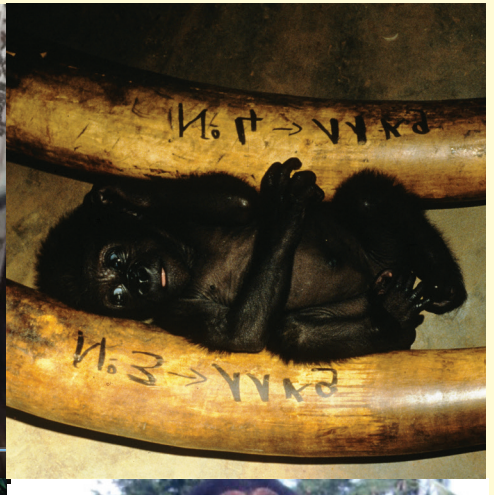
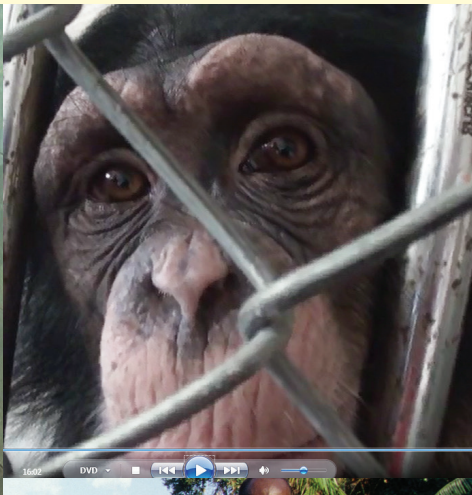


The CITES

Permitting System and the Illegal Trade in Wildlife



LIVE ANIMAL TRADE IS OUT OF CONTROL

This report provides evidence that CITES is failing to police the trade in live animals of endangered species

The level of fraud and falsification of CITES trade permits has reached a level where illegal trade is actively encouraged by this lack of control.

Documented is the extent to which parties with governance problems now use the CITES permitting system to circumvent the most basic aspects of controls while enhancing income by employing a range of corrupt and criminal activities.

Also documented is the role played of the importers and that of the CITES secretariat which is involved in the cover up of a wide range of corrupt and criminal activities.

Evidence presented includes scans of a range of illegal CITES permits.

The report is the result of investigations into the trafficking of 135 chimps and 10 gorillas from Guinea in West Africa to China, clearly carried out illegally.

In the process of this investigation the head of the CITES management authority of Guinea has gone on record stating that:

“the CITES convention is the dirtiest of conventions when it comes to fraud and falsification”.

Based on the present system there is absolutely no control on the level of trade which is taking place.

ACTION NEEDED NOW

ENACT NOW the proposals that exist for a new staff member to be introduced at the CITES secretariat in Geneva to evaluate any permit for the live import or export of any CITES one listed species.

This is a system which used to be in place and would today be much easier to administer considering modern communication and scanning technology

TAKE ENFORCEMENT ACTION against past illegal exports and imports as stipulated under Article VIII of the Convention.

FAILURE TO ACT

In light of the evidence, if no action is taken against even these most flagrant of infractions, it means they are being sanctioned under the existing CITES system with a wide range of parties deriving commercial benefits based on these illegal transactions.

In the absence of any significant action, then the question must be - has the convention and its administration become part of the problem?

The international and illegal trade in wildlife has received considerable attention in the past few years. Many individuals around the world concerned with the illegal trafficking of live animals, their products, and the more general loss of biodiversity, are aware of a UN Convention dealing with the illegal aspects of the trade, and the objective that the legal trade remains sustainable. The United Nations represents a global governance body which is mandated to take care of at least some of humanity's problems and those of the natural world. The Convention for the International Trade in Endangered Species (CITES¹) is part of that body, and concerned observers regularly hear about the role of CITES, and the actions taken during a variety of meetings taking place around the world. To many, CITES is a recognized body spending tax payers money to ensure that the trade is not growing out of control, and endangered species become extinct. A huge number of government officials represent their countries at these meetings and tell their voters and tax payers that they are doing their share within the CITES context. The implication is that things are being taken care of and there is no need for anybody to have sleepless nights. Having produced many documentaries on the illegal and expanding trade in endangered wildlife, I do have sleepless nights!

The rest of this paper sets out the reasons for my lack of sleep.

THE CITES PERMITTING SYSTEM

The permitting system regulating the trade is clearly the backbone of the Convention, and without an effective functioning permit system regulation is a myth. Like any trade convention there needs to be rules and regulations. If these rules are adhered to, and there are mechanisms to confront Parties which do not comply with the rules, then taxpayers money spent on the enforcement component is a worthwhile investment. The CITES system relies on export, and for CITES I listed species (the most threatened), import permits. These are issued by the Parties and at a later stage, summarized returns are submitted to the Secretariat in Geneva. Aspects of these returns are then included in a CITES trade database. The database is open to public view and is meant to help make the trade in wildlife and other CITES listed products sustainable.

In February 2001 the Secretariat notified the Parties that:

2. As a result of the budgetary decision made by the Conference of the Parties at its 11th meeting, the Secretariat has been unable to employ a member of the staff to work full time on matters relating to permits.

It goes on under:

5. Parties are reminded that the Standing Committee had previously agreed that the Secretariat not undertake work involving routine permit confirmation matters.

The foregoing statements are an admission that the permit system is not being effectively policed, and therefore is open to widescale abuse.

¹The Convention on International Trade in Endangered Species (CITES) is a body within the United Nations. The signatories to the Convention i.e. the members are known as 'Parties', and when all the signatories meet, these meetings are known as 'Conferences of the parties' (CoP). The last CoP was in Bangkok in 2013 and the next one will be in Jo'burg hosted by South Africa at the end of 2016.

We spoke to the member of staff at the Secretariat who prior to this unilateral decision of Feb. 2001 had been in charge of the permit checking system. He explained that his office checked up to 50 permits a day and that there was, at the time, already a serious problem with falsifications and fraud, and that it did not only involve economically less developed countries. He cited the case of birds of prey being trafficked from Spain to Germany, which were falsely being declared as captive born when they were not. The same staff member was also in charge of the 'infraction reports' which at that time were still presented at the Conference of Parties. These reports illustrated cases where member states had not been in compliance with Convention rules, and where corrupt and criminal acts might have been committed, and if so were exposed. He explained that these infraction reports were terminated at about the same time, and this was also a unilateral decision taken by the Secretariat.

