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## Joint Meeting of the Bern Convention Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds and the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean

*(Valencia and Online 7 to 9 June 2022)*

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UNEP/CMS/MIKT5/Inf.8

### SPAIN'S ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES



The European Union was recognized as Champion Plus for their generous support and commitment towards addressing Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean for the period 2018 - 2023. This activity has been funded with the contribution granted by the European Commission under the Migratory Species Champion Programme and through the Global Public Goods and Challenges (GPGC Programme) Cooperation Agreements with UNEP.



# SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES

**We are left alone: let's finish with the extermination of species**



Approved by the Council of Ministers on 02/16/2018 (BOE nº87)





# SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES



Madrid, 2020

This publication reproduces the content of the *Resolution of April 4, 2018, of the General Directorate of Environmental Quality and Evaluation and Natural Environment*, by which it is published the *Agreement of the Council of Ministers of February 16, 2018 to approve the Spanish Action Plan against illegal trafficking and international poaching of wild species*. The above mentioned Resolution was published in the Official State Gazette (BOE) No. 87 of April 10, 2018.

With respect to Resolution of April 10, 2018, the names of the Departments involved and executors of the actions and measures of the TIFIES Plan are updated, in accordance with Royal Decree 2/2020, of January 12, by which the ministerial departments are restructured.

Likewise, some clarifications are introduced in the Background to tell apart references to the EU Action Plan or the Spanish Action Plan, and slight restructuring of some paragraphs is made for a more fluid reading, without altering in any case the original content of the Official State Gazette.

# SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES



MINISTRY FOR THE ECOLOGICAL TRANSITION AND THE DEMOGRAPHIC CHALLENGE

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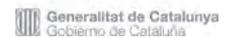
## Collaborating administrations:

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SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES





# I. INTRODUCTION AND BACKGROUND

## 1. INTERNATIONAL CONTEXT AND PROBLEMS

Wildlife trafficking<sup>1</sup> has become one of the world's most profitable illegal activities. It is not easy to quantify the exact scale, but several sources<sup>2</sup> estimate that profits from this trafficking amount from \$10 to \$23 million per year. Trafficking and poaching affect a wide range of protected species such as elephants and rhinos, corals, pangolins, tigers and great apes.

A few well-known examples can be mentioned. The illegal ivory trade has grown exponentially since 2007, and it is now three times bigger than it was in 1998. In South Africa, rhino poaching increased by 7,000% between 2007 and 2013, severely endangering the survival of the species<sup>3</sup>. Between November 2013 and April 2014, the authorities in several transit and destination countries seized over 4,000 tons of an endangered species of rosewood, suspected of having been illegally exported from Madagascar.

Another example is the illegal trade in rhino horns. According to the EC, there are clear evidences that organised criminal groups are involved in rhino poaching and illegal trade in rhino horns<sup>4</sup>. These groups operate in rhino distribution areas and also in Europe, where robberies of rhino horns have been reported in museums, auction houses, antique stores and from taxidermists. In addition to this rise in poaching,

there is evidence to suggest that organised criminal groups involved in the reception and trafficking of rhino horns are operating in the EU. This has led to the implementation of specific actions by Europol on illegal rhino horn trading in the EU. The CITES COP17 meeting also expressed concern about cases where resolutions on hunting trophies have been deliberately flaunted. Additionally, research carried out by the EU has found that criminal networks have contracted individuals in importing countries, paid for their hunting safaris and then taken possession of their trophies to sell them illegally to Asian countries<sup>5</sup>.

The EU is playing a major role in the fight against this trafficking, since Europe is currently a destination market and a central transit hub for transfers to other parts of the world. It is also a source region for some of the illegally traded species. In recent years, Member States have reported seizures of elephant ivory and rhino horns in transit, as well as illegal imports of live exotic birds and reptiles. Several tons of eels from the EU, an endangered species, have been reported to have been illegally sold in Asia, too.

## 2. IMPLICATIONS FOR THE RULE OF LAW AND SECURITY

Wildlife trafficking and poaching has a devastating impact on biodiversity and endangers the survival

1 Wildlife trafficking is defined as the international and non-international illegal trade in wild animals and plants and derived products, as well as closely interlinked offences such as poaching.

2 <https://www.unenvironment.org/news-and-stories/press-release/gef-steps-efforts-combat-wildlife-crime-additional-40-million-expand>

3 EU Action Plan (COM (2016) 87 final). [http://ec.europa.eu/environment/cites/pdf/WAP\\_EN\\_WEB.PDF](http://ec.europa.eu/environment/cites/pdf/WAP_EN_WEB.PDF). Commission Staff Working Document (SWD (2016) 38). <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016SC0038&from=es>

4 Commission notice (2016/C 15/02). Guidance document: Export, Re-export, Import and Internal Trade of Rhino Horns within the EU.

5 CITES COP 17 2016 Doc. 39.1

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**SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES**

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of some species. In addition, it is not only an incentive for corrupt practices but also actually triggers them, thus undermining the Rule of Law. It also has a negative effect on the potential for economic development, particularly in some parts of Africa<sup>6</sup>.

Wildlife trafficking and poaching is attractive to criminals, since it is highly profitable and in most cases, attempts to suppress it are a low priority in comparison with other illegal activities, making the chances of detection and apprehension extremely limited. As often reported, it is linked to money laundering and other types of organised crime such as drug and gun trafficking<sup>7</sup>. The United Nations Security Council has acknowledged that wildlife trafficking and poaching in Central Africa is intensifying conflicts and threatening national and regional security due to its use as a source of funding for militia groups<sup>8</sup>.

### **3. THE NEED TO ADDRESS HUMAN-WILDLIFE CONFLICTS AND TO ENGAGE LOCAL COMMUNITIES IN THE CONSERVATION OF BIODIVERSITY**

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According to FAO, in Sub-Saharan Africa (one of the regions most affected by illegal wildlife

trafficking) several factors (droughts, natural disasters, civil conflicts, etc.) are leading to large scale human movements away from degraded rural zones and into well-preserved natural areas, which offer a greater potential for resource gathering (protected areas and their surroundings). This gives rise to conflicts between people's basic needs and wildlife conservation. The inappropriate resolution of these conflicts between resource use and wildlife conservation increases food insecurity in local communities and causes a progressive degradation of biodiversity. Additionally, uninhabited or sparsely populated areas exist in natural protected areas as a result of the zoning of these spaces, which are often used as irregular safe havens by migrants and groups that use natural resources illicitly and/or are engaged in illegal activities such as drug trafficking, poaching, illegal logging or illegal wildlife trafficking, which are not easy to monitor in a context of lack of administrative resources and infrastructure and institutional fragility.

Sustainable use of wildlife can be compatible with and contribute to conservation. Likewise, properly regulated hunting as a sustainable use of wildlife has been identified by the European Commission<sup>9</sup> and the IUCN<sup>10</sup> as an important conservation tool which can benefit biodiversity conservation and also socio-economic develop-

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6 See document SWD(2016) 38.

7 See document SWD(2016) 38.

8 Resolutions 2134 (2014) and 2136 (2014); *Report of the Secretary-General on the situation in Central Africa and the activities of the United Nations Regional Office for Central Africa*, 30 November 2015.

9 UNEP-WCMC. 2014. Overview of current opinions for species for which the introduction of hunting trophies is due to be subject to the provisions of Article 4 of Reg. (EC) No 338/97. SRG 67/8. UNEP-WCMC, Cambridge.

UNEP-WCMC. 2013. Assessing potential impacts of trade in trophies imported for hunting purposes to the EU-27 on conservation status of Annex B species. SRG 65/7. UNEP-WCMC, Cambridge.

10 IUCN SSC 2012. IUCN SSC Guiding principles on trophy hunting as a tool for creating conservation incentives. Ver. 1.0. IUCN, Gland.

IUCN 2016. Informing decisions on trophy hunting. A Briefing Paper for European Union Decision-makers regarding potential plans for restriction of imports of hunting trophies. IUCN Gland.



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ment of local communities in source countries. For this reason, it can be one of the most efficient tools for combating trafficking and poaching in source countries. In this regard, the EU that plays a major role in the global trade of hunting trophies, since Spain and Germany are, together with the United States, the countries which import the largest numbers of hunting trophies from abroad yearly<sup>11</sup> seeks to ensure the sustainability of this activity.

Ultimately, the need to encourage the involvement of local populations who coexist with wildlife species as major stakeholders in their conservation must be acknowledged by fostering their socio-economic development initiatives related to wildlife conservation and sustainable use as a means of achieving the well-being of the communities and society in general through the irreplaceable ecosystem services that they provide.

