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INSTITUT CONGOLAIS POUR LA CONSERVATION DE LA NATURE  
Coordination CITES



**NATIONAL IVORY ACTION PLAN OF THE DEMOCRATIC  
REPUBLIC OF THE CONGO  
2018-2019**



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## ABBREVIATIONS AND ACRONYMS

AFRICA-TWIX	Africa – Trade in wildlife information exchange (platform for information exchange on seizures of fauna and flora products in Africa)
ALCRIF	Law enforcement and fight against wildlife crime
AJURLAB	Legal support, law enforcement and anti-poaching in MLW landscape
ADN	Action for the defence of nature (former UNARICO).
ANR	National intelligence agency
AWEPA	Association of European Parliamentarians for Africa
AWF	African Wildlife Foundation
BAD	African development bank
BCN-INTERPOL	National Coordination Office-INTERPOL
BM	World Bank
BMZ	German federal ministry for economic cooperation and development
CARPE	Regional programme for the environment in Central Africa
CDB	Convention on biological diversity
CEEAC	Economic community of Central African States
CENAREF	National cell of financial intelligence
CIRGL	International Conference on the Great Lakes Region
CITES	Convention on international trade in endangered species of wild fauna and flora
CJ	Legal cell
CL	Local communities
CNIE	National centre for environmental information
COMIFAC	Central African forest commission

DCN	Directorate of nature conservation
DCVI	Directorate of control and internal audit
DEP	Directorate of studies and planning
DGDA	General directorate of customs and “accises” (name of a tax)
DGM	General Directorate of Migration
EDD	Environmental and sustainable development
FAO	Food and agriculture organization of the United Nations
FEM	Global Environmental Facility
GIZ	German international cooperation
GVTC	Greater Virunga Transboundary Collaboration
ICCN	Congolese institute for the conservation of nature
JURISTRALE	Lawyers for the strengthening and enforcement of environmental law
LAB	Anti-poaching
MEDD	Ministry of the environment and sustainable development
OCC	Congolese office of control
ONG	Non-governmental organization (NGO)
ONIP	National Office of Population Identification
PA	Indigenous People
PANI	National Ivory Action Plan (NIAP)
PAPECALF	Sub-regional Action Plan for the COMIFAC member States for the Strengthening of the Application of Wildlife Legislation
PBF	Program Biodiversity and Forests
PNAE	National Environment Action Plan
PNC	Congolese National Police

PNEFEB-2	National Programme for the Environment, Forests, Water and Biodiversity 2 <sup>nd</sup> generation
PNUE	United Nations Environment Programme
PTF	Technical and Financial Partner
RDC	Democratic Republic of the Congo (DRC)
RVA	Airway Management Authority
SADC	Southern African Development Community
UE	European Union
UICN	International Union for Conservation of Nature
UNESCO	United Nations Educational, Scientific and Cultural Organization
USAID	United States Agency for International Development
TRAFFIC	Wildlife Trade Monitoring Network
WCS	Wildlife Conservation Society
WWF	World Wildlife Fund for Nature

## SUMMARY

The DRC is a of the Congo Basin whose biological diversity is one of the richest in the world due to countless and very diverse wild fauna and flora that can be found on its territory.

The elephant (*Loxodonta africana africana*, *Loxodonta africana cyclotis*) is one of the most iconic species among the species representative of the rich diversity of the Congo Basin ecosystems.

However, this species is facing intense poaching for its ivory, its meat and some of its body parts (genitals, tail, etc.) which results in the decline of the elephant population in DRC, estimated between 6-10.000 individuals nowadays whereas there were more than 100.000 at the beginning of the 1980s.

This NIAP aims to contribute to the protection and sustainable management of pachyderms in the DRC in general, and specifically to fight against poaching and illicit trade in ivory. This document is subdivided in two parts, namely: presentation and implementation.

The first part is dedicated to the vision, the global and specific objectives, the priority actions related to the six pillars or strategic areas of intervention (legislation and regulation; investigation and prosecution; information related to crimes; national and international cooperation in wildlife crime; law enforcement operations; awareness raising and communication) as well as the matrix to monitor and evaluate actions and indicators.

The second part is about the structure for the implementation of the NIAP which will be led by the ICCN through the CITES Coordination and CITES Scientific Authorities in collaboration with all relevant stakeholders involved in the fight against poaching.

Finally, the success of the implementation of this NIAP depends on the involvement and effective adherence of all public and private relevant stakeholders, as well as that of the civil society, each of whom must contribute to the achievements of this NIAP.

## INTRODUCTION

The DRC is endowed with immense natural resources. Their good governance (rational and sustainable management) is an undeniable asset for the socio-economic development of the country. The extent of its forest cover, the size and density of its hydrographic network, the richness of its ecosystems and its biodiversity make it potentially one of the first environmental powers in the world.

The DRC is home to many different species of fauna and flora including endemic species (33 reptiles, 23 birds, 28 mammals, etc.). The elephant (*Loxodonta africana africana*, *Loxodonta africana cyclotis*) is one of the most iconic species of the country.

