



REPÚBLICA DE MOÇAMBIQUE

**MINISTÉRIO DA TERRA, AMBIENTE E DESENVOLVIMENTO RURAL(MITADER)**

**MINISTRY OF LAND, ENVIRONMENT AND RURAL DEVELOPMENT**



**NATIONAL ADMINISTRATION FOR CONSERVATION AREAS (ANAC)**

**NATIONAL IVORY AND RHINO ACTION PLAN (NIRAP) PROGRESS REPORT**

*Reporting period: September 2015 – June 2016*

PREPARED FOR THE 67<sup>TH</sup> MEETING OF THE CITES STANDING COMMITTEE



## **PART A: Findings on NIRAP implementation**

1. Mozambique developed a single and combined National Ivory and Rhino Action Plan(NIRAP) that was discussed at the 66<sup>th</sup> Meeting of the CITES Standing Committee([SC66 Doc. 29Annex 18](#));
2. Following the discussions at CITES Standing Committee 66 ([SC66 Doc. 29 \(Rev. 1\)](#),[SC66 Doc. 51.1](#)) as reported in the [Draft SC Report](#),Mozambique was requested to provide information on further measures taken to progress actions rated as 'challenging' or 'unclear' in Annex 1 of document SC66 Doc. 29 (Rev. 1), including a clear timeframe for the completion of these actions;
3. The implementation of the NIRAP is progressing and based on the self-assessment which was conducted, overall progress in implementation is rated satisfactorily: the implementation of all the 39 actions have commenced and 19 of them (nearly50%) are evaluated as substantially achieved;
4. Mozambique would like to point out that the original NIRAP actions have not been changed in this report although it is felt that their restructuring is needed to better capture the complexity of the actions in progress in the country;

### **Main progresses**

5. The Government of Mozambique decided in January 2016 to amend Law 16/2014 (Conservation Law) due to the need to broaden the territorial dimension of its application to be countrywide and not restricted to Conservation Areas and to increase and better define penalties for perpetrators of crimes against fauna and flora. The amendment proposal was approved by the Council of Ministers on 5 April 2016 (ANNEX 1) and has been submitted to Parliament for approval;
6. Due to the above-mentioned amendment proposal of the Conservation Law, the drafting of the implementing Regulationis in progress and a new draft has been submitted at the time of writing this report. Mozambique would like to take this opportunity to inform the Standing Committee that although the new Regulation has still to be finalized, the Regulationthat implements Law 10/1999 is still valid and therefore legally there is no Regulatory vacuum in the implementation of Law16/2014.Moreover, the Regulation that implement Law 16/2014 appears to have little effect on the implementation of CITES in Mozambique;
7. The CITES Regulation (ANNEX 2) has been approved by the Council of Ministers on 24 May 2016. The publication on the "*Boletim da Republica*" (Official Journal) is in progress and not yet available at the time of writing this report;
8. The MoU with the Republic of Vietnam on joint cooperation in addressing illegal wildlife tradeis progressing well and Mozambique will probably report on its progress at the 67th Meeting of the Standing Committee or during the 17th Meeting of the Conference of the Parties to CITES;
9. The collaboration with South Africa is progressing in an excellent way and Mozambique would like to take this opportunity to express its deep gratitude to the Government of South Africa for the vast co-operation in the fight against illegal wildlife harvest and trade. The Joint Report by South Africa and Mozambique that will be presented pursuant to SC recommendation i), i) and ii) of SC66 Com.7 (Rev. by Sec.) will contain further information on the actions in progress by the two countries;
10. The administrative circular by the President of the Supreme Court, addressed to all courts in Mozambique, has been prepared and is awaiting signature. This should happen at any time soon as ANAC has officially requested this to the Supreme Court and the latter as an independent supreme body can decide at any time.

11. SMART is implemented in the Niassa Game Reserve. In Limpopo National Park, SMART is in operational testing phase and in Quirimbas NP training of personnel is in progress and equipment have been purchased. As a complement to SMART, a Registry of Infractions is operational in almost all conservation areas and a database at the national level collecting information and follow up on the prosecution of wildlife crime cases in court has been devised and is being tested;
12. The Inventory of the ivory and rhino stocks and the Physical Risk Audit of Rhino Horn and Ivory Storage Facility have been completed and the latter has identified key needs and opportunities for improved management and security of stocks;
13. Several successful enforcement operations were performed by ANAC, Customs and the recently formed Environmental Police, resulting in important seizures of Ivory and Rhino horns; importantly a very recent operation led, for the first time in Mozambique, to the arrest of one of the allegedly most important kingpins in rhino horn poaching and smuggling;
14. Thanks to the financial contribution of the World Bank, the Mozambique Conservation Areas for Biodiversity and Sustainable Development project (MOZBIO 1) is operational, including the 2.2 Sub-component that has just started (June 2016) to provide technical assistance on CITES and sport hunting administration, a key sector for wildlife conservation in the country. Importantly some of the activities that were indicated in the original NIRAP to be implemented at some pilot sites, thanks mainly to the ongoing MOZBIO project, were or are being implemented at national level;
15. The Government of Mozambique has also decided to devise and implement, through funding from UNDP, a National Law Enforcement and Anti-Poaching (LEAP) Strategy following the recent approval of the SADC LEAP Strategy in order to have a proper and comprehensive framework for fighting illegal wildlife activities in the country;
16. Similarly to the above, and as recommended by the SADC LEAP Strategy, Mozambique is starting the implementation of the Wildlife and Forest Crime Analytic Toolkit, a product of the International Consortium for Combating Wildlife Crime (ICCWC), and the in-country mission step of the Toolkit implementation is underway at the time of writing this report. The mission report of the ICCWC expert will inform the Mozambique Government, the CITES Secretariat and ICCWC member organizations on the enforcement situation in the country and on specific needs in Mozambique to tighten enforcement response to wildlife crime. Several actions of this NIRAP report will benefit of the recommendations from the ICCWC mission report.

### **Conclusion**

17. Mozambique is fully conscious that law enforcement alone cannot represent a solution for wildlife conservation. Weak community engagement in natural resource management is one of the main causes of increased illegal trade in wildlife and other natural resources as extreme poverty and lack of benefits from sustainable utilization of natural resources are among the main drivers of illegal activities. There is no good conservation policy that does not prioritize the human dimension. When motivated and mobilized, the rural communities are the best wardens and defenders of biodiversity. The synergy between wildlife conservation and

rural development is achieved by integrating sustainable use of natural resources with ecosystem conservation. Therefore, based on experience in some areas of the country where community engagement is resulting in positive actions, Mozambique is giving a high priority in the devising of a comprehensive national CBRNM institutional program. This is in line with other SADC countries, where local communities can obtain full and direct benefits from consumptive and non-consumptive wildlife utilization, thereby sustaining their livelihoods and wildlife conservation in the country.

18. Finally, Mozambique is fully aware of the challenges ahead and is thus ensuring that proper actions aimed at reducing threats to wildlife and biodiversity are implemented. However, it has to be conceded that the implementation of the new law, which, *inter alia*, include strong penalties, should be given time to fully reach a satisfactory stage and that, also thanks to the support of international institutions and NGOs, efforts and progresses are being made.
19. Mozambique would like to express its gratitude to the CITES Standing Committee for the continuous support and avails itself of the possibility to present an information document for SC67 or CoP17 containing further information on progresses made on some of the actions contained in this report.

## **PART B: Summary evaluation of actions (assigned progress ratings)**

Self-evaluation was made by Mozambique on the basis of 4 categories;

**Substantially achieved** – there has been excellent progress with implementation and specified milestones and timeframes have been achieved or substantially achieved;

**On track** – there has been good progress with implementation and specified milestones and timeframes appear to be on track or largely on track for achievement;

**Challenging** – there has been limited progress with implementation or progress has been impeded by delays or challenges, and achievement of the specified milestones and timeframes appears unlikely unless these issues are resolved;

**Unclear** – insufficient information was available to conduct an evaluation of progress or actions and milestones were not specified in a way that allowed for an evaluation of progress to be completed.

CATEGORY/PILLAR	PROGRESS RATING			
	Substantially achieved	On track	Challenging	Unclear
A. Legislation	A.2. Finalize CITES implementing regulations  A.3 Exchange experiences with SADC countries	A1. Finalize regulations for new Conservation Law.		
B. Prosecution	B1. Hold meetings for Judiciary  B2. Raise awareness on linkage between wildlife crime and organized crime  B3. Appoint specific prosecutors on wildlife crime	B4. Issue an administrative circular to all courts.  B.7 Establish a data base for seized elephant and Rhino products and improve reporting to ETIS/		

CATEGORY/PILLAR	PROGRESS RATING			
	Substantially achieved	On track	Challenging	Unclear
	<p>issues</p> <p>B5. Implement a system for collecting information on follow up of wildlife crime cases.</p> <p>B6. Organize training programs for prosecutors and judiciary</p>	CITES Secretariat		
C. Intelligence and investigations	<p>C1. Wildlife crime investigations and intelligence operations in 3 pilot sites (Limpopo, Niassa, Quirimbas)</p> <p>C.2 Appoint a focal point in Ministry of Interior for investigations and intelligence</p> <p>C4. Implement national wildlife crime and intelligence operations</p> <p>C5. Seek and secure additional financial and technical assistance to support the implementation of wildlife crime investigations and intelligence operations</p> <p>C6. Audit confiscated specimen storage system</p>	<p>C3. Develop a framework for wildlife crime intelligence and investigations.</p> <p>C.7. Train staff from law enforcement agencies on intelligence and investigation</p>		

CATEGORY/PILLAR	PROGRESS RATING			
	Substantially achieved	On track	Challenging	Unclear
D. National and international wildlife crime cooperation	<p>D1. Develop/review terms of reference for the inter-ministerial task force.</p> <p>D7. Finalize joint action plan with South Africa</p>	<p>D2. Strengthen Customs and Ports capacity for combatting wildlife trafficking</p> <p>D3. Training on detection of wildlife contraband and CITES requirements</p> <p>D4. Develop a plan to improve methodologies for detecting wildlife contraband at ports and transit points, including use of sniffer dogs</p> <p>D5. Seek and secure funding from the Treasury and external partners for enhancing training, port-level equipment and materials for detecting wildlife contraband</p> <p>D6. Finalize the Transboundary Cooperation Agreement with Tanzania to strengthen law enforcement in the Selous / Niassa</p>		

CATEGORY/PILLAR	PROGRESS RATING			
	Substantially achieved	On track	Challenging	Unclear
		ecological landscape.		
E. Law enforcement	<p>E1. Identify urgent measures and strategies to strengthen law enforcement operations in critical sites within available resources</p> <p>E3. Establishment of a formal intelligence structure in Limpopo National Park</p> <p>E5. Improvement of communications in LNP</p> <p>E8. Increase aerial patrols in Niassa and Quirimbas.</p> <p>E12. Seek and secure additional financial, technical and material support from partners to strengthen law enforcement capacity at key sites for elephant and rhino protection.</p>	<p>E2. Resettlement of villages in LNP</p> <p>E4. Implementation of sniffer dog capacity in LNP</p> <p>E6. Establish a memorandum of understanding and joint action plan with <i>Game farm operators</i> along the Kruger/Limpopo border.</p> <p>E7. Establish a joint action plan with the Republic of Tanzania to combat cross-border poaching along the Ruvuma river</p> <p>E9. Develop and implement a Management plan for Magoie National Park (Tchuma Tchato Area)</p> <p>E10. Design and implement action plan for patrols and data collection</p>		



CATEGORY/PILLAR	PROGRESS RATING			
	Substantially achieved	On track	Challenging	Unclear
		<p>forMágoe National Park</p> <p>E11. Implement SMART in 3 pilot priority areas (Limpopo, Niassa, Quirimbas)</p> <p>E13.Crack down on the illegal domestic market of ivory by targeted intelligence and law enforcement operations to uncover the supply lines as well as key buyers.</p>		
F. Communication and awareness raising			<p>F1. Develop of communication plan to raise public awareness on the ivory and rhino crisis and wildlife crime addressing various audiences (general public, tourists, foreign nationals, parliamentarians</p> <p>F2. Implement the communication plan throughpamphlets, community radios, theatres and medias.</p>	

## PART C: Detailed evaluation of actions

Note: a **timeframe** is provided, as requested by CITES SC66, only for actions which were “challenging” or “unclear” in Annex 1 of document SC66 Doc. 29 (Rev. 1)

