

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



Seventy-fifth meeting of the Standing Committee  
Panama City (Panama), 13 November 2022

Interpretation and implementation matters

General compliance and enforcement

Compliance matters

Application of Article XIII: Reports of the Secretariat

APPLICATION OF ARTICLE XIII IN NIGERIA

1. This document has been prepared by the Secretariat.

Background

2. At its 70th (SC70, Sochi, October 2018) and 74th meetings (SC74, Lyon, March 2022), the Standing Committee reviewed the effective implementation of CITES in Nigeria, in accordance with the provisions of Article XIII of the Convention.
3. At SC70, the Committee adopted a set of recommendations with respect to Nigeria, including *inter alia* a recommendation to Parties to suspend commercial trade in specimens of *Pterocarpus erinaceus* and recommendations to Nigeria to take strong enforcement actions against organised criminal networks involved in the illegal transnational trade in pangolin scales and African elephant ivory. At the same meeting, the Committee also recommended that Nigeria report to the Secretariat on progress made on the implementation of its recommendations (see document [SC70 SR](#)). Following SC70, the Secretariat published [Notification to the Parties No. 2018/084](#) to reflect these recommendations.
4. At SC74, the Secretariat introduced document SC74 Doc. 28.2.4, reviewing the progress made by Nigeria on the implementation of the recommendations adopted at SC70. The Secretariat reported that it had not received from Nigeria the progress report requested by the Standing Committee at SC70 and that it had met with Nigeria by video-link several times and could confirm Nigeria's efforts to progress the implementation of some of the Standing Committee's recommendations, in particular those related to the management of trade in *P. erinaceus* and certain law enforcement-related activities. The Secretariat, however, expressed concern about the continued seizures of high volumes of illegal specimens of CITES-listed species with Nigeria acting as the source or transit country, showing that the recommendations adopted at SC70 were not being implemented effectively. The Secretariat further expressed its concern about the lack of reporting and responsiveness despite repeated offers of assistance, and that Nigeria was also not reporting on its National Ivory Action Plan process.
5. On the basis of the Secretariat's report at SC74, the Standing Committee reviewed the progress made by Nigeria on the implementation of the recommendations adopted at SC70. The Committee agreed a new set of recommendations, contained in summary record [SC74 SR](#). The Committee *inter alia* requested Nigeria to report on progress with the implementation of the Committee's recommendations in time for the present meeting.

6. Pursuant to the Standing Committee's recommendation, Nigeria submitted a report to the Secretariat on 9 May 2022. The report is available in the Annex to the present document, in English only. Nigeria also submitted its report on progress with the implementation of its NIAP, available as document SC75 Doc. 7.4 A10.

#### Regarding management of trade in specimens of *Pterocarpus erinaceus*

7. The suspension of trade in *Pterocarpus erinaceus* from Nigeria may have displaced unsustainable harvesting and fraudulent trade in the species from Nigeria to other range States. At SC74, the Standing Committee requested the Secretariat to open an expedited application of an Article XIII compliance procedure for *Pterocarpus erinaceus* for all range States based on the exceptional circumstances generated by the documented pervasive trade in violation of the provisions of the Convention. The Secretariat informed Parties about the outcomes of the expedited procedure in [Notification to the Parties No. 2022/045](#). Updates and recommendations relating to this are found in document SC75 Doc. 7.2.1 on *Expedited application of Article XIII for West African rosewood Pterocarpus erinaceus for all range States*.
8. At SC74, the Secretariat reported in document [SC74 Doc. 28.2.4](#) that Nigeria has been sharing several draft Non-Detriment Findings (NDF) for trade in *Pterocarpus erinaceus* with the Secretariat since 2018 and, upon recommendation by the Secretariat, has put in place a zero export quota for the species, which has been published on the CITES website for 2020 and 2021 as requested by Nigeria.
9. In its progress report to the present meeting, Nigeria highlights that an NDF was conducted in three selected states of Nigeria (Taraba, Kogi, and Adamawa) in 2019 by the Forestry Research Institute of Nigeria (CITES Scientific Authority). The report was submitted to the Secretariat through the Federal Ministry of Environment in June 2019 and the Secretariat provided feedback. Nigeria points out that the Institute envisages that the CITES Secretariat in conjunction with the Federal Government of Nigeria fund the remaining states that were not covered in the NDF study. The latest version of the NDF report revised by Nigeria was submitted for consideration of the Plants Committee in the framework of the review of significant trade process and was considered by the Committee in developing the relevant recommendations found in Annex 6 to document [SC75 Doc. 8](#) on *Review of Significant Trade in specimens of Appendix-II species* (see next section).

#### *Pterocarpus erinaceus* in the Review of Significant Trade

10. At SC74, the Standing Committee called upon the Plants Committee to expedite its Review of Significant Trade of *Pterocarpus erinaceus* in order for the Committee to receive a progress report from the Plants Committee at the present meeting.
11. On 24 June 2022, the Plants Committee agreed that, in the context of paragraph 1 g) of Resolution Conf. 12.8 (Rev. CoP18) on *Review of Significant Trade in specimens of Appendix-II species*, 'action is needed' concerning the implementation of Article IV, paragraph 2 (a) and 3 for *Pterocarpus erinaceus* in a number of range States, including Nigeria. The Plants Committee further agreed the time-bound, feasible, measurable, proportionate, and transparent recommendations directed to each of these range States. The recommendation directed to Nigeria can be found in the Annex to [Notification to the Parties No. 2022/050](#).
12. Recommendations on this species/country combination under the RST process is included in document SC75 Doc. 8 on *Review of Significant Trade in specimens of Appendix-II species*.