The DRC is now in a situation more critical than other countries of the sub-region of Central Africa. Indeed, the number of elephants which was around one million at the beginning of the 20<sup>th</sup> century, has been reduced to a hundred thousand at the beginning of the 1980s to be only a few thousand today. The latest estimates range from 6,000 to 10,000<sup>1</sup>.

This decrease is mainly due to poaching, operated in various forms. Practiced until about ten years ago to satisfy local consumption needs, it has become the business of major national and international criminal networks who use weapons of war (grenades, machine guns, helicopters, etc.).

The Government of DRC, through the ICCN denounce this professional poaching currently observed in protected areas of the DRC, and in particular in the National Parks of Garamba, Salonga, Upemba and Virunga as well as in the Okapi Wildlife Reserve (RFO in French).

The DRC has signed a number of international agreements and conventions related to environmental protection and the conservation of nature (forests, water, fauna, biodiversity). As part of the implementation of these legal international instruments, the National Programme for the Environment, Forests, Water and Biodiversity (PNEFEB) has been developed, a global strategic framework for interventions in the corresponding sectors. The strategic interventions of the PNEFEB take into account the directives:

- Of the CEEAC (Economic community of Central African States) developed in the convergence plan of the Central African Forest Commission (COMIFAC) and the Sub-regional Action Plan 2012-2017 for the COMIFAC member States for the Strengthening of the Application of Wildlife Legislation (PAPECALF);
- Of the SADC for the implementation of the action plan for the African elephant.

In accordance with the recommendations adopted by the CITES Standing Committee at its 65<sup>th</sup> session in Geneva, in July 2014, the DRC, which was among the eight Parties of “secondary concern” regarding elephant poaching and illegal trade in ivory, had to elaborate and implement a NIAP. Therefore, in March 2015, the DRC produced and transmitted to the CITES its first NIAP. After several evaluations from 2015 to 2017, as well as recommendations from CoP17, and the DRC being now a Party “of importance to watch”, it seemed appropriate to update the NIAP. This plan includes:

- A vision
- Global and specific objectives
- Priority actions for each pillar identified
- A matrix to monitor and evaluate actions and indicators
- Provisions for its implementation

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<sup>1</sup> Presentation of the General Administrative Director of the ICCN.

## **1. PRESENTATION OF THE ACTION PLAN**

The present NIAP for the DRC is composed of a vision, a global objective, specific objectives, priority actions and a framework for its implementation.

### **1.1 VISION**

Elephant poaching and ivory trafficking are substantially reduced on the national territory.

### **1.2 GLOBAL OBJECTIVE**

Strengthen the fight against elephant poaching and illicit trafficking in ivory and other specimens of elephants in collaboration with all the relevant stakeholders.

### **1.3 SPECIFIC OBJECTIVES**

- a) Strengthen the application of legal and regulatory texts applicable to wildlife in general and to elephants and ivory in particular.
- b) Strengthen the technical, material and financial capacities of conservationists and eco-guards committed to fight against poaching and enforce wildlife law, as well as other sworn civil law enforcement officers.
- c) Improve knowledge of legal practitioners (magistrates, judicial officers with general jurisdiction, lawyers and judicial defenders), the public, local communities and indigenous people on wildlife offenses and misconduct in particular in terms of poaching and ivory trafficking.
- d) Improve coordination, efficiency, communication, exchange of information and sharing of experience through the establishment of a platform for the structures involved in wildlife law enforcement in DRC.
- e) Improve the management and traceability system of ivory stocks in DRC.
- f) Facilitate the organization and media coverage of trials and hearings in courts and tribunals dealing with elephant poaching and ivory trafficking as well as other elephant specimens.
- g) Increase awareness and support the popularization of legal and regulatory texts applicable to wildlife in general, and to elephants in particular, in the DRC.

### **1.4 PRIORITY ACTIONS**

The adopted priority actions are grouped together into the six pillars below:

1. Legislation and regulation
2. Investigation and prosecution
3. Information related to crimes
4. National and international cooperation in wildlife crime
5. Law enforcement operations
6. Awareness raising and communication

#### **1.4.1 Legislation and regulation**

The legislative and regulatory arsenal of the DRC is quite rich and makes it possible to fight against poaching and the illicit trafficking of wildlife and its products. We can mention:

- Law n°14/003 of 11 February 2014 on the conservation of nature,



- Law n°82/002 of 28 May 1982 on the regulation of hunting,
- Ministerial Order n°056/CAB/MIN/AFF-ECN/01/00 of 28 March 2000 on the regulation of international trade in endangered species of wild fauna and flora,
- Ministerial Order n°014/CAB/MIN/ENV/2004 of 29 April 2004 on the implementing measures of the above mentioned law regulating hunting,
- Decree n°021/CAB/MIN/EDD/AAN/WF/05/2017 of 31 August 2017 transferring the CITES Management Authority to the ICCN.

This last decree brings a reform within the framework of the CITES whose current management system set up is very effective with:

- ⇒ A coordination of eight members working under the authority of a Director-Coordinator,
- ⇒ Eight Scientific Authorities (four for the fauna and four for the flora),
- ⇒ A CITES National Committee in DRC, established to strengthen inter-institutional collaboration, and whose mission will be, among others, to fight against illicit trafficking in wild specimens of fauna and flora in DRC.