## 4. GLOBAL SCOPE

### International level

In recent years, interest aroused to fight wildlife trafficking has grown in the international political sphere due to the increase in its impact and scale. In July 2015, the UN General Assembly ratified the first resolution on this issue, co-sponsored by all the EU Member States<sup>12</sup>. In this regard, Resolution 2/14 on illegal trafficking of wildlife and derivative products was adopted by the UN Environment Assembly (Nairobi, 23-27 May 2016<sup>13</sup>). The issue has also been addressed at other major international events such as the Conference held in Kasane (Botswana) in March 2015<sup>14</sup> and the G-7 Summit, held in June 2015<sup>15</sup>. As a result of these conventions, the international community, including the EU and its Member States, has

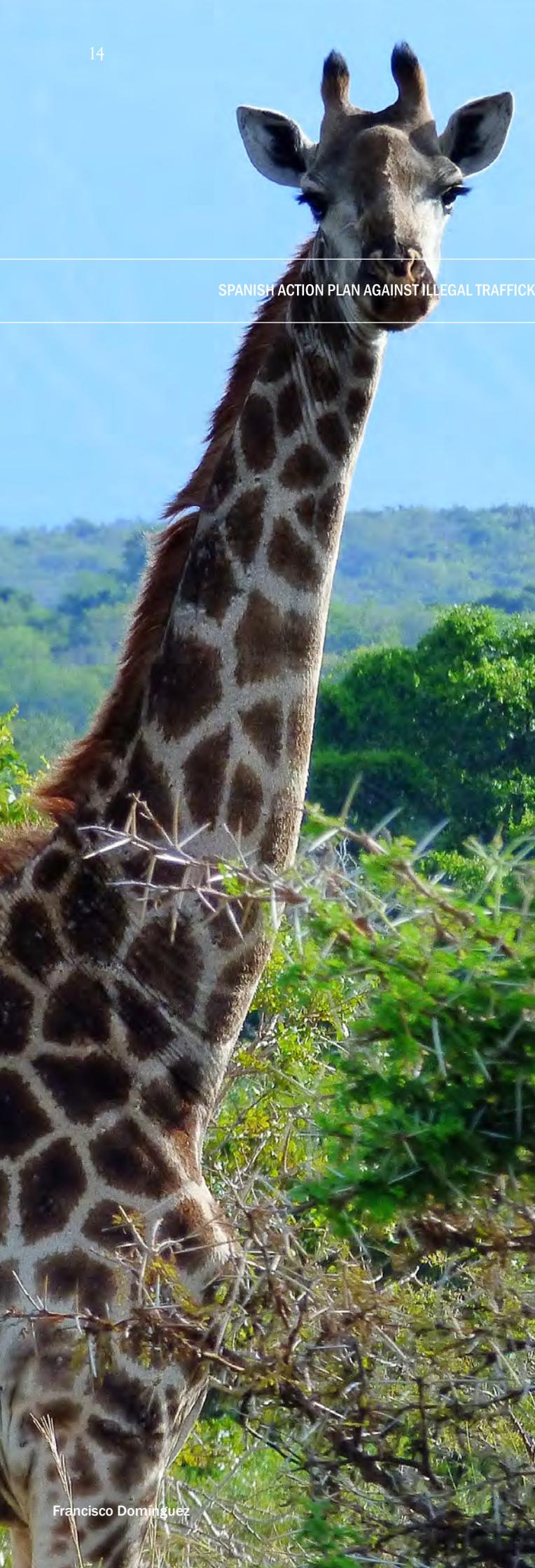
11 UNEP-WCMC. 2014. Review of trophy hunting in selected species. UNEP-WCMC, Cambridge.

12 Resolution 69/314.

13 <https://undocs.org/pdf?symbol=en/UNEP/EA.2/Res.14>

14 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/417231/kasane-statement-150325.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/417231/kasane-statement-150325.pdf)

15 [https://www.g7germany.de/Content/EN/\\_Anlagen/G7/2015-06-08-g7-abschluss-eng\\_en\\_\\_\\_blob=publicationFile&v=3.pdf](https://www.g7germany.de/Content/EN/_Anlagen/G7/2015-06-08-g7-abschluss-eng_en___blob=publicationFile&v=3.pdf)



adopted a number of joint commitments aimed at enhancing the fight against this trafficking.

Numerous measures have been adopted to combat wildlife trafficking and poaching within the framework of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the main international treaty that regulates international trade in wildlife species since 1975, to which the EU has been a party as an institution since 2015. The United States has set up a Presidential Task Force and adopted a National Strategy to combat wildlife trafficking. Major destination countries of this trafficking such as China are becoming increasingly involved, particularly by intensifying their coercive efforts and a willingness to cooperate more closely with the EU in this regard. The African Union also has begun to implement a pan-continental strategy.

### European level

For its part, the EU has also been showing leadership in the fight against the illegal trade of natural resources by adopting ambitious policies on fishery and timber products, and going further in recent years, with the adoption of a Joint Action Plan of the EU and its Member States, to tackle the illegal trafficking of wild species, in whose synthesis the following milestones stand out:

In a Resolution adopted in January 2014, the European Parliament urged the implementation of an Action Plan<sup>16</sup>. The design of a plan of this nature at the EU level was also supported by numerous Member States, international organisations, NGOs and concerned companies by means of a

<sup>16</sup> See Resolution 2013/2747(RSP) of the European Parliament, of 15 January 2014.



consultation with the interested parties regarding the EU's strategy against wildlife trafficking, opened by the European Commission in February 2014<sup>17</sup>.

The EU and its Member States needed to tackle this issue together. For this reason, since 1983, the CITES has been applied in all Member States under pan-European scale wildlife trade regulations<sup>18</sup>. In 2007, the Commission published a Recommendation on its implementation<sup>19</sup>. Nevertheless, several reports<sup>20</sup> have brought to light a disparity in the way Member States apply and enforce these shared rules. This generates a potential loophole, as criminals can exploit this situation by diverting their trade routes accordingly, as observed in recent years. Reports and consultations with government bodies have also revealed a lack of awareness and political commitment, which also hinders an effective fight against wildlife trafficking.

As a result, the European Commission, in response to the international call by the UN, adopted the *EU Action Plan against Wildlife Trafficking* (COM (2016) 87 final), aimed at strengthening the role of the EU in the global fight against this issue. It is an ambitious Plan in which the EU seeks to mobilise all its diplomatic, trade and development cooperation tools in order to put an end to these illegal activities. The European institution promoting the EU Plan was the Directorate-General for Environment<sup>21</sup> of the European Commission, and the EU Action Plan was expressly supported and adopted by the Member States at the meeting

of the Council of Environment Ministers of the EU, held on 20th June 2016<sup>22</sup>.

With this Action Plan, the EU demonstrates its commitment to be up to international expectations and commitments and to strengthen its goals regarding the fight against wildlife trafficking and poaching. Additionally, the Plan contributes to ensure that the significant investments made in the last decades through development aid from the EU for wildlife conservation around the world are not undermined by criminal activities.

The Plan also helps to enhance the EU's global credibility, demanding that its international partners act more firmly against wildlife trafficking. Likewise, it is seen as a significant contribution to the objectives set out in the 2030 Agenda for Sustainable Development, agreed on by the Heads of State at the United Nations Summit held in 2015. Objective 15, which addresses biodiversity, includes the following goal: "Take urgent action to end poaching and trafficking of protected species of flora and fauna and address both demand and supply of illegal wildlife products" (Target 15.7).

The EU Action Plan consists of 32 broad-spectrum actions, from the improvement of living conditions and management of human-wildlife conflicts in local communities in source countries to strengthening cross-border inspection mechanisms and the pursuit of illegal activities, to mention just a few. These actions should be implemented by the EU and its 28 Member States between 2016 and 2020.

17 See documents COM(2014) 64 and SWD(2014) 347.

18 Regulations (EC) no. 338/97 of the Council.

19 DO L 159 of 20.6.2007, p. 45.

20 See document SWD(2016) 38.

21 [http://ec.europa.eu/environment/index\\_es](http://ec.europa.eu/environment/index_es)

22 <http://data.consilium.europa.eu/doc/document/ST-10512-2016-INIT/en/pdf>

Among other aspects, the EU Action Plan seeks to combat these illegal activities more effectively by intensifying cooperation between the relevant national bodies and cross-border crimes via bodies such as Europol and Eurojust, where applicable, and at the same time fostering cooperation among source, transit and destination countries by, for example, employing strategic financial contributions by the EU to facilitate the fight against wildlife trafficking and poaching in source countries. These actions are aimed at enhancing the necessary capacity to prevent and track down illegal activities in the main source and destination countries, including within protected areas, and organising joint investigation teams for this purpose where appropriate.

Additionally, close cooperation amongst stakeholders including civil society organisations and business sectors in relation to many of the specific actions are essential in the implementation of the Action Plan in order to make the most of their experience and knowledge and ensure maximum impact.

In order to ensure its correct implementation, the UE Plan calls for the establishment of a coordination mechanism (a working group) in each Member state involving all the competent bodies.

Accordingly with the above, on September 15th 2016 the Members of the European Parliament approved an important resolution urging the EU and its Member States to take significant actions in this context<sup>23</sup>.

### Spanish level

In the light of the fact that Spain is a strategic point on the trade and trafficking routes between Africa and Asia, as well as for the entry of products into the EU<sup>24</sup>, and that it is in close liaison with many of the source countries of these activities and has an active development cooperation programme with them, our country can and should play an important role in achieving the Objectives of the EU Action Plan, particularly with regard to the reinforcement of checks, coordination and cross-border cooperation mechanisms, along with technical support for source countries through the international cooperation programmes of the different Departments.

Spain, through the Ministry for the Ecological Transition, has cooperated with the European Commission in the preparation and currently in the implementation of the EU strategy “*Larger than elephants: Input for an EU strategic approach for African Wildlife Conservation*”<sup>25</sup>, published in November 2015 by the Commissioner for Cooperation and Development, which has been one of the fundamental pillars for the design of the EU Action Plan.

