effective implementation of CITES in the two subregions**

ICCWC partners have led several capacity-building courses for law enforcement officials in, for example, Gabon and Congo<sup>73</sup> following the completion of the Toolkit assessments. EIA recommends Parties in West and Central Africa which have undergone the Toolkit process review their Toolkit recommendations and request further support from ICCWC in relation to capacity-building activities.

EIA once again emphasises the importance of transparency and accountability in this process. The results of Toolkit assessment should be made public activities and input with the Toolkit recommendations to facilitate implementation of these recommendations.

However, in terms of funds, ICCWC partners face financial constraints which may limit support to Parties. Given this, ICCWC Partners have committed to using evidence-based interventions to ensure efficient use of

## EIA recommendations

EIA encourages the Secretariat and ICCWC partners to continue their leadership role to promote and facilitate law enforcement cooperation by convening relevant WIRE and RIACM meetings to discuss trafficking cases.

EIA encourages Parties that have not already done so to request and undergo the Toolkit analytic process, preferably before developing national strategies to combat wildlife crime. EIA calls for Toolkit assessment results to be made publicly available in the interests of transparency and to enable stakeholders to align

funds by prioritising implementation where the need is greatest, where ICCWC can bring the most value and where the recipient country is most committed to tackle wildlife crime.<sup>74</sup>

**d) issuing a Notification to the Parties requesting them to provide information on their implementation of Decisions 19.84, 19.85, 19.86 and 18.90 (Rev. CoP19)**

No EIA comment.

**e) reporting to the 78th meeting of the Standing Committee on the implementation of Decision 19.87, paragraphs a), b) and c) and the responses to the Notification in Decision 19.87, paragraph d), together with any recommendations it may have**

No EIA comment.

**f) support the Standing Committee in the implementation of Decision 19.88, paragraph a) and b)**

No EIA comment.

counter-wildlife trafficking activities with relevant recommendations. EIA also recommends that Parties recognise the core support that ICCWC member organisations provide to Parties to address IWT and ensure that they are adequately funded.





## Decision 19.88

### 19.88 Decision directed to: Standing Committee

#### The Standing Committee shall:

aa) establish a working group, with representation from all regions, to make recommendations on the development and adoption of procedures that will promote enhanced collaboration between source, transit and consumer countries, in particular to promote regular communication between source, transit and consumer countries;

b) consider whether the establishment and administration of a CITES enforcement fund or other

mechanisms that could provide targeted and sustainable financial support to combat wildlife crime and implement CITES to Parties that request such support is needed;

c) consider the report of the Secretariat in accordance with Decision 19.87; and

d) make recommendations to the Parties, the Secretariat and the 20th meeting of the Conference of the Parties, as appropriate.

**Above:** The 77th meeting of CITES Standing Committee (SC77) will be held in Geneva in November 2023. The SC is called to clarify scope and Parties affected by this set of Decisions to address wildlife crime in West and Central Africa

## Who is this directed to?

- Standing Committee

## Context

The Standing Committee at SC76 formed an intersessional working group which subsequently considered the points in 19.88 a) and b).<sup>75</sup>

Party members of the group are Benin, Burkina Faso, Cameroon, Côte d'Ivoire, DR Congo, the Gambia, Ghana, Guinea, Liberia, Niger, Nigeria (Chair), Senegal and Togo, representing West and Central Africa. The working group also includes Tanzania from Eastern Africa while the EU, Israel, Italy, Spain and the UK are representing Europe, alongside the US from North America. China is the only Asian member.

Several IGOs and NGOs, including EIA, are also members of the working group and have participated in discussions and review of reports from the working group. They include Convention on Migratory Species (CMS), the UN Environment Programme (UNEP), UNODC, International Union for Conservation of Nature (IUCN), Born Free USA, Conservation Force, EIA UK, Fauna and Flora International (FFI), Forest Trends, IWMC-World Conservation Trust, Law of the Wild, Natural Resources Defense Council (NRDC), Pan African Sanctuary Alliance, Panthera, South African Taxidermy and Tannery Association, TRAFFIC, Wildlife Justice Commission, Wildlife Ranching South Africa (WRSA), World Resources Institute and World Wide Fund for Nature (WWF).