Despite that, the implementation of a legal Congolese framework faces a number of issues, among which:

- The delay in elaborating the implementing measures of law n°14/003 of 11 February 2014 on the conservation of nature, thus making its implementation difficult
- The updating of certain texts, in particular the law n°82/002 of 28 May 1982 on the regulation of hunting.

However, six projects on the elaboration of texts on implementing measures for the law n° 14/003 of 11 February 2014 regarding the conservation of nature are ongoing and almost done and will be submitted to the Cabinet/Council of Ministers for approval and will then be sent to the Parliament for a vote. These include:

- Decree determining categories for protected areas that could be managed by the private sector;
- Decree determining the conservation objectives for each category of protected areas;
- Decree determining the list of wildlife (fauna) species entirely or partially protected;
- Decree determining the list of wild flora species entirely or partially protected;
- Decree on the regulation of international trade in endangered species of wild fauna and flora
- Decree project reviewing the statute of the ICCN, current CITES Management Authority.

Nonetheless, it should be noted that the new law on conservation, mentioned above, has, among other merits, strengthened the repressive regime in order to ensure the protection of species, ecosystems and natural habitats with dissuasive penalties of up to 10 years' imprisonment and a heavy fine of up to the equivalent of USD 100,000.

Despite this progress, it is essential and urgent to proceed with the development of implementation measures of the law n°14/003 of 11 February 2014 on the conservation of nature and the revision of the law n°82/002 of 28 May 1982 on the regulation of hunting, as well as the aforementioned decrees.

### 1.4.2 Investigation and prosecution

There is a certain weakness both in the search of offences and in the pursuit of their perpetrators. Indeed, several issues related to the system and the judicial procedures can be noted, namely:

- Among magistrates, there is little interest for issues related to wildlife crime and a bad perception of the social and real value of the natural heritage which results in a poor knowledge of texts related to these issues;
- During the investigations, a lack of human capacity and technical and logistical means to conduct a thorough work, which is reflected in the content of the files produced and in particular the minutes/proceedings;
- In terms of the execution of judgments: acquittals by indulgence with perpetrators of wildlife crime, pronouncement of little dissuasive sentences, non-application of the sentences pronounced, release and even organized escape of the convicts which benefit from various supports;
- In term of logistics: the difficult travel of the judges to court hearings, as well as those of the subjects to trial to the places of detention, trial and incarceration, etc.

More precisely, field studies have displayed:

- That public prosecutors transmitted only a small portion (around 1%) of the files related to anti-ecological acts to criminal courts, the rest being dismissed;
- That conservationists or site managers, performing the functions of judicial police officers with specialized competence, badly prepared the files transmitted to the prosecutor's office, resorted in abusive ways in the transaction procedure, hindering the information of the officers of the public prosecutor's office and hiding the scale of wildlife crime.

It is necessary to strengthen the capacities of the people involved in the different stages of the repression of wildlife crime. This concerns:

- ↳ Civil servants and sworn agents of the ICCN qualified as judicial police officers with specialized competence (see article 70 of the law n°14/003 mentioned earlier and the order n°021/CAB/MIN/EDD/AAN/WF/05/2017 of 31 August 2017 transferring the CITES Management Authority to the ICCN);
- ↳ Other personnel that qualifies as judicial police officers with restricted competence from the DCVI and from the Provincial Environmental Coordinations;
- ↳ Magistrates of civil and military courts and tribunals;
- ↳ Agents of other State structures that also intervene: DGDA, OCC, RVA, DGM, CENAREF, ANR, OGEFREM, Fluvial Command, General Staff of military intelligence, Directorate of production and plant protection of the Ministry of Agriculture and the plant and animal Quarantine Service of the Ministry of Agriculture.

It is therefore essential to ensure the strengthening of capacities of the people mentioned above and ensure a good collaboration among them to be able to fight effectively wildlife crime. This collaboration should happen, as suggested by the PAPECALF, within the framework of a National Coordination Unit for Wildlife Crime, ideally under the supervision of the highest authorities of the State.

### **1.4.3 Information related to crimes**

In DRC, the intelligence services related to offences against fauna are poorly developed. Indeed, in the protected areas (parks, fauna reserves), there are intelligence services by sector on poaching and wildlife offences in general and in particular on elephants. Apart from protected areas, the MEDD through the ICCN, benefited from the intelligence system of the BCN-INTERPOL and neighbouring countries as part of the cross-border collaboration (Sudan, Uganda, Rwanda), but there is still no standardized procedures of intelligence for wildlife crime offences.

To improve the intelligence system related to wildlife crime and ivory trade in protected areas, as well as elsewhere in DRC, the strengthening of capacities in human resources with an appropriate logistics remains a priority, as well as the interconnection with other specialized services.

### **1.4.4 National and international cooperation in wildlife crime**

Under CITES, a protocol of agreement for administrative collaboration has been signed between the DRC-CITES Management Authority and the border services (DGDA and OCC). The objective of this protocol of agreement is to improve the collaboration and consultation between these three signatory parties with the aim of strengthening border control as well as fight against illicit trade in wild species of fauna and flora listed in the CITES appendices.