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND <b>TIMEFRAME</b>	SUMMARY AND PROGRESS(at June 2016)
<b>A. LEGISLATION</b>				
A1. Finalize and secure approval of the regulations of the new conservation Law	<b>Challenging</b>	<ul style="list-style-type: none"> <li>The consultant for Regulation of Conservation Law hired already and the process of regulation in progress.</li> <li>The road map for regulation of Conservation Law concluded - The road map includes the information on what to regulate, how and what level in to be approved (ministerial level or the Council of Ministries according to complexity)</li> <li>The regulations are now expected to be approved by the Council of Ministers by February 2016..</li> </ul>	<b>On track</b>  <b>THE NEXT SESSION OF THE PARLIAMENT WHEN THE AMENDMENTS OF LAW 16/2014 WILL BE APPROVED IS SCHEDULED FOR NOVEMBER 2016.</b> <b>AN ADVANCED DRAFT OF THE REGULATION IMPLEMENTING LAW 16/2014 WILL BE PRESENTED AT STANDING COMMITTEE 67 AND AT THE CONFERENCE OF THE PARTIES.</b>	<u>Amendments to Law 16/2014 (Conservation Law)</u> <ul style="list-style-type: none"> <li>The Government of Mozambique decided in January 2016 to amend Law 16/2014 (Conservation Law) after an analysis of some issues pertaining to its implementation and discussions with the Attorney General Office and other institutions within the country, due to the fact that there was a need to broaden the territorial dimension of the application of the law to be countrywide and not restricted to Conservation Areas and to increase and better define penalties for perpetrators of crimes against fauna and flora. The amendment proposal was approved by the Council of Ministers on 5 April 2016 and has been submitted to Parliament for approval.(ANNEX1)</li> <li>The amendments to Law 16/2104 aims to resolve the following issues encountered in the first implementation of the law: <ul style="list-style-type: none"> <li>- The law in force, applies only to conservation areas, which makes the protection and conservation of species restricted in territorial terms. The amendment extends the provisions of the law to the whole national territory;</li> <li>- The current law applies to perpetrators of crimes against conservation excluding the application of penalties for moral authors. It is intended to extend the applicability of the law by punishing all authors both material and moral;</li> <li>- The current law punishes with a maximum of 12 years in prison crimes against conservation. The aim of the proposed revision extends the penal framework for a maximum of 16 years in prison;</li> <li>- Is intended to clarify the destination of goods seized in cases of offenses committed in the conservation sector, and a proposal to revise the same being kept under guard of the Ministry that oversees</li> </ul> </li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
				<p>the conservation sector.</p> <p><u>Development of the Regulation implementing the Conservation Law of 2014.</u></p> <ul style="list-style-type: none"> <li>• Due to the amendments of the Conservation Law, described above, the implementing regulations are in progress as following:</li> <li>• Draft 1 will be presented by 17 June 2016 and will go, as prescribed by the Constitution, to public consultation meetings to be held in the three Regions of Mozambique (North, Central and South). These meetings will be held in late June 2016.</li> <li>• Following the public consultations, draft 2 will be produced and will lead to draft 3 which will be reviewed/analyzed by the MITADER's Advisory Council and shared with other Ministries.</li> <li>• Following this review and consultations, draft 4 will be produced and submitted to Council of Ministers for discussion and approval after the amendments to Law 16/2014 will be approved by Parliament.</li> <li>• It has to be pointed out that the Decree 12/2002 (Regulation implementing Law 10/1999 Forest and Wildlife) is still valid and that it will be revoked by the new Regulation being drafted. Therefore, there is no Regulatory vacuum.</li> </ul>
A.2. Finalize and secure approval of the revised regulations on the application of CITES provisions in Mozambique	Challenging	<ul style="list-style-type: none"> <li>• Draft CITES regulation prepared with funding from CITES Secretariat and USAID (draft in annex E)</li> <li>• Finalized consultation process (Private Sector, Government Agencies and ONGs);</li> <li>• The proposed regulation was sent to CITES</li> </ul>	<p>Substantially Achieved</p> <p>NO TIMEFRAME GIVEN BECAUSE ACTION IS ACHIEVED</p>	<ul style="list-style-type: none"> <li>• The CITES Regulation has been approved by the Council of Ministers on 24 May 2016. It is expected to be published soon in the Official Journal of the Republic of Mozambique. (ANNEX 2)</li> </ul>

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		<p><i>Secretariat for comments but they were unable to review it because it was in Portuguese;</i></p> <ul style="list-style-type: none"> <li>• AMOS (Mozambique safari operator is helping in translation in to English;</li> <li>• Regulation will be approved by the first quarter of 2016</li> </ul>		
A3.Exchange experiences with other SADC countries in implementation process of the new conservation law, which is based on SADC recommendations	On track	<ul style="list-style-type: none"> <li>• Contact with South Africa and Namibia has been done. By the October 2015 this mission will be done</li> </ul>	Substantially Achieved	<ul style="list-style-type: none"> <li>• On 2nd March 2016, the Attorney General of the Republic of Mozambique had a working visit to the Great Limpopo Transfrontier Park also to visit the Mozambican awaiting trial prisoners in South Africa.</li> <li>• The South African Director of Public Prosecution visited the Mozambican Attorney General to exchange experiences, amongst others, on matters related to environmental crimes.</li> <li>• From 6 to 10 June 2016 a visit of Experience Exchange took place between the Mozambique Attorneys and the Prosecutors of South Africa. An agreement was reached on the legal structure for follow up of criminal cases of poachers between the two countries;</li> <li>• Following the visit by the South African Director of Public Prosecutions, the Mozambican Attorney General paid visits to the most affected districts affected by poaching and interacted with the prosecutors, local authorities and communities.</li> <li>• Attorney General also met with the district legal committee.</li> <li>• Attorney General together with the district prosecutors visited Kruger National Park for two days to interact with the stakeholders involved in wildlife crimes prevention.</li> <li>• District prosecutors from Maputo, Massingir, Magude and Muamba travelled to South Africa on 07-06-2016 in order to interview the</li> </ul>

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				<p>awaiting trial prisoners in line with cooperation on combating wildlife crimes.</p> <ul style="list-style-type: none"> <li>• The DNA sampling process is now aligned between ZA and MZ.</li> <li>• The collaboration between the Attorney General in Mozambique and the South African counterparts is increasing.</li> <li>• A further exchange programme between judiciary of Mozambique and South Africa is planned to take place in December 2016.</li> <li>• Quarterly visits were conducted by the Police of the Republic of Mozambique to the Republic of South Africa and vice versa, in the framework of exchange of experience, especially on combating poaching;</li> <li>• Participation in the SADC Preparatory meetings on CITES CoP17;</li> <li>• The preparation of the mission to Namibia is under way.</li> </ul>
<b>B. PROSECUTIONS</b>				
B1. Hold regional meetings for Judiciary officers in order to disseminate the information regarding the new Law of Conservation areas (specifically in terms of penalties), new CITES regulations and revised penal code ( which introduce wildlife and other Environmental crimes and assets seizure)	On track	<ul style="list-style-type: none"> <li>• <i>Held a national meeting involving all legal cluster (prosecutor, judges) also we evolved the security cluster where we discussed issues related to wildlife crime and the content and specifically the penalties of new conservation law (Law No. 16/2014)</i></li> <li>• <i>Held two regional meetings (South – Maputo and North – Nampula) involving relevant government</i></li> </ul>	Substantially Achieved	<ul style="list-style-type: none"> <li>• ANAC decided to have a national meeting and not regional meetings for judiciary, and in December 2015 a national meeting was held, with financial support from WWF, with the involvement of Prosecutors, Inspection Agents of Conservation Areas, and Environment Police on the Conservation Law 16/2014 in order to disseminate information on the provisions of the law and exchange ideas on its interpretation and implementation.</li> <li>• A two day workshop on the implementation of the Conservation Law was held on 1st and 2nd of June in one of the concessions of the Niassa Game Reserve with the participation of the Mecula Prosecutor and representatives from several law enforcement entities (Environmental Police, National Police of Chuilexi, Lugenda, Mariri and Niassa Reserve warden) and it is expected to be replicated in other concessions and the Game Reserve in general.</li> </ul>

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		<p><i>agencies and provincial prosecutors (see report in annex E)</i></p> <ul style="list-style-type: none"> <li><i>dissemination of New Penal Code and Conservation Law by different means (meeting, television, radio, news papers). The Penal Code was approved by the Parliament and This and Government Institutions are involved in process of dissemination.</i></li> </ul>		
B2. Raise awareness about linkage between wildlife crime and organized crime and the need to apply all relevant criminal legislation	Unclear	<ul style="list-style-type: none"> <li><i>There is debate within General prosecutor on the issues related to poaching. The General Prosecutor held high level meeting on organized crime and poaching with prosecutor, police, Niassa National Reserve and Limpopo National Park. This meeting raise awareness in different level including politicians.</i></li> </ul>	<p>Substantially Achieved</p> <p>NO TIMEFRAME GIVEN BECAUSE ACTION IS ACHIEVED</p>	<ul style="list-style-type: none"> <li>A national meeting on wildlife crime and the possible linkages with organized crime was held on August 2015 involving the Attorney General's Office and MITADER with 120 participants mostly prosecutors and judiciary. This meeting was not reported in the previous NIRAP report.</li> <li>On 18 February 2016 the Government of Mozambique sent a formal request to the CITES Secretariat for technical assistance to implement the Wildlife and Forest Crime Analytic Toolkit, a product of the International Consortium for Combating Wildlife Crime (ICWC). The initial meeting hosted by the Government of Mozambique took place in April 2016. In June 2016 the four weeks' mission of the ICWC designated expert has begun. Apart from other expected results on the improvement of Mozambique's capacity to fight against wildlife crime, the meetings held in the framework of the Toolkit implementation raised further awareness on wildlife crime among several Mozambican institutions.</li> </ul>

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B3. Point specific prosecutors to work on wildlife crime issues	On track	<ul style="list-style-type: none"> <li>Appointed a senior prosecutor to be responsible for wildlife crime in Mozambique.</li> <li>In this regard the wildlife authorities have started engaging with the indicated prosecutor.</li> <li>There is debate within General prosecutor the issues related poaching</li> </ul>	Substantially achieved	<ul style="list-style-type: none"> <li>Establishment of the Office for Environmental Affairs in the Department of Diffuse Crimes of the Attorney General 's Office of the Republic of Mozambique, headed by a deputy prosecutor specifically appointed for this purpose;</li> <li>Pro-active relationships established between the Prosecutors at the districts level and the Conservation Areas;</li> <li>Ongoing capacity building activities of Attorneys at the Province and Districts levels covered by Conservation Areas;</li> </ul>
B4. Issue an administrative circular by the President of the Supreme Court addressed to all courts, to point out the seriousness of the wildlife crime crisis, the international obligations of Mozambique to address this, and therefore the need for strict application of wildlife crime legislation and penalties.	Challenging	<ul style="list-style-type: none"> <li>The Government of Mozambique through General Prosecutor organized the national meeting with all persecutors. The meeting was the discuss poaching in Mozambique and how to approach the problem as prosecutor.</li> <li>This was an important step to raise awareness by involving the prosecutors in the entire country</li> <li>An administrative circular could however</li> </ul>	<p>On track</p> <p>TIMEFRAME</p> <p>THE SIGNATURE OF THE CIRCULAR BY THE PRESIDENT OF THE SUPREME COURT IS EXPECTED SOON.</p>	<ul style="list-style-type: none"> <li>The administrative circular by the President of the Supreme Court addressed to all courts, has been prepared and submitted to the Supreme Court and is awaiting signature.</li> </ul>

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		<i>not yet be issued.</i>		
B5. Put in place a system for collecting information on follow up of wildlife crime cases (penalties being applied, success and failure of wildlife-related court cases, and key reasons for success/failure) in 3 pilot sites (Niassa, Limpopo, Quirimbas) and review feasibility to extend to other sites	Challenging	<ul style="list-style-type: none"> <li>• <i>a good system of sharing information between Police of Mozambique, Customs of Mozambique and ANAC (Law Enforcement Department and CITES) has been established In progress, the full system will be finished by 2016.</i></li> <li>• <i>SMART has been introduced in the Niassa Game Reserve. Introduction in Limpopo and Quirimbas is foreseen soon, by 2016.</i></li> </ul>	<p>Substantially achieved</p> <p>NO TIMEFRAME GIVEN BECAUSE ACTION IS ACHIEVED</p>	<ul style="list-style-type: none"> <li>• Police officers are following court cases as part of their duties and the following activities/achievements have contributed to the implementation of this action:</li> <li>• Training on SMART to officers in 10 Conservation areas. Several training sessions were held on SMART in Limpopo National Park with the assistance of WCS and Peace Parks Foundation. Training is completed and SMART is in the phase of operational testing. Peace Parks is also studying the feasibility of introducing SMART in the Maputo Special Reserve. In Quirimbas NP training of personnel on SMART is in progress and equipment have been purchased. Patrols are ongoing and being acquainted with SMART utilization.</li> <li>• As a further measure to improve law enforcement effectiveness, and as a complement to SMART, the registry of offenders has been established in almost all Conservation Areas (with the exception of Magoé National Park, that has been recently created). This registry includes information on incidence of poaching in the Conservation Areas, offenders' names, nationality of the offender, fines or court decisions, seized weapons etc. The registry is used in collaboration with Police and Customs also as supporting evidence in court cases.</li> <li>• A complete system on assistance to intelligence and operations at National Level is being established and already operational. The system is run by ANAC in collaboration with RUHLA a security and intelligence company. The system is using two software platforms i.e. Symantica (RUHLA) and Sentinel Visualizer (ANAC with support of WCS) that enable investigation of poaching and trafficking networks and action by the Police to secure to justice suspect poachers/traffickers.</li> </ul>