#### Regarding legislation and law enforcement

13. In its progress report to the present meeting, Nigeria highlights that it worked together with the non-governmental organizations (NGOs) Africa Nature Investors Foundation (ANI) and Environmental Investigation Agency (EIA) to undertake a comprehensive review and analysis of Nigeria's legislative framework for combatting illegal wildlife trade and other wildlife crimes.<sup>1</sup> Nigeria points out that a report on the analysis was launched in Abuja on 5 August 2021 and that the analysis revealed significant weaknesses and inconsistencies in Nigeria's legislative framework for combatting wildlife crime. Nigeria also reports that, based on the analysis, a draft legislative proposal was developed with support from ANI and EIA, to amend Nigeria's primary wildlife trade legislation, the Endangered Species Act. Nigeria reports that steps are now

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<sup>1</sup> Shamini Jayanathan, Barrister-at-Law, Arcturus Consultancy Ltd. May 2021. *Combating Wildlife Crime in Nigeria: An Analysis of the Criminal Justice Legislative Framework*. Africa Nature Investors Foundation and Environmental Investigation Agency (UK). Available at: <https://eia-international.org/wp-content/uploads/Combating-Wildlife-Crime-in-Nigeria-single-pages-for-print.pdf>

underway to submit a Bill ('The Endangered Species Conservation and Protection Bill 2022') to the House of Representatives to formalise the legislation.

14. With regards to law enforcement, Nigeria highlights in its progress report that it established in March 2021 a Special Wildlife Office, as a subunit of the Customs Intelligence Unit, under the National Customs Service (NCS). The objectives of this office are amongst others to collate, analyse, and disseminate intelligence; design and deliver training; collaborate with other law enforcement agencies and relevant NGOs; coordinate enforcement operations in Customs Area Commands; and detect and dismantle the criminal groups operating within and outside the national jurisdiction. Nigeria also reports that it is in the process of establishing a canine unit under the NCS to support other control measures such as non-intrusive inspection devices (deployed to two major seaports as of 2022). Nigeria further reports on a number of capacity-building activities to train customs officers of all levels, implemented with support from the World Customs Organization (WCO) and other organizations such as the United Nations Office on Drugs and Crime (UNODC), USAID, Born Free USA, EIA, Focused Conservation, WILDAID, the Wildlife Justice Commission and others. Nigeria also notes that the NCS has adopted intelligence-driven risk-based approaches to target high-risk wildlife shipments and that it has a robust Risk Management (RM) unit with officers trained in applying CITES risk profiles and indicators. Nigeria highlights a number of large-scale seizures of pangolin scales and ivory from 2018 to 2022, which have resulted from the above-mentioned efforts. It is also said that from the year 2021 onwards, all seizures made have resulted in prosecutions.
15. In addition to the information contained in Nigeria's report to the present meeting, the Secretariat notes that Nigeria has finalized the National Strategy on Wildlife and Forest Crime in Nigeria 2022 - 2026<sup>2</sup>, with support from UNODC. The strategy was launched in April 2022, following a series of consultations with a broad range of key stakeholders, as well as a high-level validation workshop.
16. The Secretariat further notes that Nigeria is receiving support from UNODC, ANI and EIA to develop a Wildlife Crime Rapid Reference Guide and Charging Standards for Prosecutors, which is expected to be launched in late 2022. Nigeria is also working with UNODC to combat corruption.<sup>3</sup> In this context, a number of activities are ongoing, including corruption risk assessments for lead agencies in the environment sector. More information on Nigeria's cooperation with UNODC is also contained in document [CoP19 Doc 36.2](#) on *Wildlife crime and CITES enforcement support in West and Central Africa*, submitted *inter alia* by Nigeria.
17. On 4 October 2019, Nigeria requested the Secretariat to assist in the implementation of the ICCWC Wildlife and Forestry Crime Analytic Toolkit and the ICCWC Indicator Framework for Combating Wildlife and Forest Crime. The official launch of the Toolkit and Indicator Framework process was scheduled for October 2020 in Abuja. Due to the COVID-19 pandemic, the official launch was delayed and is now foreseen for late 2022, to coincide with the launch of the Rapid Reference Guide as reported in paragraph 16 above.

#### Issuance of permits and information systems

18. Nigeria reports no progress on the recommendations regarding the issuance of permits and the establishment of an effective and secure information system. However, the Management Authority of Nigeria acknowledges that its current system of issuing permits manually gives rise to numerous possibilities for document abuse, delay, and corrupt practices, both when documents are issued and upon inspection at border crossings. Nigeria reports that a number of cases have become known, involving such practices as permit fraud, bribery to obtain export permits, post-export issuance of permits, false captive-breeding information on export permits, and re-use of permits.

#### Handling and disposal of seized stockpiles of CITES-listed species

19. Nigeria reports that it has put in place control measures to secure storage facilities of seized stocks of CITES-listed species, including the installation and fortification of 40-foot containers used as temporary holding facilities in Abuja and Lagos. Nigeria also reports that it has reduced the risk of leakage from its stockpiles, including through regular audits and close supervision of the day-to-day operations. According to the report, Nigeria has carried out an inventory of its stockpiles using the Stockpile Management System (SMS) developed by the Elephant Protection Initiative (EPI). In this context, Nigeria developed a standard coding inscription to mark all seized and confiscated specimens; applies electronic records using SMS application as well as data sheets and Standard Operating Procedures for handling and movement of seized and confiscated specimens. Regarding the disposal of seized and confiscated specimens, Nigeria reports that it

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<sup>2</sup> [https://www.unodc.org/documents/nigeria/National\\_Strategy\\_to\\_Combat\\_Wildlife\\_and\\_Forest\\_Crime\\_in\\_Nigeria\\_2022-2026.pdf](https://www.unodc.org/documents/nigeria/National_Strategy_to_Combat_Wildlife_and_Forest_Crime_in_Nigeria_2022-2026.pdf)

<sup>3</sup> <https://www.unodc.org/nigeria/en/press/tackling-corruption-in-illegal-wildlife-trade-in-nigeria.html>

is planning the disposal of stockpiles under the custody of the National Environmental Standards and Regulations Enforcement Agency (NESREA).