It should be noted that this partnership for the control of border posts on the national territory gave promising results but requires technical and financial means to be able to strengthen the action and extend it to other border services such as the DGM, RVA, OGEFREM, ANR, CENAREF, PNC, the army, the border police, the Fluvial Command and the BCN-INTERPOL.

Besides, several institutions and/or NGOs participate in the management of the sector: La Ferme Espoir, TRAFFIC, WWF, WCS, AWF, CI, Fondation Lukuru, JURISTRALE etc. As is the same for some projects: Project of Sustainable Management of the sector of wild fauna and bush meat in Central Africa (Project VdB), International Project for the protection of great apes (GRASP), trans-border initiative of adjacent protected areas, the Greater Virunga Transboundary Collaboration (GVTC), etc.

Within the framework of strengthening the collaboration among the institutions involved in the fight against poaching (DGDA, OCC, INTERPOL, etc.), the establishment and operationalization of the National Coordination Unit for Wildlife Crime (UCN-LCF) or National Task Force against illegal trade in wildlife is being gradually implemented in relation to the implementation of PAPECALF in the DRC. This should foster collaboration among the stakeholders of this fight and improve law enforcement related to conservation.

### **1.4.5 Law enforcement operations**

In DRC, law enforcement operations against poaching are carried out with ICCN patrols in the protected areas, mostly in parks and game reserves which benefit from the technical and material support of the PTF. Some patrols are organized in collaboration with elements of the army, the national police and other specialized services.

The occasional collaboration with other State service should also be noted: Congolese armed force (FARDC) and the customs. The FARDC recently deployed an entire battalion in the Salonga National Park (PNS). Such operations also happened in Garamba National Park.

Civil servants and sworn agents of the ICCN have the powers of judicial police officers (OPJ) with restricted competence, including the duty to record all offences committed in relation with poaching and illicit trade of ivory and enforcing the law. They benefit from the assistance of inspectors of the DCVI and the coordinators of Province.

The ICCN made, with customs and the national police, several seizures of ivory stocks over the past three years with one seizure of more than 1,488kg of ivory. However, it should be noted that operations are seriously limited due to a lack of appropriate infrastructures, traveling, communication and dissuasion equipment. To this must be added, the lack of staff and financial resources of state subsidies.

The ivory seized in DRC is entrusted to the ICCN<sup>2</sup> and stocked in its warehouses before being sent to the Congolese Central Bank which currently has several dozen of tons.

It should be noted that criminals are organized in real armed gangs, much better equipped (weapons, ammunitions, vehicles, etc.) than the units committed to fight poaching.

The support and strengthening of capacities of the services and units committed to the fight against wildlife crime is necessary in order to stop elephant slaughter and illicit trafficking in ivory and its derivatives.

#### **1.4.6 Awareness raising and communication**

In general, the Congolese population is not informed and sensitized enough on the sustainable use of natural resources and related laws. Therefore, a number of people, including some officials, do not know that resources are exhaustible in their current form of use.

There was an association called the “Union of Ivorian Artists from Congo” (UNARICO) whose members held several ivory processing workshops in Kinshasa and in different Provinces of the country. Some complaints have been lodged and several persons have been brought before the courts and tribunals by the ICCN to stop these activities, without success so far. Currently this association formerly known as the “Union of Ivorian Artists from Congo”, which existed for several decades does not exist anymore, and became the “Action for the Defense of Nature” (ADN), a non-governmental development organization (ONGD) that was created in 2017 after the abolition of Kinshasa ivory market.

The conjunction between this ignorance and growing desire to become richer, leads to poor management and to the waste of resources, which in the long term could lead to the extinction of elephants.

Besides, the education and training national system related to the environment does not take into account the different aspects of biodiversity conservation.

The sensitization of the general population would promote awareness in the importance of safeguarding biological diversity in general and elephants particularly.

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<sup>2</sup> Article 83 of the law n°14/003 states that « in addition to the criminal penalties provided in article 71 and 81 of the present law and without prejudice to the law on firearms, the specimens and products as well as the objects used to commit offences under this law shall be confiscated and entrusted to the public body responsible for conservation.

