



Enforcement

CoP13 Doc. 24 (Kenya) Revision of Res. Conf. 11.3 to include recommendations from the CITES Law Enforcement Expert Group.

SSN VIEW: SUPPORT CoP13 Doc. 24 (Kenya)
OPPOSE the Secretariat's proposal for a review of Res. Conf. 11.3.

Background

Kenya's proposal contains a number of recommended changes to Res. Conf. 11.3. Most are based on recommendations by the CITES Law Enforcement Expert Group which met 2-4 February 2004. The Group's recommendations are in Annex 1 to CoP13 Doc. 23, the document submitted by the Secretariat.

Kenya's proposal recommends that Parties: develop national action plans to enhance enforcement and compliance; provide enforcement authority contact information; afford wildlife law enforcement officials equal status to their counterparts in Customs and Police, as well as training opportunities; develop regional cooperation and coordination mechanisms amongst wildlife law enforcement agencies; expand the remit of the CITES Tiger Enforcement Task Force to address illegal trade in CITES-listed species, particularly those in Appendix I.

The Expert View: Enforcement must be strengthened

In its Statement (CoP13 Doc 23 Annex 1), the CITES Law Enforcement Expert Group emphasises the need to strengthen enforcement of the Convention, concludes that insufficient attention is being given by CITES to illegal trafficking and makes nine recommendations to Parties which Kenya has acted upon through Doc. 24.

Expert wildlife law enforcement officers rarely participate in the CITES decision-making structure, yet are faced daily with enforcing the treaty's provisions, placing them in a unique position to know what works and what is needed.

In contrast to the Kenyan recommendations, the draft Decisions proposed by the Secretariat in CoP13 Doc. 23 fail to address nearly all of the recommendations of the CITES Law Enforcement Expert Group. These recommendations need to be acted upon by Parties to demonstrate that they are serious about enforcement.

Review of 11.3 unnecessary

The Secretariat proposes a review of Res. Conf. 11.3 taking into account the Compliance Guidelines negotiations. This is an inefficient and unnecessary use of CITES' limited resources. The Guidelines are already a source of controversy. To introduce a complete review of Res. Conf. 11.3 when issues concerning the Guidelines remain unresolved could intensify the controversy, weaken the Resolution and reduce the effectiveness of the existing system for compliance and enforcement.

¹Decision 10.122 directed the Secretariat to distinguish between alleged infractions of the Convention and non-compliance with Resolutions in reports on alleged infractions. The Secretariat failed to implement this Decision and in effect abolished the reports on alleged infractions without any mandate to do so.

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