



TRANSIT • DEMAND

AT LEAST
2.5 TONNES
IVORY SEIZED
SINCE 2010

IVORY



TRANSIT • DEMAND

107.79 kg
RHINO HORN
SEIZED IN OR LINKED
TO USA SINCE 2010

RHINO



DEMAND

TIGER MEDICINES
& **1 STUFFED**
TIGER SEIZED
SINCE 2000

TIGER



TRANSIT

UNDER
OPERATION
PONGO
SINCE 2010

HELMETED
HORNBILL



PARTY TO CITES (1975) | UNTOC (2005) | UNCAC (2006)

MEMBER OF INTERPOL | WORLD CUSTOMS ORGANISATION | NORTH AMERICAN WILDLIFE ENFORCEMENT GROUP (NAWEG)

OPERATION CRASH TARGETING THE WILDLIFE TRADE 2012–JUN 2016



PRISON SENTENCES
TOTTALLING
33.75 YEARS

FINES TOTTALLING
US\$ 2 080 500



27 CONCLUDED
CASES RESULTING
IN SENTENCING

FORFEITURE
& **RESTITUTION**
US\$ 5.4m



APPLICATION OF
ANCILLARY LEGISLATION
INCLUDED...

USA | INVESTING IN ENFORCEMENT

KEY INDICATORS¹

INTERPOL National Central Bureau has officer(s) dedicated to investigating wildlife crime

Multi-agency enforcement mechanism established to investigate wildlife crime

Financial intelligence unit includes wildlife crime on their portfolios

Assets and proceeds of crime seized in relation to wildlife crime cases since 2014

DNA analysis used in wildlife crime investigations since 2014

Government monitoring of online wildlife trade

Part of bilateral or multilateral agreements that specifically tackle transnational wildlife crime²

Participated in INTERPOL operations on wildlife crime since 2014

Participated in regional/international enforcement operations on wildlife crime since 2014³

Applied or declared intention to apply ICCWC Wildlife and Forest Crime Analytic Toolkit

MAIN OBSERVATIONS

- The USA has demonstrated significant commitment to combatting wildlife crime. Following the issuance of an Executive Order by President Obama in 2013, the **National Strategy for Combatting Wildlife Trafficking** was adopted in February 2014, establishing an interagency wildlife task force

and an advisory council of non-government experts and industry leaders for providing guidance on US anti-wildlife trafficking efforts.

- The Fiscal Year 2014 Omnibus Spending Bill passed by Congress **increased the budget** allocation by US\$45 million for funds provided by the US State Department and US Agency for International Development (USAID) to combat the transnational threat of wildlife poaching and wildlife trafficking supporting USAID, the Global Environmental Facility and the Department of the Interior initiatives.
- The US has provided significant levels of funding and **training globally for law enforcement agencies** for improving capacity in several areas such as forensic investigation and cross-border law enforcement cooperation. In 2015, the US Fish and Wildlife Service (FWS) invested US\$20 million in 141 anti-wildlife trafficking projects. Under the framework of the National Strategy for Combatting Wildlife Trafficking, the US has helped train more than 2,000 enforcement officials in more than 40 countries.

BEST PRACTICE

The US has played a critical role in encouraging regional and international collaboration and enforcement cooperation to combat wildlife crime. For example, FWS law enforcement attachés have been deployed in Botswana, Peru, Thailand, Tanzania and China, providing ongoing support to regional operations to combat wildlife trafficking. The US State Department and USAID have worked with key stakeholders to establish regional wildlife enforcement networks. FWS worked closely with governments in Africa and Asia in 2014

to implement Operation COBRA-II, an international enforcement initiative involving INTERPOL and enforcement agencies from 28 countries.

The US has also raised the issue of wildlife trafficking in significant bilateral and multilateral events. For example, wildlife trafficking has been a regular agenda item in the US-China Strategic and Economic Dialogue in 2014, 2015 and 2016.

CHALLENGE

In 2014, it was reported that there are fewer than 330 FWS inspectors and agents in the largest ports in the US – about the same number as 30 years ago when the agency's law enforcement branch was established.

Another challenge identified by the United States Government Accountability Office, in a report published in September 2016, is the lack of identified performance targets for the agencies represented in the Presidential Task Force on Wildlife Trafficking, including the Department of Interior, Department of Justice and State Department, and responsible for implementing the National Strategy on Combatting Wildlife Trafficking.

CASE FILES

Launched in 2012, Operation Crash has involved more than 140 FWS law enforcement officers working closely with other agencies to investigate a major rhino horn trafficking case. Charges were brought against over 30 individuals under a variety of laws, including the Lacey Act, for a number of offences such as conspiracy, money laundering and tax evasion. By June 2016, sentences imposed included fines exceeding US\$2m, over US\$5m collected from asset forfeiture and restitution and over 30 years of prison terms. This case is still ongoing.