## 1.5 MATRIX OF ACTIONS TO TAKE

PILLARS	PRIORITY MEASURES	RESPONSIBLE FOR THE EXECUTION	TIMELINE			
			January-June 2018	July-December 2018	January-June 2019	July-December 2019
A. Legislation and regulation	A.1 Revised some articles of law n°82/002 of 28 May 1982 on the regulation of hunting	<u>Responsible:</u> CJ/MEDD <u>Co-responsible:</u> Presidency of the Republic, Prime Minister, General Secretariat of the Government, ICCN, Parliament, relevant stakeholders	Drafting ToR	Study of the texts of law	Drafting of the bill	Validation and adoption by the stakeholders and submission to the Parliament
	A.2 Elaborate at least 4 implementing measures of the law n°14/003 of 11 February 2014 on the conservation of nature	<u>Responsible:</u> CJ/ICCN <u>Co-responsible:</u> Presidency of the Republic, Prime Minister, General Secretariat of the Government, CJ/MEDD, Parliament, relevant stakeholders	Further development and submission of text proposals	Further examination and validations of the texts	Entry into force and implementation	Implementation
	A.3 Elaborate a national decree to close the ivory market	<u>Responsible:</u> MEDD <u>Co-responsible:</u> ICCN, TRAFFIC and other NGOs involved	Revision of the decree proposal	Examination and signature of the decree	Entry into force and implementation	Implementation
	A.4 Working for harmonization at regional level (COMIFAC, SADC, etc.) of penal provisions on poaching and the fight against ivory trade	<u>Responsible:</u> MEDD (CN-COMIFAC) <u>Co-responsible:</u> MEDD (DEP, CJ), ICCN, national and foreign experts on wildlife crime, BCN-INTERPOL, experts from the Ministry of Foreign Affairs and Justice, CENAREF and other relevant stakeholders (TRAFFIC, etc.)	Continuation of the contribution and presence of the DRC in the different sub-regional meetings related to poaching and the fight against illicit ivory trade			

PILLARS	PRIORITY MEASURES	RESPONSIBLE FOR THE EXECUTION	TIMELINE			
			January-June 2018	July-December 2018	January-June 2019	July-December 2019
B. Investigation and prosecution	B.1 Strengthen capacities of the magistrates in courts and tribunals as well as those of the public prosecutor's department, judicial staff and administration and public service officers in terms of fight against poaching and illicit ivory trafficking	<u>Responsible:</u> MEDD/CJ and ICCN <u>Co-responsible:</u> Ministry of Justice, Superior Magistrate Counsel, ANR and other relevant stakeholders (TRAFFIC, WWF, WCS, AWF, GIZ, JURISTRALLE, etc.)	Further identification of target areas for poaching and illicit trafficking in ivory activities	Continue the training of at least 50 people from the judiciary in the other target areas identified	Continue the training of at least 100 people from the judiciary	Continue the training of at least 100 people from the judiciary
	B.2 Establish a system to collect data on sanctions and legal proceedings related to poaching and illicit trade in ivory and other elephants' sub-products as well as a mechanism to manage and monitor disputes on wildlife in general	<u>Responsible:</u> ICCN <u>Co-responsible:</u> MEDD (DCVI, DCN), Ministry of Justice, ICCN/Management Authority, INTERPOL and other relevant stakeholders (TRAFFIC, WWF, WCS, AWF, GIZ, JURISTRALLE, etc.)	Further collect of existing information. Definition of the mechanism	Continuation of the implementation of the tools		
	B.3 Swear in the officers in charge of anti-poaching	<u>Responsible:</u> MEDD (DCN-ICCN) <u>Co-responsible:</u> Prosecutor's office, TRAFFIC and other partners in support	Preparation of the files and list the officers affected in the different institutions and services	Oaths		

PILLARS	PRIORITY MEASURES	RESPONSIBLE FOR THE EXECUTION	TIMELINE			
			January-June 2018	July-December 2018	January-June 2019	July-December 2019
<b>B. Investigation and prosecution</b>	B.4 Multiply the court hearings of trials involving poaching and trafficking in ivory and other elephant specimens Ensure the media coverage of these hearings and a broad diffusion of the convictions of authors of poaching and trafficking in ivory and other elephant specimens	<u>Responsible:</u> ICCN <u>Co-responsible:</u> MEDD (CJ), Ministry of Justice, Ministry of Communication, official medias, TRAFFIC and other relevant stakeholders	Further collection of basic information	Update	Update	Update
<b>C. Information related to crimes</b>	C.1 Nominate the focal points for the Administration and the ICCN in the Provinces and strengthen their capacities in terms of intelligence and investigation related to poaching crimes	<u>Responsible:</u> SG/EDD-ICCN <u>Co-responsible:</u> DPSG, ANR	Nomination of the focal points	Training in investigation techniques and intelligence	Operationalization of the focal points	Implementation
	C.2 Implement a multidisciplinary unit (Task Force) in the dismantling of ivory trafficking networks (identification and eradication of poachers and ivory markets, supply sources in weapons and ammunitions in the whole territory)	<u>Responsible:</u> CITES Management Authority <u>Co-responsible:</u> Presidency, Prime Minister, Ministries of Justice, Interior, Defence, Transports, Foreign Affairs, Culture and Arts, ICCN, National Police, National Intelligence Agency, DGDA, DGM, General Directorate of Taxes, RVA (determine the service involved), BCN-INTERPOL, TRAFFIC and other partners	ToR for the creation of the National Coordination Unit for the fight against poaching and illicit trade in ivory	Identification of the hot spots (crossing posts of products, markets and workshops in ivory)	Operationalization of the unit	
	C.3 Mobilize material and financial resources necessary to implement intelligence operations and investigations	<u>Responsible:</u> MEDD, ICCN <u>Co-responsible:</u> PTF, Ministry of Budget and Finances, National Intelligence Agency, CENAREF	Elaboration of a budget	Mobilization of funds		