### Monitoring progress

20. Pursuant to the Standing Committee's recommendations, the Secretariat has remained in close contact with Nigeria to monitor progress in the implementation of the recommendations and to establish key activities and priorities to be implemented, including as part of the support to Nigeria under the Compliance Assistance Programme (CAP). At the time of writing the present document, Nigeria and the Secretariat have agreed on a draft workplan and a draft budget, focused on the implementation of the Standing Committee's recommendations, to be included in a Small-scale Funding Agreement (SSFA) between Nigeria and the Secretariat. The Secretariat expects the SSFA to be signed shortly after the present meeting.

### Conclusions

21. The Secretariat acknowledges Nigeria's progress with the implementation of some of the Standing Committee's recommendations, in particular those related to the handling and disposal of seized stockpiles of CITES-listed species, and certain legislation and law enforcement-related provisions. The Secretariat welcomes Nigeria's responsiveness and looks forward to further supporting the Party in the implementation of the Standing Committee's recommendations under the CAP.
22. Regarding legislation, the Secretariat encourages Nigeria to develop an integral approach when proceeding with the amendment of the Endangered Species Act. This would allow Nigeria to cover not only the law-enforcement related aspects but also other important elements of CITES implementing legislation. The Secretariat is ready to assist Nigeria and its partners in the preparation of that legislation, as appropriate.
23. Regarding law enforcement, the Secretariat welcomes in particular the finalization of the National Strategy on Wildlife and Forest Crime in Nigeria and the establishment of the Special Wildlife Office under the NCS. The Secretariat encourages Nigeria to make progress on the implementation of the National Strategy and the Standing Committee's law enforcement-related recommendations, in particular the recommendations to establish a national platform for enforcement cooperation and coordination, and to convene multi-disciplinary investigative teams, involving all relevant authorities, to initiate intelligence-driven operations and investigations.
24. Regarding the handling and disposal of seized stockpiles, the Secretariat is of the opinion that the Standing Committee's recommendations in this regard have been addressed by Nigeria, with the notable exception of clearly defining the competences of, and the division of labour between, relevant institutions. The Standing Committee may wish to revise its recommendations on the handling and disposal of seized stockpiles to reflect Nigeria's progress on this issue.

### Recommendations

25. In light of the above, the Secretariat proposes that the Standing Committee revise and update its recommendations adopted at SC74 as follows:
  1. *Regarding trade in specimens of Pterocarpus erinaceus*
    - a) Parties shall maintain the suspension of trade in specimens of the species *Pterocarpus erinaceus* from Nigeria pending compliance with the recommendations made at the 70th meeting of the Standing Committee (SC70, Sochi, October 2018), renewed at its 74th meeting (SC74, Lyon, March 2022), in alignment with the expedited Article XIII process and the outcomes of the Review of Significant Trade.
    - b) The Committee instructs the Secretariat to publish a Notification to the Parties to replace [Notification to the Parties No. 2018/084](#).
    - c) The Committee encourages all potential transit and destination countries of shipments of illegal specimens of *P. erinaceus* from Nigeria to take appropriate measures to ensure that such timber is not illegally transported or traded, including prohibiting entry, seizing such specimens upon arrival and applying appropriate sanctions against traffickers in accordance with the provisions of the Convention.

- d) The Committee invites the importing Parties to share with the Secretariat the administrative, legislative and enforcement arrangements put in place to sanction illegal trade in specimens of this species, including any relevant due diligence measure to verify legality and ensure sustainability; and encourages those Parties to consider inviting the Secretariat to conduct technical missions in order to strengthen cooperation between range States and importing countries and identify further recommendations to ensure that timber trade is conducted in accordance with the Convention.

## 2. *Regarding legislation and law enforcement*

- e) Nigeria shall strengthen the regulatory framework in relation to forestry management, including forestry legislation at the State level, to avoid any loopholes that may be generated by the distribution of competences between Federal and State levels.
- f) Nigeria shall continue implementing a strategy to counter corruption linked to illegal wildlife trade at all levels, including anti-bribery policies, and intensify efforts to ensure full implementation of Resolution Conf. 17.6 on *Prohibiting, preventing, detecting and countering corruption, which facilitates activities conducted in violation of the Convention*. The strategy should protect officials responsible for the implementation and enforcement of CITES from undue pressure, obstruction and threats.
- g) Nigeria shall establish a national platform for enforcement cooperation and coordination between relevant authorities to strengthen the control of trade in CITES-listed species and to combat transnational organized wildlife crime, in line with Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*.
- h) Nigeria shall scale up efforts to map out organized crime groups involved in illegal wildlife trade and operating in the country. Nigeria shall convene multi-disciplinary investigative teams involving all relevant authorities. These teams will work in close collaboration with local authorities in key identified areas, and initiate intelligence-driven operations and investigations, with a particular focus on pangolins and ivory.

## 3. *Regarding issuance of export permits and information systems*

- i) Nigeria shall establish an efficient and secure information system, preferably an electronic system (resources permitting), to facilitate the issuance of permits and certificates, and the verification of all CITES provisions applicable to the specimens to be exported.
- j) Nigeria shall facilitate liaison and integration with other permitting/certification systems relating to the harvest of and trade in CITES-listed resources, e.g., timber concession authorizations, phytosanitary/veterinary documentation, or customs declarations.

## 4. *Handling and disposal of seized stockpiles CITES-listed species*

- k) Nigeria shall clearly define the competences of, and the division of labour between, relevant institutions to ensure that adequate control measures are put in place to secure storage facilities for seized stocks of all CITES-listed species.

## 5. *Collaboration with Nigeria*

- l) The Committee thanks Parties, ICCWC partners, members of the civil society and cooperation agencies that are providing financial, technical and logistical support to Nigeria and invites them to coordinate further with the CITES Secretariat to avoid duplication and align activities to the extent possible with the recommendations of the Standing Committee.

## 6. *Monitoring progress*

- m) The Secretariat shall remain in close contact with Nigeria; monitor the Party's progress in the implementation of recommendations of the Standing Committee; and bring any matters of concern to the attention of the Committee.
- n) The Committee requests Nigeria to report on progress made in the implementation of recommendations e) to k) by the document deadline of its 77th meeting, in order for the Secretariat

to convey this report and its comments, as well as recommended follow-up measures in case of continued non-compliance, to the 77th meeting of the Standing Committee.

