CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA

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Fifteenth meeting of the Conference of the Parties
Doha (Qatar), 13-25 March 2010

ENFORCEMENT MATTERS AND ESTABLISHMENT OF A GLOBAL SEIZURES DATABASE

1. The attached document has been submitted by Spain on behalf of the European Union and its Member States[*].

2. This document was prepared by the **E**uropean **U**nion **T**rade in **W**ildlife **I**nformation e**X**change (EU-TWIX) Advisory Group at the request of the 18th EU Enforcement Group Meeting (13-14 July 2009) and the European Commission.

3. This document provides the Conference of the Parties with information regarding the establishment of a global seizures database (referred to in the attached as 'Global-TWIX'), modelled on the **E**uropean **U**nion **T**rade in **W**ildlife **I**nformation e**X**change (EU TWIX), as discussed in CoP15 Doc.24 – Enforcement Matters.

4. The aim of the document is to provide a basis for discussion by the Parties when exploring the establishment of a global seizures database.

5. The document is submitted in the spirit of openness so that Parties have a clear understanding of the benefits the EU has derived from its seizures database, and also of the requirements needed for establishment of a system at the global level.

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[*] *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

USING THE EU-TWIX DATABASE AS A MODEL FOR AN ILLEGAL TRADE DATABASE ('GLOBAL-TWIX')

The EU-TWIX Advisory Group met on Friday 13th November 2009 to discuss the GLOBAL-TWIX proposal. Other agencies and experts closely involved with EU-TWIX also contributed to the meeting.

The participants were as follows:

- Christophe Thuaud ('ACCESS expert' for EU-TWIX)
- Frans Arijs (Belgian CITES MA)
- Hui Fu (World Customs Organisation, WCO)
- Mario van Leeuwen (EU-TWIX Advisory Group Member, Dutch Police Agency)
- Pavla Ríhová (EU-TWIX Advisory Group Member, Czech Environmental Inspectorate)
- Tony Van Herenthals (EU-TWIX Advisory Group Member, Belgian Federal Police)
- Rob-Parry-Jones (TRAFFIC Europe)
- Vinciane Sacré (EU-TWIX Administrator / TRAFFIC Europe; convenes EU-TWIX Advisory Group meetings)

Unable to attend the meeting but contributed to action points:

- Franz Böhmer (EU-TWIX Advisory Group Member, German CITES Management Authority)
- Georges Evrard (Belgian CITES MA)
- Guy Clarke (EU-TWIX Advisory Group Member, UK Border Agency)
- Marco Mei (EU-TWIX Advisory Group Member, Italian Corpo Forestale dello Stato)

The objectives of the meeting were as follows:

1. To discuss the possibilities of using EU-TWIX as a model for GLOBAL-TWIX - the global database system - which the CITES Secretariat and CITES Enforcement Expert Group plan to establish;
2. To consider the legal, practical and technical aspects of EU-TWIX in the context of a GLOBAL-TWIX;
3. To produce points for the EU to take forward to the 'GLOBAL-TWIX Working Group' envisaged to be formed at CoP15.

MAIN CONCLUSIONS AND POINTS FOR CONSIDERATION:

I) The Group is supportive of the GLOBAL-TWIX proposal

II) The Group considered the two following scenarios with regard to the role of EU-TWIX in the establishment of GLOBAL-TWIX:

  a. EU-TWIX remains functioning as it currently is and feeds EU seizures data into a GLOBAL-TWIX. The two systems would hence be functioning in parallel;
  b. EU-TWIX expands into GLOBAL-TWIX, and thus EU-TWIX disappears as a regional database

The Group noted that EU-TWIX produces results and that the EU does not wish to lose a functioning and useful system. The group therefore decided unanimously in favour of scenario a) (i.e. maintaining EU-TWIX for the EU as it currently functions).

III) The Group listed the benefits of the EU-TWIX database, the factors identified as contributing to its success, and the difficulties and obstacles encountered during the running of EU-TWIX, for consideration of the CoP15 GLOBAL-TWIX Working Group:

List of benefits provided by the EU-TWIX database*:

➢ Gathering of illegal trade data (both export and import) rendering an overview of illegal trade at the national and the EU levels possible
➢ Sharing of data across agencies at the national and EU-level using one single communication tool
➢ The possibility of remote data entry facilitating data transfer to the database

- Contacts between national and EU agencies facilitated
- Data easily accessed by users throughout the EU allowing the undertaking of own analyses
- Information held in the directories (forensics laboratories, wildlife experts, rescue centres and prices of specimens in trade) is easily accessible and of great benefit

Factors identified as contributing to the success of the EU-TWIX system**:

- Dedicated person (Administrator) who carries out the transfer of data and the data quality check (e.g. avoiding data duplication)
- Favourable EU infrastructure (access to the Internet, tight EU network of agencies) under the framework of the European Union
- Enforcement Group (EG) meetings which encourage inputs of seizure data into the EU-TWIX database, and facilitate discussions and feedback on results of analyses (i.e. benefits of EU framework through regulations establishing the EG and the structure of EU MS meetings)
- Results produced from the system are available to and used by all EU enforcement agencies; the data are not sent into a 'black hole' never to be heard of again)
- Support from WCO by contributing to the EU-TWIX mailing list, building linkage between the EU-TWIX mailing list and ENVIRONET, and forwarding seizure data reported by Customs from EU MS to the Customs Enforcement Network (CEN), thereby avoiding duplication of data inputs
- Advisory Group established as Decision Board facilitates development and progression of EU-TWIX to meet EU officials' needs
- Combination of the EU-TWIX mailing list and database: the EU-TWIX mailing list (list-server) keeps engagement on a daily basis and reminds EU officials about the database
- As well as being a benefit of EU TWIX, the fact that data are easily accessed by users throughout the EU and that this enables users to undertake their own analyses is also a factor contributing to the success of EU TWIX
- Manageable size of the EU-TWIX database system within the EU region
- EU-TWIX workshops in various Member States encouraging participation in EU-TWIX (both during the launch and running of the project)

Difficulties and obstacles encountered during the running of the EU-TWIX system:

- Risks of data duplication as, in some EU countries, the same cases are handled by two different agencies
- Slow process of some EU Member States gaining national approval for WCO to transfer Customs seizures data to the EU-TWIX database
- Data ownership: data is owned by the national agency which submitted the data. Agencies who want to use the data have to ask permission of the relevant agency for use in the context of legal procedures, or before publishing results of analyses to non EU-TWIX users.