PILLARS	PRIORITY MEASURES	RESPONSIBLE FOR THE EXECUTION	TIMELINE			
			January-June 2018	July-December 2018	January-June 2019	July-December 2019
<b>C. Information related to crimes</b>	C.4 List existing stocks in ivory and develop, at the national level, a reliable system of storage and management of confiscated ivory	<u>Responsible:</u> ICCN <u>Co-responsible:</u> Congolese Central Bank, PTF, ANR, BCN-INTERPOL	Revision of ToR	Constitution of a team of experts	Mission and publication of the audit report and recommendations	Implementation of a reliable system of stocks management
<b>D. National and international cooperation in wildlife crime</b>	D.1 Formalize the implementation of National Coordination Unit (UCN) for the fight against wildlife crime in accordance with the PAPECALF recommendations	<u>Responsible:</u> MEDD, ICCN <u>Co-responsible:</u> Presidency, Prime Minister, MEDD, Ministries of Justice, Interior, Defence and other State institutions, TRAFFIC and other partners	Revision of ToR	Legal text formalizing the creation of the unit	Implementation	
	D.2 Improve cooperation in terms of detection of contraband of wildlife at the border posts	<u>Responsible:</u> MEDD <u>Co-responsible:</u> MEDD, Ministries of Justice, Interior, Defence, ICCN, Border Police, ANR, DGDA, DGM, CENAREF, OCC	Consultation with all the services involved	Implementation		
	D.3 Elaborate and implement at least 2 partnership agreements between the services fighting poaching in neighbouring countries (Uganda, Tanzania, etc.) and those of the DRC	<u>Responsible:</u> MEDD <u>Co-responsible:</u> Ministries of Justice, Interior, Defence, Foreign Affairs, Transports, ICCN, DGM, ANR, DGDA, CENAREF, OCC and relevant stakeholders	Consultation meetings including on the fringe of big sub-regional meetings	Preparation of protocols	Implementation	
	D.4 Support the services fighting poaching in equipment and material to detect contraband in strategic places	<u>Responsible:</u> MEDD, ICCN <u>Co-responsible:</u> Ministries of Finance and Budget, MEDD, ICCN and support partners	Identification of the needs	Implementation		
	D.5 Create a framework to exchange and share experiences among countries at the sub-regional level	<u>Responsible:</u> MEDD <u>Co-responsible:</u> MEDD, Ministries of Justice, Interior, Defence, Foreign Affairs and International Cooperation, ICCN, Border Police, ANR, DGDA, DGM, CENAREF, OCC	Consultation meetings with other countries of the sub-region			



PILLARS	PRIORITY MEASURES	RESPONSIBLE FOR THE EXECUTION	TIMELINE			
			January-June 2018	July-December 2018	January-June 2019	July-December 2019
<b>D. National and international cooperation in wildlife crime</b>	D.6 Strengthen the collaboration with an exchange of information system, an intelligence and coordination service with specialized agencies (CITES/ETIS, INTERPOL, etc.)	<u>Responsible:</u> MEDD <u>Co-responsible:</u> MEDD, Ministries of Justice, Interior, Defence, Foreign Affairs and International Cooperation, ICCN, BCN-INTERPOL, Border Police, ANR, DGDA, DGM, CENAREF, OCC, CITES/ETIS, TRAFFIC and other relevant stakeholders	Consultation meetings		Implementation	
	D.7 Elaborate at least 5 protocols of agreement with carriers (air, land and maritime companies) involving the systematic seizure of engines and vehicles incriminated in the transportation of ivory	<u>Responsible:</u> MEDD <u>Co-responsible:</u> Ministries of Justice, Transports, RVA, Civil Aviation Authority, SCTP (ex-ONATRA), DGDA, DGM, OCC, ANR, CENAREF, DGI, ONIP, PNC, targeted companies, partners	Meetings to get to know the different people involved	Elaboration of the draft protocols	Validation of the protocols and implementation	
	D.8 Strengthen bilateral and multilateral cooperation to combat elephant poaching in protected areas at the borders	<u>Responsible:</u> ICCN <u>Co-responsible:</u> MEDD, PTF, Ministries of Foreign Affairs and International Cooperation, Justice, Interior, Tourism, COMIFAC, ICCN, DGM, CIRGL, GVTC, AWEPA	Strengthen bilateral and multilateral contacts	Carry out joint activities		
<b>E. Law enforcement operations</b>	E.1 Strengthen intervention capacities of patrols and decentralized services (equipment, software, etc.)	<u>Responsible:</u> ICCN <u>Co-responsible:</u> MEDD, Ministries of Finance and Budget, Interior, Defence, PTF and other relevant stakeholders	Strengthen capacities		Implementation	
	E.2 Strengthen the training of protected areas management staff in the effective use of monitoring data collected in protected areas (SMART)	<u>Responsible:</u> ICCN <u>Co-responsible:</u> EMDD, PTF	Draft ToR	Proposal of new modules	Implementation	