Clearly the above decision-making process involved a serious change in direction, with the Secretariat deciding what functions it could or should perform. During discussions with a range of parties well versed in CITES matters, the point was made that countries with poor governance records did not want to be exposed to a 'name and shame' regime administered from Geneva. The permitting system had already become a problem issue illustrating some of the shortcomings of the Convention. It would appear that policy makers now decided that the easiest way to solve infractions was to stop looking for them.

Less than two years later at the Conference of Parties (CoP) in Santiago, Chile - the host country - submitted a proposal for 'Verification of the authenticity and veracity of permits and certificates'. It outlined a scenario of "on more than one occasion the Secretariat has discovered and notified Parties of falsified permits and certificates, theft of security stamps and systematic attempts of fraud in the use of CITES documentation". It went on to propose that 'a mechanism be urgently established to limit the circulation of CITES permits and certificates in order to avoid the fraudulent use of CITES permits and certificates'. The Secretariat shot down the proposal on technicalities, stating: 'It tends to be restricted to those Parties (the forgery and alteration of permits) that do not employ security paper and many Parties do not experience any abuse of their documentation.'

By implication this was an admission that some Parties do have a problem, and rather than introduce measures to close loopholes, once again the Secretariat decided to look the other way as this was the easier option.

These actions, attitudes and decisions by the Secretariat marked the beginning of the opening of the floodgates, and the breakdown of any chance of an effective permit system, and the effective regulation of trade in many endangered species.

Various Parties to the CITES Convention which are home to valuable wild species quickly realized that even less control meant even more opportunities to advance personal interests with corrupt and criminal activities, and abuse now became rampant.

Today the situation seems worse than ever before, and while the following evidence concentrates primarily on African Parties to the Convention, and was compiled from an investigation looking into the trade on apes, there is little doubt that permit fraud is a worldwide issue which is getting worse.

It is difficult to get hold of issued and used CITES export or import permits because many Parties consider them covered under national privacy or trade secrecy regulations. However we have received a range of permits directly from traders involved in a wide range of such transactions. These were obtained through investigative work by actually infiltrating some of the networks. As with all contraband investigations the way to do this is by playing the role of a credible buyer or seller of the products being traded. In our case we set up a trading platform in Indonesia, with a web page, e-mail address and phone line. It was done to investigate the wide range of illegal ape

exports which took place from Guinea and neighboring countries from 2008. We initially concentrated on the corresponding producer and consumer countries. Indonesia was identified as one of these emerging markets with a middle class now having the disposable income to spend on entertainment in new safari parks and zoos. This was also the main driver behind all the illegal ape imports into China. Getting responses was not always plain sailing, several dealers only wanted to discuss conditions over the phone, and so the investigator at the Indonesian end needed to be coached to deal with such requests. When it came to effecting money transfers to places like Egypt, the DRC, and Guinea to pay for or advance administrative work - a code for bribes to buy the fake permits - banks were reluctant to transfer to some of the parties concerned and stipulated upper limits of only a few hundred dollars.



However we used this as the basis for asking traffickers to provide proof that they were serious dealers and had conducted such transactions in the past. That was best done by asking for copies of old CITES permits they had used for past such shipments. Some were happy to go further and sent us letters of reference from importers in China inviting them for visits; bank statements showing receipts from other buyers were also offered.

Letter of reference from Chinese importers to Guinean dealer

From gorillas to manatees to pygmy hippos the dealers made clear that in most cases they required an advance deposit before sending a capture team to source whatever was required. They said it was difficult for them to keep some of these species alive in improvised captive settings, costly to feed them, and they wanted them in and out as fast as possible. Pictures of past shipments, and animals held prior to export, were presented as evidence that they had the capacity to deliver.



A Japanese dealer inspecting his purchase of two manatees in a pool in Conakry, Guinea

The Ebola crisis was helpful in the context of these negotiations and the point they had reached. Clearly imports of great apes and other primates from West Africa had become an issue, and the dealers were happy to confirm that. With it came the proposal to use non range countries in the Middle East and North Africa as transit points; in most cases falsely declaring these countries as the points of origin based on permits stating that the primates were captive borne.

Now we started negotiations with such transit countries based on introductions from the dealers in Guinea and the DR Congo. The pattern regarding the corresponding import/export permits was the same as dealing with traders and officials in West and Central Africa. At this point it also became clear that there were worldwide

mafia networks of interlinked dealers conducting their business more openly than we expected. They all claimed to have good relations with the relevant CITES Management Authorities and were able to get pretty much any CITES export or import permit they wanted. The buyer was free to stipulate whether the source code was wild or captive borne and the Management Authority would just fill in whatever the buyer required. They did not need any detailed address of where any shipment was meant to go to, so that anybody could fill in pretty much anything with regard to the final destination or the facility sending or receiving them. We analyzed over 100 permits and not a single one had the required exit stamps, or information from the relevant customs authorities declaring exactly how many of a specific animal were actually in the crate, when it was shipped, or the sex ratio. This to some extent also explains why, when looking into the published CITES trade statistics, there are frequent discrepancies between what the importing and exporting Management Authorities declare as having been shipped or received.

Dealers regularly pointed out that the easiest way to ship CITES I listed live animals was to hide them in a shipment of CITES II listed species. This was and is widespread in the ape trade; the method was to buy Patas or Vervet monkeys, get permits for them and put in with them baby gorillas or chimpanzees. Dealers were keen to accompany such shipments to ensure their cargo arrived in good condition.

On at least two occasions the traffickers made clear that if the buyer insisted on a proper but falsified permit for apes, then they would make sure that their own CITES Management Authority would not file the duplicate copies of the permits when they did their annual reports to Geneva; and that the buyer should request his CITES Management Authority not to register the import returns either. This meant even three years after the transactions there would be no indication of any shipment having left or arrived as far as the missing serial numbers out of CITES permit pads were concerned. Except for the missing permit numbers however these numbers are not provided to the public as part of the CITES data being put on line.

Having explained the general background to what has evolved in terms of CITES permit fraud and falsification we will now look at specific examples.