* The EU-TWIX database includes a) the seizures data database and b) the four directories (i.e. forensics laboratories, wildlife experts, rescue centres and prices of specimens in trade)

** The EU-TWIX system includes a) the database (see above) and b) the mailing list

IV) Financial considerations linked to the running of the EU-TWIX database and copyright issues:

- Basic maintenance and operation of the EU-TWIX database alone requires 1.5 staff. A total of 2 staff would be required during the setting up of a new **regional** database system and for optimal running of an existing **regional** system
- Costs associated with the running of the EU-TWIX database: Administrator salary and office costs, website creation and improvement IT costs, website hosting and domain fees, training of EU officials in the use of the database, EU-TWIX Advisory group travel costs
- TRAFFIC is the legal owner of the EU-TWIX database/website platform (i.e. not the data)
- The EU-TWIX concept was developed and designed by the following partners: the Belgian Police, the Belgian CITES Management Authority and TRAFFIC
- The system is administered by TRAFFIC
- Decisions regarding EU-TWIX, and its use as a model, are made by the 3 project partners mentioned above
- The seizures data are owned by the relevant EU agency which submitted the data to the EU-TWIX database

V) The Group made the following concrete recommendations for the establishment of the GLOBAL-TWIX database:

- Access to the GLOBAL-TWIX database should be granted to enforcement agencies who have the power to make seizures (both cross-border and domestic), and hence who would contribute data to the database. The CITES Secretariat, CITES MA's, WCO, Interpol, Europol and the UNODC should also have access. NGOs should not be granted access to the global system.
- The system should be an Internet-based system with secured access
- Data reporting should be encouraged by: a) an associated mailing list which helps promote engagement in the database; b) analytical feedback from the system to users; c) an/several active Administrator(s) encouraging reporting
- The establishment of regional databases, each with one Administrator, prior to the establishment of GLOBAL-TWIX would offer advantages: data transfer to the regional databases could be encouraged by the regional Administrators in every region, after which each regional database would then contribute to GLOBAL-TWIX
- The establishment of secure regional mailing lists to be associated to the GLOBAL-TWIX database. All regional Administrators of the mailing lists should work closely to exchange information across the regions
- Alternatively, if GLOBAL-TWIX is to be associated with one single global mailing, it is recommended that it is associated with ENVIRONET, the global real-time communication tool run by WCO. ENVIRONET is secure and thus would represent an effective tool of assisting global communication
- The data format of all national databases and/or regional databases should be standardised with GLOBAL-TWIX to enable data transfer
- The Committee on Trade in Wild Fauna and Flora needs to determine whether EU-TWIX data from all EU Member States can be transferred to GLOBAL-TWIX
- WCO is willing to assist in the transfer of Customs data to GLOBAL-TWIX but approval by all reporting countries is required prior to data transfer
- For enforcement agencies other than Customs, the data entry responsibility should rest with the relevant Focal Point, as decided and coordinated at the national level
- The use of workshops to promote GLOBAL-TWIX is recommended
- The establishment of directories (forensics laboratories, wildlife experts, rescue centres and prices of specimens in trade) in other future regional databases (this information would be of most interest at the regional level and thus should figure in the regional databases rather than in the GLOBAL-TWIX database)
- The production and promotion of CDs demonstrating how the EU TWIX system works should be provided to GLOBAL-TWIX Focal Points for better understanding and to aid promotion of regional / global systems in their country/region
- A side event at CoP15 to demonstrate the running of EU-TWIX
- To facilitate a practical understanding of the system, one of the GLOBAL-TWIX Administrators and one staff member from each regional TWIX to be seconded to work on EU-TWIX to learn about the maintenance of the system
- In addition to the costs mentioned above for EU-TWIX, extra costs for GLOBAL-TWIX might include financial support to WCO as well as IT manager support costs
- The software 'ACCESS' (currently used for EU-TWIX) is not the ideal software to use for GLOBAL-TWIX (e.g. ORACLE might be a desirable option)
- The sources of data information are a key to the success of the future Global-TWIX. Wildlife seizure database in the WCO CEN has been systematically reported by WCO member Customs administrations on a voluntary basis since 2000. The WCO is launching a pilot project national CEN (nCEN) in Mauritius by the end of 2009. The nCEN software provided by the WCO free of charge can be used to establish nCEN or link existing national network to the CEN to enable information exchange among Customs services via the WCO server. At the same time, the non-nominal part of seizure database on relevant commodities (e.g. wildlife) can be automatically converted to the CEN, thus avoiding duplication of inputs (one seizure, one report principle) or even non-report due to negligence. This model may be used for the future Global TWIX).

VI) The Group wishes to put forward the following agencies for participation to the CoP15 GLOBAL-TWIX Working Group:

- The three EU-TWIX project partners: the Belgian MA, the Belgian Federal Police and TRAFFIC. Also recommends that WCO and an EU-TWIX ACCESS Expert attend on the working group.