



ENVIRONMENTAL
INVESTIGATION
AGENCY

Wildlife

All eyes on London:

EIA recommendations for
the 2018 London Illegal
Wildlife Trade conference





ABOUT EIA

We investigate and campaign against environmental crime and abuse.

Our undercover investigations expose transnational wildlife crime, with a focus on elephants and tigers, and forest crimes such as illegal logging and deforestation for cash crops like 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 reduce the impact of climate change by campaigning to eliminate powerful refrigerant greenhouse gases, exposing related illicit trade and improving energy efficiency in the cooling sector.

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Introduction

EIA welcomes the UK's commitment to host a successful fourth Illegal Wildlife Trade (IWT) Conference in 2018 in London resulting in meaningful outcomes. We look forward to working with you towards this end.

EIA analysis indicates that the basic legislation and institutional framework to combat wildlife crime already exists, but there remain critical gaps in the response of key source, transit and destination governments (EIA, 2016, *Time for Action*). For example, all key countries, including those that have participated in the 2014, 2015 and 2016 IWT conferences, are Parties to the UN Convention Against Transnational Organised Crime (UNTOC), the UN Convention Against Corruption (UNCAC) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). They are also members of INTERPOL and the World Customs Organisation (WCO). Several countries are members of regional bodies dedicated to combatting wildlife crime such as the ASEAN Wildlife Enforcement Network and the Lusaka Agreement Task Force (LATF).

At least 15 countries assessed by EIA already have the requisite national legislation to tackle poaching and wildlife trafficking as a "serious crime" as defined under UNTOC.

There is no more time to waste – the tools for turning the tide against wildlife crime already exist but there is still an urgent need for rapid high-level commitment to real action to reverse the current high profit/low risk nature of wildlife crime.

Please find herein EIA recommendations for national actions to be adopted by the UK Government to demonstrate how the UK is combatting illegal wildlife trade; reviewing progress made so far under the London IWT Declaration framework; recommendations for ensuring the success of the 2018 London IWT Conference under its three themes; suggestions for side-events in the run-up to and during the IWT conference; and desired outcomes.

Above: seizures of illegal wildlife are often a mere setback for criminals. To deter criminals from trading wildlife we need to increase arrests, strengthen prosecutions and seize assets.

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LONDON
CONFERENCE ON
**THE ILLEGAL
WILDLIFE TRADE**
12-13 FEBRUARY 2014



A: RECOMMENDATIONS FOR NATIONAL ACTIONS TO BE ADOPTED BY THE UK GOVERNMENT TO DEMONSTRATE HOW THE UK IS COMBATTING IWT

As the host country, it is critical that the UK adopts urgent actions to demonstrate, in good faith, its commitment to tackle wildlife crime by implementing the following:

- enact relevant national legislation before October 2018 to prohibit ivory trade;
- provide sufficient funding for the National Wildlife Crime Unit to ensure its proper and effective functioning in the long term;
- adopt sentencing guidelines for wildlife crime to raise awareness about the seriousness of such crimes and to secure consistent and deterrent sentencing in wildlife crime cases in the UK;
- adopt measures to enable the application of financial sanctions to disrupt the activities of criminal networks involved in transnational organised wildlife crime. A good example of such a measure is the recent [financial sanctions imposed by the US Government Department of the Treasury Office of Foreign Assets Control \(OFAC\)](#) against the Laos-based Zhao Wei transnational criminal organisation on a number of grounds, including wildlife trafficking and trade ([EIA \(2015\), Sin City: Illegal wildlife trade in Laos' Special Economic Zone](#));
- play an active role under the Financial Action Task Force (FATF)

framework to promote the effective implementation of legal, regulatory and operational measures for combatting money laundering associated with organised wildlife crime. This would include:

- encouraging the FATF-Asia Pacific Group (APG) to consider actions to complement the US OFAC sanctions against Zhao Wei's network and other organised wildlife crime networks in the region. This year the annual APG meeting is scheduled to take place in July in Nepal;
- ensuring that wildlife crime is addressed under existing FATF processes for national mutual evaluations and assessments. For example, China is currently in the process of going through [the mutual evaluation process](#) to assess its implementation of FATF recommendations;
- HM Treasury (the UK Government's lead on international policy development on anti-money laundering) engaging NGOs and other relevant stakeholders with a view to addressing wildlife crime under the FATF framework;
- continue to provide funding under the IWT Challenge Fund to sustain and increase the capacity of organisations working to protect wildlife threatened by trade;
- continue to play a leadership role to strengthen implementation of UNTOC and UNCAC and ensure they are better applied to combat transnational organised crime and corruption associated with wildlife and forest crime;
- continue to play a leadership role at the Commission on Crime

Prevention and Criminal Justice (CCPCJ) and the UN Crime Congress to ensure that wildlife and forest crime continues to have a high profile through monitoring the implementation of the [UN Economic and Social Council \(ECOSOC\) Resolution 2013/40 on Crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora](#), particularly the ECOSOC's recommendations for member states to improve bilateral, sub-regional, regional and international cooperation;

- facilitate provision of support from UNODC to key countries in strengthening their criminal justice response to wildlife and forest crime. For example, countries which do not have a case-tracking system can invite UNODC to tailor and set up [goCase](#) as per that country's criminal justice system, providing a case-tracking and management tool for investigators and prosecutors to improve the management and accountability of criminal investigations and prosecutions;
- ensure that the UK Department for International Development (DFID) anti-corruption strategies, funding and support for strengthening governance frameworks abroad takes into consideration the critical role of corruption in enabling wildlife and forest crime;
- post law enforcement officers in UK embassies abroad to liaise with national law enforcement agencies on wildlife and forest crime, particularly in countries which play a key role in wildlife trafficking, including Laos, Vietnam, Thailand, China, Myanmar, India, Nepal, Malaysia, Tanzania, Mozambique, Nigeria, and Uganda;
- set a precedent as the first G8 member to apply the ICCWC Wildlife and Forest Crime Analytic Toolkit to identify gaps and obstacles to combatting wildlife and forest crime.

Above: The UK's leadership has been critical in elevating the profile of wildlife crime abroad but action is still required at home.

Below: Laos' Golden Triangle Special Economic Zone is home to transnational organised criminals involved in wildlife trafficking.



B: REVIEWING PROGRESS UNDER THE LONDON IWT DECLARATION FRAMEWORK

An independent assessment of progress made in implementing the IWT commitments adopted in 2014, 2015 and 2016 can meaningfully inform the outcome of the 2018 London IWT Conference.

EIA recommends that the UK request that governments participating in the conference share information on progress made in implementing the commitments adopted at the previous three IWT conferences.

EIA strongly recommends the use of well-defined and practical indicators as a uniform template for reporting back on progress. The [ICCWC Indicator Framework for wildlife and forest crime](#) is a tool developed by professional bodies dealing with organised crime and lends itself very well to use as a format for reporting back on progress made in implementing the IWT commitments. In 2016, EIA used several indicators drawn from the ICCWC framework to produce a report for the Hanoi IWT conference ([EIA \(2016\), Time for Action](#)). This report

is a good example of how these indicators can demonstrate progress made and help in identifying key gaps in the implementation of the IWT commitments. Another example of the use of key indicators to assess progress made in tackling IWT is available in the template for the [CITES Annual Illegal Trade report](#) which CITES Parties are required to submit by 31 October each year. In this regard, we recommend that the UK, in its engagement with governments attending the conference, confirms whether they have submitted CITES Annual Illegal Trade Reports in 2017 and 2018.

The progress report should be shared with the UK as soon as possible, providing enough time to identify key challenges and adopt concrete steps at the conference to address these. The UK could establish an independent body of law enforcement and criminal justice experts to assist in this regard by providing feedback and recommendations on the reports, taking into consideration additional relevant information as appropriate.

C: RECOMMENDATIONS FOR THE 2018 LONDON IWT CONFERENCE: THEME 1 - TACKLING IWT AS A SERIOUS ORGANISED CRIME

EIA welcomes the commitment of the UK to tackle IWT as a serious organised crime and a threat to security and governance.

Reports published by EIA for each of the three past IWT conferences have already flagged several concerns we hope will be addressed at the 2018 conference.