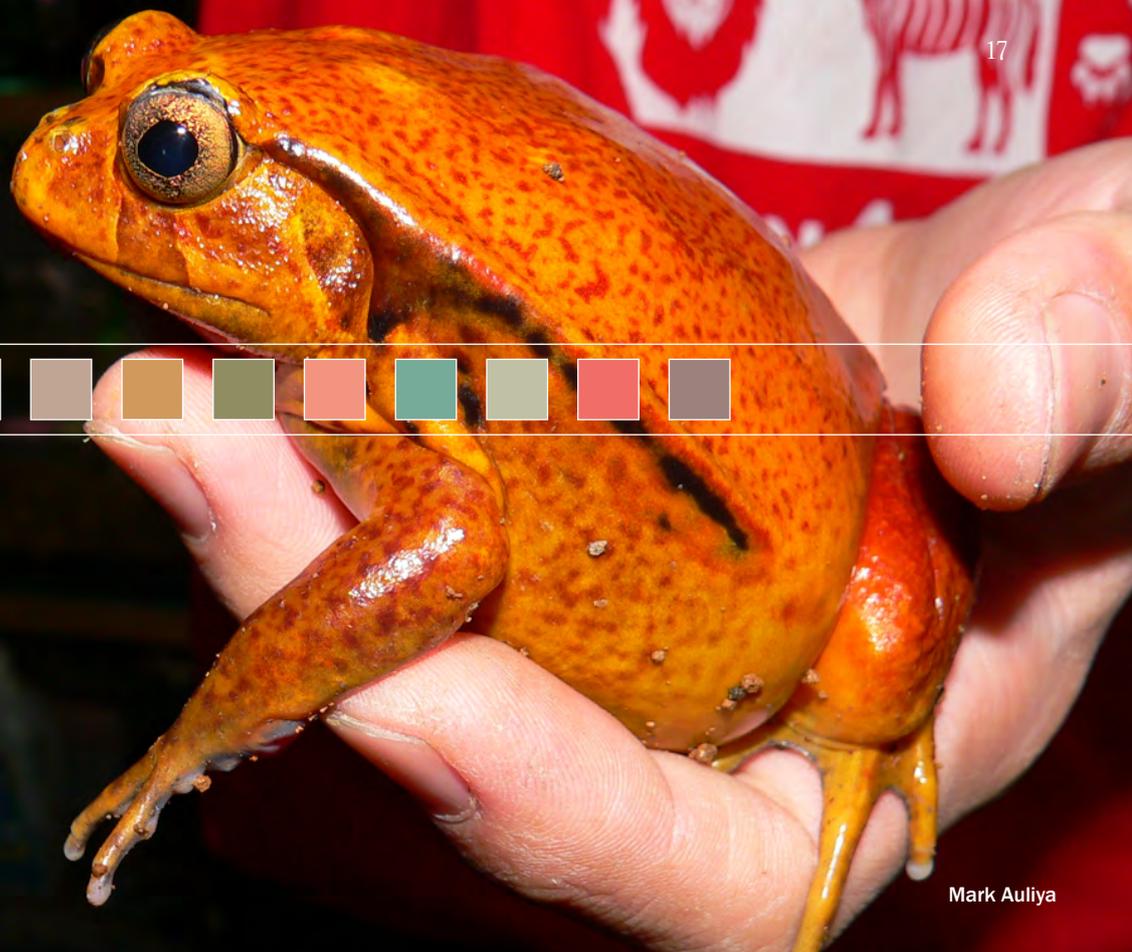
The commitment of Spain with the EU Action Plan has gone further, and in 2016, following the ratification of the European Plan, an inter-ministerial working group to translate the EU Plan measures into an Action Plan adapted to the Spanish context.

The European Action Plan tackles the issue in its entirety. Consequently, all the parties involved in

23 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016IP0356&rid=1>

24 Wildlife Crime. Directorate General for internal policies. European Parliament [http://www.europarl.europa.eu/RegData/etudes/STUD/2016/570008/IPOL\\_STU\(2016\)570008\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/570008/IPOL_STU(2016)570008_EN.pdf)

25 <https://europa.eu/capacity4dev/b4life/minisite/strategic-approaches-wildlife-conservation-africa-asia-latin-america-and-marine-environmente0>



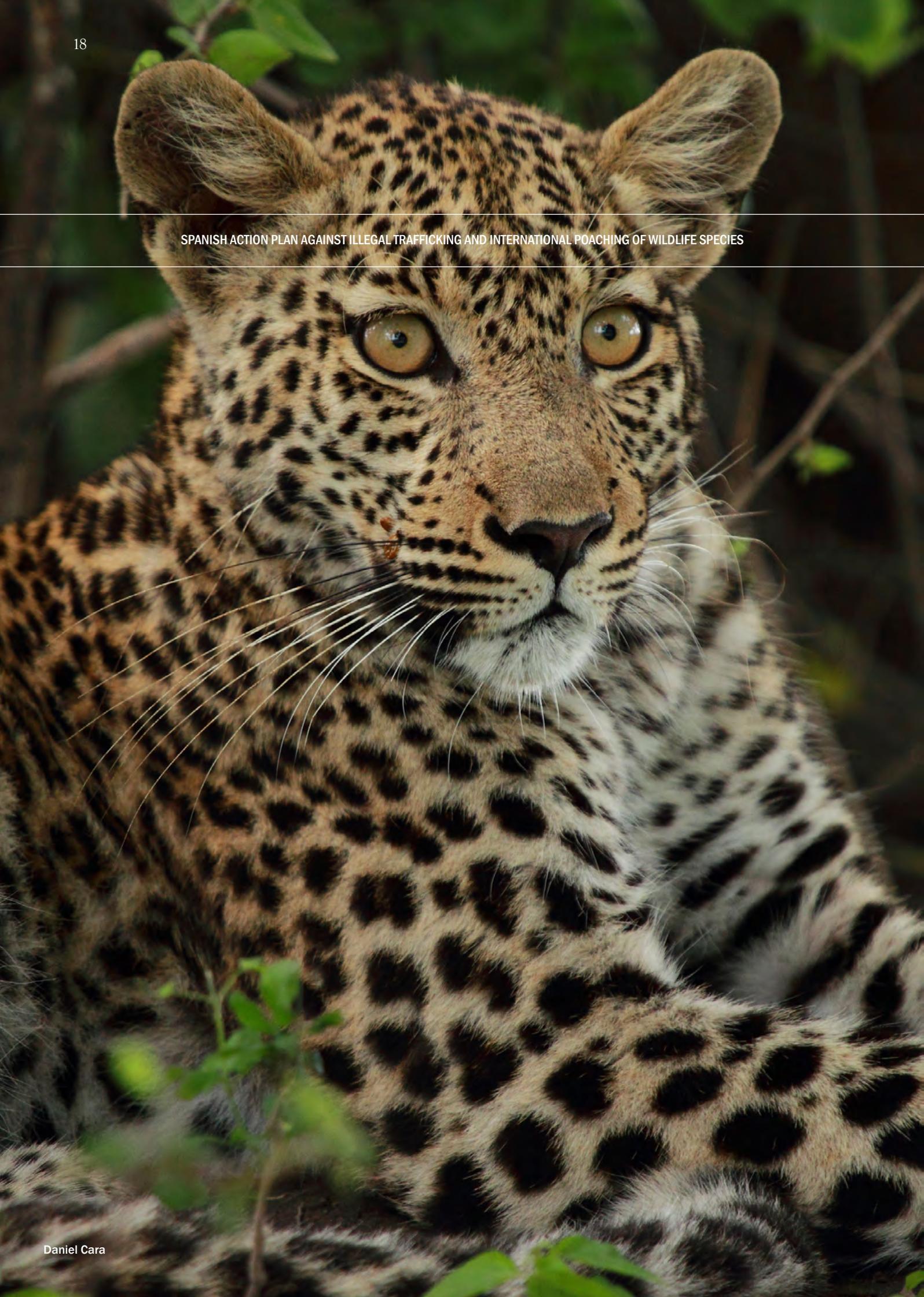
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its implementation in Spain must act to ensure a greater and more coordinated implementation of these actions nationally and by extension throughout the EU. Many of the initiatives set out in the European Action Plan are, by their very nature, concerned with aspects related to wildlife trade management. For this reason, the authorities responsible for the implementation of the CITES Convention in Spain are called to play a vital role in the implementation of the Spanish Action Plan. Likewise, the fight against illegal trade must be harmonised and coordinated by all Member States as part of the EU's common customs structure and the domestic market.

For all these reasons, the inter-ministerial working group is made up of representatives of the dif-

ferent Departments of the Spanish Government with competence in this issue (Customs, CITES, Prosecutor-General's Office, law enforcement forces and agencies, Ministry of Foreign Affairs and Cooperation, Ministry of Environment) and has been set up with the purpose of enhancing inter-ministerial cooperation and developing proposals for coordinated actions related to tackling international trafficking and poaching. As a result of this group's work, the specific Departments of the Spanish Ministries implicated in the implementation of the measures and actions foreseen in the EU Action Plan have been identified, giving rise to the Spanish Action Plan against illegal trafficking and international poaching of wildlife species (TIFIES Plan, for its Spanish acronym) that is presented below.

SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES





## II. CONTENT OF THE SPANISH ACTION PLAN (TIFIES PLAN) (2018-2020)

The *Spanish Action Plan against illegal trafficking and international poaching of wildlife species* (TIFIES Plan is its acronym in Spanish) has been approved by the Council of Ministers on February, 16th 2018 (Official State Gazette -BOE- n° 87). The present Spanish Action Plan (2018-2020) is an adaptation of the European Action Plan against wildlife trafficking to the national framework. It essentially includes, develops and adapts the objectives and actions set out for Member States in the Action Plan to the Spanish context. In this regard, as the Plan deals with issues of State competence, the different Departments of the Spanish General Administration and the actions for which each Department is responsible have been identified, as shown in the Annex.