PILLARS	PRIORITY MEASURES	RESPONSIBLE FOR THE EXECUTION	TIMELINE			
			January-June 2018	July-December 2018	January-June 2019	July-December 2019
<b>E. Law enforcement operations</b>	E.3 Dismantle remaining ivory networks and markets (workshops) and support the transformation of the UNARICO into the ADN	<u>Responsible:</u> MEDD, Ministries of Justice and Interior <u>Co-responsible:</u> MEDD, Ministry of Culture and Arts, PNC, ANR, CENAREF, concerned governorates, BCN-INTERPOL, ICCN, TRAFFIC, WWF, JURISTRALE, AWF, WCS and other relevant stakeholders	Identification of the remaining markets to be closed and of the networks to dismantle	Planning of dismantling operations and support to the transformation of the UNARICO into the ADN	Launch of dismantling operations	Assessment of the operations
<b>F. Awareness raising and communication</b>	F.1 Elaborate a communication plan on the fight against poaching and illicit trafficking in ivory	<u>Responsible:</u> MEDD (CNIE), ICCN <u>Co-responsible:</u> Ministry of the Medias, PTF	Draft ToR	Drafting of the project of communication plan	Validation of the communication plan	Implementation of the communication plan
	F.2 Promote incentives fostering conscious and active participation of CL and PA in the fight against poaching and illicit trafficking in ivory	<u>Responsible:</u> ICCN <u>Co-responsible:</u> MEDD, Ministry of the Medias, PTF, NGOs, civil society and other relevant stakeholders	Sensitization of CL and PA Development of incoming generating activities		Implementation	
	F.3 Carry out sensitization missions on the rightfulness of sustainable use of biological diversity, elephant case with audio-visual supports	<u>Responsible:</u> MEDD (CNIE) <u>Co-responsible:</u> DCN, Ministry of the Medias, ICCN, PTF, civil society	Production of supports and identification of the communication structures (visual-audio press)	Signature of at least 10 broadcasting contracts for sensitization programs with the visual-audio press	Broadcasting of the programs	
	F.4 Support activities related to environmental education in villages in elephant range and include it in school programs	<u>Responsible:</u> MEDD (CNIE), ICCN <u>Co-responsible:</u> Ministries of Education, Medias, DCN, ICCN, PTF, civil society, partners	Implementation			
	F.5 Step up a conflict management unit for human-animal in the Katanga	<u>Responsible:</u> ICCN <u>Co-responsible:</u> MEDD (CJ, DCN), Ministry of the Medias, Provincial governorates, ICCN, CL, civil society	Organize meeting for examination of the project and drafting of the document creating the cell		Implementation	

## 1.6 Matrix of monitoring indicators and sources of verification

PILLARS	INDICATORS	BASIC DATA AND SOURCES OF VERIFICATION
<b>A. Legislation and regulation</b>	<ul style="list-style-type: none"> <li>- Number of legal texts planned and developed</li> <li>- Number of sworn officers</li> <li>- Number of Provinces with provincial decrees on the closing of ivory markets</li> </ul>	<ul style="list-style-type: none"> <li>- Decree documents and other texts</li> <li>- Acts of appointment of sworn officers</li> <li>- Provincial decrees on the closing of ivory markets</li> </ul>
<b>B. Investigation and prosecution</b>	<ul style="list-style-type: none"> <li>- Database on wildlife disputes, complete and accessible</li> <li>- Number of judicial agents that benefited from further specialized training</li> <li>- Number of poachers and traffickers convicted and networks dismantled</li> <li>- Number of trials organized and court hearings</li> <li>- Number of reports on trials spread in the news</li> </ul>	<ul style="list-style-type: none"> <li>- State of the database</li> <li>- List of beneficiaries and reports on training sessions</li> <li>- Reports on arrests, judgements, convictions as well as material and sub-products confiscated</li> <li>- Judgement pronounced during court hearings</li> <li>- Recording of programmes and articles published</li> </ul>
<b>C. Information related to crimes</b>	<ul style="list-style-type: none"> <li>- Database set up, and completed on criminal networks involved in poaching and ivory trafficking</li> <li>- Audit performed on stock management</li> <li>- Reliable storage system implemented</li> </ul>	<ul style="list-style-type: none"> <li>- State of the database</li> <li>- Reports on missions and information exchange meetings in the involved structures</li> <li>- Audit report published</li> <li>- Periodical reports on the state of the storage</li> </ul>
<b>D. National and international cooperation in wildlife crime</b>	<ul style="list-style-type: none"> <li>- Number of contributions brought by DRC delegations to consultation meetings and joint missions</li> <li>- Equipment and material of contraband detection obtained and used</li> <li>- Funds made available to the services</li> </ul>	<ul style="list-style-type: none"> <li>- Texts of the contribution brought to meetings and missions</li> <li>- List of detection equipment and material</li> <li>- Extract of bank account of user services</li> </ul>
<b>E. Law enforcement operations</b>	<ul style="list-style-type: none"> <li>- Training plan established</li> <li>- Number of training sessions held and number of staff beneficiaries</li> <li>- Number of high impact operations carried on               <ul style="list-style-type: none"> <li>- Number of offences and fraud noticed</li> </ul> </li> <li>- Number of ivory markets closed and quantity of seized ivory</li> </ul>	<ul style="list-style-type: none"> <li>- Draft training plan</li> <li>- Calendar of sessions</li> <li>- List of staff trained</li> <li>- Missions reports</li> <li>- Reports on offences</li> </ul>
<b>F. Awareness raising and communication</b>	<ul style="list-style-type: none"> <li>- Number of sensitization missions</li> <li>- Number of programmes broadcasted by the medias on wildlife crime</li> </ul>	<ul style="list-style-type: none"> <li>- Reports on the sensitization missions</li> <li>- Products supports</li> </ul>