EIA urges the UK to take into consideration our comprehensive recommendations provided in the reports [EIA \(2016\), Time for Action](#); [EIA \(2015\), High Profit, Low Risk](#) and [EIA \(2014\), In Cold Blood](#).

EIA recommends that the UK:

- invite high-level representation from key ministries and agencies responsible for tackling organised crime to participate in the conference. This should include ministers and senior personnel from relevant national ministries and enforcement agencies, including police, Customs/revenue authorities, Home Ministry, Ministry of Justice, Ministry of Tourism, Environment and Wildlife;
- hosts a roundtable discussion of national anti-corruption authorities, ICCWC partners and relevant civil society organisations to examine the role of corruption in wildlife and forest crime and to identify practical measures and initiatives to tackle corruption associated with such crimes;
- urges specific countries to commit to taking critical action including:
 - following its landmark decision to close its domestic ivory market, urge China to commit to closing its domestic legal market for other key species threatened by trade, including tigers and other Asian big cats ([EIA \(2017\), Cultivating Demand – The Growing Threat of Tiger Farms](#); [EIA \(2017\), The Lion's Share: South Africa's trade exacerbates demand for tiger parts and derivatives](#)) and pangolins ([EIA \(2017\), Illegal trade seizures: Pangolins](#));

- urges China, Laos, South Africa, Thailand and Vietnam to commit to phasing out tiger farms as a matter of urgency; tiger farming and trade in captive tiger specimens stimulates demand for tigers and undermines enforcement against tiger trade ([EIA, 2017, Cultivating Demand – The Growing Threat of Tiger Farms](#));
- urges the EU and Japan to close their domestic ivory markets, thereby joining other countries which have already done so or which are in the process of closing their markets, including the UK, US, China and Hong Kong ([Joint NGO submission to EU Commission \(2017\), EU Ivory Trade: The Need For Stricter Measures](#); [EIA, 2016, The Dirty Secrets of Japan's Illegal Ivory Trade](#));
- urges South Africa to commit to ending the legal export of lion bone and the illegal export of lion and tiger parts. Exports of lion bones, teeth and claws not only pose a threat to lions but also exacerbates demand for tigers and other big cats and undermines enforcement efforts targeting illegal big cat trade ([EIA, 2017, The Lion's Share: South Africa's trade exacerbates demand for tiger parts and derivatives](#));
- urges Mexico to commit to enforcing a full gillnet ban and address the corruption and criminal networks perpetuating the illegal totoaba trade which is driving the vaquita to extinction ([EIA, 2017, Facing Extinction: Survival of the Vaquita Depends on Eliminating the Illegal Trade in Totoaba](#));
- invites governments and donors attending the conference to announce a pledge of additional funds and resources for effectively combatting wildlife crime throughout the trade chain. This includes the application of intelligence-led enforcement, the creation of a national database on known and suspected wildlife criminals and the effective functioning of multi-agency enforcement units and taskforces dedicated to tackling wildlife crime.
- invites key governments to direct their Financial Intelligence Units (FIUs) to collaborate with counterparts to investigate and disrupt transnational organised wildlife crime networks; for example, the FIUs of Laos, Hong Kong, China, Thailand and the US should collaborate to dismantle the Zhao Wei network;
- invites governments attending the conference to announce concrete steps towards strengthening bilateral/multilateral cooperation with key governments to tackle critical trade routes along the wildlife trafficking trade chain, particularly Tanzania-Mozambique-Uganda-Nigeria-Malaysia-Vietnam-China in relation to ivory and pangolin trafficking ([EIA, 2017, The Shuidong Connection: Exposing the global hub of the illegal ivory trade](#); [EIA, Illegal trade seizures: Elephant ivory](#), [EIA, Illegal trade seizures: Pangolins](#)), India-Nepal-China in relation to the trans-Himalayan tiger and Asian big cat trafficking ([EIA, Illegal trade seizures: Tigers & Asian Big Cats](#)) and Mexico-US-China in relation to totoaba trafficking ([EIA, Illegal trade seizures: Totoaba](#)). In this regard, the UK could encourage key countries implicated in cross-border trafficking (for example, India-Nepal-China) to invite the UNODC to establish Border Liaison Offices (BLO) to facilitate timely enforcement coordination across borders.
- invites key governments to publish a short guidance document describing the channels for law enforcement co-operation and the process for submitting requests for mutual legal assistance; for example, guidance documents on mutual legal assistance have been published by Botswana and Uganda. The UK could also consider providing financial and technical support for these efforts;
- invites governments which have not yet done so to sign up to the commitments adopted at the previous three IWT conferences.