These bodies obviously require sufficient funds and human resources to implement these actions. For this reason, this Action Plan is the basis for the Spanish Government's commitment to the implementation of the EU Action Plan. Accordingly, it provides the necessary impetus and framework for a better use of the Administration's existing resources. These actions are essentially designed to improve cooperation between the interested parties, make more effective use of existing policies and tools and strengthen their synergies so that international wildlife trafficking can be better tackled in and from Spain, and consequently across the EU and globally.

These actions, designed to address a complex challenge, involve all the Ministries with competences in this matter, and are structured under three priorities:

- 1) Preventing international wildlife trafficking and poaching and addressing its root causes by involving public administrations and civil society;
- 2) Implementing and enforcing existing rules more efficiently and combating organised wildlife crime more effectively;
- 3) Strengthening the global partnership of source, consumer and transit countries against wildlife trafficking

The Spanish Action Plan has a similar structure to the EU Plan, but circumscribed to the obligations of Spain as a Member State. Consequently, four Objectives are identified within each of the three above-mentioned Priorities. In order to attain those Objectives, the Spanish Plan also contemplates a set of specific actions and their respective implementation timeline. Additionally, specific initiatives and projects are detailed in each Action for implementation by the respective ministerial departments under the terms of the Plan. The priorities, objectives, actions, projects, responsible bodies, expected results and timelines are detailed in the Annex.

### **1. PRIORITY 1: PREVENTING INTERNATIONAL WILDLIFE TRAFFICKING AND ADDRESSING ITS ROOT CAUSES BY INVOLVING PUBLIC ADMINISTRATIONS AND CIVIL SOCIETY**

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This priority includes specific actions aimed at reducing the supply and demand of illegal wildlife

products by using available multilateral (CITES Convention) and EU-specific tools such as awareness campaigns and the adoption of more restrictive measures for the trade of products derived from poaching and trafficking such as elephant ivory, live specimens of various species, exotic meats, etc. (Objective 1.1, see Table in the Annex).

One of the key measures to address the root causes of international wildlife trafficking and poaching at its origin is that local communities in the source countries get more involved with wildlife conservation and obtain more benefits from this involvement. Several proposed actions focus on local development in source countries including incentives, the promotion of certified hunting programmes, provision of assistance in the fight against poaching and prevention of damage to local economies caused by wildlife species (Objective 1.2).

Another fundamental action is the active engagement of relevant business sectors, ranging from those active in wildlife trade or the use of derivative products to those that provide services for such trade. This must be reflected in the design and implementation of specific guidelines and a commitment to responsible management on the part of public bodies, NGOs and the business sector, particularly global supply chains<sup>26</sup>, among others (Objective 1.3).

Finally, bilateral and multilateral actions will be taken to tackle corruption throughout the enforcement chain, a scourge that enables the perpetuation of wildlife trafficking and poaching (Objective 1.4).

## 2. PRIORITY 2: IMPLEMENTING AND ENFORCING EXISTING RULES AND COMBATING ORGANISED WILDLIFE CRIME MORE EFFECTIVELY

Although existing international, EU and Spanish regulations on wildlife trade are generally appropriate, numerous studies and reports<sup>27</sup> have revealed major difficulties in their implementation and enforcement. This is particularly true in the case of a relatively new phenomenon: the existence of organised international networks engaged in wildlife trafficking and poaching and imports and exports of hunting trophies. The Plan thus envisages the revision of shortcomings in implementation and the design of initiatives which tackle them to ensure that existing rules are enforced more efficiently and diligently, for example in the aforementioned case of imports and exports of hunting trophies of certain CITES-listed species, which must be closely checked, and regarding other species that have to meet certain conditions which guarantee that the removal of specimens from their natural habitat is not detrimental to the species or population and benefits both these species and the local communities, in accordance with Resolution COP/17.9 CITES<sup>28</sup> and Annex A and B of the technical criteria elaborated by the EU Scientific Review Group for the implementation of the CITES Convention<sup>29</sup> (Objective 2.1).

Therefore, the Plan includes the joint implementation of control priorities and specific support on

<sup>26</sup> See document COM (2015) 497: "Trade for All. Towards a more responsible trade and investment policy".

<sup>27</sup> See document SWD(2016) 38.

<sup>28</sup> [https://cites.org/sites/default/files/document/E-Res-17-09\\_0.pdf](https://cites.org/sites/default/files/document/E-Res-17-09_0.pdf)

<sup>29</sup> Duties of the CITES Scientific Authorities and Scientific Review Group under Regulations (EC) 338/97 and (EC) 865/2006: Hunting Trophies (page 11) (<http://ec.europa.eu/environment/cites/pdf/srg/guidelines.pdf>)



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cross-border cases, which will contribute to a more strategic and higher-priority approach for border checks and enforcement of regulations to combat international wildlife trafficking and poaching. International commitments must be implemented to ensure that laws on organised crime are applied to international wildlife trafficking and poaching, and guarantee that truly deterrent penalties can be imposed on offences and crimes of this nature. In this regard, a preliminary assessment has been designed to ascertain whether the current legislative framework for combating these illegal activities – namely organised crime against wildlife– is suitable for compliance with the strategic objectives of the Action Plan.

Actions to be adopted to meet Objective 2.2 related to the enhancement of the capacity of all the parts of the enforcement chain and the judiciary to adopt more effective action against international wildlife trafficking and poaching. To this effect, action will be taken nationally in order to improve cooperation, coordination, communication and data flow between agencies, as well

as through sharing best practices with other EU countries. In this regard, the knowledge base on issues related to wildlife trafficking and poaching and their funding sources will be improved. Accordingly, agents responsible for prosecution will receive specialised on-going training. One of the Spanish Plan's major innovations is the establishment of a National Central Office under the Nature Protection Service of the Civil Guard for the analysis of information on illegal environmental activities, with participation of the bodies and institutions with relevant responsibilities in the matter, and that will derive cases that have a specifically criminal profile to the Prosecutor-General's Office, the authority responsible for implementing State criminal policy, for their investigation and prosecution. The Spanish Prosecutor-General's Environment Section will also assume the coordination between all competent national entities when it comes to cooperation in criminal cases.

The training of investigation agents specialised in organised crime, cybercrime and money launder-



Luis Arranz

ing is also considered to be part of the effort to improve the effectiveness of the fight against organised crime (Objective 2.3) in the area of wildlife trafficking and poaching.

Finally, international cooperation in this field will be strengthened to provide assistance to source countries (Objective 2.4).

### **3. PRIORITY 3: STRENGTHENING THE GLOBAL PARTNERSHIP OF SOURCE, CONSUMER AND TRANSIT COUNTRIES AGAINST WILDLIFE TRAFFICKING**

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A series of actions will be taken to increase technical and financial aid to developing countries in their fight against international wildlife trafficking and poaching, make such aid more effective, and use it more strategically. Needs will be assessed and the aid will be coordinated more efficiently with other donors (Objective 3.1).

More efficient use of diplomatic and other related tools will be considered with a view to strengthening the global partnership against international

wildlife trafficking and poaching with the source, transit and consumer countries and relevant regional organisations (Objective 3.2)

In the same regard, more effective tools will be developed to deal with the links in some regions between wildlife trafficking and poaching and threat to the security of civil society (Objective 3.3).

Finally, existing bilateral and multilateral processes will be used in international agreements and fora to keep this issue on the global agenda, maintain the political commitment and monitor adherence to the commitments acquired in the matter (Objective 3.4).

### **4. MONITORING AND EVALUATION**

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The European Action Plan spans the four year period between 2017 and 2020. Following consultation with the corresponding Ministries, each measure has been assigned to the corresponding Department and a calendar has been drafted for its implementation under the terms set out in the EU Action Plan, as shown in the annexed table.



Each Department will define an “indicator system” to monitor the implementation of its respective actions.

The working group set up for this purpose with representatives of the Departments involved will be responsible for coordination and monitoring of the Plan’s implementation. It will meet periodically, ratify the agreements reached for the implementation of the Plan and assess the achievements, which will be presented annually.

Each year, and whatever the case before July 2018, this working group will report to the European Commission on the progress of the implementation of the Action Plan and make an assessment (indicators of fulfilment of priorities and objec-

tives). The progress made and successes of the Action Plan will be partially assessed at the end of 2018, and re-assessed globally at the end of 2020, following in parallel the evaluation review calendar of the EU Plan.