THE DEMOCRATIC REPUBLIC OF CONGO (DRC)

The first time I encountered a CITES permit issue in the DRC was when we were working on a conservation project in the north of the country, and we managed to confiscate three illegally held chimps. At the time there was no sanctuary in the DRC willing to take them; however an establishment in Zambia was willing to receive them and give them a second chance. To be able to move the animals we applied for the required import and export permits. The chimps were held in a remote village due to a threat from those from whom we had taken them. They threatened that they would come and take them back or poison them. After several weeks with no feedback from our contacts in Kinshasa we asked our lawyer to try to get the export permit. A few weeks later we arrived in Kinshasa and met with the lawyer. We were told that he had sent his secretary to the minister's office every day for the last two weeks but there would be no way to get a CITES export permit unless U\$5000 bribe was paid. We had no choice but to pay, and did so via the lawyer, who included this expense in his invoice. The three chimps left and were listed in the corresponding CITES export permit as being 2 specimens only. As evidence mounted it became clear that U\$5000 for a shipment of CITES I listed species was the standard bribe throughout the region.

DR Congo also has an annual African grey parrot quota of 5000 birds which it regularly exceeds by several hundred percent. (see table next page)

Year	App.	Taxon	Class	Order	Family	Genus	Exporter	Importer quantity	Term	Purpose	Source
2000	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	14269	live	P	W
2001	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	10383	live	P	W
2002	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	2	live	P	W
2003	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	9419	live	P	W
2004	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	18574	live	P	W
2005	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	14139	live	P	W
2006	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	4461	live	P	W
2007	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	4725	live	P	W
2008	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	6323	live	P	W
2009	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	13583	live	P	W
2010	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	7702	live	P	W
2011	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	3662	live	P	W
2012	II	Psittacus erithacus	Aves	Psittaciformes	Psittacidae	Psittacus	CD	12891	live	P	W

Total exports of African Grey parrots 2000 – 2012. The years where the 5000 specimen quotas are exceeded are highlighted in red. W = Wild Caught.

Dealers tell the story of the full quota being held by the minister himself who sells parrot permits at US\$100 each. The dealers then sell their quotas with permits to the next link in the chain. Everybody in the chain is making money and we learnt from a South African importer that none of these permits are ever stamped 'out' at customs in Kinshasa, or 'stamped' in on entry to South Africa, so the dealer has no problem retaining all the copies. Once the parrots are cleared in Johannesburg the permit is shipped back for another similar export. Permit validity is always meant to be for six months and there were occasions when there were three cycles in this period using the same permits.

In 2008 while filming a documentary on the illegal export of a wide range of primates from the DRC to SA and onwards, I interviewed the head of ICCN (Institut Congolais pour la Conservation de la Nature who was the individual in charge of the national wildlife authority). He showed me a stack of CITES permits, all for timber species listed under the Convention. He pointed out that he was the party who had to sign them representing the Management Authority. We then established while investigating these primate exports that he was also in charge of the country's CITES Scientific Authority. The Scientific Authority is meant to look over the shoulder of the Management Authority, and issue 'Non Detriment Findings' to establish that exports and imports can take place without the wild populations being negatively impacted, or quotas exceeded. Obviously for one person to hold both these positions is a clear conflict of interest and this raises another question over aspects of the CITES permit control system. Greenpeace has reported in detail a wide range of corrupt activities involving these CITES listed timber exports from the DRC. It is a logical assumption that the signatures on the documents I saw stacked on the desk would not have been for free.

With regard to ape exports from Guinea to China (documented in a range of earlier Swara features - [1](#), [2](#), [3](#)) several Guinea based wildlife traders advertise that they have a branch in the DR Congo or work very closely with counterparts based in Kinshasa. When the Ebola crisis started in West Africa and it became clear that they would find it very hard to export primates from West Africa, and before suggesting transitting shipments via the Middle East, they mentioned the DR Congo as an option. We decided to explore this proposal via the dealership set up in Indonesia.

In April 2014 the Secretariat informed the Parties that it had learnt of a wide range of permits which were missing from the stock held by the CITES Management Authority of the Congo. They asked for help to trace permits which were unaccounted for. Having collected some of these permits I contacted the Secretariat stating that:

out of the 1010 permit numbers contained in their list only 178 seem to have been accounted for, this meant that 87.6 percent were missing based on the sequencing of the printed permits. I also asked why this exercise did not include previous years, bearing in mind the indications that fraud and falsification had been out of control for a long time.

I was convinced this was a pattern which had been going on for years so I started analyzing some of the earlier permits we had collected. We have one from July 2010 No. 3336 and then permit No.4367 issued in August 2012. This would indicate that in this period again over 1000 permits were issued. We then looked at the CITES trade data for this period for shipments from the DRC which would have required CITES export permits. Only just over 100 export permits, or less than 10 percent, ended up as being filed as a return with the Secretariat!

I submitted several of the missing permits which were collected from dealers. One was Permit 4367 which originally was issued for African Grey Parrots since it still contained the corresponding quota information (4640 out of 5000), except it was used to export 4 African Manatees to China. We received this permit from a dealer in Guinea, and it indicated that the animals were shipped from Guinea with a falsified DRC permit.

- There is no doubt that hundreds of fake and falsified permits were being issued annually. In terms of bribes collected, hundreds of thousands of dollars would have ended up with dealers who used them to pay corrupt CITES officials.

We also managed to get a wide range of permits for primates shipped from the DR Congo to Armenia, several were on the Secretariat's missing list and I provided them with the comments below:

- besides the real CITES export permits, the authorities in Armenia also presented what appear to be several invoices from a dealer in Dubai for shipments of primates which was supposedly used for the import of primates, most likely from the DRC, listed on the invoice as being 10 specimens at a cost of U\$ 25 each totaling U\$ 250.

DOMESTIC ANIMAL VILLAGE قرية الحيوان الأليف
 Tel.: 04 361 11386
 Fax: 04 361 11386
 P.O. Box: 11386
 Al Qusais, Block No. 4, Shop No. 7
 Dubai - U.A.E.

All birds and pets
 Dog training specialist
 11386
 صوب: 11386
 للحيوانات - تربية: 11386
 دبي - ا.ع.م.

INVOICE

To: EREN ARMINIA
FAUNA ART
Moscow, RUSSIA

Invoice No. 0001
 Date 25.02.2013

العدد Qty.	الوصف DESCRIPTION	السعر U. Price	المبلغ Amount
1	Monkey	250\$	250\$
Total Dhs. <u>250\$</u>			

For Domestic Animal Village

Receiver's Sign: [Signature] توقيع المستلم

An invoice from a dealer in Dubai for a shipment of primates going to Armenia

*dear mr *****
i m travelling from my pool.
i return yestaday evening in
conakry. here is my photo chimp
about document it is correct but today i call my freind in congo
say the goverment change the office director.
but i negociation whith the news director. i speak the lastdirector
if your cites bogar he confirm. if not you waiting i negociate with
news director cites in congo.
i waiting your answer

Email correspondence between our Indonesiaian set-up and a dealer in Guinea, please excuse the English!