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B6. Organize wildlife crime training programs for prosecutors and judiciary	On track	<i>The first session will take place by the end of October 2015. The session will include also the police and customs</i>	Substantially Achieved	<ul style="list-style-type: none"> <li>A capacity-building meeting for prosecutors in the field of CITES and crimes against fauna and flora has been held on 26 and 27 November 2015 in Xai-Xai(Gaza Province).</li> <li>On 7th and 8th June 2016 a capacity building exercise involving training and crime scene analysis, for Mozambique Prosecutors was held in Kruger National Park(ZA) in coordination with the Prosecutors of the Republic of South Africa. The prosecutors of both countries will be strictly connected in follow up all cases on poaching and illegal firearms detention involving their citizens.</li> </ul>
B7. Establish a national data base about seized elephant and Rhino products and poachers apprehended and improve reporting to ETIS / CITES Secretariat	Challenging	<ul style="list-style-type: none"> <li>We are in contact with South Africa for establish the data base, this activity depends on availability of funds from World Bank. This activity will be finalized by 2016</li> <li>Communication with CITES Secretariat is improving. Recently, we notified CITES Secretariat on Seizure of ivory and Rhino.</li> </ul>	On track  THE DATABASE WITH ALL SEIZURES OF ELEPHANT AND RHINO PRODUCTS SHOULD BE OPERATIONAL BY LAST QUARTER OF 2016.	<ul style="list-style-type: none"> <li>The inventory of Ivory and Rhino horns has been concluded (see Action C6.) and is also informing an experimental database, linked to the Registry of Infractions (see Action B5.), from where data on seized Elephant and Rhino products can be retrieved.</li> <li>A central database is being devised and pending the availability of funding it is expected to be operational by last quarter of 2016.</li> </ul>
<b>C. INTELLIGENCE &amp; INVESTIGATIONS</b>				
C1. Task the new environmental police in cooperation with National Intelligence Agency to develop and implement an action plan with deadlines	On track	<ul style="list-style-type: none"> <li>The Mozambican Government approved the National Program for Protection of Natural Resources and Environment involving the relevant ministries.</li> </ul>	Substantially achieved	<ul style="list-style-type: none"> <li>The Ministry of the Interior, is developing the plan to improve intelligence capacity of the Environmental Police and the plan will be operational by August 2016;</li> <li>The Intelligence Directorate of the Ministry of the Interior is already working on wildlife crime issues through the Police of the Republic of Mozambique in cooperation with ANAC and specific Conservation Areas; as a result of this cooperation. seizures have been made such</li> </ul>

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and benchmarks on how to conduct wildlife crime investigations and intelligence operations, in cooperation with other wildlife agencies, focused on 3 pilot sites (Limpopo, Niassa, Quirimbas)		<p><i>The program analyzes the state of dilapidation of the country's natural resources, and proposes measures to combat the illegal exploitation of natural resources for the period 2015-2019. As result 1500 of environmental Police were recruited, trained, equipped and allocated in the ground.</i></p> <ul style="list-style-type: none"> <li><i>The environmental police so far doesn't have a mandate to conduct Intelligence and investigation but efforts are being made to include in this force a special entity which can have its own investigation unit. But nevertheless the deployment in the pilot areas was done with great success. The program analyzes the state of dilapidation of the</i></li> </ul>		<p>as the arrest of Vietnamese citizens on May 2nd 2016 at the Maputo International Airport and the seizure of rhino horns seized in the Massingir district;</p> <ul style="list-style-type: none"> <li>The National Intelligence Agency is collaborating in several conservation areas.</li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
		country's natural resources, and proposes measures to combat the illegal exploitation of natural resources for the period 2015-2019. Among the measures include: (i) Recruitment, training and equipment specialized force (ii) Joint operations on law enforcement inside and outside of conservation areas.		
C.2 Appoint a focal point in Ministry of Interior with responsibility for the further development of Mozambique's wildlife crime investigations and intelligence capacity	Substantially achieved	<ul style="list-style-type: none"> <li>This activity is done. The Ministry of Interior appointed one official of the police which is head of the new environmental police</li> </ul>	Substantially achieved	<u>This action was already achieved in the previous report.</u>
C.3. Based on the experience of the pilot projects Develop a framework for wildlife crime intelligence and	Unclear	Activity to start in 2016.	On track TIMEFRAME LEAP STRATEGY APPROVED	<ul style="list-style-type: none"> <li>In November 2015 SADC Ministers responsible for environment and natural resources management approved the SADC Strategy on Law Enforcement and Anti-Poaching (LEAP).</li> <li>The Mozambique Government decided that in order to have a proper framework to tackle wildlife crime Issues there is an urgent need to</li> </ul>

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investigations, detailing the roles and responsibilities of Ministry of Interior, National Intelligence, ANAC, MICOA and other collaborating agencies, and specific capacity requirements			BY LAST QUARTER 2016	<p>devise and implement a proper national LEAP Strategy based on the framework approved by SADC. To this end Mozambique is at an advanced stage of negotiation with UNDP for preparing the project proposal for funding the drafting and implementation of the National LEAP Strategy through the GEF.</p> <ul style="list-style-type: none"> <li>Mozambique participated in the annual meetings of the SADC Public Safety Subcommittee (PSSC). The PSSC meeting, held in Maputo from 6th to 9th June 2016, noted progress achieved and directed the joint meeting of Senior Officials from Environment and Natural Resources and Security sectors (DSC, PSSC, Police and SSSC) meet by August 2016 to discuss operationalization of the Regional Law Enforcement and Anti-Poaching Strategy prior to the joint meeting of Ministers. The SADC PSSC meeting also urged Member States to establish unified structures and Centralized multi-disciplinary Agencies to tackle Illegal Trade in Wildlife Products across the borders;</li> <li>As the SADC LEAP Strategy actively encouraged Member States to participate in the government-led application and use of the UNODC ICCWC Wildlife and Forest Crime Analytic Toolkit, Mozambique Government, as described in Action B2, formally requested the implementation of the ICCWC Toolkit. The recommendations of the ongoing ICCWC mission will support the implementation of this NIRAP activity C3.</li> </ul>
C4. Implement wildlife crime and intelligence operations nationally according to framework and based on experience in the 3 pilot sites, with additional technical and financial assistance	Unclear	Activity to start in 2016	Substantially achieved  THIS IS AN ONGOING DAILY ACTIVITY AND NO TIMEFRAME GIVEN BECAUSE ACTION IS ACHIEVED	<ul style="list-style-type: none"> <li>Several intelligence and enforcement operations were performed at the national level by Police or Customs with the assistance of ANAC. (See also Actions B5 and E1) Action C3 above will strengthen the capacity of enforcement bodies at national level.</li> <li>To this end and following the recommendation of the SADC LEAP Strategy, ANAC is evaluating the possibility to establish a proper and official Wildlife Crime Unit within ANAC with competence on enforcement of Conservation Law and ability to perform searches, seizures and act also as judicial assistant to national prosecutors in cases related to wildlife crime.</li> </ul>

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C5. Seek and secure additional financial and technical assistance to support the implementation of wildlife crime investigations and intelligence operations	Challenging	<ul style="list-style-type: none"> <li>The funding from World Bank and other organization (e.g. WCS, PPF and Fundacao Chissano) is supporting for wildlife crime control and investigations operations specifically Niassa Nacional Reserve and Limpopo National Park. However, more support is needed.</li> </ul>	<p>Substantially achieved</p> <p>NO TIMEFRAME GIVEN BECAUSE ACTION IS ACHIEVED</p>	<ul style="list-style-type: none"> <li>Funding has been secured from different sources and the activity can be considered as substantially achieved although funding is continued to be sought for specific activities</li> <li>MOZBIO is providing funds for: <ul style="list-style-type: none"> <li>- Creation of informant networks</li> <li>- INTERPOL Regional Meetings</li> <li>- Regional enforcement coordination meetings</li> <li>- Training on SMART</li> </ul> </li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS (at June 2016)
C6. Carry out an independent audit of Mozambique's current systems for the storage and management and security of confiscated wildlife products, and identify key needs and opportunities for improved management and security and implement its recommendations	Challenging	<ul style="list-style-type: none"> <li>Mozambique has done inventory of its government-held ivory and rhino stockpile in Maputo, which was recorded on 05th July 2015, with support from "Stop Ivory" and Wildlife Conservation Society as following:  (data removed)</li> <li>The government inventory has been updated to take into account the disposal of the stock, and the new inventory will be reported to the Secretariat by 28 February 2016. The Republic of Mozambique took the decision to destroy this ivory and rhino horn stockpile to reiterate the commitment to protecting elephants and rhino, and zero tolerance approach to poachers, traffickers and the criminal organizations behind</li> </ul>	<p>Substantially achieved</p> <p>NO TIMEFRAME GIVEN BECAUSE ACTION IS ACHIEVED</p>	<ul style="list-style-type: none"> <li>The countrywide inventory of ivory and rhino horn was completed in April 2016, with technical and financial support from the World Bank, WCS, and Stup Ivory.</li> <li>Ivory was permanently marked in accordance with CITES Resolution Conf. 10.10 (Rev. CoP16). DNA Samples of Ivory and Rhino horn were taken and sent to specialized labs.</li> <li>RHULA Security Company performed the Security Audit in May 2016, of all Mozambique's Ivory Warehouses, including rhinoceros' horns;</li> <li>The implementation of safety recommendations is in progress and will be urgently implemented including the movement of the stockpiles presently held at the local and provincial level to Maputo when the new strong-room is built.</li> <li>The National Ivory and Rhino Inventory report and the Security Audit are annexed to this report on a CONFIDENTIAL basis for the CITES Secretariat.</li> </ul>

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		<p>them. This is the main government-held ivory and rhino horn stockpile in Maputo. Mozambique and South Africa collected samples of this ivory pieces and rhino horn pieces for DNA analysis.</p> <ul style="list-style-type: none"> <li>During this process 3 officers were trained and this one will train others to replicate this countrywide contacts with international organizations has been made in view of an audit of the stock of ivory. It is planned to be done by 2016</li> </ul>		
C.7. Train staff from law enforcement agencies on intelligence and investigation techniques in wildlife crime issues in cooperation with (Interpol, UNODC, TRAFFIC)	Challenging	<ul style="list-style-type: none"> <li>It is planned to train the officers in under the project WISDOM hosted by Interpol and this is due to happen early 2016.</li> <li>There are staff from police, customs and wildlife already trained by UNODC TRAFFIC and Interpol .The training took place in Mozambique and</li> </ul>	<p>On Track</p> <p>LAST QUARTER 2016</p>	<ul style="list-style-type: none"> <li>In October 2015 INTERPOL conducted a training on intelligence and investigation techniques for about 30 police officers with a focus on environmental crime.</li> <li>During the first months of 2016 the following training courses were implemented through funding from MOZBIO; refreshment courses for scouts in 3 conservation areas; training on security in other 3 conservation areas; basic training course in Magoe National Park.</li> <li>Further training is needed and the component of Action C3 on ICCWC Toolkit mission report recommendations will inform the training needs.</li> </ul>

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		<i>Botswana</i>		
<b>D: NATIONAL &amp; INTERNATIONAL COOPERATION TO COMBAT WILDLIFE CRIME</b>				
D1. Develop/review the roles and responsibilities, terms of reference and meeting arrangements for the inter-ministerial task force, designed to streamline and enhance effectiveness of task force operations	On track	<ul style="list-style-type: none"> <li><i>The task force was re-launched and upgraded to include relevant stakeholders in this process and the meeting of the technical arm is regular and the Ministerial level has been meant to be once a year.</i></li> <li><i>The task force meets once month at technical level (technical meeting) and once year at ministerial level (ministerial meeting); The main objective of the task force is to discuss and coordinate the action for protection of Natural resources. This is part of implementation National Program for Protection of Natural Resources and Environment approved by the Government of Mozambique.</i></li> </ul>	Substantially achieved	<ul style="list-style-type: none"> <li>The composition, roles, responsibilities, terms of reference and meeting arrangements for the inter-ministerial task force on CITES, have been formally included in the provisions of the recently approved CITES Regulation.</li> </ul>



ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
D2. Agree on concrete actions (including timelines and benchmarks) with Customs and Ports authorities for strengthening capacity for combatting wildlife trafficking at ports, (priority for Pemba and Maputo ports, land border with Tanzania and South Africa and Maputo, Pemba and Nacala International airport ) including additional training of ports officers (Custom, Agriculture and Police)	On track	<ul style="list-style-type: none"> <li>• <i>Within the Customs of Mozambique is created specific division as measures to improve methodologies for detecting wildlife contraband at ports and transit points. The CITES Management Authority (MA) works closely with Division as well as the RILO ESA and, normally MA shares the experience and information on the new smuggling techniques in sea ports and airports.</i></li> <li>• <i>It is planned to Install scanner equipment at all ports and airports. The scanners are already installed in main airport and Ports (Maputo, Beira, Nacala)</i></li> <li>• <i>Training for staff on specific matter (ex. Identifications of CITES species was also implemented,)</i></li> </ul>	On track	<ul style="list-style-type: none"> <li>• Through the new CITES Regulation, the points of Entry/Exit designated to conduct CITES shipment clearance were established. They are: International Airports of Mavalane (Maputo), Beira and Nacala, Pemba; Ports of Maputo, Beira, Nacala and Pemba, Land Borders of Ressano Garcia, Machipanda, Cuchamano.</li> <li>• An information document was produced and distributed to all Mozambique Customs, on CITES provisions including clear explanations on the role and activities to be performed by Customs in the control of trade of CITES-listed specimens.</li> </ul>
D3. Implement additional training with regard detection of wildlife contraband	On track	<ul style="list-style-type: none"> <li>• <i>Training of staff on specific matter (ex. Identifications of CITES species) in ports and</i></li> </ul>	On track	<ul style="list-style-type: none"> <li>• The Customs of Mozambique, strengthened its team for control of CITES-listed specimens at the Maputo International Airport</li> <li>• Further training of Mozambique Customs agents is scheduled for September 2016 to improve the intervention capacity against</li> </ul>