The first meeting of the Working Group took place online on 28 July 2023 and a report of the meeting was prepared by the Chair in accordance with the CITES Guidance.<sup>76</sup> SC77 Doc. 39.4 details the minutes and conclusions of the discussions.<sup>77</sup> The Working Group is required to report to SC78. Subsequently, the Standing Committee is expected to make recommendations to relevant Parties and the Secretariat on issues linked to wildlife crime enforcement support in West and Central Africa.

**a) establish a working group, with representation from all regions, to make recommendations on the development and adoption of procedures that will promote enhanced collaboration between source, transit and consumer countries, in particular to promote regular communication between source, transit and consumer countries**

As documented in SC77 Doc. 39.4, the Working Group acknowledged the existence of several mechanisms that promote collaboration between source, transit and destination countries and recommended Parties to increase their communication using such platforms, including INTERPOL and WCO. The Working Group further reminded Parties to ensure their information on focal points on the CITES website is updated to enable fast and direct contact.

**b) consider whether the establishment and administration of a CITES enforcement fund or other mechanisms that could provide targeted and sustainable financial support to combat wildlife crime and implement CITES to Parties that request such support is needed**

Regarding an enforcement fund, the Working Group noted the ongoing requirement for secure funding to ensure proper implementation and compliance with CITES provisions.<sup>78</sup> In particular, the Working Group considered whether existing funding mechanisms are adequate, accessible and can be delivered in a timely manner to countries that need support.

The Working Group to date concluded that an additional funding mechanism is not necessary given the existence and availability of several funding mechanisms and initiatives. However, the Working Group called for an increase in funding and highlighted a lack of awareness amongst some Members of existing initiatives and specifically called for stakeholders, including the Secretariat, to increase awareness and information on how to access funding.

**c) consider the report of the Secretariat in accordance with Decision 19.87**

No EIA comment.

**d) make recommendations to the Parties, the Secretariat and the 20th meeting of the Conference of the Parties, as appropriate**

No EIA comment.

## EIA recommendations

EIA welcomes the discussions of the intersessional Working Group and encourages the Working Group to prioritise making recommendations to Parties, the Secretariat and CoP20.

On enhancing regional and international cooperation and collaboration, EIA recommends that emphasis should be placed on encouraging Parties to make use of existing tools, such as INTERPOL and WCO and reminds Parties to approach ICCWC for support.

On the issue of funding, EIA encourages Parties, the Secretariat, IGOs and NGOs to note the existence of significant funds to support both compliance under CITES and enforcement against IWT. Clarification should be sought during all discussions as to whether funding and an enforcement fund is intended to support compliance with the Convention or enforcement against IWT.

EIA also reminds Parties that the establishment and management of any new fund would require additional funding and burden for human resources and administration costs.<sup>79</sup> Furthermore, all regions and Parties should be able to benefit from such a fund.

EIA suggests that the key challenge is not so much a lack of funding, but access to it. EIA agrees that funding

is and will continue to be necessary to support efforts to address illegal trade, but notes that significant funding already exists and is provided through several avenues, including statutory funding from Parties. EIA supports the request from the Working Group for the Secretariat to publicise funding opportunities.

We recommend that Parties in West and Central Africa consider applying for relevant funds through existing avenues as well as the programmes managed by the Secretariat. For example, DR Congo and Guinea could similarly seek assistance under the Compliance Assistance Programme to improve enforcement and implementation of the Convention in the context of the Article XIII compliance proceedings while Cameroon, the Central African Republic, Chad, the Gambia, Guinea Bissau, Mali and Togo could consider seeking support under the CITES Tree Species Programme to address issues linked to the illegal trade in West African rosewood (*P. erinaceus*).



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- In this context, EIA defines “interdiction” as actions taken by law enforcement agencies to intercept or prevent the movement of contraband or persons suspected of crime, and go beyond a single action, such as the seizure of wildlife.
- The Economic Community of West African States (ECOWAS) is made up of 15 member countries: Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo
- The Economic Community of Central African States (ECCAS) identifies 11 countries in the Central African region: Angola, Burundi, Cameroon, Central Africa Republic, Chad, Congo, Democratic Republic of Congo (DR Congo), Equatorial Guinea, Gabon, Rwanda and Sao Tomé and Príncipe
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