## NIGERIA NATIONAL REPORT

### REPORT ON NIGERIA GENERAL COMPLIANCE, ENFORCEMENT, AND IMPLEMENTATION MATTERS IN THE CONTEXT OF ARTICLE XIII FOR NIGERIA

#### 1. Introduction

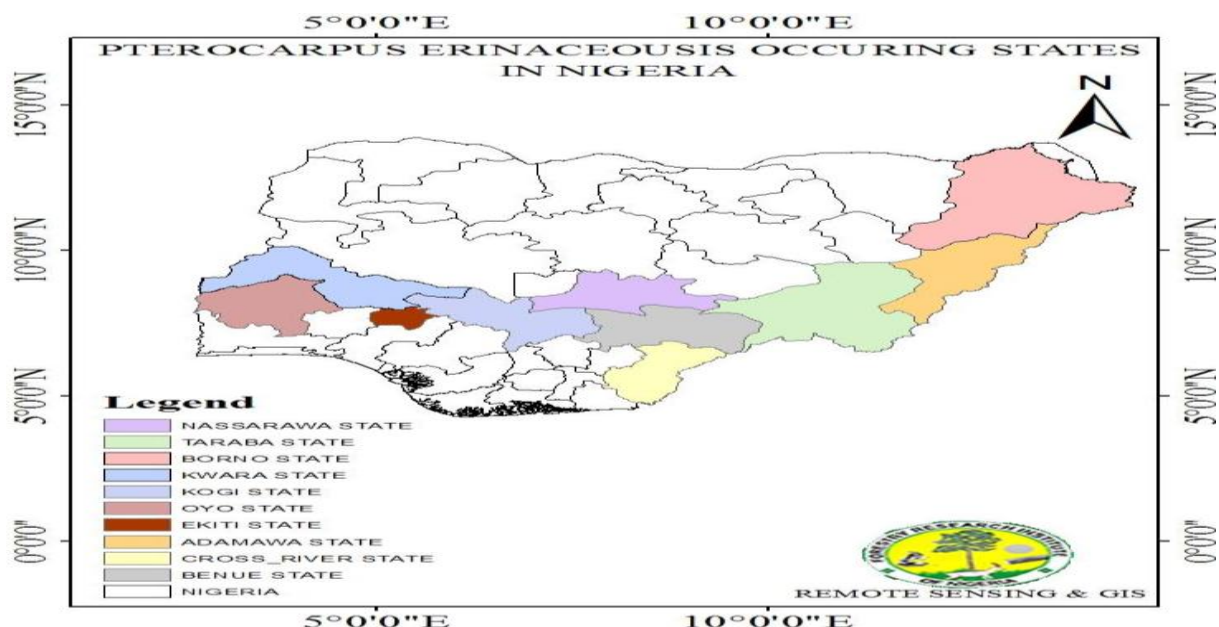
Consequent to the outcomes of the meeting of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Standing Committee (SC70, Sochi, 2018), and the Standing committee's (SC74, Lyon, 2022) recommendations on matters related to the allocation of Article XIII in Nigeria. The committee's request to Nigeria to report on progress with the implementation of the recommendations, based on the above, the following are the progress made on the recommendation in the context of article XIII by Nigeria.

#### A. NDF ON *Pterocarpus erinaceus*

The Honorable Minister of Environment of the Federal Republic of Nigeria commissioned the Forestry Research Institute of Nigeria (the CITES scientific authority) to carry out a Non-Detriment Findings (NDF) on *Pterocarpus erinaceus* in three states in Nigeria. The states were Kogi, Taraba and Adamawa. Brief on the process carried out so far on Non-Detriment Findings for *Pterocarpus erinaceus* (rosewood) in Nigeria and plan.

- I. Geographical distribution and extent of occurrence of *Pterocarpus erinaceus* (Rosewood) species in Nigeria.

The species are widely found in at least ten states (10) in Nigeria



**Figure 1.** Geographical distribution and extent of occurrence of *Pterocarpus erinaceus* in Nigeria

2. Procedure on Non-Detriment Findings for *Pterocarpus erinaceus* species in Nigeria



Forestry Research Institute of Nigeria makes an NDF for *Pterocarpus erinaceus* species through data collection and analysis. This involves information gathering to assess the rate and level of exploitation and export from selected locations in range states.

Data collection was done in two phases. The first phase focused on gathering information to assess the rate/level of exploitation and export of *Pterocarpus erinaceus* in the selected states. Data for the assessment were gathered from *Pterocarpus erinaceus* export and annual quota permit issuance records of the Federal Department of Forestry (FDF), Federal Ministry of Environment, Abuja to estimate wood produced and exported between 2016-2018. Also, data on the supply chain of *Pterocarpus erinaceus* was collected through Focus Group Discussion (FGD) and Key Informant interview methods with forestry officials, community leaders, and traders of the species in Taraba, Adamawa and the Kogi States. The Focused Group Discussions were held with exporters of *Pterocarpus erinaceus* to ascertain various activities at the export hub and the challenges facing the exporters. The Key Informant interviews focused on identifying various actors and the activities involved along the supply chain, starting from the points of the harvest to destination countries.

Secondly, field inventory on the species was carried out. Temporary Sample Plots (TSP) for the inventory of the species were purposively and systematically allocated to Selected Forest Reserve (FR) and Outside Forest Reserve (OFR) where the tree species is available and no or minimal exploitation has taken place in each state selected. In each of the SFR/OFR, systematic transect lines were laid, and TSP of 25 x 25m dimension was alternatively laid along the transect lines at a distance of 50m interval to assess all *Pterocarpus erinaceus* live standing trees (**Table1**).