Below left: China continues to allow legal trade in pangolin scales, despite the fact that pangolins are the world's most trafficked mammals and China is the main destination.

Below right: Totoaba maws being offered to EIA investigators. These are highly valued in China and are driving vaquita to extinction.



D: RECOMMENDATIONS FOR THE 2018 LONDON IWT CONFERENCE: THEME 2 - BUILDING COALITIONS

EIA appreciates the pro-active engagement by the Department for Environment, Food & Rural Affairs (DEFRA) and the Foreign & Commonwealth Office (FCO) with a wide range of stakeholders in the run-up to the conference. In previous IWT conferences, there was limited opportunity for all interested NGOs (including local civil society organisations) and experts to provide feedback on the planned outcomes of the conference. For the 2018 conference, EIA strongly recommends that DEFRA and FCO share a draft agenda of the format and planned outcomes for the conference well in advance, to invite feedback from key stakeholders who are actively involved in addressing wildlife crime.

In addition, EIA recommends that the UK invites NGOs and other non-governmental stakeholders to participate in the 2018 conference, as well as at related prior symposia and side-events and, further, live-streams the conference for the public to be able to view the proceedings and discussions.

We strongly urge the UK to play a leadership role in establishing working groups in key countries, modelled along the lines of the informal Working Group on Sustainable Development Goal 15.7 established in Laos ("15.7-WG"). The UK has played a key role in the 15.7-WG which, has in turn, motivated the Government of Laos to improve its efforts in tackling wildlife and forest crime. We recommend that the 15.7-WG is provided adequate resources to continue its important work, particularly in light of the pivotal role Laos plays in wildlife and forest crime. We encourage the UK to facilitate a roundtable discussion on phasing-out tiger farms in Laos, which would include inviting experts from the fields of animal welfare, veterinary science, sanctuary management and forensics as well as conservation NGOs.

We urge the UK to create a task force with the banking and financial services sectors (including fintech companies) to raise awareness about the serious, organised nature of wildlife and forest crime and conduct risk assessments to ensure they

are not facilitating money laundering and illicit financial flows associated with these crimes. Invite ICCWC members and NGOs to participate in the task force.

We encourage the UK to engage the tourism and travel industries (for example, airline companies and travel agencies) and other relevant stakeholders to raise awareness about the lack of educational and conservation value of tiger farms and to dissuade tourists from visiting such facilities. The FCO travel advisory for countries with tiger farms such as Thailand, Laos, South Africa, Vietnam and China could also include relevant information to raise concerns about such facilities.

Below: tourists, including those from the UK, should be encouraged not to visit so-called 'tiger zoos' where they can touch animals; these places are cover for illegal trade.

Bottom: casino in Laos' Golden Triangle Special Economic Zone; financial investigations should be used to seize the immense wealth and assets of wildlife criminals



E: RECOMMENDATIONS FOR THE 2018 LONDON IWT CONFERENCE: THEME 3 - CLOSING MARKETS FOR ILLEGALLY TRADED WILDLIFE

For those species which are significantly threatened by illegal trade it is imperative that both legal and illegal markets are closed expeditiously. Closure of parallel legal markets would, as a first step, require the amendment of relevant laws and policies to prohibit trade in these species. EIA strongly supports the closure of parallel legal markets for species which continue to face a serious threat due to trade in their parts and products. These species include elephants, pangolins, rhinos, tigers and other Asian big cats. Parallel legal markets for these species undermine existing trade bans, confuse consumers, stimulate demand, thwart law enforcement and provide opportunities for criminals and wealthy speculators who are banking on extinction. As stated above under Theme 1, EIA recommends that the 2018 conference targets key countries/regions for the closure of parallel legal markets for ivory, pangolins, tigers and other Asian big cats.