In October 2014 a representative from the Secretariat informed me that “the head of the CITES Management Authority of the Democratic Republic of the Congo has changed this year.” The representative continued and stated that, “we undertook to inform the Standing Committee of the results of the formal discussions with the DRC which are ongoing.” This is a pattern in which the Secretariat deals with non-compliance issues - it downplays the level of infraction, included it in some kind of reporting to the Standing Committee, and then hopes the problem will go away.

In this case, changing the head of the CITES Management Authority was considered to be the answer, and as we will see under the Guinea case study, when it comes to going after countries for lack of compliance there is, at present, no case of any Party having been suspended from trade based on infractions and non-compliance. The Secretariat has the option to recommend suspension, and the Standing Committee has the powers to endorse them, and put suspension into actions. However the Secretariat makes a big issue out of every new Party which signs up to CITES, while the suspending of Parties appears to be an action they are not prepared to recommend.

The authorities in the DR Congo appointed a new head of the Management Authority, but absolutely nothing changed. Mr. Leonard Muamba Kanda morphed into Augustin Mwalala Nzola Meso, and the abuses continued as before.

Our dealer contacts confirmed that they could get CITES export permits for chimps, gorillas and anything else from Congo (see email above), and the exports could then take place from Congo or even Guinea. The permits would cost up to U\$ 5000 depending on which species and how many animals. CITES I listed species are more expensive then CITES II, permits wrongly declared as C (captive borne) being more expensive than W (wild sourced) etc. etc. This was all discussed before they mentioned the 50% deposit they wanted per chimpanzee, which they said would cost U\$7000 once we had the import permit.

In the end we paid U\$ 1000 saying we needed to see a copy of the permit for the Indonesian authorities to approve before any further negotiations. Any future payments could follow when the original permit was handed over. We then received a postdated permit No. 5275 with the only aspect which seems half way consistent being that the printed permits they are holding seem to be used and misused in a sequence. The same cannot be said for the CITES security stamps which are used on some permits and not others!

The image shows two falsified CITES permits. The left permit, No. 5275, is dated 09/08/2014 and is for two chimpanzees (Pan troglodytes) from Kinshasa. The right permit, No. 6152, is dated 08/10/2014 and is also for two chimpanzees (Pan troglodytes) from Kinshasa. Both permits are signed by the Director General of the Environment and Conservation of the DRC.

Falsified permits 5275 and 6152 from DRC but organized through the dealer in Guinea

We first received permit No. 5275 for two chimpanzees which came from a company called N.S.D SPRL in Kinshasa which we had never heard of before. The permit was obviously a badly falsified copy. We went back to our dealer in Guinea and informed him that the authorities in Indonesia would never accept this version signed by the former head of the CITES MA.

Shortly afterwards we got a backdated copy: permit No. 6152, which was signed by the new head of the authority. It was not much cleaner but was backdated to 1 August 2014, and had been signed and sealed with CITES security stamp 1174489.

The next step was to get permit confirmation with the supposedly Indonesian Authority requesting it from the Congo CITES Management Authority. A corresponding e-mail request from a Gmail account was answered on 07/10/2014 with attached confirmation. Even more worrying this referred to a 2013 quota for chimpanzees which clearly did not exist.

The image shows a confirmation letter from the Congolese Management Authority, dated 07/10/2014. The letter is addressed to the Director General of the Environment and Conservation of the DRC and confirms the authenticity of permit No. 6152. The letter is signed by the Director General of the Environment and Conservation of the DRC.

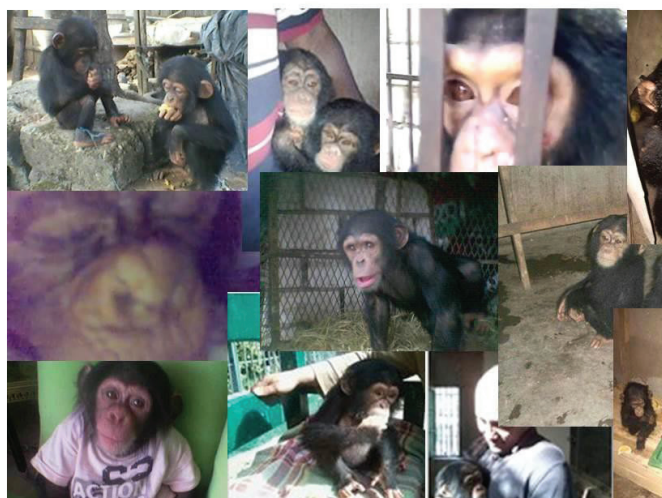
Confirmation letter from the Congolese Management Authority.

The email from the Kinshasa official also asked for the import permit to be issued to the proposed importer based on the approval for him to export these apes. At no point did any of the CITES Management Authorities ever ask the fake buyer in Indonesia to present the import permit first. This should be standard procedure in the case of CITES I listed species, and is an essential step that was being deliberately ignored.

Around this time the Ebola issue arose and we had a good reason to start discussing other routes for primates because no government would import apes from West Africa. Central Africa and the DRC were also not acceptable so new countries of origin had to be found.

Egypt and Syria

Our dealer in Guinea then recommended export or re-export permits from Egypt and gave us the contact details of dealers there. In this case the trader illustrated that he had chimps in stock (based on photographs which were marked with a recent time code) and then sent more pictures of already captive chimps which were supposedly in Chad.



This compilation of images of various chimpanzees on offer via dealers and Facebook in Egypt includes the ones offered by the dealer in question.

When he was first asked about getting CITES permits, this dealer reiterated that the easiest way was to smuggle the chimps and for them to travel in boxes with Vervet monkeys for which getting permits would be easy. This was shortly after some Sooty Mangabies were shot at Cairo airport after escaping from a shipment from Ivory Coast. However Ivory Coast does not have any of these primates, and they are indigenous only to the DRC. We declined to work this way on the grounds that CITES Indonesia wanted a “legal import”, which meant a proper export permit. Again we negotiated the asking price for a chimp permit for 2 animals with source code C and this time it was down to U\$500. We were provided the physical address and bank details and the funds were sent. In the response the dealer said he could not get these permits for U\$500, but would have to get them from Khartoum, and would need U\$10000. At this stage it became clear that this game could go on forever, and while the dealer might have chimps, he was criminal with ways and means to export them without any permits, or mixed in with CITES II listed primates.