**Table 1: Distribution of the number of sampling plots in each study area**

State	No of the Forests Areas selected	No sampled Plots per forest	Total no of sampled plots
Taraba	10	10	100
Adamawa	5	10	50
Kogi	5	10	50
<b>Total</b>	<b>20</b>	<b>30</b>	<b>200</b>

In each plot, all rosewood trees with a diameter at breast height (dbh) greater than 10 cm were identified and their dbh was measured and recorded. Trees with dbh below 10 cm were considered as regeneration. The following variables were measured: Diameter at the base, middle, and top, total height, and merchantable height.

On the other hand, an inventory was carried out on exploited areas in each state to assess the natural regeneration potentials of the species in exploited areas. Three exploited areas were purposively selected (to avoid freshly harvested areas) in each state and TSP (size 25 x 25m) was laid in each exploited area. All *Pterocarpus erinaceus* with dbh less than 10 cm were assessed to determine their natural regeneration potential

Data were analyzed by estimating the population structure and standing tree growth variables such as basal area, volume estimation, estimating the level and rate of exploitation of *Pterocarpus erinaceus*, assessing the sustainability of the species, estimation of natural regeneration potential, determining of Annual Allowable Cut and Species Distribution Modeling.

Hence, deductions from findings obtained from growth variables (Height, Basal area, volume estimation, diameter classes, natural regeneration potentials) in comparison with standards, ecology, and spatial distribution of the species as well as facts and figures of permits issued from the Federal Department of Forestry focus groups, local community, forest managers are used to deducing the non-detriment discoveries by scientific authority.

### 3. Conservation Efforts

*Pterocarpus erinaceus* is one of the species for the National afforestation project being embarked upon in the country. Vigorous seedlings of the species are being raised in the Institute's nurseries across various ecological zones.



#### 4. Plan

The initial concept was to develop holistic Non-Detriment Findings for *Pterocarpus erinaceus* in Nigeria. However, the paucity of funds limited the NDF to three states. The Institute envisages that CITES in conjunction with the Federal Government of Nigeria fund the remaining states that were not covered in the first NDF study.

#### 5. Recommendation of the Report

Consequently, a NDF was conducted for *Pterocarpus erinaceus* in Nigeria so as to guide the Management Authority in granting an annual export quota that will ensure that such export will not be detrimental to the survival of the species in Nigeria. The Non-Detriment Finding (NDF) was therefore conducted by the CITES Scientific Authority in Nigeria (Forestry Research Institute of Nigeria) in 2019 in three selected states (Taraba, Kogi, and Adamawa) of the country. The report was submitted to CITES headquarters through the Federal Ministry of Environment in June 2019. However, the following recommendations were put forward based on the findings;

- Major findings affirmed that harvesting and export of *Pterocarpus erinaceus* logs do not pose any ecological consequences in the surveyed area because wildlings of the species are still abundant in the area of operation.
- One of the control measures as recommended based on the findings of the NDF report is the controlled export of Rosewood on an annual quota basis as approved by the management authority (FMENV) and under strict monitoring and enforcement by the enforcement CITES authorities (NESREA, Nigeria Custom) in Nigeria.
- The new policy is on the way to facilitating a comprehensive task force from forest to port control on all wildlife trade and export especially in ensuring Lagos Port facilities support conservation and CITES rules
- Subsequently, further suspension of the trade of rosewood in Nigeria and other West and Central African countries will further shift pressure on species of similar psychological characteristics in the region particularly, *Okoubaka aubrevillei* (Igi nla), *Tectona grandis* (Teakwood), *Anogeissus leiocarpa* and *Triplochiton scleroxylon*

#### B. NIAP PROGRESS REPORT

The Standing Committee at its 71<sup>st</sup> meeting (SC71, Geneva, August 2019) requested Nigeria to revise and update its NIAP under step 2 of the Guidelines to the NIAPs process. According to the committee's recommendation, Nigeria submitted a revised and updated NIAPs which was found adequate in May 2020 with 19 priority actions with different milestones under five pillars namely: Legislation and regulation, National enforcement action and inter-agency collaboration, International and regional enforcement collaboration, Outreach, public awareness and education, and Reporting.

The priority actions developed were rated into 6 levels: Achieved, Substantially achieved, On-track, Partial progress, Pending completion of another action, and Not commence. Based on the rating, Nigeria has been able to categorize the 19 priority actions under the ratings: 5 priority actions are Substantially achieved, 11 actions On-track, 2 actions are in partial progress and one has not commenced. The full report will be sent to the CITES Secretariat as soon as possible before the 10<sup>th</sup> of May 2022 as recommended by the Standing Committee.

#### C. COMPLIANCE ASSISTANCE PROGRAM (CAP)

The CITES Secretariat has extended support to Nigeria under Compliance Assistance Programme (CAP), the proposed activities have been reviewed, a small-scale funding agreement (MOU) is being drafted by CITES for the Honourable Minister's endorsement, and the report forwarded to CITES Secretariat for commencement of the programme in the following thematic areas.

S/N	Thematic area	Assistance needed
1	INSTITUTIONAL	Strengthen the technical capacity of the Management Authority
		Strengthen the capacities of the agencies making up the Scientific Authority
2	LEGISLATION	Develop legislation in accordance with the provisions of the Convention
3	SCIENTIFIC	Management of trade in specimens of <i>Pterocarpus erinaceus</i>
4	LAW ENFORCEMENT	Strengthen the technical capacity of law enforcement agencies