In relation to the closure of illegal markets, EIA recommends this objective be interpreted in a broad and comprehensive manner to address:

- the availability for sale of illegal wildlife on websites and through social media;
- prosecution of offenders involved in such illegal wildlife markets resulting in deterrent sentencing;
- ongoing monitoring of the impact of enforcement/closure of markets to prevent the emergence of new markets or channels of wildlife trade in other locations.

Specifically, EIA recommends that the UK supports the Government of Laos to investigate and prosecute the individuals and businesses involved in the illegal wildlife markets in the Golden Triangle Special Economic Zone (in northern Laos, bordering China) and Sanjiang in Vientiane. EIA recommends that the UK and the governments of Laos and China

share information on the prosecution of offenders implicated in illegal wildlife trade in these markets ([EIA, 2015, *Sin City: Illegal wildlife trade in Laos' Special Economic Zone*](#)).

In relation to markets for trade in big cat products, EIA remains concerned that there is inadequate investment in behaviour-change campaigns to reduce the demand. Demand for big cat products is wide-ranging – from use in traditional medicine to use of bone, teeth, skins, etc as luxury items ([EIA, *Big Cat Day 2018*](#)). EIA encourages the UK to provide financial and technical support to address such demand and to invite governments attending the conference to destroy stockpiles of big cat parts and products. EIA recommends that the UK host a roundtable on big cat trade to facilitate dialogue between NGOs, consumer behaviour change experts and relevant representatives of foreign embassies in the UK regarding demand drivers fuelling trade in tigers, leopards, snow leopards, clouded leopards, jaguars and lions.



Below: Demand for tiger teeth is such that criminals are even carving them from ivory to be sold on Facebook



F. IDEAS FOR SIDE EVENTS THAT COULD INCLUDE A BROADER AUDIENCE, INCLUDING NON-GOVERNMENTAL ORGANISATIONS

EIA recommends the following themes for events or side events in the run-up to or during the 2018 conference:

- **Voices from the frontline:** EIA successfully hosted an event titled “Voices from the frontline” during the May 2017 session of the CCPCJ in Vienna. We invited speakers from enforcement agencies in Africa, Asia and Europe to discuss specific cases in which they were involved relating to disrupting translational organised wildlife crime syndicates. We strongly encourage the UK to consider hosting a similar event which could demonstrate the challenges and best practice in tackling wildlife crime and at the same time provide an opportunity for key enforcement officials to engage with their counterparts from other countries. EIA would be happy to recommend speakers for such an event;
- **Financial investigations:** Invite representatives of FIUs of all participating countries to a roundtable discussion and exchange of views on best practice in increasing the use of financial investigations in addressing wildlife crime. A representative from the FATF Secretariat or from UK HM Treasury, which represents the UK in FATF, could be invited to chair the discussion;
- **Securing deterrent sentencing in prosecution and facilitating public access to court records:** Invite prosecutors, members of the judiciary and relevant NGOs to discuss best practice in securing deterrent sentencing (including seizure of proceeds of crime) which is commensurate with the criminality associated with wildlife crime. The International Association of Prosecutors and the Commonwealth Magistrates and Judges Association could be invited to participate;
- **Screening EIA enforcement training modules:** EIA has produced an [enforcement guide on tackling illegal ivory trade](#), comprising an overview film and 17 short modules focused on specialist topics ranging from anti-poaching and crime scene management to securing deterrent sentencing in wildlife crime cases. We would be happy to share access details for the guide and to collaborate with you to arrange a screening of the training film or any of the modules for a closed screening for governments and IGOs. In addition, we are in touch with a number of practitioners/enforcement personnel through this project and can introduce you if required;
- **Big cat film screening:** The UN World Wildlife Day theme for 2018 was Big cats: predators under threat. We encourage the UK to consider hosting a screening of the [International Big Cat Film festival](#) winners in the lead-up to the conference to increase public awareness of the threats posed to big cats. EIA would be happy to assist in organising such an event in partnership with the UK and Jackson Hole Wildlife Film Festival organisers.

Below: ivory traffickers are attracted by the high profits and low risks of this business. Financial investigations are needed to reverse this so that the assets and proceeds of wildlife criminals are seized.