We decided to take the issue to the CITES Management Authority of Egypt after the dealer told us that he was very familiar with some of the Egyptian officials. Another party also confirmed that he was a well-known wildlife dealer. The deputy head of the Egyptian CITES Management Authority wrote back saying he did not know the dealer and we should not get involved with such individuals. We then sent the email below suggesting that maybe

Regards ****

We documented in a separate film and report an Egyptian trader who had a range of agents in Cameroon supplying her with baby chimps and gorillas. She then trafficked the apes via Kano in Nigeria into Cairo, and then on many occasions they went onto other parts of the Middle East. On one occasion she was caught red handed with a crate of six baby chimps of which five then ended up at Sweetwater's chimp sanctuary in Kenya, and once again there was no attempt at any kind of enforcement in Egypt.

(١) فائمة تمسك بحمد

High level friends of former President Mubarak run a private zoo with some 15 chimps and 5 gorillas all were imported illegally by Mrs. Heba the dealer in question. Pressure was put on the CITES Secretariat in Geneva to act on concrete evidence which included presenting illegal CITES documents which highlighted the laundering of these apes to this facility by declaring them confiscated and handed over. The owner, Mr. Omar Gamal, had ordered them, had paid for them and accepted delivery at his Sharm el Sheikh facility. Geneva then sent its enforcement expert, who is only allowed to visit after he receives an invitation from the Party concerned. As usual, CITES came up with a long list of what Egypt should do to comply with the rules of the Convention. However once again there was no stipulation to comply with Article VIII of the Convention and to actually go out and prosecute the dealers in question, confiscate the apes and if possible, repatriate them. To coincide with his arrival the authorities did go and confiscate two small chimps from a very upmarket housing estate just outside Cairo on the road to Alexandria which keepers used as props for paid photo sessions.

At the CITES Conference of Parties in Doha in March 2010 the Secretariat had to report on its action to get Egypt endorsed as having completed the necessary compliance advice. They sent a documentation clerk from Geneva to Egypt with no experience in enforcement or compliance matters. He filed a very sketchy report declaring everything to be okay in compliance terms. The report was presented to the Parties in Doha amid the usual scenario of back slapping, and with the US and various other Parties asking for the microphone to congratulate Egypt on the effective action taken. We asked Mr. Laurent Gauthier, the document clerk from the Secretariat, for an interview in Doha and Geneva to discuss his findings and ask him which facilities he had actually visited and which apes he counted. It was impossible to get him on camera wherever and whenever we tried.

This type of fragrant failure by CITES to take effective action is not an isolated case, and makes a mockery of CITES' claims to be an effective organization.

From the same Doha meeting we have written reports of another meeting having taken place between the CITES Authorities of China and Guinea, with a representative from the CITES Secretariat facilitating and translating. There was a backlog of baby chimps in Guinea ordered by Chinese dealers but not yet delivered. This had been caused by a dispute regarding who in Guinea confirmed the validity of the export permits. We were informed that the bottleneck was cleared at that meeting, and that year 64 illegally sourced chimps from the wild officially left Guinea for China - most of them after the Doha meeting. The questions need to be asked; how high up did, and does, corruption go in the CITES Secretariat?

The Safaga Breeding facility is still breeding from the now mature chimps on a commercial scale. They have incubators, and the pediatrician - who was also named and involved with the smuggling of the 6 chimps from Kano to Cairo - is making press statements on delivering baby chimps with caesarians. The authorities informed us on an earlier occasion that they were involved in research and organ transplants, and surely human beings were more important than apes!!!! Mr Omar Gamal has already sold a number of baby chimps, one was reportedly confiscated when the buyer tried to export it in his hand luggage to Kuwait. The facility had never legally owned these apes in the first place, and even if they had, the first generation of captive bred CITES I listed species cannot be exported legally and commercially.

In addition to Mr. Omar Gamal, and his associates working in the Ministry of Environment, and actively marketing and selling baby chimps, there are also other private collection owners doing the same thing and competing with the Safaga Breeding Center. There has been constant evidence of chimps arriving and disappearing, with the CITES authorities being either complicit or blind. When we presented the head of the delegation at a CITES meeting with documentary and photographic evidence of what was going on, he looked at the images and then stated on camera they were all fake. He stated that, except for himself and a few others, nobody is allowed to enter

the breeding center, and as such nobody could have taken the photographs. He then threw the report into the street outside the conference center in Geneva!

Guinea

When it comes to permit fraud Guinea Conakry is the main culprit. We have documented a lot of the corresponding evidence in a detailed report: [The Conakry Connection](#)

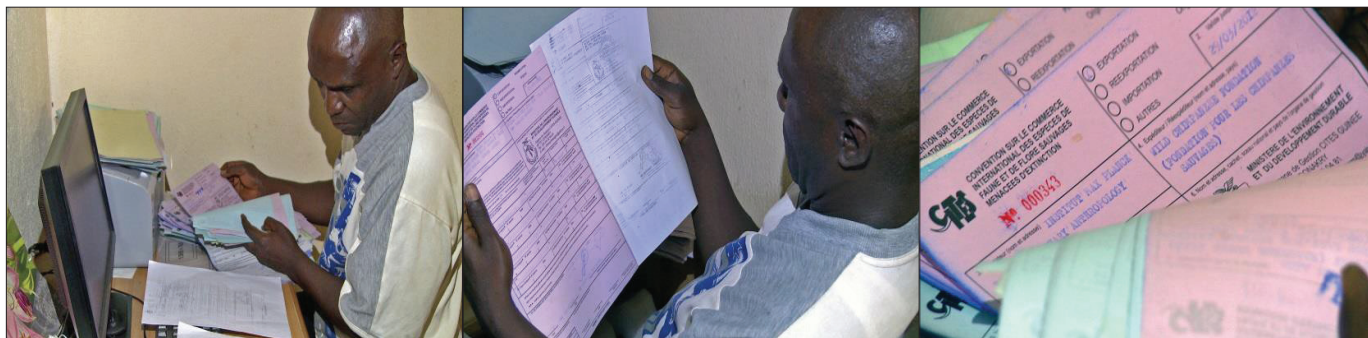
Guinea has been another total failure in the context of CITES compliance for a very long time - exporting up to a half a million wild caught birds annually until the bird flu issue largely put a stop to it. Then some dealers switched to mammals; in 2007 the demand for apes from zoos and safari parks in China was becoming a major opportunity. By 2011 Guinea had exported some 135 chimpanzee, ten gorillas and several bonobo with export permits all declaring them as captive borne. Not a single one was captive borne, they were all wild caught.