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and CITES requirements		<i>airport. This activity has been done and still going involving the customs offices and Police. During training of 1500 environmental police a training module related to CITES requirements was included. Further training is needed on the detection of Wildlife contraband.</i>		<p>trafficking of products derived from species of fauna and flora.</p> <ul style="list-style-type: none"> <li>Following the approval of the CITES Regulation, the CITES Management Authority is developing a proposal on specific training needs on CITES procedures and requirements (for example identification of CITES-listed species at ports of entry/exit) especially for personnel that will be located at designated ports of entry/exit. This is a new activity.</li> </ul>
D4. Develop and implement a plan to improve methodologies for detecting wildlife contraband at ports and transit points, with external technical and financial assistance as necessary, including use of sniffer dogs in cooperation with TRAFFIC	Challenging	<ul style="list-style-type: none"> <li>A specific division was created within the Customs of Mozambique to improve methodologies for detecting wildlife contraband at ports and transit points. The proposed CITES regulations foresees the establishment specific point for entrance or transit of wild life products.</li> <li>In coordination with TRAFFIC the Government implemented a surveillance operation at Maputo International</li> </ul>	<p>On track</p> <p>TIMEFRAME</p> <p>LAST QUARTER 2016- FIRST QUARTER 2017</p>	<ul style="list-style-type: none"> <li>See Action D2. on designation of specific CITES ports of entry/exit.</li> <li>An exchange of experience meeting between the South African Team and Mozambique's Customs on the use of canine teams was held.</li> <li>Sniffer dog training concluded and supported by Peace Parks Foundation in Limpopo NP and WWF. Training of Handlers ongoing and formation of a specialized Mobile Canine Unit in Maputo with joint working teams between ANAC, Customs and Environmental Police. The Unit will cover the Southern Region.</li> </ul>

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		<p><i>Airport, using sniffer dogs to detect illegal movement of protected species and specimens.</i></p> <ul style="list-style-type: none"> <li><i>The Mozambique Police (PRM) is in progress the acquisition of sniffer dogs to be deployed in sea ports and airports.</i></li> </ul>		
D5. Seek and secure funding from the Treasury and external partners for enhancing training, port-level equipment and materials for detecting wildlife contraband	On track	<ul style="list-style-type: none"> <li><i>GoM has requested WB assistance to implement the MozBio Program - MozBio is long-term Program that brings biodiversity conservation, tourism development and poverty reduction together. The MozBio Program should serve as a platform to address the threats to the conservation of Mozambique's natural capital, take full advantage of the potential tourism growth in Mozambique, and contribute to the reduction of the high poverty levels around</i></li> </ul>	On track	<ul style="list-style-type: none"> <li>The World Bank MOZBIO project is providing funds for: <ul style="list-style-type: none"> <li>- Training of Law enforcement instructors</li> <li>- Basic training for law enforcement personnel</li> <li>- Refreshment training for law enforcement personnel</li> <li>- support to MZ CITES Management Authority</li> </ul> </li> <li>Although several meetings were held with French Development Agency (AFD) and a project was drafted, AFD has not provided information on progresses.</li> </ul>

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		<p><i>CAs. This Program draws from the lessons of the previous Transfrontier Conservations Areas (TFCA) Program, and will implement the new institutional framework for conservation in Mozambique, with a strong emphasis on building the capacity of the recently-established Agency, the National Administration for Conservation Areas (ANAC). CITES is under this agency. In this context the project intend to strengthening national CITES authority by support proper implementation of the CITES Convention requirements to improve wildlife management through the provision of technical assistance and training to the</i></p>		

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		<p><i>CITES authority.</i></p> <ul style="list-style-type: none"> <li><i>The Government, through the Ministry of Tourism signed an MoU with the Joaquim Chissano Foundation, whose aim is cooperation and financial assistance from the Foundation for the implementation of anti-poaching measures with focus to the Limpopo National Park, Quirimbas National Park and Niassa National Reserve.</i></li> <li><i>The Country is negotiating with the French Development Agency (Afd) a fund of 4,000,000.00 (four million) US dollars for anti-poaching activities;</i></li> </ul>		
D6. Finalize and implement the Transboundary	On track	<i>The Republic of Mozambique and United Republic of Tanzania signed on 25th of March 2015, the MoU. The</i>	On track	<ul style="list-style-type: none"> <li>The Agreement on the Coordinated Conservation and Management of the Selous-Niassa Ecosystem concluded on March 2015 between Mozambique and the United Republic of Tanzania was approved by the Council of Minister</li> </ul>

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Cooperation Agreement with Tanzania to strengthen law enforcement in the Selous / Niassa ecological landscape.		<p><i>action plan is in preparation but already some activities on the ground are in place.</i></p> <p><i>The objectives of the transfrontier conservation area are as follows:</i></p> <p><i>Promote collaboration and cooperation across borders between the parties which will facilitate the effective management of the ecosystem in the area that comprises the transfrontier park;</i></p> <p><i>Promote partnerships in the management of biological natural resources by encouraging partnerships between the parties, including the private sector, local communities and non-governmental organizations;</i></p> <p><i>Improve the integrity of the ecosystem and natural ecological processes, standardizing procedures for</i></p>		<ul style="list-style-type: none"> <li>• Mozambique is discussing with Tanzania an action plan to implement the Agreement.</li> <li>• The negotiation of a MoU with the Republic of Vietnam to promote cooperation in the areas of trade, management, conservation and protection of biodiversity and law enforcement in compliance with the obligations emanating from CITES and other conventions, has been delayed but has restarted recently and it is hoped that this MoU can be concluded during this year.</li> </ul>

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		<p><i>environmental management across borders and striving to remove artificial barriers that impede the natural movement of wildlife;</i></p> <p><i>Develop cross-border eco-tourism as a means to promote regional socioeconomic development; and Establish mechanisms to facilitate the exchange of technical, legal and scientific information for the joint management of the ecosystem.</i></p> <p>• <i>In addition, there is an ongoing the process of negotiation of MoU with the Republic of Vietnam. The text of an MoU proposal is being negotiated . Each country is now is doing internal consultation. This MoU will be signing by no later than first quarter of 2016.</i></p>		

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D7. Following the “cooperation Agreement on the Joint Protection and Management of the Rhino and Elephant populations in the Great Limpopo Transfrontier Park” and the MoU for increased bilateral cooperation with South Africa, finalize and implement the joint action plan.	On track	<ul style="list-style-type: none"> <li>Before the development of NIRAP, the Governments of Mozambique and South Africa signed a Memorandum of Understanding on Cooperation in the Field of Biodiversity Conservation and Management. The MoU is aimed at promoting cooperation between the parties in the field of biodiversity management, conservation and protection, law enforcement, compliance with CITES, and other relevant legislation and Conventions on the basis of equality and mutual benefit in an effort to strengthen the combating of rhino poaching as well as law enforcement. It was during the signing ceremony were both ministers announced that the officials from</li> </ul>	Substantially achieved	<ul style="list-style-type: none"> <li>The 2015-2016 Action Plan is finalized and is being implemented. Two meetings of the Joint Management Committee were held in 2016 (07–08 March, 08-09 June) in Maputo between MZ and ZA to discuss the progresses in the implementation of the action plan.</li> <li>The 2016/2017 Action Plan has been deliberated and will be circulated electronically in order to reach consensus.</li> <li>A total of eight Joint Operations conducted since beginning of 2015 to date (09 June 2016), between Kruger and Limpopo National Parks.</li> <li>15 suspects arrested as a result of joint operations and several weapons and ammunitions confiscated.</li> </ul>



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		<p><i>both countries will meet to discuss the Implementation Plan;</i></p> <ul style="list-style-type: none"> <li><i>• Several consultations took place between both countries and the Implementation Plan was signed by Mozambique at the Director General level during the South African state visit to Mozambique in May 2015. The Director General of South Africa was not present during the state visit therefore the document is still being processed and will soon be signed;</i></li> <li><i>• Currently a 2015/2016 Action Plan outlining specific projects that require short term attention has been developed between during the officials meeting in May at Maputo, Mozambique. It was during these meeting that the Terms of Reference for the Joint Committee as</i></li> </ul>		

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		<p><i>required in the Article 5 of the MoU were developed. Both documents are in the final consultation phase before being signed off by the focal points;</i></p> <ul style="list-style-type: none"> <li>• <i>Ongoing bilateral meetings (Kruger National Park and Limpopo National Park;</i></li> <li>• <i>Joint patrols (army, police, customs, etc) between these two protected areas:</i></li> <li>• <i>Implementing the Transfrontier conservation approaches.</i></li> </ul>		
<b>E: LAW ENFORCEMENT</b>				
E1. In cooperation with government and NGO partners, law enforcement experts and other stakeholders, identify urgent	On track	<ul style="list-style-type: none"> <li>• <i>Interventions in Anti-poaching – interventions intended to reinforce the capacity of anti-poaching (from legal components, detection and apprehension in the</i></li> </ul>	Substantially achieved	<ul style="list-style-type: none"> <li>• <u>Interventions in Anti-poaching and Enforcement</u></li> </ul> <p>During 2015 the Mozambican authorities detained over 300 people in connection with poaching.</p> <ul style="list-style-type: none"> <li>• The following are the main enforcement cases in the reporting period:  <u>September 2015</u>-2 Mozambicans arrested in Tanzania with 2 rhino horns.  <u>October 2015</u>-2 Chinese nationals with 100kgs of ivory arrested in the</li> </ul>

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measures and strategies to strengthen law enforcement operations in critical sites within available resources.		<p><i>field, including harbors and airports.</i></p> <ul style="list-style-type: none"> <li>• <i><u>Interventions in community awareness</u> – interventions that intend to bring awareness and knowledge to the issues related to conservation of wildlife species, with emphasis on rhino and elephant at different levels.</i></li> <li>• <i><u>Interventions in community initiatives</u> – interventions that intend to reduce costs and increase benefits sharing</i></li> <li>• <i><u>Improve security</u> - in the field, harbors and airports</i></li> </ul> <p><i><u>Translocation and re-introduction of rhinos</u> - in the sanctuaries or safe areas</i></p>		<p>Maputo and Nampula airports</p> <p><u>November 2015</u>-1 Vietnamese arrested with 4.2 Kg of Rhino horn cut in pieces</p> <p><u>January 2016</u>-2 Mozambicans with 7.0 Kg of Rhino horn</p> <p><u>March 2016</u>-Mozambican police on 11 March seized 23 rhino horns weighting about 70 kilos at Maputo International Airport. The horns were discovered in two suitcases, as they were being put on a Kenyan Airways flight to Nairobi. The owner of the suitcases and their illicit contents has not yet been identified.</p> <p><u>March 2016</u>-The Mozambican police on March 24, arrested two people in the southern province of Gaza in possession of rhinoceros horns, while searching a minibus travelling from the district of Massingir to Maputo. They were found to be carrying in a suitcase. two rhino horns, one weighing 9.5 kilos and the other 2.4 kilos.</p> <p><u>May 2016</u>-On May 2, the Mozambican authorities at the Maputo International Airport arrested a Vietnamese citizen, who had earlier checked in on a Kenya Airways flight bound to Nairobi with two suitcases with rhino horn and rhino horn pieces. The suitcases had 11 white rhino horns, two of which of large size with the total weight of 19,6 kg, and also two bags with parts of rhino horn disguised as cylinders and remains with the weight of 2,8 kg. The total amount of rhino horn seized was 22,4 Kg.</p> <p><u>May 2016</u> – On May 19 a joint operation of ANAC, Police and South African officers from Kruger National Park led to the arrest in the Maputo Province, of a Mozambican believed to be one of the major kingpins behind the poaching of Rhinos and smuggling of rhino horns. The man is in jail awaiting trial. The operations lasted for one week.</p> <p>• <u>Interventions in community initiatives</u></p> <p><u>Some of the communities’ initiatives includes:</u></p>