USA | ENSURING EFFECTIVE LEGAL DETERRENTS

KEY INDICATORS¹

Legislation treats wildlife crime as a 'serious crime' as per UNTOC, ie, the maximum sanction applicable is not less than 4 years

Sentencing guidelines for wildlife crime have been disseminated

Known convictions for wildlife crime since 2014

Charges brought under ancillary legislation such as anti-money laundering laws in wildlife crime cases since 2014

Has anti-corruption unit

Known convictions for corruption related to illegal wildlife trade cases since 2014

76/100 TI Corruption Perceptions Index 2015

MAIN OBSERVATIONS

- In October 2016, the US adopted the **Eliminate, Neutralise and Disrupt (END) Wildlife Trafficking Act** which, inter alia, requires the Secretary of State to identify 'focus countries' that are major source, transit or destination countries implicated in wildlife trafficking and to 'dismantle illegal wildlife trade networks and the financing of those networks in a manner appropriate for each focus country'.

- In 2015, the **Wildlife Trafficking Enforcement Act**, which aims to make wildlife trafficking a predicate offence under racketeering and money laundering statutes, was introduced in the US Senate.
- Recent regulatory changes have **prohibited almost all trade in ivory**, increased restrictions on the trade in live tigers within the US, improved protection to lions under the Endangered Species Act and imposed a ban on the import of sport-hunted trophies from elephants in Tanzania and Zimbabwe and import of lion trophies taken from captive lion populations in South Africa.
- The US has provided critical support to several governments such as Mozambique, Vietnam, Myanmar and Laos for **improving their legislative framework and prosecutorial capacity** for combatting wildlife crime.

CASE FILES

Chinese national Zhifei Li was arrested in 2013 and charged with trafficking rhino horn and elephant ivory. He received one of the longest sentences imposed in the US for wildlife trafficking – imprisonment of five years and 10 months and forfeiture of proceeds of crime (US\$2.5m).

In 2014, the US indicted Dawie Groenewald, who ran a game-farming and hunting trophy business in South

Africa. The charges brought against him and his brother included 'conspiracy to sell illegal rhinoceros hunts in South Africa in order to defraud American hunters, money laundering and secretly trafficking in rhino horns'. US authorities have requested the extradition of Groenewald and his brother; the case is still ongoing.

In February 2016, a US company was sentenced for timber trafficking and was ordered to pay more than US\$13m in fines, community service and forfeited assets. The illegal timber was obtained from far eastern Russia, which is also critical tiger habitat. The Department of Justice has announced that US\$1,230,825 in community service payments will be provided to the National Fish and Wildlife Foundation (NFWF) and the FWS Rhinoceros and Tiger Conservation Fund for use in conservation projects.



ABOVE: PENALTIES PAID BY TIMBER TRAFFICKER WERE ALLOCATED TOWARDS TIGER & RHINO CONSERVATION © EIA

USA | ERADICATING DEMAND

KEY INDICATORS¹

Prohibits trade in elephant ivory

Prohibits trade in parts/products of Asian big cats

Stockpiled ivory has been inventoried

Destroyed ivory stockpile since 2014

Destroyed other wildlife stockpiles since 2014

No known incidents of thefts of government-owned wildlife stocks

Government-led initiatives to reduce demand for wildlife products implemented since 2014

MAIN OBSERVATIONS

- In 2015, the US and Vietnam launched a **five-year programme** on Combatting Illegal Wildlife Trade to tackle trafficking and reduce demand. In March 2015, in partnership with the governments of Vietnam and South

Africa, and civil society groups, the US launched Operation Game Change, a demand-reduction campaign that included a series of public outreach events focused on reducing consumption of rhino horn.

- In July 2016, a **near-total ban on the domestic commercial trade in ivory** came into effect in the US. In addition, a number of states have also adopted ivory bans, including three with the largest ivory markets in the US – New York, California and Hawaii.
- In 2015, more than one tonne of ivory was **destroyed** and, in 2016, FWS destroyed its stockpile of confiscated rhino horn.
- US funding has been provided for **numerous awareness-raising efforts** and demand-reduction campaigns globally. For example, USAID's ARREST programme (Asia's Regional Response to Endangered Species Trafficking) has funded awareness-raising campaigns such as 'Fin-Free Thailand' and 'iTHINK' behaviour change campaigns in China and Vietnam.

CHALLENGE

Although interstate and international trade in parts and derivatives of captive-bred tigers is prohibited, it is still legal to own captive big cats, including tigers, in the US. There are estimated to be roughly 5,000 captive tigers in private ownership in the US, including in tiger petting operations.

However, efforts are underway to address this problem – the Big Cat Public Safety Act has been proposed to end private ownership and captive breeding of big cats, including tigers. US Congress is yet to enact the law, although in 2016 the FWS adopted new regulations to close a loophole which previously exempted captive-bred tigers of mixed or unknown genetic origin from permitting requirements. The new regulations now require anyone selling tigers across state lines to obtain a permit or register the tiger.