## 5. LINKS WITH OTHER SPANISH INITIATIVES AND POLICIES

The Action Plan TIFIES will be applied in a way that ensures consistency with existing policies in Spain that affect the illegal trading of natural resources. These include, in particular, the EU Action Plan on Forest Law Enforcement, Governance and Trade (Council Regulation



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**SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES**

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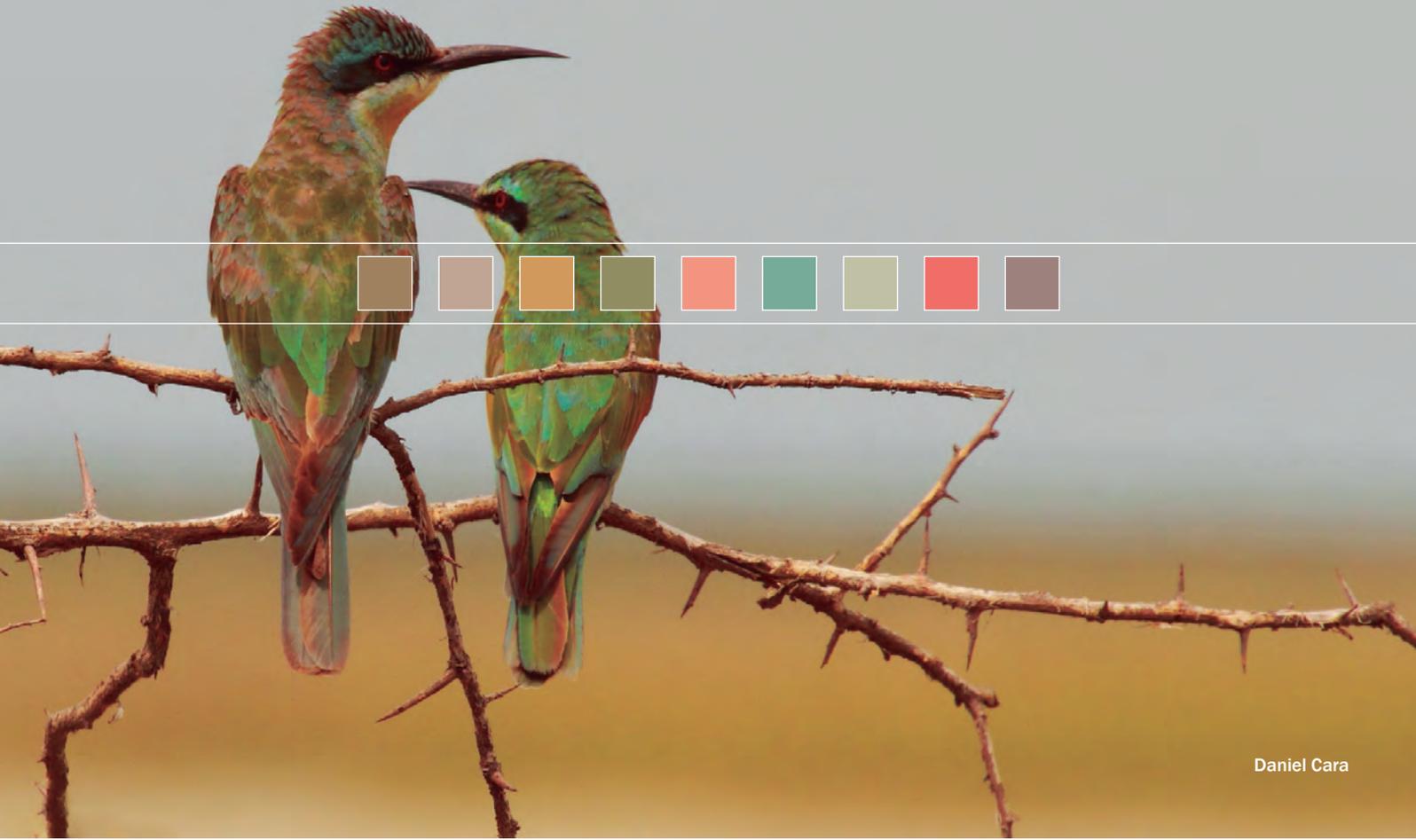
(EC) N° 2173/2005) of 20 December 2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community; Council Regulation N° 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing (INDUR); and several other EU initiatives on trafficking in waste, drugs, counterfeit goods, firearms, human beings, money laundering and illegal financial flows.

Finally, the essential role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) must be highlighted. The effective implementation of CITES must be a priority, and many of the initiatives of the Spanish Action Plan are directly or indirectly related

to it. In line with the EU Action Plan, the TIFIES Plan envisages additional actions to combat international wildlife trafficking and poaching more effectively.

In turn, this Action Plan falls within the responsibilities of at least five Spanish Ministries and specific Departments, including the Directorate-General of Trade Policy and Competitiveness (MINCOTUR), the Civil Guard Nature Protection Service (SEPRONA), the Adjunct Directorate of Customs Surveillance and the Sub-directorate-General of Customs, both part of the Customs and Excise Duties Department of the State Tax Administration Agency (Ministry of Finance), the Environment Section of the Prosecutor General's Office, the Spanish Agency for International Development Cooperation and





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the Subdirectorato-General for International Cooperation against terrorism, drugs and organized crime (MAEUEC), Subdirectorato-General for Biodiversity and the Natural Environment, the Subdirectorato-General for International

Relations and Community Affairs, the National Parks Autonomous Agency and the European Environment Agency's EIONET National Focal Point in the Ministry for the Ecological Transition (MITECO).

SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES





### III. ANNEX

Ministries and Departments with responsibilities for the implementation of the Spanish Action Plan (TIFIES Plan) and reference to actions within their competence\*:

MINISTRIES AND DEPARTMENTS	ACTIONS
<p>MITECO: Ministry for the Ecological Transition and the Demographic Challenge (Ministerio para la Transición Ecológica y el Reto Demográfico)</p> <ul style="list-style-type: none"> <li>Subdirectorato-General for Terrestrial and Marine Biodiversity (SGBTM) (Subdirección General de Biodiversidad Terrestre y Marina)</li> <li>National Parks Autonomous Agency (OAPN) (Organismo Autónomo Parques Nacionales)</li> <li>Subdirectorato-General of International Relations (SGRI) (Subdirección General de Relaciones Internacionales)</li> <li>National Environment Agency Focal Point (PFNAEMA) (Punto Focal Nacional AEMA)</li> </ul>	1, 3, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26
<p>MINCOTUR: Ministry of Industry, Trade and Tourism (Ministerio de Industria, Comercio y Turismo)</p> <ul style="list-style-type: none"> <li>Subdirectorato-General of Inspection, Certification and Technical Assistance for Foreign Trade (Subdirección General de Inspección, Certificación y Asistencia Técnica de Comercio Exterior)</li> </ul>	1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 26
<p>MIR: Ministry of Interior (Ministerio del Interior)</p> <ul style="list-style-type: none"> <li>Civil Guard Nature Protection Service (GC) (Servicio de Protección de la Naturaleza de la Guardia Civil-SEPRONA)</li> </ul>	1, 5, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 26
<p>MAEUEC: Ministry of Foreign Affairs, European Union and Cooperation (Ministerio de Asuntos Exteriores, Unión Europea y Cooperación)</p> <ul style="list-style-type: none"> <li>Subdirectorato-General for International Cooperation against Terrorism, Drugs and Organised-Crime (SGCTDDO) (Subdirección General de Cooperación internacional contra el terrorismo, las drogas, y la delincuencia organizada)</li> <li>Spanish Agency for International Development Cooperation (AECID) (Agencia Española de Cooperación internacional para el Desarrollo)</li> </ul>	3, 4, 7, 13, 22, 23, 24, 25, 26
<p>MINHAFP: Ministry of Finance (Ministerio de Hacienda)</p> <ul style="list-style-type: none"> <li>Department of Customs and Excise (DAIE) (Departamento de Aduanas e Impuestos Especiales)</li> </ul>	9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22
<p>SMAFGE: Environment Section of the Prosecutor-General's Office (Sección de Medio Ambiente de la Fiscalía General del Estado)</p>	8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 26

(\*) Royal Decree 500/2020, of April 28, which develops the basic organic structure of the Ministry for the Ecological Transition and the Demographic Challenge, and modifies Royal Decree 139/2020, of January 28, establishing the basic organic structure of the ministerial departments, establishes that MITECO assumes the functions of the main management authority and main management body of the CITES Convention, providing for this the mandatory modification of Royal Decree 1739/1997, of November, 20 on measures to implement the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES), done in Washington on March 3, 1973 and of Council Regulation (EC) 338/97, of December 9, 1996, regarding the protection of species of wild fauna and flora by controlling their trade. For this reason, the measures originally attributed to MINCOTUR for the execution of the TIFIES Plan (Official State Gazette -BOE- No. 87 of April 10, 2020), as the former administrative authority of the CITES Convention, will be exercised by the MITECO once the mandatory modification of the referred Royal Decree 1739/1997 is published in the Official State Gazette (BOE).

## SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES

**Priority 1.** Preventing international wildlife trafficking and poaching and addressing its root causes

OBJETIVES	ACTIONS	RESPONSIBLE	
<p>Objetivo 1.1:</p> <p>Reduce demand for and supply of illegal wildlife products</p>	<p>1. Increase support for awareness-raising and demand reduction campaigns</p>	<p>MITECO and MINCOTUR with assistance from other relevant Departments</p>	
		<p>MINCOTUR and MITECO with assistance from other relevant Departments</p>	
	<p>2. Further limit ivory trade within and from Spain</p>	<p>MINCOTUR</p>	



	EXPECTED RESULTS	ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
	Adoption of actions and provision of necessary funds to raise awareness and reduce demand for illegal wildlife products in Spain and in third countries, particularly for species traded illegally on a large scale in Spain	Launch far-reaching information and dissemination campaigns in cooperation with entities and NGOs to raise awareness among consumers about the acquisition of illegal wildlife products (MINCOTUR, SGBTM)	Continuous action. First milestone in 2018
	Distribution of existing awareness-raising tools and materials among the relevant Ministries	<p>Share awareness-raising information and materials in the framework of the coordination of the Inter-ministerial Working Group for the Action Plan (MINCOTUR, SGBTM)</p> <p>Provide training sessions for authorities with inspection powers (MINCOTUR, GC, DAIE, SGBTM)</p> <p>Design guidelines and materials for authorities with inspection powers on the identification of products derived from parts of wildlife species (MINCOTUR, GC, DAIE, SGBTM)</p> <p>Commissioning of a specific training centre to address requests for training by the aforementioned authorities with inspection powers (SGBTM)</p>	Begins in 2018
	<p>Export and (re)export documents of raw pre-Convention elephant ivory are not issued.</p> <p>Certificates are only issued for trade within the EU for elephant ivory antiques with the criteria set out in the European guidelines whose specific content is under development.</p>	Cooperation in the drafting of European guidelines, and design and adoption of actions for implementation in Spain (MINCOTUR)	Continuous action. First milestone in 2018

## SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES

OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS	
<p>Objective 1.2:</p> <p>Ensure that rural communities in source countries are engaged in and benefit from this wildlife conservation</p>	<p>3. Strengthen the engagement of rural communities in wildlife management and conservation</p>	<p>MAEUEC MITERD MINCOTUR</p>	<p>Priority given in relevant policies and funding so that rural communities in source countries get engaged in the design and implementation of actions aimed at combating wildlife trafficking and poaching</p>	
	<p>4. Support the development of alternative and sustainable livelihoods for local communities in source countries which live in or adjacent to wildlife habitats</p>	<p>MAEUEC MITERD</p>	<p>Priority given in the relevant policies and funding to rural areas in source countries for sustainable economic activities, the prevention of harm to wildlife species and the provision of basic services that benefit local communities who live in and adjacent to wildlife habitats</p>	



ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
<p>Cooperation with third countries on support and financial incentives for local communities in source countries, ensuring that the conservation initiatives and projects are actively implemented in their grounds or areas, particularly actions implemented under this Plan (SGBTM, AECID)</p> <p>Cooperation with third countries on support and financial incentives for experiences and initiatives carried out in the fields of wildlife management, community reserves and certified hunting concessions, through the implementation of good management practices in accordance with Resolution COP/17-9 CITES<sup>30</sup> and technical criteria included in Annex A and B, designed by the EU Scientific Review Group for the implementation of the CITES Convention<sup>31</sup> (MINCOTUR, SGBTM, AECID)</p> <p>Cooperation with third countries for the implementation of projects on the resolution of wildlife conflicts with local communities in source countries, aimed at: 1) preventing damage by wildlife (particularly elephants and large carnivore species) to local community resources; 2) controlling risks to the physical safety of people who cohabit with wild fauna (particularly crocodiles, hippos and large carnivore species) (SGBTM)</p> <p>Inclusion of the projects and initiatives listed in this Plan in the funding priorities of development aid programmes (SGBTM, AECID)</p> <p>Establishment of a specific funding line for NGOs for international projects within the priority lines of this Plan (SGBTM)</p> <p>Identification of funding mechanisms (funds associated with international cooperation, etc.) for the implementation of actions identified in this Plan for community conservancy management projects, certified hunting concessions and human-wildlife conflict resolution measures (SGBTM, AECID)</p> <p>Cooperation with third countries on training and instruction for rangers and management teams in parks, reserves and community areas and certified hunting concessions (in cooperation with technicians from National Parks, SEPRONA or specialised agents). To be supplemented, where applicable, with the provision of material to improve monitoring systems (infrastructure, vehicles, surveillance cameras, fences, etc.) (SGBTM, OAPN, AECID)</p>	<p>Continuous action. First milestone in 2018</p>
<p>Cooperation with third countries on the promotion of sustainable socio-economic development activities in order to provide alternative incomes to poaching. Also of particular interest in biosphere reserves and the areas of influence and environs of national parks and reserves (AECID, OAPN, SGBTM)</p> <p>Cooperation with third countries on projects for ecotourism and valuation of local products in source countries (SGBTM, AECID)</p> <p>Cooperation with third countries on the provision of training sessions for ecotourism guides in source countries (SGBTM, AECID)</p> <p>Incentives and certifications for conservation communities and hunting concessions in source countries that comply with good management practices and recommendations on best practices drafted by prestigious institutions (SGBTM)</p>	<p>Continuous action. First milestone in 2018</p>

<sup>30</sup> [https://cites.org/sites/default/files/document/E-Res-17-09\\_0.pdf](https://cites.org/sites/default/files/document/E-Res-17-09_0.pdf)

<sup>31</sup> Duties of the CITES Scientific Authorities and Scientific Review Group under Regulations (EC) 338/97 and (EC) 865/2006: Hunting Trophies (page 9) (<http://ec.europa.eu/environment/cites/pdf/srg/guidelines.pdf>)

## SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES

OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS
	5. Raise awareness of business sectors which traffic or trade with wildlife products in or from Spain or which facilitate such trade	MINCOTUR, MITERD and MIR in cooperation with other relevant departments, depending on the type of action	The main business sector agents that participate in wildlife species trafficking and trade have been identified, and regular communication channels on issues relating to these activities have been established with them
<b>Objective 1.3:</b> Increase business sector engagement in efforts to combat wildlife trafficking and encourage sustainable sourcing of wildlife products	6. Support private sector initiatives to curb illegal wildlife trafficking and trade and encourage sustainable sourcing of wildlife products in and from Spain	MINCOTUR and MITERD in cooperation with other departments, depending on the type of action	Support for existing private initiatives and partnerships within the public and private sectors; sharing best practices to promote new initiatives
<b>Objetivo 1.4:</b> Tackle corruption associated with international wildlife trafficking and poaching	7. Support national, regional and global initiatives to combat corruption associated with international wildlife trafficking and poaching	MINCOTUR MAEUEC	Issues addressed at bilateral meetings with the main partner countries and the relevant multilateral fora such as the G-7, the G-20 and the United Nations Convention against corruption



ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
<p>Organise sessions and seminars on international wildlife trafficking and poaching with source countries (MINCOTUR, MIR; SGBTM)</p> <p>Promote active participation by the Spanish business sector in the implementation of the Plan in source countries (MINCOTUR, SGBTM)</p> <p>Drafting of codes of conduct on this issue like the Buckingham Palace Declaration on <i>Transport Taskforce</i> (SGBTM, MINCOTUR)</p>	Begins in 2018
<p>Contacts with wildlife product exporters and importers to encourage the Plan's implementation (MINCOTUR, SGBTM)</p> <p>Disseminate and raise awareness in the hunting sector, among others, about the need to comply with best practices in order to ensure that imports and exports of hunting trophies do not harm affected species and/or populations and that they benefit the species and local communities in accordance with Resolution COP/17.9 CITES<sup>32</sup> and the technical criteria, included in Annex A and B, designed by the EU Scientific Review Group for the implementation of the CITES Convention<sup>33</sup> (MINCOTUR, SGBTM)</p>	2018
<p>Technical monitoring of the G-7 and G-20 meetings whose agenda includes issues relating to illegal wildlife trade (MINCOTUR, MAEUEC)</p>	Continuous action. First milestone in 2018

<sup>32</sup> [https://cites.org/sites/default/files/document/E-Res-17-09\\_0.pdf](https://cites.org/sites/default/files/document/E-Res-17-09_0.pdf)

<sup>33</sup> Duties of the CITES Scientific Authorities and Scientific Review Group under Regulations (EC) 338/97 and (EC) 865/2006: Hunting Trophies (page 9) (<http://ec.europa.eu/environment/cites/pdf/srg/guidelines.pdf>)

SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES

**Priority 2.** Implementing and enforcing existing rules and combating organised wildlife crime more effectively

OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS	
<p><b>Objective 2.1:</b></p> <p>Ensure a more uniform implementation of EU rules on wildlife trade and apply a more strategic approach to checks and enforcement of rules against wildlife trafficking</p>	<p>8. Develop strategies aimed at improving national compliance with EU laws on wildlife</p>	<p>MINCOTUR MIR MITERD SMAFGE</p>	<p>Application of recommendations by Spain</p>	
	<p>9. Increase detection rate of illegal activities</p>	<p>MIR MINHAC MINCOTUR MITERD SMAFGE</p>	<p>In addition to checks at border crossing points as per Regulation (EC) No 338/97, compliance is also monitored and enforced in Spain, in particular by means of regular inspections of stores and businesses such as pet shops, breeders and plant nurseries</p>	



ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
<p>Involvement in environmental criminal proceedings, encouraging examination of evidence to clarify the facts (SMAFGE)<sup>34</sup></p> <p>Facilitate NGO participation in monitoring compliance with relevant regulations covered by in the Plan, without prejudice to the duty of discretion and confidentiality, and respect for the concerned parties' rights in the framework of ongoing criminal investigations</p> <p>Review and update operational protocols regarding CITES for the relevant Units of the Civil Guard (GC, MINCOTUR)</p> <p>Implementation of recommendations on activities related to smuggling offences or others defined in the Criminal Code (SMAFGE)</p> <p>Ensure that imports and exports of hunting trophies do not prejudice the affected species and/or populations and that they benefit species and local communities; particularly with regard to the species included in Annex A and B (EC 338/97) and prioritising, furthermore, the species assessments at the local population level, in accordance with Resolution COP/17.9 CITES<sup>35</sup> and the technical criteria included in Annex A and B, designed by the EU Scientific Review Group for the implementation of the CITES Convention<sup>36</sup> (MINCOTUR, SGBTM)</p>	2018
<p>Implementation of actions for the detection of activities which may constitute smuggling offences or are related to issues covered by the Criminal Code (MINCOTUR, GC and DAIE)</p> <p>Inspection campaigns for the detection of illegal flora and fauna trafficking, particularly birds of prey, eels, exotic birds, reptiles and ivory (MINCOTUR, GC)</p> <p>Encourage citizen collaboration, particularly by NGOs, by means of telematic reporting (SMAFGE, GC and DAIE) (SMAFGE, GC and DAIE)</p> <p>Drafting of a national regulation for the implementation of Guidance Document 2016/C 15/02 (SGBTM, MINCOTUR)</p> <p>Reinforcement of specialized technical support for the Environment Section of the Prosecutor-General's Office, Civil Guard and Customs Supervision (SGBTM, MINCOTUR)</p>	Continuous action. First milestone in 2018