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				<p><u>Maputo Special Reserve</u></p> <ul style="list-style-type: none"> <li>-Peace Parks Foundation is supporting communities around the with agricultural projects (Chilli pepper production, Horticulture) in order to market agri-products.</li> <li>-The community owns a special license to manage Chemucane Lodge and has partnered with the private sector.</li> </ul> <p><u>Limpopo National Park</u></p> <ul style="list-style-type: none"> <li>-Chissano Foundation is implementing Community-Based projects such as the construction of a nursery school or use of wild fruits for the production of jams, amarula in Mucatine Village.</li> <li>-RESILIM (Resilience in the Limpopo River Basin Program) sponsored by USAID has provided funds for the development of a livelihood diversification strategy for the Great Limpopo Transfrontier Conservation Areas (GLTFCA). This will form part of an integrated development plan that is being developed for the GLTFCA.</li> <li>-Covane Lodge Partnership Community-Private Sector</li> </ul> <p><u>Gilè National Reserve</u></p> <ul style="list-style-type: none"> <li>-Mulela Community Reserve is implementing a project on a tourism initiative.</li> </ul> <p><u>Gorongosa National Park</u></p> <p>Community interventions in three core areas:</p> <ul style="list-style-type: none"> <li>-Health Services: Disease prevention, including HIV/AIDS and malaria; providing reproductive health services, including family planning; improving child nutrition and family planning;</li> <li>-Conservation Education: Teaching the principles and values of environmental conservation and sustainable agriculture; building schools</li> <li>-Economic Development: Providing employment in the Park; teaching alternative sources of income; empowering women and supporting the</li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
				<p>education of girls</p> <p><u>Chimanimani National Reserve</u> -Tourism: Ndzo Camp – Community owns the lodge in partnership with the private sector.</p> <p><u>Mitcewa Community Conservation Area</u> Waits for the operationalization of the area that will serve as a model for other similar areas managed by local communities.</p> <p>• <u>Improved security of residual rhino population in southern Mozambique.</u></p> <p>Various private game reserves are putting measures in place to secure the residual rhino population on Mozambique in the 2 680km<sup>2</sup> Greater Lebombo Conservancy on the border between Mozambique and South Africa with the support of various NGOs. (see also Action E6)</p>
E2.Resettlement of villages in LNP	On track	<ul style="list-style-type: none"> <li>The process of resettlement in LNP is ongoing and in good progress. The following 350 families from different villages, are already accommodated in there new areas. This include house, compensation, livestock transfer and loan for</li> </ul>	On track/substantially achieved	<p>The resettlement process is still on-going and there are no changes regarding the expected date of completion:</p> <p>Mavodze Community will be resettled in three areas; the first group consisting of 237 families will be settled in Canhane. The second group consisting of 310 families will be settled in Makwashane and the last group consisting of 10 families will be settled in Mukatini.</p> <p>Makandazulu community will be resettled to Chicualacuala / Salane.</p> <p>There are currently on-going discussions regarding the identification of the alternative resettlement areas for the communities of Chimangue and Machamba</p> <p>For Mozambique the budget for resettlement is covered under the</p>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
		<i>agricultural investments:</i> <ul style="list-style-type: none"> <li>• Macavene village_165 families;</li> <li>• Banga village_112 families;</li> <li>• Massingir village_52 families;</li> <li>• Mucatine village_21 families.</li> </ul>		<p>German Development Bank (KFW) funds: KFW has donated 17 million Euros to cover LNP development for 7 millions and 10 millions will be dedicated to the resettlement programme.</p> <ul style="list-style-type: none"> <li>• Some media coverage can be accessed here:  <a href="http://www.peaceparks.org/programme.php?pid=25&amp;mid=1009">http://www.peaceparks.org/programme.php?pid=25&amp;mid=1009</a>  <a href="http://www.enca.com/africa/mozambican-villagers-moved-further-away-border-curb-poaching">http://www.enca.com/africa/mozambican-villagers-moved-further-away-border-curb-poaching</a>  <a href="http://citizen.co.za/1025578/mozambique-takes-war-to-poachers/">http://citizen.co.za/1025578/mozambique-takes-war-to-poachers/</a> </li> </ul>
E3.Establishment of a formal intelligence structure in Limpopo National Park	On track	<ul style="list-style-type: none"> <li>• <i>There is intelligence structure, the unit of investigation and intelligence which works in collaboration with the environmental police and South African Authorities.</i></li> </ul>	Substantially achieved	<ul style="list-style-type: none"> <li>• A Special Investigation Unit has been established in LNP. There has been an increase in prosecutions and an informant network has been created.</li> </ul>
E4.Implementation of sniffer dog capacity in LNP	Challenging	<ul style="list-style-type: none"> <li>• <i>This Project has not yet been implemented nevertheless there is a broad understanding and a Project for acquisition of sniffer dogs for wide country surface coverage.</i></li> </ul>	<p>On track</p> <p>TIMEFRAME</p> <p>LAST QUARTER 2016- FIRST QUARTER 2017</p>	<ul style="list-style-type: none"> <li>• See Action D4. It has been decided that the Canine Unit will be a Mobile Unit and be based in Maputo.</li> <li>• There will be training of ANAC field rangers and police members on that so in order to form joint working teams.</li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
E5.Improvement of communication in LNP	Unclear	<ul style="list-style-type: none"> <li><i>The community rangers are present and they cover activities that include human wildlife conflict and anti-poaching activities</i></li> </ul>	<p>Substantially achieved</p> <p>NO TIMEFRAME GIVEN BECAUSE ACTION IS ACHIEVED</p>	<ul style="list-style-type: none"> <li>This action was about improving radio communications in LNP and between LNP and Kruger NP.</li> <li>A Digital Radio Communication system has been installed and is functioning; the system has improved communication within the Limpopo National Park and also with Kruger National Park in South Africa. In South Africa there was a need to improve the coverage and thus DEA transferred R400 000 to SANParks to procure the additional communications equipment including satellite phones to augment the joint operations.</li> </ul>
E6.Establish a collaborative platform memorandum of understanding and joint action plan with Game farm operators to combat cross-border poaching along the Kruger National Park and Limpopo National Park	On track	<ul style="list-style-type: none"> <li><i>There is a great collaboration with an association called LICOTURISMO which represents the game farms which are in the area.</i></li> <li><i>The MoU is in negotiation process. This intend to be signed by 2016</i></li> </ul>	On track	<ul style="list-style-type: none"> <li>Activity linked with Action D7.</li> <li>The process to develop and formalize the Greater Lebombo Conservancy(GLC) in Mozambique is progressing well. Key activities which are currently underway include the following: <ul style="list-style-type: none"> <li>-Most of these game reserves/farms have already their enforcement teams in place. The eastern border is being fenced.</li> <li>-ANAC decided that, before signing an MOU with these game reserves/farms there was a need to strengthen law enforcement in the area through better equipped patrols and with good comms.</li> <li>-A Security Plan to coordinate protection efforts within the conservancy is being developed together with a single joint management framework for the Lebombo Conservancy that will enable a coordinated approach to deal with matters of mutual interest;</li> <li>-Drafting of a Joint Operations Strategy to guide the activities of the proposed Joint Park Management Committee between ANAC, the Lebombo Conservancy and Kruger National Park in order to improve the co-operation between Mozambique and South Africa as part of the GLTP / GLTFCA initiative.</li> <li>-Ongoing actions of joint surveillance along the Mozambique-South Africa Border as part of the Agreement and MoU with South Africa</li> <li>-Development of an integrated livelihoods diversification strategy in</li> </ul> </li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
				<p>order to facilitate effective community development in the neighboring areas;</p> <p>-Finalization of a Memorandum of Understanding between ANAC and the Lebombo Conservancy; and</p> <p>-The agreement is to be signed between the Government of Mozambique and the GLC and the GLTP Ministerial Committee shall be requested to formally approve the incorporation of the GLC through a resolution of a formally constituted GLTP Ministerial Meeting in the near future.</p>
E7.Establish a collaborative platform, memorandum of understanding and joint action plan with the Republic of Tanzania to combat cross-border poaching along the Ruvuma river	On track	<i>An MoU has been recently signed with Tanzania Government which covers the anti- poaching activities and transnational traffickers.</i>	On track	See Action D6



ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS (at June 2016)
E8. Increase number of aerial patrols and data collection and analyses in Niassa and Quirimbas	On track	<p><i>Niassa has an aircraft and regularly does aerial patrols. In addition, there are a certain number of flying hours by helicopter foreseen. By doing this the data is also collected. When doing aerial surveillance in Niassa Quirimba is also covered and data shared.</i></p>	Substantially achieved	<p><u>Niassa Game Reserve</u></p> <ul style="list-style-type: none"> <li>- Aircraft arrives in Niassa Game Reserve HQ (Mbatamila) on the 14 Oct. 2015 (C182 5H-CFA)</li> <li>- 210 hrs fixed wing of flying in the reserve (60% LEM, 30% logistic support to law enforcement and park operations, 10% other)</li> <li>- 52 hrs helicopter time (80% elephant collaring, 20% law enforcement actions – scout deployment, mining operations, logging operations)</li> <li>- total of 11,200 km of patrolling / monitoring (Oct: 450km, Nov: 4,753km, Feb: 2,813km, Mar: 1,659km, Apr: 1,340km, May: 253km)</li> </ul> <p>Main outputs/objectives of fixed wing aerial support:</p> <ul style="list-style-type: none"> <li>- logistic support for scouts across reserve, including food and ammunition airdrops,</li> <li>- distribution mapping (presence) of key species across reserve to look at seasonal changes in distribution and space use – to inform patrol planning and scout deployment,</li> <li>- monitoring of human activity across Niassa Reserve,</li> <li>- monitoring of artisanal mining sites in blocks L5, L8 and L2,</li> <li>- identification of target elephant groups for the elephant collaring operation (Nov 2015)</li> <li>- aerial support for the elephant collaring operation, i.e. Identifying groups and then individuals for the helicopter to dart, providing top cover to keep an eye on the herd whilst the helicopter is on the ground,</li> <li>- VHF tracking of collared elephants and monitoring of core areas for any human activity,</li> <li>- logistic support for Reserve operations (logistic flights to and from Pemba and Lichinga),</li> <li>- flights for the Governor of Niassa to look at mining, logging and farming issues inside the reserve (x2), flights for ANAC Director-General and the Director of Protection and Resource Management to look at mining issues and to visit the operators (x1)</li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
				<p>Main outputs of helicopter support:</p> <ul style="list-style-type: none"> <li>-Twenty elephants collared by darting from the helicopter, Nov2016, these collars are used to inform law enforcement deployment to better target protection activities across the enormous size of Niassa Reserve,</li> <li>-Support for an anti-mining operation in the south-east of Niassa Reserve: this was a targeted operation on a mining camp with a few hundred people, and included police and the Reserve scout on the ground,</li> <li>-Deploying scouts for regular patrolling to remote parts of the Reserve,</li> <li>-Support an operation that targeted an illegal logging camp in the far north-east of Niassa Reserve.</li> </ul> <p><u>Quirimbas National Park (QNP)</u></p> <p><u>-MOZBIO project acquired 120 hours of helicopter flight hours for all Conservation Areas including QNP</u></p> <p><u>Limpopo National Park</u></p> <ul style="list-style-type: none"> <li>-From 2007 to 2015 a Bantam aircraft functioned well for surveillance and was responsible for monitoring elephant carcasses and illegal activities such as charcoal production and locating poacher camps..</li> <li>-The Bantam was also used extensively for reserve planning such as road and camp placement.</li> <li>-Due to the slow speed of the Bantam the southern third of the park was regularly patrolled with only occasional visits further north.</li> <li>-A new airplane was acquired in 2016 to facilitate a greater coverage of the park.</li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
E9.Develop and implement a Management plan for Mago National Park (Tchuma Tchato Area)	Challenging	<ul style="list-style-type: none"> <li>The tender has been launched and the consultancy company selected at the moment we are at the stage just to start the field work.</li> </ul>	<p>On track</p> <p>TIMEFRAME</p> <p>LAST QUARTER 2016- FIRST QUARTER 2017</p>	<ul style="list-style-type: none"> <li>Draft 2 of the Management Plan for Mago National Park has been presented at District, Provincial and National Level in May 2016. An important amount of comments were received and they will be incorporated in draft 3 that will be presented again at Provincial level and then at Ministerial Level for approval.</li> </ul>
E10.Design and implement action plan for patrols and data collection and analyses for Mago National Park (ThcumaTchato area)	Challenging	<ul style="list-style-type: none"> <li>This activity will be included at the design of security plan of the area but at the moment the activities are being that under the guidance of the chief Park Warden with Tchuma Tchato Game.</li> </ul>	<p>On track</p> <p>TIMEFRAME</p> <p>LAST QUARTER 2016- FIRST QUARTER 2017</p>	<ul style="list-style-type: none"> <li>A preliminary enforcement action plan has been designed and implementation have started. The finalization of the plan is being done through the MOZBIO project. The plan is going to be fully operational for the last quarter of 2016.</li> </ul>
E11.Implement improved law enforcement monitoring through the introduction of SMART in 3 pilot priority areas (Limpopo, Niassa, Quirimbass)	Challenging	<ul style="list-style-type: none"> <li>In Niassa the SMART is being implemented already as project pilot and in Limpopo is due to start very soon. In Quirimbass the process still on going but we hope that in a very near future will start. So the activity is underway even if some delays were encountered.</li> </ul>	<p>Substantially achieved in Niassa Game Reserve and Limpopo National Park</p> <p>On track in Quirimbass National Park</p> <p>TIMEFRAME FOR QUIRIMBAS</p> <p>LAST QUARTER 2016- FIRST QUARTER 2017</p>	See Action B5.