#### D. LEGISLATION

In consultation with independent experts, the Environmental Investigation Agency UK (EIA) and Africa Nature Investors Foundation (ANI) worked with key Nigerian government agencies who have the mandate to combat wildlife crimes to undertake a comprehensive review and analysis of Nigeria's legislative framework for combatting illegal wildlife trade (IWT) and other wildlife crimes. The agencies consulted as part of the analysis included the Federal Ministry of Justice, NESREA, Nigeria Customs Service, and the Economic and Financial Crimes Commission (EFCC). The legislative analysis is part of a U.S. government-funded project which EIA and ANI are undertaking in Nigeria to strengthen Nigeria's capabilities to combat illegal wildlife trade and other wildlife crimes ranging beyond wildlife specific to laws for the administration of criminal justice in general. Launched in Abuja on the 5th of August 2021, the report of the legislative analysis showed that Nigeria's legislative framework for combatting wildlife trafficking and other wildlife crimes is fraught with weaknesses, conflicts, and inconsistencies. The report also highlighted the need for law reform to address the lapses highlighted in the conclusions. Following the launch of the analysis, and on the directive of the Honourable Minister of State for the Environment (Sharon Ikeazor, Esq.) the Federal Ministry of Environment, EIA, and ANI collaborated to develop a draft language to strengthen Nigeria's primary endangered species legislation and to identify and resolve the weaknesses and inconsistencies in Nigeria's current legislative framework for combatting IWT and other wildlife crimes. The outcome of the collaboration is a legislative proposal embodied in a bill (The Endangered Species Conservation and Protection Bill 2022) which the Honourable Minister intends to proceed as an executive bill. At the directives of the Honourable Minister, EIA and ANI have continued to support the process through communications and engagement with the National Assembly and the Chairman of the House of Representatives Committee on the Environment (Rep. Johnson Oghuma). Copies of the Endangered Species Conservation and Protection Bill 2022 have also been provided to the House of Representatives Committee on the Environment. ANI and EIA have stressed the need for urgent legislative action to ensure that Nigeria has legislation in place that is fit for purpose to tackle IWT and other wildlife crimes

#### E. LAW ENFORCEMENT

Nigeria Customs Service in its effort to support global initiatives and effort to end Illegal wildlife trafficking and trade, re-strategize by improving intelligence capabilities, strengthening enforcement with risk management, implementing of recommendations, compliance, and best practice with an emphasis on thorough investigation and prosecution, in response to the seriousness of IWT situation and recommendations of the World Customs Organization (WCO).

As one of the beneficiaries of many of the WCO initiatives, particularly the Environment Programme's INAMA Project which focuses on strengthening the enforcement capacities of targeted Customs Administrations in relation to Illegal Wildlife Trade (IWT) and CITES, the Nigeria Customs Service has been developing the capacity of its front line officers in every aspect that is needed, to improve response to Illegal Wildlife Trade as it relates to CITES compliance, following guidance and recommendations based on the findings of an IWT diagnostic mission carried out on NCS by a team of WCO experts in 2019, after the Institutional assessment in 2018.

Considering that WCO is one of five inter-governmental organizations that makes up the **International Consortium on Combating Wildlife Crime (ICCWC)**, working together with the other partners, namely, CITES Secretariat, INTERPOL, UNODC, and the World Bank to bring coordinated support: providing operational, technical, comprehensive training, capacity-building to law enforcement, prosecutorial and judicial authorities that make up national wildlife law enforcement agencies.

Several IWT interceptions have been linked to Nigeria and at the same time, several seizures have been made within Nigeria of species not indigenous to Nigeria, signifying that Nigeria is being used as a transit country for Fauna (animals): These wild animals are poached in neighboring African countries and smuggled in various forms, shapes, and sizes into Nigeria through all available routes and then smuggled out again using specific routes to final destination taking undue advantage of nonfunctional and obsolete scanners (situation before 2022). In addition to the above trend is the illegal trade in Timber, particularly *Pterocarpus erinaceus* export from Nigeria to various destinations.

Currently, there are five international airports located in Lagos, Abuja, Port Harcourt, Kano, and Enugu. There are also five main seaports located in Lagos, Calabar, Delta, Rivers, and Onne. As there are approved routes there are unapproved routes also, but more unapproved than approved: 1,497 unapproved and 84 approved routes/borders to the country according to Nigeria Immigration Service, and the porosity of these borders is one of the major challenges of IWT in Nigeria.

## **OVERVIEW OF THE APPROACH/ACTIVITIES AND EFFORTS DEPLOYED BY NCS TO ENSURE COMPLIANCE TO CITES.**

- i. Establishment of NCS Special Wildlife Office
- ii. Establishment of Wildlife Canine Unit
- iii. Capacity building /Training on IWT & CITES
- iv. Intelligence, Enforcement, and Risk Management.
- v. Investigation and Prosecution (with DNA and Phone analysis as supporting evidence)
- vi. Interagency and International cooperation.

### **ESTABLISHMENT OF NCS SPECIAL WILDLIFE OFFICE.**

A Special Wildlife Office was approved and established in March 2021. This is a subunit in the Customs Intelligence Unit, with officers and its operational building dedicated specifically to IWT and CITES matters in NCS.

**Following are some of the Objectives of NCS Special Wildlife Office**

1. To give priority due to combatting Illegal Wildlife Trafficking amidst other Customs functions and provide a platform for National, Regional, and International Cooperation on intelligence/information sharing.
2. Collate, analyze, and disseminate intelligence that will assist in profiling (Risk management) targeting, surveillance, enforcement/arrest, Investigation, and Prosecution.
3. To design and deliver training (Including joint law enforcement training) to further build the capacity of frontline officers as well as other law enforcement involved in wildlife enforcement, investigation, and prosecution.
4. Collaborate with other Law enforcement agencies, relevant government agencies, NGOs, to combat Illegal wildlife trafficking.
5. Coordinate Wildlife enforcement Operations and activities in Customs Area Commands, nationally and internationally to support collaborative enforcement actions against Wildlife Crime.
6. **ULTIMATELY**, detect and dismantle the criminal groups operating within and outside Nigeria.

### **ESTABLISHMENT OF WILDLIFE CANINE/K9 UNIT**

The approval for this has been granted by the Comptroller General of Customs. The NCS Canine Unit is in the process of being set up with the support of **WILDAID/C4ADS**. These detector dogs will be used to support all other control measures, like non-intrusive inspection devices (deployed to 2 major Seaports as of 2022) to target potential wildlife products and reduce the risk of wildlife trafficking in and out of Nigeria.