## **2. IMPLEMENTATION OF THE NIAP**

### **2.1 Management structure**

The NIAP is implemented by the ICCN through the Coordination CITES and the CITES Scientific Authorities in charge of wildlife issues (there are four), in collaboration with all the relevant stakeholders involved in the fight against poaching and ivory trafficking.

To do this, a National Technical Committee (CTN) has been established by order n°021/CAB/MIN/EDD/AAN/WF/05/2017 of 31 August 2017 on the transfer the CITES Management Authority to the ICCN. This Committee will provide orientations and advices on the technical aspects and will ensure that the NIAP activities take place in accordance with the proposed timeline.

### **2.2 Terms of Reference of the structures and peoples involved in the NIAP**

- The National Technical Committee (CTN)

The CTN includes, among others, representatives of the following institutions: MEDD, ICCN, INTERPOL, Ministry of Justice (Chancery Directorate), Ministry of Trade (Congolese Office of Control), Ministry of the Interior (DGM, national police, border police, ANR, ONIP), Ministry of Finances (DGDA/Anti-fraud team, General Directorate of Taxes, CENAREF, Congolese Central Bank), Ministry of Transports (RVA, SCTP ex-ONATRA, , Civil Aviation Authority), and other relevant stakeholders.

The missions of the Committee are:

- Provide the orientations on technical aspects;
- Ensure that activities are carried out in accordance with the work plan;
- Ensure the synergy between the different services involves in the implementation of the NIAP;
- Define and implement the practical means to improve the collaboration and consultation between the Management Authority, the Scientific Authority and other actors involved with the aim of controlling and fighting illicit trafficking in species of wild fauna and flora in DRC;
- Participate in the prevention, control, detection and pressure on the illicit trafficking in species of wild fauna and flora in accordance with the mutual respect of their competences and with the law and regulation in force;
- Evaluate the implementation of the NIAP in DRC and formulate recommendations;
- Approve and modify the NIAP prepared by the Management Authority which is the focal point for the NIAP, with the support of all relevant stakeholders;
- Arbitrate the conflicts that could arise between the implementing authorities.

This Committee will work in close synergy with the National Coordination Unit for Wildlife Crime in DRC.

- The national focal point

In accordance with the recommendations of the 65<sup>th</sup> session of the CITES Standing Committee held in Geneva in July 2014, the focal point for the NIAP in DRC is an official nominated by the Management Authority. The focal point's mission is to coordinate and follow-up on the implementation of the NIAP. The focal point is supported by two assistants, respectively, the CITES Management Authority and the CITES Scientific Authority.

The national focal point, with the support of its assistants, performs the following tasks:

- Execute the recommendations of the CITES and CTN;
  - Prepare and popularize the adopted legal texts;
  - Plan the execution of activities on the field;
  - Participate in the consultation meetings with other institutions involved in the implementation of the NIAP locally, nationally and at the sub-regional level.
- The relevant stakeholders

The implementation of the NIAP in DRC involves a lot of partners including:

- National and International NGOs (WWF, UICN, TRAFFIC, WCS AWF, WRI, JURISTRALE, etc.);
- PTF among which we can mention PBF/GIZ and KfW, CARPE-USAID, the World Bank, BAD, etc.;
- National NGOs among which one represent the local communities and the indigenous people.

These one will get involved in the following areas:

- Popularize the laws;
- Sensitize the communities;
- Support technically the different actors;
- Help to mobilize funds and finance some activities

### **2.3 Follow-up and evaluation**

The ICCN through the Coordination CITES, the NIAP focal point, the Scientific Authorities in conjunction with other partners involved in the Programme, including the Presidency of the Republic and the Prime Minister, will report regularly to the CTN and the CITES Secretariat on the evolution and effective implementation of the NIAP.

### **3. CONCLUSION**

Poaching and illicit trade in ivory are a plague which could, in the long term, lead to the extinction of pachyderms in DRC if appropriate measures are not taken.

The current NIAP, which is a sectoral guidance framework, highlights the necessity and urgency of the application of a rational and sustainable management of elephants for the good of current and future generations.

To do this, and in accordance with the CITES recommendations, the NIAP provide priority and urgent measures to take through five pillars: legislation and regulation; investigation and prosecution; information related to crimes; national and international cooperation in wildlife crime; law enforcement operations and awareness raising and communication.

The implementation of the priority measures planned in the NIAP 2015-2016 will enable to strengthen the fight against elephant poaching and to better control ivory trafficking, in collaboration with all the actors involved in the sector.

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