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS(at June 2016)
E12. Seek and secure additional financial, technical and material support from partners to strengthen law enforcement capacity at key sites for elephant and rhino protection	On track	<ul style="list-style-type: none"> <li>In Niassa we have additional and technical support from Wildlife Conservation Society and recently we secured other funds. In Limpopo we have technical and financial support from KFW, PPF and AFD. In Quirimbas we have support from AFD.</li> </ul>	Substantially achieved	<ul style="list-style-type: none"> <li>MOZBIO is providing funds for: <ul style="list-style-type: none"> <li>-establishment/improvement of radio communication networks is in progress in all Conservation Areas.</li> <li>- flight 120 helicopter hours in several conservation areas.</li> <li>- National elephant aerial survey scheduled for 2017</li> <li>- Security plans for key sites for elephant and rhino protection</li> </ul> </li> </ul>
E13. Crack down on the illegal domestic market of ivory by targeted intelligence and law enforcement operations to uncover the supply lines as well as key buyers	Unclear	<ul style="list-style-type: none"> <li>The Intelligence made so far reveals that the main syndicates operating in Mozambique are based mainly in China, Vietnam, Thailand and Lao PDR. The in house chain supply is based mainly in Niassa, Cabo Delgado and Maputo.</li> </ul>	On track TIMEFRAME LAST QUARTER 2016	<ul style="list-style-type: none"> <li>Although the domestic ivory market is not so widespread as it was in the past, very few operations have been performed to crack domestic ivory markets. The preparation of an operation is in progress targeting specifically some city markets in the country.</li> <li>On the contrary, several operations have been performed and are in progress to crack down poaching and international syndicates operating in the country ( see Action E1)</li> </ul>
<b>F: AWARENESS RAISING AND COMMUNICATION</b>				
F1. Develop of communication plan to raise public awareness on the ivory and rhino crisis and wildlife crime addressing various	Unclear	<ul style="list-style-type: none"> <li>Regard to conservation education and awareness of citizens in transit, communities and authorities, the government produced and distributed pamphlets and posters</li> </ul>	Challenging TIMEFRAME LAST QUARTER 2016	<ul style="list-style-type: none"> <li>This action continues to be evaluated as challenging because funding to engage a communication company to develop the communication plan have not yet been secured.</li> <li>However, the basic components for a communication campaign have been prepared and they include: production of advertisements to be broadcasted on the National Radio of Mozambique; short movie to be broadcasted on a TV channel for Portuguese speaking African countries: short movie to be broadcasted at airports, information</li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS (at June 2016)
audiences (general public, tourists, foreign nationals, parliamentarians)		<p><i>with information about illegal activities in the trafficking of wild animals.</i></p> <ul style="list-style-type: none"> <li><i>The MLRadio Station presents information on CITES and implication in cases of offence CITES regulation in Mozambique</i></li> </ul>		<p>brochures for distribution at airports, communities, schools.</p> <ul style="list-style-type: none"> <li>The above will form a structured communication campaign and to this end ANAC is actively starting the necessary administrative procedure to engage a communication firm depending on availability of funding.</li> <li>A communication strategy to address the value of Rhino and Elephant and build ambassadorship within communities for the Protection of Wildlife will be developed in the framework of the implementation of the action plan of the MoU between GovMZ and GovZA.</li> <li>ANAC website is being prepared and it is at its final stage,</li> <li>A communication workshop was hosted, in April 2016 in Maputo, by TRAFFIC and WWF, in collaboration with the Chinese Government and supported by the Government of Mozambique has helped raise awareness among Chinese nationals working in the country of regulations protecting wildlife. The workshop was financially supported by GIZ on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ) and the German Federal Ministry for Environment, Nature Conservation, Building and Nuclear Safety (BMUB).</li> </ul>
F.2. Implement the communication plan through pamphlets, community radios, theatres and medias.	Challenging	<ul style="list-style-type: none"> <li><i>While no formal communication plan has been developed so far, several awareness raising and communication activities have been implemented already:</i></li> <li><i>The government produced and distributed pamphlets and posters with information about illegal activities in the trafficking of wild animals.</i></li> </ul>	Challenging TIMEFRAME FIRST QUARTER 2017	<ul style="list-style-type: none"> <li>See Action F1. above for reasons on evaluation of this action.</li> <li>The President of the Republic during his visits around the country has raised awareness of local institutions and communities on wildlife importance as a wealth-producing resource raising the need to protect them from illegal use and enhance legal sustainable use of wildlife.</li> <li>On March 4th, 2016, the Attorney General of the Republic of Mozambique on visited to the village of Mavodze (Limpopo National Park to raise awareness of local communities on the economic, social and ecological values that results from the conservation of fauna and flora</li> </ul>

ACTION	EVALUATION PRESENTED AT CITES SC66	SUMMARY AND PROGRESS PRESENTED AT CITES SC66	EVALUATION JUNE 2016 AND TIMEFRAME	SUMMARY AND PROGRESS (at June 2016)
		<ul style="list-style-type: none"> <li>• <i>The MLRadio Station presents information on CITES regulations in Mozambique and what the consequences are in cases of offence</i></li> <li>• <i>In coordination with local governments and community leaders were conducted awareness campaigns for communities in and around conservation areas. The campaigns focusing on the values of wildlife conservation as well as the needs to combat poaching, and issues related to human-wildlife conflict</i></li> </ul>		

**Part D: Indicators (OPTIONAL) is not provided in this update report**

**Part E: Annexes (supporting information)**

**ANNEX 1: PROPOSAL OF AMENDMENTS TO LAW NR. 16/2014, THE CONSERVATION LAW**

The proposal to introduce amendments to Law 16/2014 was approved by the Council of Ministers on 5 April 2016 and has been submitted to Parliament for approval.

<http://www.portaldogoverno.gov.mz/por/content/download/5531/39659/version/2/file/COMUNICADO+DA+11.<sup>a</sup>+SOCM-2+016.pdf>

An unofficial translation in English is provided here. (Text with no legal value.)



**REPUBLIC OF MOZAMBIQUE**  
**MINISTRY OF LAND, ENVIRONMENT AND DURAL DEVELOPMENT**

**AMMENDNMENT PORPOSAL FOR LAW NR. 16/2014 OF JUNE 20**

**BACKGROUND**

Bearing in mind protection, conservation and the sustainable use of biological diversity to the benefit of humanity, in general, and the Mozambicans, in particular, Law Nr. 16/2014 of June 20 has been approved.

The approval of this law has created good expectations, especially with regards to the prevention and fight against the killing of endangered species as well as the actions of illegal poachers whose main target is the African elephant and the rhino, but also other species.

On a number of times, there have been reports of Mozambican citizens involved in the killing of endangered species in conservation areas as well as foreign citizens who are caught red handed in possession of rhino horns and elephant tusks, lion nails and teeth coming from illegal poaching activities.

There was a positive assessment on the innovations that were introduced by Law Nr. 16/2014 of June 20, by criminalizing violations carried out against endangered species and or inside conservation areas.



However, this law is inconsistent because it imposes mild penalties to holders, carriers, keepers, transporters and people who trade species contained in the list of endangered species, including those contained in Annexes I and II of CITES, setting fines and measures to recover the species.

Omission of penalties, such as imprisonment, to the holders and keepers of endangered species, in part or as a whole, creates conditions that will favor criminals and will perpetuate killing of endangered species making it very difficult to protect biodiversity against the most dangerous forms of environmental crimes.

In this particular case, the review proposal would be focused on punishing holders and keepers of endangered species, of part of these, in the same way as those who kill any protected species, including the ones contained in Annexes I and II of CITES since, the enforcement of light measures in these cases represents a clear encouragement for illegal actions and impunity, while the killing of rhinos, elephants, lions, marine turtles and the whole environmental heritage is occurring.

Another situation that has not yet been taken care under Law Nr. 16/2014 of June 20 is the omission of the destination of seized goods, that is, the wildlife products that are seized during the monitoring process.

If with regards to Law Nr. 3/07 of March 13 there is an indication from the law itself that once seized and examined, any drugs and psychotropic substances should be destroyed through incineration, this does not appear to be the case in Law Nr. 16/2014 of June 20 and there is a need to adjust by means of this proposal.



**REPUBLIC OF MOZAMBIQUE**

**PARLIAMENT**

**Law Nr. ..../2016**

**Of ..., of ....., of 2016**

There being the need to introduce changes to the Law Nr. 16/2014 of June 20, the Law on Protection, Conservation and Sustainable Use of Biological Diversity, under the content of Nr. 1 of Article 179 of the Constitution of the Republic, the Parliament hereby determines:

**ARTICLE 1**

Changes to articles 2, 5, 50, 53, 54, 61 and 62 of Law Nr. 16/2014, of June 20, shall bear the following content:

**ARTICLE 2**

**(Object)**

The current Law is aimed at establishing the basic principles and norms on protection, conservation, restoration and sustainable use of biological diversity **throughout the national territory, especially in conservation areas**, as well as the adjustment of an integrated administration for the sustainable development of the country.

**ARTICLE 5**

### **(National system of conservation areas)**

The national system of conservation areas is composed of the national administration bodies for conservation areas, the funding mechanisms for conservation areas, the **applicable law** and the national network of conservation areas.

### **ARTICLE 50**

#### **(Protection and Monitoring)**

1....

2. Protection and monitoring are aimed at preventing and fighting against any activities that can disturb the harmony of nature in the whole national territory, especially in conservation areas, buffer zones and are performed by State rangers, community agents and sworn in rangers.

3....

### **ARTIACLE 53**

#### **(General norms)**

1. Will be punished with **imprisonment**, fine and recovery measures or mandatory indemnity for any damages causes, without prejudice to any additional sanctions that be arise.

2....

3....

4....

5....

## **ARTICLE 54**

### **(Violations and Sanctions)**

1. Without prejudice to the criminal liability, the following actions are considered to be violations that are subject to a fine between 1 and 10 minimum wages in the civil service apparatus:

- a) ....
- b) .....
- c) .....

2. Without prejudice to criminal liability, the following actions are considered to be violations that are subject to a fine between 11 and 50 minimum wages in the civil service apparatus:

- a) .....
- b) .....
- c) .....
- d) .....
- e) ....

3. Without prejudice to the criminal liability, illegal exploration, storage, transportation or trading of species contained in the list of protected species in the country is considered to be a violation that is punishable with a fine between 50 and 1000 minimum wages in the civil service apparatus.

## **ARTICLE 61**

### **(Prohibited firearms)**

1. Whoever is found performing illegal activities in a conservation area and using prohibited firearms as defined in the Penal Code as well as specific legislation shall be condemned to prison between twelve and sixteen years and the corresponding fine, if the highest penalty is not enough.
2. Whoever performs illegal activities using mechanical or any type of traps shall be condemned to the same penalties as indicated in the previous number.
3. Apprehended firearms as well as statements made by suspects detained outside the national territory suspected of committing violations as set under this law, shall be subject to an investigation and a penal action concerning the owner and the user of the firearm.

## **ARTICLE 62**

### **(Prison penalties for criminal agents)**

1. Long term imprisonment, between twelve and sixteen years, and corresponding fine shall be imposed upon those who:
  - a) Knock down, without a license, any protected or prohibited species of wildlife of forest, including the species contained in Annexes I and II of CITES.
  - b) Lead, promote, entourage, create or fund, adhere to, support, collaborate either directly or indirectly, a group, organization or association of two or more people who, acting in an organized way, practice a joint or separated crime of knocking down or destroying protected or prohibited species of wildlife and forest, including species contained in Annexes I and II of CITES or the illegal exploration of mineral resources in conservation areas and in buffer zones.
  - c) Extract forestry and wildlife resources without a legal permission, sell, distribute, buy, grant, receive, provide to someone else, transport, import, export, transit or illegally detain animals, wildlife products or products that are prepared using protected or prohibited species, including the species that are contained in Annexes I and II of CITES.
2. Whoever commits the crimes indicated below shall be subject to a long term imprisonment between eight and twelve years and a corresponding fine:
  - a) Hunt, during the months that are legally not meant for hunting or during the closed season or at any time set by the same regulations;

- b)** Without any legal permission, convert, transform, change the original character or organic parts of any animal species or trees that are legally protected, with the aim of hiding or dissimulating its illegal origin, passing, transportation, possession, importation, exportation or to support the suspected individual in violating against the environment to escape from the authorities, from the law and to escape from their responsibilities;
- c)** Put poison or any lethal or harmful substance to animals' health in the environment, in food items or water from the rivers, lakes, ponds or any place where animals can drink from;
- d)** Place fire and through this procedure destroy all or part of the forest, bush or grove within conservation areas and buffer areas;
- e)** Use fishing practices that are prohibited by law, especially the use of explosives, toxic or poisonous substances, or the use of thin dragging nets or narrower traps than the ones recommended by the public entity, or to fish using any other means that are prohibited by the same rules or regulations, or further, to fish protected species.

## **ARTICLE 2**

**Articles 59/A, 63/A, 63/B and article 63/C are hereby introduced and they have the following content:**

### **"ARTICLE 59-A**

#### **(Trial and frustration)**

The trial and frustration of violations set in this Law are punishable as accomplished crimes.

#### **ARTIGO 63-A**

##### **(Searches and seizures)**

1. Any searches and seizures of any products, objects and instruments related to the violations set under this law can occur outside the limits set by the Penal Law in ports, airports, houses, means of transport, commercial facilities and other locations, as long as they are legally and judicially justified.
2. The judicial permission shall not be used if the person living in the house does not oppose him or herself to the searching operations, thereby issuing the file that should be signed by him/her.

#### **ARTICLE 63-B**

##### **(Public Prosecution's Assistant)**

During the investigation and initial proceedings regarding the violations set under this law, the Public Prosecution will be assisted by technicians from the Ministry that oversees the area of conservation and by the relevant police department.

#### **ARTICLE 63-C**

##### **(Storage and keeping of wildlife and forestry products)**

1. Wildlife and forestry products seized under monitoring activities under this law, should immediately be handed over to the Ministry that oversees the area of conservation, for inventory purposes, taking of samples, lab examinations, storage and control, without prejudice to the access to such items during the criminal investigation or trial.
2. After conducting any subsequent examinations, the judicial authority can officially determine upon an application from the Public Prosecution or any other relevant authority, on the destruction through incineration of wildlife products, whatever the stage of the process may be.