### **CAPACITY BUILDING /TRAINING ON IWT & CITES**

Capacity building /training and awareness creation regarding IWT is one major priority area amongst the strategies deployed by NCS, and it's been a continuous program since 2019. Every opportunity to train Customs officers of all levels, especially front line officers have been taken advantage of and done with the support of WCO and several other Intergovernmental organizations such as UNODC, USAID, and some NGOs like BornfreeUSA, Focused Conservation, WILDAID, EIA, WJC, NCF, and many others.

- In 2021, IWT & CITES Curriculum was approved and is now included in all NCS training colleges.
- Two thousand (2000) Cadets are currently undergoing NCS basic training courses in Lagos and Kano training colleges and IWT&CITES is part of their curriculum
- Some NCS frontline officers attended various IWT international workshops, including Train-The-Trainer (In-person before the Covid-19 era and virtual during Covid-19 till the present) to enhance risk management and intelligence capacities for IWT enforcement. Sponsored by US Department of States and WCO.
- In 2019, a Nigeria Customs Officer was accredited as **WCO Technical and Operational Advisor in the field of IWT** and this has been of great advantage to NCS administration, the positive effect is the various initiatives embarked upon.
- Ongoing plan with UNODC on building the capacity of NCS officers using the WCO CLICK platform.



PHOTOS FROM SOME CAPACITY BUILDING/TRAINING WORKSHOPS ON IWT & CITES FOR OFFICERS OF NCS

## INTELLIGENCE, RISK MANAGEMENT, AND ENFORCEMENT.

**Intelligence**-led anti-smuggling activities being carried out by NCS covers all land, Sea, and Air borders across Nigeria. NCS has adopted more intelligence-driven risk-based approaches to target high-risk wildlife shipments whilst gathering local intelligence within Nigeria, with an investigation, undercover surveillance, and profiling. NCS has a robust **Risk Management (RM)** unit with officers trained and still being trained by the WCO on the development or enhancement of CITES risk profiles and indicators which are disseminated to the borders to support **enforcement**.

## RESULTS

<b>ILLEGALLY TRADED CITES SPECIES-SPECIFIC TO NIGERIA</b>	<b>SOURCE COUNTRY</b>	<b>TRANSIT</b>	<b>DESTINATION</b>	<b>RISK AREAS</b>
Pangolin scales, Elephant tusk Ivory, African Grey Parrot/Senegalese Parrot	Democratic Republic of Congo, Kenya, Ethiopia, Uganda, Mali, Cameroon, Republic of Benin, Togo, Niger, and other neighboring countries	Nigeria	China, Thailand, Vietnam, Singapore, Malaysia, Laos, Hong Kong, United Arab Emirates, Amsterdam, Malaysia, and other neighboring countries	Land Border for import,  Inland for stockpiling  Airport (Passenger and Cargo) for import and export
Timber (African ROSEWOOD) currently on trade suspension since 2018	Nigeria	All routes serving as transit to the destination	Cameroon/ Laos, China, and Vietnam	Sea port for export

### **RISK INDICATORS FROM ILLEGALLY TRADED CITES SPECIES LINKED TO NIGERIA FROM ANALYSIS OF AVAILABLE SEIZURE RECORDS FROM 2016-2022 developed by NCS SPECIAL WILDLIFE OFFICE.**

#### **Some of the wildlife seizures were made by Nigeria Customs Service between 2018-2022.**

- (1) 53 and a half sacks / 2001 kg of pangolin scales and 218 pieces / 343kg of elephant tusk were seized on the 13th of February, 2018 from an apartment occupied by a Chinese national in Ikeja, Lagos. The occupant was arrested along with the packages.
- (2) 329 sacks / 8,492 kgs of pangolin scales, were seized from another residential apartment occupied by Chinese in Lagos, Nigeria on the 6th of March, 2018. The occupant was arrested along with the packages.
- (3) 78 sacks / 1,771 kg of pangolin scales were seized from the same residential apartment in Lagos on the 8th of March, 2018.
- (4) 21 sacks/1003kg of pangolin scales and 4 elephant tusks were seized in a popular Lagos market called Oba Elegunshi market Ajah area of Lagos state in 2018.
- (5) 10 packages/ 738 kgs of pangolin scales were seized in Lagos, on the 14<sup>th</sup> of August 2018 in Satellite Town, Lagos.
- (6) 32 packages / 1,530kgs of pangolin scales intercepted at Port Harcourt Area 1 command. on the 12th of October, 2019 at the Nacho export section of the international airport (Cargo) destined for Malaysia.
- (7) Over 500 African Gray parrots were seized in Katsina in 2021.



(8) 2, 772 pieces /4,752kg of Elephant Tusks & 162 Sacks/5,329kg of Pangolin Scales, 1 piece/5kg Rhino horn, 103kgs of dried animal bones and skulls, 76 Semi Processed and Processed Timber seized in Apapa Port on 20th January 2021 along with one (1) Suspect.

(9) 196 sacks / 7,167.99kgs of Pangolin Scales, 888.49kgs of Elephant Ivory, and 4.6kgs of Pangolin claws were seized in a residential apartment in Lekki, Lagos on 28th July 2021.

3 suspects were arrested (2 foreigners and 1 Nigerian)

(10) 25kg/6 pieces of Elephant Ivory were seized in Ikeja, Lagos on 3rd September 2021.

(11) 15 Sacks/1,009.51 kg pangolin scales and 5kg pangolin claws seized in Ikeja, Lagos-13th September 2021. 2 suspects arrested: 1 foreigner and 1 Nigerian.

(12) 14 sacks/839.40 kgs of Pangolin scales and 4 sacks/40pcs (cut) /145kgs of Elephant tusks seized on 2-Feb 2022 in Ibeju-Lekki, Lagos. With 4 suspects arrested. ( 4 Nigerians).







**PHOTOS OF SOME OF THE ILLEGAL WILDLIFE SEIZURES RECORDED BY OFFICERS OF THE NIGERIA CUSTOMS SERVICE.**

### **INVESTIGATION AND PROSECUTION.**

From the year 2021, Wildlife crime investigation and prosecution has been one of the priority areas of the strategy to combat the illegal trade in wildlife for NCS and so all IWT Interceptions from January 2021 are in court for prosecution with investigation from **PHONE ANALYSIS AND DNA ANALYSIS** to support other crime scene evidence.