They are all CITES I listed species and so under the strictest of controls in CITES terms. There is little doubt that the importers all paid the same bribes for permits we were asked to pay and knew what was going on. The CITES Scientific Authorities which are meant to monitor the Management Authority in the context of exports and imports of high profile CITES I listed species, would have had to come up with non detriment findings, which could not have been arrived at for wild caught apes.

It is clear that for Guinea the CITES Scientific Authority was, and is, irrelevant and the important decision making party was the player who held the stock of permits and put the signatures and stamps onto them. In this case it was a Mr. Ansoumane Doumbouya who we interviewed and exchanged e- mails with. He went on record declaring that: “CITES is the dirtiest of the Conventions in terms of falsification and fraud”!

We had little doubt that he was also referring to the amount of bribe income he had to pass up the ladder. A CITES Secretariat mission which finally visited Guinea at the end of 2011 stated that they were told that he was instructed to leave signed copies of permits around whenever he was away from the office.

It is probably worth re-stating at this point that CITES is a UN body which is entrusted with effectively monitoring the global trade in endangered species. All the evidence we were gathering pointed emphatically to inefficiency, corruption, criminality, and a lack of any sense of responsibility in terms of closing loopholes which jumbo jets were being flown through with tragic consequences for wildlife.



The office of M. Doumbouya with his assistant looking for permits which had long ago been removed from the files

Did his office become a self-help supermarket or was it the best excuse he could come up with? When the Secretariat enforcement team visited they also stated in their report that they had in their possession all the falsified permits which had been used for the exports to China. Later on Guinea dealers also started shipping from neighboring countries such as Sierra Leone, Chad and Ivory Coast besides the link already established with

the DR Congo. The existence of these permits was also confirmed in an e-mail by the CITES Management Authority of China. When the pressure started mounting on the Secretariat, these documents became key pieces of evidence which should have been used by the relevant enforcement authorities to prosecute the dealers in question, confiscate the apes, and if possible repatriate them as outlined in Article VIII of the Convention.

The Secretariat team instead were handed some 125 permits they collected in Guinea to an independent consultant, except, surprisingly, they did not include any of the import or export permits for primates going from Guinea to China. While the above mentioned confidential report did not elaborate on whether the team from the Secretariat traveled to Conakry with the falsified permits in hand. What is sure is they did not discuss these copies with the authorities, or hand them to Interpol Guinea or any another enforcement authority to investigate. There is no indication that they asked the Guinea Management Authority representative why these permits they already had copies of, were not among the 125 handed over. When we asked Mr. Doumbouya for these copies, he predictably stated that the Secretariat had taken them away, and China stated they had already handed their copies to the Secretariat and we should ask them for a set. When we did so in e-mail exchanges we were told on two occasions that they did not exist and on one occasion that even if they did exist, they would not be handed over.....

Permit No. 003697

Species: **PAN TROGLODYTES**

Quantity: **8**

Date: **2010-09-15**

Issued by: **Ministère de l'Environnement et des Forêts**

Authority: **AUTORITE DE GESTION CITES-GUINEE**

非盈利性野生动物物种源进口免税申请表

收货人及地址 (中英文): Shanghai Wild Animal Park No. 178 Nanliu Road, Nanhai District, Shanghai 上海野生动物园发展有限公司 上海浦东新区南六公路 178 号		发货人及地址 (中英文): Birds Breeding Farm BP. 5881 Conakry, REP. De Guinea (几内亚) 法定代表人: SIDIBIE	
进口代理单位: 天津首恒国际贸易有限公司		出口国家: Guinea (几内亚)	
进口口岸: GUANGZHOU (广州)		发货口岸: Conakry (科纳克里)	
进口野生动植物 物种名称	拉丁学名	数量	单位
黑猩猩	Pan troglodytes	8	只
总外汇额 (美元): 184,000.00		人民币数额 (元):	
省级野生动植物行政主管部门意见:		允许进出口证明书编号:	
附件: 1. 申请单位申请书; 2. 合同 (协议书);		备注:	
联系人姓名及电话: 谢春雨 021-61180028; 13601861117		邮政编码: 201300	
填表日期: 2010 年 9 月 15 日 中华人民共和国濒危物种进出口管理办公室制			

The CITES Export permit for "the Shanghai 8"

11.2011 Sellar comment in the CITES mission report (Page 4)

Copies of export permits allegedly issued by Guinea were received from China and these all declared the animals as being captive bred.

24/2/13 e-mail from Ben VanRensburg enforcement officer which took over from Sella

The Secretariat would like to point out a misunderstanding in your message. In the context of its investigations related to fraudulent 'Guinean' documents, the Secretariat, during its 2011 mission, requested the Guinea CITES Management Authority to provide copies of all permits that it had issued since 2009 to the Secretariat. The Secretariat assumes that copies of all permits were handed over, but cannot independently verify this. The Secretariat did not 'take away most of their copies'.

The Secretariat is in no position to "enlighten about the status of the ten gorillas" and your question needs to be referred to the CITES Management Authorities that are alleged to be involved in this transaction.

04.2013 Caldwell Report

10 Gorillas, 10 Mandrills and 79 Chimpanzees, all Appendix-I listed species and all apparently bred in captivity in Guinea and having permits with numbers matching the format of those issued by Guinea...

13.05.2013 Reply from Meng to KS

(Question from KS: 10. What concrete measures were taken after the meeting between the Guinea and China MA at the CoP15 meeting in Doha in March 2010?)

For question 10, we have provided all relevant export and import permits to the CITES Secretariat for its information.

28.06.2013 Reply from Vasquez to SW

(Question from SW: 1. re: Import/Export certificates. Please can I receive photo copies?...Of particular interest and the most urgently sought are those relating to primate shipments...)

Many thanks for your observations. You are totally right, we are extremely busy and there are thousands of species, including the great apes, that requires protection and attention. With regard to your first question, we can simply repeat once again that the Secretariat does not have copies of these documents. We have taken note of your other concerns, and wish you all the best with your further undertakings with national authorities, INTERPOL and other relevant organizations. As far as we are concerned, we have already provided all the information at our disposal on the matter of your concern.