3. The destruction process will be witnessed by the Public Prosecution, a representative from the Ministry that oversees the area of conservation as certified in the proceedings.

### **ARTICLE 3** **(Enforcement)**

This law shall be enforced as of the date of its release.

Approved by the Parliament, on this ---- of ---- of 2016.

The Speaker of the House, *Verónica Nataniel Macamo Dhlovo*.

Approved on this ---- of ---- of 2016

Let it be published.

The President of the Republic, JACINTO FILIPE NYUSI.

## **ANNEX 2:CITES REGULATION ON INTERNATIONAL TRADE OF ENDANGERED SPECIES OF WILD FAUNA AND FLORA**



CITES Regulation approved by the Council of Ministers on 24 May 2016.

<http://www.portaldogoverno.gov.mz/por/content/download/5721/41305/version/1/file/COMUNICADO+DA+17.<sup>a</sup>+SOCM+2016.pdf>

Publication is in progress on the Official Journal.

An unofficial translation in English is provided here.(Text with no legal value.)



**REPUBLIC OF MOZAMBIQUE**

**COUNCIL OF MINISTERS**

**DECREE Nº...../2016**

**Xx/xx/xxxx**

**There being the need for the State to take proper measures to ensure the enforcement of the laws set by the International Convention on the Trade of Endangered Wildlife and Forest Products, CITES for short, approved by the Resolution Nr. 20/81 of December 30, under the cover of Nr. 1 of Article 47 of the Law Nr. 16/2014 of June 20, the Council of Ministers hereby decides:**

**Article 1**

The approval of the Regulation on the International Convention on the Trade of Endangered Wildlife and Forest Products, attached to this Decree which is part of this decree.

#### Article 2

It is the responsibility of the Minister who is in charge of conservation areas to approve the Internal Regulation for the CITES Group, as well as any other complementary norms for the implementation of this Decree.

#### Article 3

The Decree Nr. 16/2013 of April 26 is hereby revoked.

#### Article 4

This Decree is valid as of the date of its publication.

Approved by the Council of Ministers on this ---- day of the month of ---- in the year 2016.

Let it be published.

The Prime-Minister – *Carlos Agostinho de Rosário*

## **REGULATION ON INTERNATIONAL CONVENTION ON THE TRADE OF ENDANGERED WILDLIFE AND FOREST PRODUCTS**

### **CHAPTER I**

#### **GENERAL ARTICLES**

##### **ARTICLE 1**

###### **(Object)**

1. This Regulation is aimed at setting the norms on the protection and international trade of endangered wildlife and forestry species as described in Annexes I, II and III of the CITES.
2. For its own diploma and whenever necessary, the Minister in charge of the area of conservation has updated Annexes I, II and III of the CITES, attached to this Regulation.

##### **ARTICLE 2**

###### **(Framework)**

1. The rules set by this Regulation are applicable to the whole national territory and to all singular, collective, public, private, national and foreign entities, involved in the international trade of endangered wildlife and forest species.
2. The contents of this Regulation are also applicable to citizens of the countries that are not part of the CITES Convention.

### **ARTICLE 3**

#### **(Definitions)**

The definitions of the terms that are used in this Regulation are contained in the glossary of terms, attached herewith, which is part of this Regulation.

### **CHAPTER II**

#### **INSTITUTIONAL FRAMEWORK**

### **ARTICLE 4**

The institutional framework for the implementation of the CITES regulation is composed of:

- a) Administrative authority;
- b) Scientific authority; and
- c) CITES inter-ministry group, CITES Group for short.

## ARTICLE 5

### (CITES Administrative Authority)

1. The Ministry that is in charge of the conservation areas is the Administrative Authority for the implementation of activities and trading of species contained in the annexes I, II and III of CITES.
2. **The Administrative Authority has the following competences:**
  - a) Issue licenses and certificates on the import, export and re-export of species contained in annexes I, II and III of the CITES;
  - b) Communicate with the CITES secretariat and other CITES' administrative authorities and other countries on scientific, administrative and other issues related to the implementation of the convention;
  - c) Keep the files on the trade of species and prepare an annual report on the said trade and submit it to the CITES' secretariat by October 31 of the following year;
  - d) Manage ivory stocks and from other animal species that exist at a national level;
  - e) Prepare the bi-annual report on legislative measures, regulations and administrative measures taken concerning the enforcement and implementation of the Convention, and submit it to the CITES' secretariat by October 31 of the following year;
  - f) Coordinate the implementation and enforcement of the Convention and the current Regulation at a national level and cooperate with other relevant entities on the issue;

- g) Consult the scientific authority on the issuance and acceptance of CITES' documents, the nature and the level of trade of species registered in CITES' appendixes, the establishment and management of quotas, the registration of operators and production operations, the establishment of safeguard centers and the preparation of amendment proposals of the CITES' appendixes;
  - h) Represent Mozambique at national and international meetings on CITES;
  - i) Promote campaigns, trainings, education and information on the Convention;
  - j) Appoint one or more safeguard centers for live specimen apprehended and seized;
  - k) Ensure country's border inspection and control as well as importation and exportation sites for species or products covered by the CITES;
  - l) Take regulatory administrative measures on the apprehension of protected species in the event of any violation committed.
2. The Administrative Authority hereby appoints, through and Ministry Diploma, the person in charge of the ordinary management of CITES' related issues.

## **ARTICLE 6**

### **(CITES Scientific Authority)**

1. The Scientific Authority is the excellence body that deals with the wildlife and forestry research, it is composed of a group of recognized specialists in areas related to CITES issues, holding consulting and monitoring positions towards the good implementation of CITES regulations.
2. The Ministry that oversees the area of conservation hereby invites and signs an agreement with nationally and internationally recognized research institutions so they can perform the duties of Scientific Authority.
3. The Scientific Authority has the following competences:
  - a) Issue an opinion to the Administrative Authority on the exportation requests for species specimen included in Annexes I and II and their sustainability;
  - b) Issue an opinion to the Administrative Authority on whether the importation purposes are or not harmful to the survival of the species involved in the importation, in the case of an importation request related to specimen of species included in Annex I;
  - c) Issue an opinion for the Administrative Authority on the proposed recipient for the transportation of live specimen of species included in Annex I if it meets or not the living and care conditions that are needed;
  - d) Monitor importation licenses granted for specimen of species included in Annex II, as well as the current exportation licenses of the said specimen, and advise the Administrative Authority on the proper measures that should be taken in order to limit the issuance of exportation licenses when there is a demanding need to control the sustainability situation of species;
  - e) Advise the Administrative Authority on the destination of seized specimen and those which are lost in favor of the State;
  - f) Advise the Administrative Authority on any issues to be considered with regards to the protection of species;

- g) Conduct researches under the CITES;
- h) Conduct any activities set under the Resolutions of the CITES' Parties Conference, with regards to the Scientific Authority.

## **ARTICLE 7**

### **(CITES Group)**

1. In order to ensure a larger participation in the implementation of CITES, an inter-ministry group has been established, called CITES Group, with the duties to provide institutional support to the Administrative Authority, and it is composed of the following sectors:
  - a) Agriculture;
  - b) Culture and tourism;
  - c) Industry and trade;
  - d) Science and Technology and Higher Education;
  - e) Sea, Interior Waters and Fisheries;
  - f) Economics and Finance;
  - g) Transportation and Communications;
  - h) Defense and Security.
2. CITES Group meetings can be attended by representatives from other public and private entities, as well as specialists on issues that are covered by this Regulation.
3. CITES group has the following duties:
  - a) Advise the Administrative Authority on the decision making process in terms of this Regulation;
  - b) Support the Administrative Authority in the designing and updating of norms that are appropriate to the national reality, based on CITES;



- c) Ensure Exchange of information on the trading of species and products that are covered by CITES;
  - d) Present an opinion on the proposals for the ratification of international legal instruments that are complementary to CITES;
  - e) Issue opinions on annual reports on the trading of species or products that are covered by CITES to be approved by the Administrative Authority;
  - f) Support the Administrative Authority in the promotion of training and awareness programs at a national level on issues related to the implementation of CITES.
4. The CITES Group is coordinated by the Administrative Authority.
5. The organization, functioning and specific tasks for each member of the CITES are governed by an Internal Regulation, to be approved by the Administrative Authority.

### **CHAPTER III**

#### **CONDITIONS FOR INTERNATIONAL TRADE**

##### **SECTION I**

##### **(General Overview)**

##### **ARTICLE 8**

### **(Requirements and Procedures for International Trade)**

1. The request for a CITES license or certificate can be submitted by any person, singular or collective, national or foreigner, with or without address in Mozambique.
2. CITES certificate request is submitted at the headquarters of the Administrative Authority in a physical or electronic format, and it should include the following documents:
  - a) Duly filled in form;
  - b) Features of the specimen, species or object of the request;
  - c) Purpose, source and destination;
  - d) Copy of the license that legitimates the obtainment;
  - e) License or certificate from the relevant veterinary services;
  - f) Importation license in the case of species contained in Annex I of CITES;
  - g) Any other licenses and certificates set by the CITES Convention.
3. Once the process has been fully prepared, the importation or exportation license from CITES is issued by the Administrative Authority.

### **ARTICLE 9**

#### **(Taxes)**

1. For the issuance of exportation, re-exportation and sea bound introductions licenses and certificates, the species contained in CITES Annexes are subject to taxes.
2. The amount due for the issuance of the documents indicated in the previous number is 10.000,00MZM (ten thousand Meticaïs).
3. The renewal of a license or certificate comes at the cost of 7.500,00MZM (seven thousand and five hundred Meticaïs).
4. In the event of loss, theft or any similar situation, the reprint comes at the cost of 10.000,00MZM (ten thousand Meticaïs).
5. The taxes referred to in numbers 3 and 4 of this article are not applicable in the case of exportation for scientific and research purposes.

## **ARTICLE 10**

### **(Entrance and exit borders)**

1. For importation and exportation purposes of wildlife and forestry species contained in the CITES annexes, the following border posts have been assigned for the entrance and exit of CITES specimen:
  - a) Ressano Garcia border post;
  - b) Maputo International Airport;
  - c) Maputo port;
  - d) Beira International Airport;
  - e) Beira port;
  - f) Machipanda border post;
  - g) Kuchamano border post;
  - h) Nacala airport;
  - i) Nacala port;
  - j) Pemba airport;
  - k) Pemba port; and
  - l) Mocimboa da Praia port.
2. The entrance and exit of specimen contained in CITES annexes through other border posts, other than the ones indicated in the previous number, requires a special permission from the Administrative Authority.
3. The Administrative Authority, using its own diploma, whenever necessary, updates the entrance and exit border posts for CITES specimen, by March 1, of each year.

## **ARTICLE 11**

### **(Guarantee at the entrance and exit border posts)**

1. It is the responsibility of Administrative Authority to place the necessary and qualified technicians to identify and check exporters, importers and transit paperwork.
2. The Administrative Authority and the public entities in charge of the enforcement of this regulation do hereby ensure that the specimen of the species listed in CITES after going through any formalities demanded by law, should take the minimum possible time.
3. The Administrative Authority hereby ensures that all live specimen, at any time in transit, waiting or transshipment are carefully treated in order to minimize any risks of injuries, health or ill-treatment.

## **SECTION II**

### **(Exportation, Importation and Re-exportation and Introduction from the Sea)**

## **ARTICLE 12**

### **(Exportation License)**

1. The exportation of any specimen of the species contained in Annex I demand a prior approval and presentation of an importation license in the country of destination.
2. The exportation of a specimen of the species contained in Annex II demand the submission of an exportation license.
3. The exportation of specimen of the species contained in Annex III demand the submission of a certificate of origin, if the exporting country has included the species in Annex III.
4. Any exportation license is granted when:
  - a) The Administrative Authority has evidences that the specimen was legally obtained;
  - b) The Administrative Authority has evidences that any live specimen shall be handled and transported according to the most updated edition of the International Air Transport Association (IATA) regulation on live animal transportation, that it follows transportation procedures as well as it proves that the risks for injuries or ill-treatment of specimen are minimum;
  - c) The Scientific Authority issued a favorable opinion to the Administrative Authority in the case of life specimen of species included in Annexes I and II;
  - d) An importation license has been issued by a relevant authority in the country of destination, when there is danger of a specimen of species included in Annex I.

## **ARTICLE 13**

### **(Importation License)**

1. The importation of a specimen of the species contained in Annex I demands for the prior granting and submission of an importation license and an exportation license or a re-exportation license from the country of origin.
2. Any importation license is granted when:
  - a) The Scientific Authority has issued an opinion declaring that the importation is for purposes that are not harmful for the survival of the species and there evidence that the proposed container to transport the live specimen is conveniently equipped with proper habitation and sanitation conditions;
  - b) The Administrative Authority has evidences that the specimen being transported will not be used for commercial purposes.
3. The importation of a specimen of the species contained in Annex II demands for the submission of an exportation license and a re-exportation certificate.
4. The importation of any specimen of species contained in Annex III demands for the submission of a certificate of origin and an exportation license, from the country which includes the species in Annex III or, the granting of a certificate by the re-exportation country where the specimen was processed, or to where the specimen is being re-exported.