**Phone analysis was carried out by experts using CELEBRATE while the DNA analysis was done in line with CITES recommendation by Wildlife Genetics Laboratory of the National Parks Agency (ANPN) in Gabon.**

### **INTER-AGENCY AND INTERNATIONAL COOPERATION.**

Nigeria Customs Service is a strong member of **the National Stakeholders Forum for Combatting Wildlife and Forest Crime in Nigeria**, enjoying a good working relationship with the CITES management authority, and a strong partnership with some critical stakeholders, local and international, particularly in information/intelligence sharing. Partnerships with **Wildlife Justice Commission (WJC) Focus Conservation (FC) WildAID, Environmental Investigation Agency (EIA) Nigeria Conservation Foundation (NCF)** amongst many others solely for the purpose of combatting IWT.

The expertise and resources benefited from this cooperation have tremendously improved the already existing NCS enforcement structure, and the above seizure reports are the results of this collaboration, with these seizures and other notable initiatives and Global support we can say that we have disrupted the criminal Network operating within and around Nigeria.

Nigeria has been relentless in tackling the hydra-headed monster called illegal wildlife trade, she has collaborated with a number of local and international organizations to organize training for front line officers, and this series of pieces of training has fortified the frontline officers (such as Customs, NESREA, Interpol, Immigration, etc) with the necessary expertise needed to curb the menace and drastically reduce it. Some of those efforts are highlighted below:

- I. Virtual training of Judges and Prosecutors on wildlife law enforcement hosted by Ghana Forestry Commission and the Nigeria Wildlife and CITES Management Division of the Federal Department of Forestry held at Reiz Continental Hotel, Abuja, Nigeria on 15<sup>th</sup> and 16<sup>th</sup> September 2020. The aims of the training are: CITES and the enforcement of its Acts and regulations; Identification of criminal networks and the supply chain; Wildlife crimes and related charges; Financial crime

investigation; Mutual legal assistance and wildlife crime, and; the WildScan application, its uses and its usefulness.

- II. Virtual Train the Trainer Training on the implementation of Convention on International Trade in Endangered Species of Wild Fauna and Flora for Customs Authorities Held at Reiz Continental Hotel, Abuja, 9<sup>th</sup> To 13<sup>th</sup> November 2020. The aims of this training are: CITES and the enforcement of its Acts and Regulations; Checking if a Species is CITES listed; the Species in trade within the region; Customs role and profiling at the border and ports; Identification of animals even in their disguised and modified forms; Permit authenticity and fraud; Wildlife smuggling, techniques, routes and species concerned; Examination of live animals at the border and ports; Evidence management; Post detection processes; the WildScan application, its uses and its usefulness.
- III. Training Workshop on combatting West African illegal trade in Vulture and its part for belief-based use organized by Nigerian Conservation Foundation held at the Links Hotel, Abuja, Nigeria on 14<sup>th</sup> – 16<sup>th</sup> December 2021. The aims of the training are: CITES and the enforcement of its Acts and regulations; Wildlife crimes and related charges; and Mutual legal assistance and wildlife crime.

This training has been instrumental in has series of seizures that have been made by the frontline officers and a lot of arrests have been made which has led to the disruption of illegal wildlife network syndicate.

## **F. ISSUANCE OF EXPORT AND INFORMATION SYSTEM**

The issuance of CITES permits in Nigeria to date is done manually, this system gives rise to numerous possibilities for document abuse, delay, and corrupt practices, both when documents are issued and upon inspection at border crossings.

Case studies highlight a number of such practices, some involving high-level officials. They range from permit fraud, bribery to obtain export permits, permits falsified, post-export issuance of timber permits and false captive breeding information on ape export permits from Nigeria, and re-use of permits in Viet Nam for rhino horn whose hunting was facilitated by corrupt professional hunters. To help curtail these lapses, the following recommendations were made:

- i. The introduction of e-permitting systems to help streamline and better regulate CITES processes, ensuring adequate monitoring of permitting systems with strong deterrent penalties for anyone convicted of abusing them.
- ii. Improved training for relevant officials so they can detect abuse, and improving measures to make paper documents more secure

## **G. HANDLING AND DISPOSAL OF SEIZED STOCKPILE OF CITES LISTED SPECIES**

- i. **Control measures were put in place to secure storage facilities of seized stocks of CITES-listed species including Ivory, Pangolin, etc.**
  - Installation and fortification of forty feet (40 ft.) containers in use as the Temporary Holding Facility at our Abuja and Lagos offices;
  - Installation of a Perimeter fence around the containers to restrict direct access;
  - CCTV, as well as online views, are already in place in the wildlife storerooms
  - Three (3) key holders for the 3 security alarm padlocks;
  - Nigeria has carried out an inventory of its Stockpiles using the Stockpile Management System (SMS) and this data is well secured in the cloud (server);
  - Wildlife Storeroom Security Incident Report Forms in place;
  - Wildlife Storeroom Access Register Forms for visitors;

- Security guards watch.
- ii. **Risk of leakages:**
- There is a Periodic audit of the Wildlife stockpiles to avoid discrepancies in the already established records of the stockpiles
  - Closed supervision at various levels to avoid negligence in the day to day operations
- iii. **Development of a uniform protocol for the marking, recording, handling, storage, and disposal of seized and confiscated specimens and any other areas linked with the above subject:**
- The Agency during its inventory exercise developed a standard coding inscription to mark all specimens, based on their locations and types;
  - Application of electronic records using SMS application as well as data sheets;
  - Standard Operating Procedures (SOP) is in operation for handling, movement, and Handing/taking over of specimen;
  - Approval by the Honourable Minister of State for Environment on the disposal of seized and confiscated specimens already given. The Country is in the advanced stage of disposal of stockpiles under the Agency (NESREA) custody using Crusher and Pulverizer which will be turned into a monument of one of the endangered species e.g elephants or Rhino.