30.07.2013 Reply from Yeater to Reto

Please note that, at our request, Guinea provided a Secretariat mission team in 2011 with copies of 126 export permits it issued between March 2009 and March 2011, including one concerning the export of 2 live specimens of *Pan paniscus* (Bonobo) to Armenia. None of these permits related to chimpanzees or gorillas, as clearly indicated in the April 2012 report of Mr John Caldwell (Guinea – an analysis of recent wildlife trade), who analysed the permits for the Secretariat. Although Mr Caldwell compiled an internal report, we made it publicly available following a request to do so and consultation with relevant Parties.

Even if the Secretariat possessed the permit copies that you have requested, it would not be in a position to provide them to you without the consent of the issuing Parties – in this case Guinea and China – as they are not public documents

According to the CITES MA from DR Congo which had lost some bonobo or pygmy chimps illegally exported with Guinea permits raised some of the permit issues with Mr. de Meulenar from the CITES secretariat who was a team member visiting Guinea for the enforcement mission. The team received the corresponding ape export permits and 'he swears that the export to Armenia never took place (contrary to all the picture and video evidence collected since). He also confirms the export of" approximately " 10 gorillas:

"Ces faux papiers leur ont été donnés par l'ORGANE DE GESTION du GUINEE qui les avait saisis. Il y avait entre autre les Permis pour l'exportation des Chimpanzés des Gorilles et des Bonobos, mais il confirme que les exportations de BONOBO n'ont pas eu lieu, car les contacts à ce sujet étaient pris avec les Services concernés pour contrôler tout mouvement . Quant à l'ARMENIE, il jure qu'il n y a jamais eu l'exportation de BONOBO . Les exportations des autres Primates en Chine sont de l'ordre de 95 Chimpanzés qui ne sont pas tous de la RDC mais des plusieurs Pays(Information CITES) les Gorilles ,il affirme que c'est au nombre d'à peu près 10."

However there were Guinea dealers wanting to export more C sourced chimps and they sent us copies of some of these permits. We analyzed the one opposite for 8 chimpanzees going to Shanghai Wild Animal Park, and established 22 inconsistencies with this permit, which should have raised a forest of red flags with the Chinese Management and Scientific Authority offices. However, as outlined earlier, CITES I listed animals need an import permit as well (and the listing on the permits was for CITES I despite the fact that at the same time they were declared captive borne), and we found on the Chinese internet the Chinese version of a CITES import permit, together with a range of back up information which was indeed issued before the export permit by Guinea. This shows that the first party involved in this transaction, which classified these Chimps as captive borne, was the Chinese CITES Management Authority. The permit C loophole used for the export of large numbers of chimpanzees and gorillas clearly started in China.

Mr. Doumbouya made it clear that he did not see eye to eye with all his Guinea based dealers, and he gave us an export certificate which a local dealer had sent to a South African counterpart for the export of two elephants. Mr. Doumbouya pointed out that the original permit had been issued for two tortoises to the UK, and the trader had photo-shopped the document changing it to two elephants. The SA dealer paid for the permit, planning to ship the elephants to the UAE, however the elephants did not exist, and he asked for the return of his payment for the permit, and this is how the issue ended up in the public domain.

A CITES permit for tortoises...

Magically becomes elephants.



The Chinese CITES MA and a representative from the CITES Secretariat seem to enjoy a close working relationship

The confidential CITES mission report mentions a wide range of criminal and corrupt acts which were committed, but supposedly all were committed at the Guinea end. China was let off the hook, and this seems to be the pattern when it comes to the Secretariat and enforcement issues. The report also failed to mention the Doha meeting which the head of the Guinea CITES Management Authority confirmed in writing had taken place, and also stating that a representative from the Secretariat had facilitated the meeting which, according to another informant, resulted in clearing a back log of chimps which then left in the second half of 2010 as pointed out earlier. In what form and for what reason were these criminal and corrupt activities being endorsed by a representative from the CITES Secretariat and representatives from the Chinese and Guinea Management Authorities? There seems to be a marked reluctance at CITES to address these issues and answer these questions.

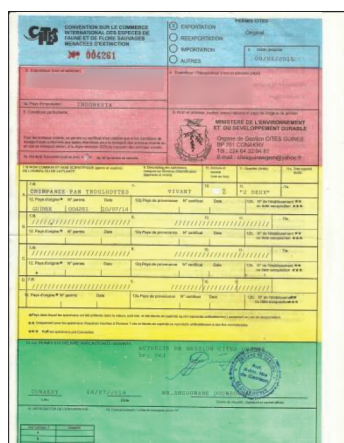
For the CITES Conference of the Parties in Bangkok in 2013 some cosmetic measures were taken. The head of the Management Authority of Guinea was supposedly removed (later denied by dealers in Conakry) and the Secretariat asked the Standing Committee to suspend Guinea, but only from commercial trade. That was the ultimate irony, because all these earlier transactions were classified as non commercial since no CITES I animal can be traded for commercial reasons and the purpose code was always Z for Zoo. This automatically meant the reason for import and exports taking place was for scientific and educational purposes, despite large sums of money having changed hands to get the apes from the forests in Africa to safari parks in China.

Clearly the Secretariat had the powers to suspend Guinea from all trade irrespective of the category, but it did not. Guinea is at the moment the only country, out of some 185, with a recommendation for suspension of trade for COMPLIANCE AND ENFORCEMENT issues. Our evidence and investigations have clearly shown that several other countries are in breach of the rules and should also be suspended.