## **ARTICLE 14**

### **(Re-exportation Certificate)**

1. The re-exportation of any specimen of the species contained in Annexes I and II demands for the submission of an exportation certificate.

2. The issuance of a re-exportation certificate demands for the following conditions to be met:
  - a) That the Administrative Authority has evidences that any specimen to be re-exported has been imported according to the rules of this regulation and CITES regulations;
  - b) That the Administrative Authority has evidences that any live specimen will be prepared, handled and transported according to the regulation of the International Air Transport Association (IATA) for live animals' air transportation and that the transportation will be done in such a way in order to minimize any risks of injuries, health and ill-treatment;
  - c) That the Administrative Authority has evidences that an importation license will be granted, considering the fact that it is a specimen of the species contained in Annex I.

## **ARTICLE 15**

### **(Sea bound introduction certificate)**

1. Sea bound introduction of any specimen of the species contained in Annexes I and II demand for the prior granting and submission of a sea bound introduction certificate.
2. The sea bound introduction certificate is granted under the following conditions:
  - a) The Scientific Authority issues a favorable opinion considering that the introduction is not harmful for the survival of the species;
  - b) The Administrative Authority has evidences that any specimen of the species contained in Annex I shall not be used for commercial purposes and that the proposed container to transport the live specimen is conveniently equipped for habitation and sanitation conditions;

- c) The Administrative Authority has evidences that any live specimen of the species contained in Annex II will be carefully taken care of and that there are no risks of injuries, health or ill-treatment.

### **SECTION III**

#### **Form and Validity**

#### **ARTICLE 16**

##### **(Licenses and Certificates)**

1. Licenses and certificates are issued as indicated by the Administrative Authority according to CITES principles as well as the resolutions of the CITES Party's Conference.
2. The layout of the licenses and certificates are contained in the annex to this Regulation.
3. Only exportation licenses, re-exportation certificates and certificates of origin from exporting countries are accepted to authorize the importation of specimen of species contained in Annexes I, II and III.
4. The Administrative Authority reserves itself the right to, at any given time, revoke or change any license or certificate it may have issued when the license or certificate has been issued as result of false or misleading statements from the applicant.
5. The Administrative Authority may cancel or withhold exportation licenses and certificates issued by authorities from foreign countries and any licenses from corresponding importations.



## **ARTICLE 17**

### **(Validity of Licenses and Certificates)**

1. Exportation licenses and re-exportation certificates are valid for a period of six months counted as of the date of their issuance.
2. Importation licenses of specimen of species contained in Annex I are valid for twelve months as of the date of their issuance.
3. Only one license or one certificate is demanded for each consignment of specimen.
4. Exportation licenses and certificates may not be transmitted.
5. The Administrative Authority may demand applicants of licenses and certificates to provide additional information that they may need to decide if they can or cannot issue a license or certificate.
6. Licenses or certificates issued as result of a violation of a law from a foreign country or in violation of the convention, or against the resolutions of the CITES Parties Conference shall be considered to be invalid.

## **CHAPTER IV**

### **(CAPTIVE BREEDING AND ARTIFICIAL SPREADING)**

## **ARTICLE 18**

### **(The need to register as a condition)**

1. Legal entities wishing to breed animals in captive and to perform artificial spreading of plants for commercial purposes for any species contained in Annex I and under this Regulation should be registered by the Administrative Authority.
2. People who are registered by the Administrative Authority to breed animals in captive or to artificially spread plants should keep records of their reproducers and any transactions.
3. The Administrative Authority has the power to inspect facilities and records of people who are registered whenever it considers to be convenient.
4. Specimen of animal species contained in Annex I which have been bred in captive may not be traded, unless they were originated from a captive breeding process registered by the Administrative Authority for that purpose.
5. Registration conditions are set by the Administrative Authority.

## **ARTICLE 19**

### **(Special registration of species from Annexes I and III)**

1. The Minister who oversees the area of conservation determines by a written resolution the species contained in Annexes II and III which are subject to a special registration.
2. The Minister who oversees the area of conservation sets by a written resolution the format of registration, the conditions that should be met for the registration to take place as well as the registration contents.

3. If the registration conditions are not met, the registration process is cancelled.

## **CHAPTER V**

### **SPECIAL CONDITIONS FOR TRADING**

#### **ARTICLE 20**

##### **(Exemptions and Special Procedures)**

1. When a specimen is on transit or transshipment through the national territory, no additional CITES document to the licenses or certificates will be demanded and the transit or transshipment will be according to the transportation conditions set in this Regulation and in the national customs laws.
2. Authorities that enforce this Regulation enjoy the right to be able to inspect any specimen on transit or transshipment to certify that the specimen has the CITES proper documents, as well as to inspect and apprehend any specimen that does not follow this Regulation.
3. Importation, exportation and re-exportation of specimen of species contained in the Annexes of CITES, are exempted from any licenses and certificates under the following conditions:
  - a) The existence of a pre-convention, meaning that CITES' Administrative Authority has evidences that the specimen of the species contained in CITES' annexes have been obtained before any approval from the Convention;
  - b) Scientific Exchange, researches and donations;

- c) Exhibition trips, as long as the exporter or importer has provided all of the details on such specimen to the Administrative Authority, of specimen covered by the pre-convention certificate and a certificate indicating that the specimen have been bred in captivity or artificially spread and, that the Administrative Authority has an evidence that the live specimen will be transported and taken care of in such a way to minimize any danger of injuries, health and ill-treatment.
- d) In the case of personal or family items, the owner should provide ownership documentation before the Administrative Authority to prove that the specimen was obtained legally.
- e) In the case of specimen born and bred in captivity or artificially spread.

## **CHAPTER VI**

### **MONITORING POWERS**

#### **ARTICLE 21**

##### **(Monitoring framework)**

1. In the spirit of the discharge of their duties, CITES monitoring agents should seize any products and means that they suspect are the object or evidence of a violation and they may further:
  - a) Enter into facilities and land, railway, air and maritime vehicles that are suspected to hold any type of specimen that is in violation of the rules of this Regulation; including ports, airports that can be inspected at any time;
  - b) Examine whatever is suspected to be a specimen that is being transported, obtained or traded in violation of the rules of this Regulation;
  - c) Examine any existing records apparently related to the specimen referred to in lines a) and b) of this Article;
  - d) Take photos or samples;
  - e) Inform the police about situations that impose the detention of a suspect of any violation;
2. CITES monitoring agent should benefit from:
  - a) Training and be provided with proper equipment;

- b) Be equipped according to the area of activity;
  - c) Strengthening of multisector teams.
3. All apprehended goods should be sent to CITES' Administrative Authority.

## **ARTICLE 22**

### **(Monitoring)**

1. The activities whose object is importation, exportation, re-exportation, transit and any introduction through any customs post of specimen of species of endangered wildlife and wild plants are subject to a monitoring procedure.
2. Whenever a monitoring officer on duty sees any violation to the norms of this Regulation, he/she should seize and enforce the institutional procedures, issue a statement and submit it for the necessary sanctions to be imposed.

## **ARTICLE 23**

### **(Seizure and destination of materials and specimen)**

1. In all situations, specimen that are object of a violation should be seized.
2. Any property such as a cage, container, boat, airplane, vehicle and other articles and equipment involved in a violation committed shall be seized and declared to have been lost in favor of the State, and such a loss shall be regarded as a complementary sanction to any additional penalty that may be imposed onto the violation.
4. Specimen seized as per the rules of this Regulation shall remain the property of the Administrative Authority which, after hearing the Scientific Authority, will decide on the final destination.
5. Live specimen will have the following destination:
  - a) Return to the country of origin, when there certainty that the specimen are in good health condition that can allow them to travel;
  - b) Transfer to a safeguard center, an institution created by the Administrative Authority to take care of live specimen, particularly those that have been seized under this Regulation;

- c) Sale, only in the case of specimen contained in Annexes II and III. In this case it is important to assure that the violators should not be directly or indirectly beneficiaries of the sale;
  - d) Quarantine; and**
  - e) Euthanasia of animals after hearing a technical advice from a Veterinarian.
6. Any costs related to the return of species will be under the responsibility of the species' country of origin.
7. Dead specimen, parts and by-products of dead specimen may be delivered to the following institutions for technical training, education and exhibition as CITES' species:
- a) Museums;
  - b) Customs;
  - c) Police;
  - d) Universities;
  - e) Scientific research institutions.
8. The sale of dead specimen shall only take place in the case of specimen contained in Annexes II and III of CITES.
9. Seized products, objects and instruments that are declared to have been lost in favor of the State under this Regulation shall have the following destination:
- a) Public auction of products unless in the case of exceptions indicated in this Regulation;
  - b) Donation of perishable products to social institutions and nonprofit organizations, as well as local communities, after a detailed discrimination during the seizure;
  - c) Sending of live wildlife and forest samples to their areas of origin, or closest conservation areas;
  - d) Donation to social institutions, scientific and cultural entities, if they are of any use, as long as they are not claimed for within 15 days.
9. The responsibility for the destination of objects included in the previous number falls under the Administrative Authority.

## ARTICLE 24

#### **(Disposal of seized specimen)**

1. Safe guard centers should be launched to take care of live specimen seized and lost in favor of the State, which will be run under the supervision of the Administrative Authority.
2. **Whenever the Administrative Authority determines, the entrance or exit of species and specimen shall be subject to a quarantine.**

### **CHAPTER VII**

#### **VIOLATIONS AND PENALTIES**

#### **ARTICLE 25**

##### **(General Norms)**

1. The violations set in this Regulation shall be punished with a fine, added to seizure measures, destruction, recovery or mandatory indemnity for any damages caused, without prejudice to any other applicable measures in light of the legislation in force in the Republic of Mozambique.
2. Under properly justified circumstances, the violator may benefit from an alternative penalty including labor to compensate for the protection and conservation efforts of the species.

#### **ARTICLE 26**

##### **(Violations and sanctions)**

1. Below, there is a list of violations that are subject to penalty with a fine, without prejudice to any criminal procedures that may be attached to them:
  - a) 50 to 1000 minimum wages in the civil service apparatus if an individual imports, exports, re-exports or introduces sea bound specimen of the species contained in Annex I of CITES without a valid license or certificate;
  - b) 40 to 500 minimum wages in the civil service apparatus if an individual tries to import, export, re-export or introduce sea bound specimen of the species contained in Annex II of CITES without a valid license or certificate;
  - c) 30 to 400 minimum wages in the civil service apparatus if an individual imports, exports, re-exports or introduces sea bound specimen of the species contains in Annex III of CITES without a valid license or certificate.
2. A fine to the amount of 50 to 1000 minimum wages in the civil service apparatus will be charged for an individual who provides or tries to provide false or misleading statements in connection with any application for a license, certificate or registration, added to the corresponding criminal charges to this type of conduct.
3. A fine to the amount of 50 to 800 minimum wages in the civil service apparatus will be charged if a person blocks or in any way tries to hide information to a monitoring officer who is on duty, added to the corresponding criminal charges to this type of conduct.
4. A fine to the amount of 40 to 500 minimum wages in the civil service apparatus will be charged if a person, without any permission, changes, damages or deletes the mark used by the Administrative Authority to, individually and permanently identify the specimen.
5. A fine to the amount of 150 to 1000 minimum wages in the civil service apparatus will be charged if a person unlawfully changes any license or certificate, produces false documents to be presented as legal licenses or certificates, pass, use or change any document in their possession pretending to be a license or a certificate, added to the corresponding criminal charges to this type of conduct.

## **ARTICLE 27**

### **(Charges)**

1. Any charges arising from the seizure, including the costs related to the storage, transportation and disposal of specimen or maintenance of live animals and plants while apprehended shall be under the responsibility of the violator.
2. Any provision may be added by calculating the value of certain species or the amount of Money according to the damages caused to the environment.



## **ARTICLE 28**

### **(Notice)**

Any officer working for any of CITES' Group division who comes across any violation under this Regulation may issue a notice, which shall have legal value for any further proceedings.

## **ARTICLE 29**

### **(Destination of Taxes and Fines)**

1. The amounts of the fees set by this Regulation have the following destination:
  - a) 60% for the State Budget;
  - b) 40% for the National Fund for Sustainable Development.
2. The amounts for the fines set under this Regulation have the following destination:
  - a) 60% for the State Budget;
  - b) 40% for the National Fund for Sustainable Development.
3. The amounts for the fees and fines referred to in this Regulation shall be paid for at the relevant local tax division (the one for the address or headquarters of the charging entity) upon the submission of the proper model.
4. The amounts for the fees and fines set under this Regulation are updated whenever it is necessary by means of a joint ministry diploma of the Ministers who oversee the areas of Finances and Conservation.

## **CHAPTER VIII**

### **FINAL AND TRANSITORY PROVISIONS**

#### **ARTICLE 30**

##### **(CITES Registration)**

The Administrative Authority should create and keep updated a database on the licensing, certification and violation process related to CITES, which should include:

- a) Information about the holders of CITES licenses and certificates, about the specimen coming from Mozambique including full identification, place of origin, date of extraction and their destination;
- b) Holders of CITES licenses and certificates from other countries, with the identification of specimen and place of origin;
- c) Information about apprehended specimen and their final destination;
- d) List of people with violation records and the status of their penalties;
- e) Registration, issuance, changing and extinction of licenses and certificates.