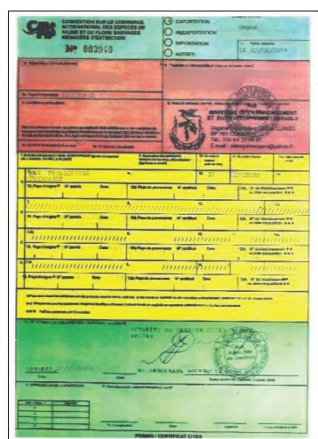
When we started talking to the Guinea dealers via our Indonesia website and email address it soon became clear that they did not consider these sanctions as anything they had to worry about. They happily sent out a new price list for various CITES I and CITES II listed species:

Name of animals	Price \$ us each	quantity	Transport cost
Gorilla gorilla	145000	2 pcs	18.000
Chimpanze	14000	2pcs	6.000
Africa manatee	40.000	3pcs	50400
Pygmy hippopotamus	42000	2pcs	35.000
Mandrill papio mandrillus	3000	2pcs	5.000
White collared mangabey	2000		
Black mangabey	2000		
Brazzas monkey	3000		
Olive colobus	3500		
Black and white colobus	3500		
Lesser spot nosed guenon	3000		
Patas monkey	300		
Mona monkey cercopithecus mona	3500		
Vervet green monkey cercopithecus pyertrus	1800		
Savanna baboon	500		

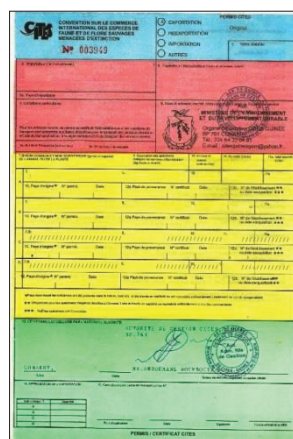
Again they offered ape export permits, with us listing the criteria we wanted to see shown in the documents (this was prior to Ebola and us shifting these negotiations to the DRC). Again we were told that the cost of a CITES 'C' chimp permit would be U\$ 5000. Again we negotiated to just get a copy which we could present to the Management Authority in Indonesia for verification. Then as with the DRC, we got the initial permit - No 004261 which once again was a badly falsified document. We rejected it for a range of reasons. Next we received permit No. 003949 which was the original front copy stamped, signed and sealed but otherwise blank, and we could fill in whatever we wanted without any of the information looking photo-shopped or false. No more reasons for us to come back with another complaint!



Permit 4261 – clearly falsified.



Permit 3949 a little better



And here it is again and then a completely blank one but signed dated and sealed

We did however question the signature by Mr. Ansoumane Doumbouya who was by now in theory the former head of the CITES Management Authority who we interviewed and who told us about the meeting in Doha in 2010. The trader informed us that the new head of the Management Authority, who was also in charge prior to Mr. Doumbouya taking over, was only in charge of bird exports, and Mr. Doumbouya still held the portfolios for the export of mammals!



The letter confirming the authenticity of permit 3949 from Doumbouya, unsigned.

We again dispatched a request to get this permit confirmed by the authority in Guinea. What came back was the attached letter dated 14/7/2014 except it came without a signature. When we pointed out this lack of signature to our dealer he informed us that the signature would come at an additional cost of US\$ 1500! It would appear that this was the key issue prior to the Doha meeting of the Parties.

The Chinese Management Authorities continued writing to their man, Mr. Keita - the former official who signed and returned these confirmation letters, and who collected the corresponding payments. Mr. Doumbouya had a problem with 'his' permits being confirmed by a third party who was not in charge at the Guinea end. He stopped it all and prevented some of the exports from leaving, which were then 'sorted out' at the meeting in Doha - facilitated by a representative from the Secretariat. Now the roles are totally reversed and Mr. Doumbouya, supposedly out of office, was doing what Mr. Keita had done: confirming an Indonesian request for a verification of an export permit.

What are the answers?

CITES Article VIII states:

1. The Parties shall take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens in violation thereof. These shall include measures:

- (a) to penalize trade in, or possession of, such specimens, or both; and
- (b) to provide for the confiscation or return to the State of export of such specimens.

Could there have been a more blatant and clear cut series of infractions of a wide range of Convention rules and regulations involving several high profile CITES I listed species? I have not heard of any case as obvious as this one.

It would have been the basis for the Secretariat to recommend to the Standing Committee that enforcement measures be taken in China, DRC, Guinea and Egypt with prosecutions as well as confiscations, DNA testing, and if possible, repatriation. Nothing happened. None of the key evidence in terms of the falsified permits was handed over to the relevant law enforcement agencies. The Chinese authorities, with the backing from the Secretariat, hid behind the letters they had received from Mr Keita claiming that they assumed all these apes (there were also ten gorillas and we now have records of a bonobo in a Chinese Zoo) had been captive borne and the permits were legal. This is ridiculous because simply googling 'CITES approved captive breeding facility of CITES I listed species in Guinea' would have shown that none exists and none of the exporting companies listed on the permits seem to exist, and there are a wide range of other irregularities and missing information on the permits which the Chinese Management Authority should have picked up.

As previously mentioned China also seems to have issued import permits first, declaring wild caught chimps as captive borne. Clearly the CITES Scientific Authority did not undertake any kind of assessment which would have resulted in the CITES Non Detriment Finding unable to support the transaction. This would have been enough to refuse the CITES Management Authority to go ahead and issue import permits.

Our investigations have shown that the enforcement component of the CITES convention is completely ineffective, and the knowledge of this lack of enforcement is now driving ever increasing abuse. More and more officials and government ministries are used to augmenting their incomes through corrupt and illegal wildlife dealing activities.

The growth in the illegal wildlife trade is tempting more corrupt officials in both the destination and source countries to jump on the CITES gravy train. They enjoy staying in expensive hotels, selling their votes to the highest bidders, and networking on expenses, plotting their next illegal trades.

During last year's CITES Standing Committee meeting in Geneva Congo based timber and wildlife traders accompanied that country's official CITES delegates! The bill for this dysfunctional UN organization is being paid by wild fauna and flora and tax payers from CITES member states.

As of August 2015, here is the latest price list from our contact in DR Congo:

dear mr ****

thank you for your message

the prices send you are for cites permit not for animals from congo.

the price for animals is including permit cites and freight cost

gorilla160.000 CNF *2= 320.000 USD

chimpanze.....18000 CNF *3 =54.000 USD

mangaby.....3000 CNF *5= 15000 USD

TOTAL.....= 389.000USD

the price of cites permit from congo

for chimpanze..... \$3000usd *3 = 9.000 USD

..... = 17.000 USD

you call the agency in syrie by phone . i waiting your news

best regads

TB

When a State does decide to trade in a CITES-listed species the Convention sets out three requirements that must be met, namely the need to:

make a legal acquisition finding – being a certification that the specimens have been taken in accordance with national law;

make a non-detriment finding – being a science-based biological sustainability finding that takes account of the role of the species in the in its ecosystem;

issue the appropriate permit/certificate and report the trade – being the formal authorization and report of the trade transaction to the CITES Secretariat.

Keynote Address by CITES Secretary-General John E. Scanlon. Tel Aviv August 2015

Karl Ammann
Nanyuki August 2015