<sup>34</sup> Art. 3 of the General Regulation of the Public Prosecution Office. Law 50/81

<sup>35</sup> [https://cites.org/sites/default/files/document/E-Res-17-09\\_0.pdf](https://cites.org/sites/default/files/document/E-Res-17-09_0.pdf)

<sup>36</sup> Duties of the CITES Scientific Authorities and Scientific Review Group under Regulations (EC) 338/97 and (EC) 865/2006: Hunting Trophies (page 9) (<http://ec.europa.eu/environment/cites/pdf/srg/guidelines.pdf>)

## SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES

OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS	
(cont.) Objetivo 2.1:  Ensure a more uniform implementation of EU rules on wildlife trade and apply a more strategic approach to checks and enforcement of rules against wildlife trafficking	10. Intensify efforts to ensure implementation of the EU roadmap aimed at eliminating the illegal killing, trapping and trade of wild birds (also relevant under Priority 1)	MITERD MINCOTUR	Actions taken to check and enforce compliance with rules	
	11. Regularly define and assess priority risks	MINCOTUR SMAFGE MIR MINHAC MITERD	Law enforcement priorities have been defined for specified species and products (such as eels, ivory, rhino horns, reptiles and live birds), trade routes and specific smuggling methods	
		MINCOTUR SMAFGE MIR MINHAC MITERD	The inter-ministerial working group to combat international wildlife trafficking and poaching has identified the responsible departments	
	12. Enhance cooperation with other EU Member States in cross-border cases of international wildlife trafficking and poaching	MINCOTUR MIR MINHAC SMAFGE	Regular joint operations with other EU Member States which require cross-border cooperation (facilitated by Europol)  Joint research teams and cooperation with Europol and Eurojust where applicable, implemented in cases of organised and cross-border crime	



ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
<p>Provide support to authorities with inspection capacity in the form of advice on the identification of specimens, both at borders and in shops. Also applicable to work by the CITES scientific authority (MINCOTUR, SGBTM)</p>	<p>Continuous action. First milestone in 2018</p>
<p>Intensified support on pilot projects against trafficking of priority species. Strengthened cooperation amongst all bodies endorsing this Plan in the supply of necessary information which facilitates the definition of attributes for risk analyses that are reliable and effective in the achievement of the proposed objectives (DAIE)</p> <p>Set up a National Central Office to analyse information on illegal environmental activities to monitor illegal species trafficking, identify risks and vulnerabilities, in which the main institutions and bodies with competences in this issue can participate</p> <p>Collection of technical-scientific information regarding compliance with the Plan (AEMA National Focal Point)</p> <p>Collect information on species traceability which facilitates the identification, where applicable, of the points of entry to or exit from the EU. Reinforcement of checking mechanisms, establishment of risk profiles, analysis at borders and collection of the necessary information relating to all actions conducted within the customs area, their results and the results of any action defined as smuggling within or outside the area (DAIE)</p>	<p>Continuous action. First milestone in 2018</p>
<p>Participation by national administrations in the inter-ministerial working group on the implementation of the Plan (MINCOTUR, GC, SGBTM)</p> <p>Set up and maintain an inter-ministerial working group for the implementation of the Plan</p>	<p>Continuous action. First milestone in 2018</p>
<p>Strengthened police coordination with France (OCLAESP<sup>37</sup>) and Portugal (SEPNA<sup>38</sup> and Judicial Police), particularly through technical and operational cooperation as set out in the Plan (MINEICO, GC)</p> <p>Implement specific actions within the framework of Eurojust, where applicable, in cases of organised and cross-border crime (SMAFGE)</p>	<p>Continuous action. First milestone in 2018</p>
<p>Strengthened customs cooperation by means of information exchange mechanisms in force in the customs area (DAIE)</p> <p>Assign a Civil Guard officer to Europol as a national expert at Europol's environmental offences department to improve data exchanges on species trafficking (GC)</p> <p>Participate in Europol and Interpol operations against criminal networks engaged in wildlife trafficking (GC, DAIE)</p> <p>Investigate environmental crimes (GC, SMAFGE, DAIE)</p>	<p>Continuous action. First milestone in 2018</p>

<sup>37</sup> Office central de lutte contre les atteintes à l'environnement et à la santé publique.

<sup>38</sup> Serviço de Protecção da Natureza e do Ambiente.

## SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES

OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS
<p>Objetivo 2.2:</p> <p>Enhance the capacity of all links in the enforcement chain and the judiciary to combat international wildlife trafficking and poaching</p>	13. Strengthen cooperation, coordination, communication and data flow between responsible enforcement authorities	MINCOTUR MIR MINHAC SMAFGE MITERD	A coordination mechanism (working group) has been set up by the relevant agencies (customs, police, inspection services, management bodies and authorities responsible for compliance with CITES). All authorities with responsibilities within this area have access to the relevant communication channels
		MIR MINHAC MINCOTUR MITERD MAEUEC	Various options considered regarding data flow between authorities with responsibilities in this area under Spanish law
		MIR MINHAP MINCOTUR MAEUEC MITERD SMAFGE	Best practices in cooperation between authorities and in guarantees and checks on compliance with the Plan are collected and shared through the inter-ministerial working group
	14. Improve knowledge base on checks, investigations, prosecutions and judicial proceedings against international wildlife trafficking and poaching	MIR MINHAC MINCOTUR SMA- FGE MITERD	Relevant qualitative and statistical data, particularly information on checks, investigations, confiscations, prosecution cases and sentences, including penalties imposed, is systematically provided to the Commission, and information on cross-border issues and organised crime are systematically provided to Europol
		MIR MINHAC MINCOTUR	Data collection methods used in the area of wildlife trafficking have been simplified, and the relevant groups of experts have been trained in crime statistics



ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
<p>Set up a National Central Office to analyse information on illegal environmental activities in accordance with the National Plan, in which the main institutions and bodies with competence in this issue can participate (GC)</p> <p>Enhance cooperation between different EU countries and departments of the Member States and source countries, sharing experiences in this matter (SGBTM)</p>	Mid 2018
<p>Gain access to the EU-TWIX application for the National Central Office for the analysis of information on illegal environmental activities (GC)</p> <p>Provide assistance to the National Central Office for the analysis of information on illegal environmental activities (MINCOTUR, SGBTM)</p> <p>Continue initiatives related to environmental crimes (GC, SMAFGE)</p>	Mid 2018
<p>Regular meetings with the inter-ministerial working group</p>	Continuous action. First milestone in 2018
<p>Supply statistics on criminal proceedings on environmental crimes affected by this Plan (SMAFGE) Ensure compliance with court sentences in the public and social interest (SMAFGE)</p> <p>Initiate criminal and civil proceedings in response to crimes and misdemeanours (SMAFGE)</p> <p>Establish a National Central Office to analyse information on illegal environmental activities in cooperation with the competent Departments, in order to:</p> <ul style="list-style-type: none"> <li>- Provide information relating to the detection of illegal products, in compliance with the Plan</li> <li>- Collect information and analyse wildlife trafficking flows</li> <li>- Disclose information to the relevant national authorities (Judicial Authority, Public Prosecution Office, CITES and Customs, as well as Europol and Interpol (GC, SMAFGE, MINCOTUR SGBTM, DAIE, PFNAEMA)</li> </ul> <p>Compile technical-scientific information relating to compliance with the Plan, and provide support and technical assistance to the National Central Office (MINCOTUR, SGBTM, PFNAEMA)</p> <p>Compile reports on the progress by the respective Ministries at the regular meetings of the inter-ministerial working group for submission to the European Commission (MINCOTUR, SGBTM)</p>	Continuous action. First milestone in 2018
<p>Review protocols and develop specific models for data collation by Civil Guard Units on species trafficking (GC, MINCOTUR, DAIE)</p>	Continuous action. First milestone in 2018

## SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES

OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS
(cont.) Objective 2.2:  Enhance the capacity of all links in the enforcement chain and the judiciary to combat international wildlife trafficking and poaching	15. Enhance training for all links in the enforcement chain, including joint training activities	MINCOTUR MIR MINHAC SMAFGE MITERD	Existing training material collated and exchanged between the competent Ministries
		MIR MINHAC MINCOTUR	The entire enforcement chain and the judiciary receive regular training, particularly at joint training sessions for relevant police officers, prosecutors and judges
	16. Strengthen or, where applicable, establish practitioner networks both nationally and regionally, and improve cooperation between them	MINCOTUR MIR MINHAC MITERD SMAFGE	The establishment of the respective national networks has been supported
	17. Improve care of seized or confiscated live animals and plants	MINHAC MINCOTUR MITERD	Facilities made available for the short term care of seized/confiscated live specimens, together with mechanisms for their long-term relocation, where necessary. Assistance is also provided to other EU Member States



	ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
	<p>Provide specialised courses and courses on CITES on the E-learning platform (GC)</p> <p>Provide specialised courses for the staff of competent agencies: SMAFGE, Civil Guard and Customs Supervision (MINCOTUR, GC, SGBTM, DAIE)</p> <p>Sign agreements with research centres, laboratories and universities to ensure the availability of the best technologies for training purposes (MINCOTUR, SGBTM)</p>	Begins in 2018
	Participation in proposed joint activities (GC, MINCOTUR)	Continuous action. First milestone in 2018
	<p>Regular meetings with the Spanish working group and provision of specialised courses for staff of competent agencies: Environment Section of the Prosecutor-General's Office, Civil Guard and Customs Supervision (MINCOTUR, SGBTM, SMAFGE, GC)</p> <p>Sign agreements with research centres, laboratories and universities to ensure that the best technologies are available for the Plan (MINCOTUR, SGBTM)</p>	Mid 2018
	<p>Establish swift and proper procedures (at the national or regional level, as required) to facilitate the quick transfer of specimens confiscated by Customs to authorised centres (MINCOTUR, DAIE)</p> <p>Sign cooperation agreements or conventions with official and private wildlife rescue centres (MINCOTUR, SGBTM)</p> <p>Establish identification, management and maintenance protocols for different species and their health analysis (SGBTM)</p>	Continuous action. First milestone in 2018

## SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES

OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS	
<p>Objective 2.3:</p> <p>Fight wildlife-related organised crime more effectively</p>	<p>18. Boost the capacity of the relevant experts to tackle links between international wildlife trafficking and poaching with organised crime, including cyber-crimes and related illicit financial flows</p>	<p>MIR MINHAC MINCOTUR SMAFGE MITERD</p>	<p>Awareness-raising campaigns are conducted in relevant contexts [EnviCrimeNet, Europol, Interpol, Network of Organised Crime Prosecutors (REFCO)] and national investigation units on financial, organised crimes and cyber-crimes</p>	
		<p>MINCOTUR MIR MINHAC SMAFGE MITERD</p>	<p>Capacities necessary to tackle online wildlife trafficking have been strengthened within the competent units, and the existence of channels to trigger assistance from units specialised in cybercrimes in specific cases is ensured (e.g., “dark web” investigations, unlawful use of virtual currencies, etc.)</p>	
		<p>MIR MINHAC</p>	<p>This issue has been included in the agenda of FATF<sup>39</sup>, the CARIN<sup>40</sup> network and the Egmont Group of Financial Intelligence Units</p>	
		<p>MIR MINHAC SMAFGE</p>	<p>FATF has been asked to provide guidelines on existing links between money laundering and wildlife trafficking</p>	
		<p>SMAFGE MINCOTUR MIR MINHAC MITERD</p>	<p>Training courses on the investigation of illegal financial flows relating to wildlife trafficking are organised</p>	
	<p>19. Ensure, in accordance with international commitments, that organised illegal wildlife trafficking is considered a serious crime in Spain in the framework of the UN Convention against Transnational Organised Crime, i.e. punishable by a prison term of at least four years</p>	<p>MIR MINHAC MINCOTUR SMAFGE MITERD</p>	<p>The relevant national legislation has been revised and modified, where applicable</p>	

<sup>39</sup> Financial Action Task Force.

<sup>40</sup> Camden Asset Recovery Inter-Agency Network.



	ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
	Implementation of specific awareness-raising campaigns (MINCOTUR, SMAFGE, SGBTM, GC)	Continuous action. First milestone in 2018
	<p>Courses on online data mining, investigation of property and training for specialists in the fight against organised crime, cybercrime and money laundering related to international wildlife trafficking and poaching (MINCOTUR, SGBTM, GC, DAIE)</p> <p>Strengthening of teams investigating illicit anti-environment activities, in particular wildlife trafficking (MINCOTUR, SGBTM, GC, SMAFGE, DAIE)</p>	Continuous action. First milestone in 2018
	Participation by the aforementioned National Central Office for information analysis (GC)	Begins in 2018
	<p>Investigation of activities related to or potentially constituting smuggling offences or other aspects covered by the Criminal Code (GC, SMAFGE)</p> <p>Dissemination of the FATF guidelines among crime investigation units and inclusion in Specific Instruction Plans (GC)</p>	Begins in 2018
	<p>Participation by experts in courses on wild flora and fauna offences (MINCOTUR, GC, SGBTM, SMAFGE, DAIE)</p> <p>Courses for SEPRONA on illegal funding mechanisms (MINCOTUR, SGBTM, DAIE)</p>	Continuous action. First milestone in 2018
	<p>Promotion or provision of international legal aid envisaged by international laws and treaties (SMAFGE)</p> <p>Proposal of future amendments, rules and improvements for law enforcement within the inter-ministerial working group (MINCOTUR, GC)</p> <p>Analysis and, where applicable, proposal of amendments to the Natural Heritage and Biodiversity Act 42/2007 for the update of the penalty system (Article 80): broadening of paragraphs b) and f) to cover endangered species included in the international conventions signed by Spain (SGBTM)</p> <p>Collaboration between MITERD and the Environmental Section of the Prosecutor General's Office to analyse and, where applicable, propose future amendments of the Criminal Code; in Section 334: review of penalties and technical improvements, where appropriate, to the types of criminal offences applicable in this matter (SGBTM, SMAFGE)</p> <p>Assess the advisability of drafting specific legislation to sanction infringements of the CITES Convention and Regulations (EC) 338/97 and 865/2006 (MINCOTUR, MINHAC)</p>	2018

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OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS	
(cont.) Objective 2.3:  Fight wildlife-related organised crime more effectively	20. Review national legislation on money laundering, pursuant to the UN General Assembly Resolution, to ensure that offences relating to wildlife trafficking are considered predicate and indictable offences under national criminal law	MIR MINHAC MITERD SMAFGE MINCOTUR	The corresponding national legislation has been reviewed and amended where appropriate	
Objective 2.4:  Improve international cooperation on enforcement of laws against wildlife trafficking	21. Intensify cooperation on enforcement of legislation between the law enforcement authorities of Spain, the EU Member States, key non-EU parties and other regional wildlife enforcement networks, relevant global networks [International Consortium for Combating Wildlife Crime (ICCWC) <sup>41</sup> and the International Network for Environmental Compliance and Enforcement (INECE)]	SMAFGE MIR MITERD	Participation in joint international police operations, assisted by Europol  Contacts to be promoted with Prosecutor networks, strictly within institutional contexts	
	22. Support capacity building for law enforcement in key source and destination countries, including protected areas	SMAFGE MIR MINHAC MINCOTUR MITERD MAEUEC	ICCWC <sup>42</sup> activities receive ongoing funding, including the evaluations of criminal prosecution systems based on the ICCWC Toolkit to fight wildlife and forest-related crime	
		MIR MINHAC MINCOTUR MITERD MAEUEC	The results of the recommendations of the ICCWC Toolkit are taken into account in the specific support for non-EU countries	

<sup>41</sup> Composed of Interpol, CITES Secretariat, the World Customs Organization, the UNODC and the World Bank.

<sup>42</sup> International Consortium for Combating Wildlife Crime (<https://www.unodc.org/unodc/en/wildlife-and-forest-crime/icwc.html>)

<sup>43</sup> Art. 3 of the Statute of the Fiscal Ministry. Law 50/81.



ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
<p>Collaboration between DAIE, GC, MINCOTUR, SGBTM and SMAFGE to analyse and, where applicable, propose future amendments to the Criminal Code with regard to money laundering in order to guarantee its application in offences related to wildlife trafficking. (DAIE, GC, MINCOTUR, SGBTM, FGE)</p> <p>Promote or provide international legal aid envisaged in international laws and treaties<sup>43</sup> (SMAFGE)</p>	2018
<p>Investigate activities related to smuggling offences or matters which fall under the Criminal Code. (GC, SMAFGE)</p> <p>Appoint an Officer from the Civil Guard to Europol's environmental offences department as a national expert for the exchange of information related to wildlife trafficking (GC)</p> <p>Ongoing participation in Europol and Interpol activities against illegal trafficking of species criminal networks</p> <p>Increased communication between the Head of SEPRONA and specialised units in countries with commercial and cultural links (GC).</p>	Continuous action. First milestone in 2018
<p>Collaboration with experts in the fight against wildlife crime in the development of technical assistance for source countries. (GC, SGBTM, MINCOTUR)</p> <p>Provide training and equipment to specialized bodies in the fight against wildlife trafficking and poaching on the ground, in source countries (SGBTM)</p> <p>Collaborate with third countries in the training and preparation of guards and management teams in parks and reserves (in collaboration with technicians from the National Parks Network, SEPRONA, or specialist agents). This is supplemented, where appropriate, with the supply of material to improve surveillance systems (infrastructure, vehicles, surveillance cameras, fences, etc.) (OAPN,SGBTM)</p>	Continuous action. First milestone in 2018
	Continuous action. First milestone in 2018

**SPANISH ACTION PLAN AGAINST ILLEGAL TRAFFICKING AND INTERNATIONAL POACHING OF WILDLIFE SPECIES**

**Priority 3.** Strengthening the global partnership of source, consumer and transit countries against wildlife trafficking

OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS
<p><b>Objective 3.1:</b></p> <p>Provide developing countries with increased, more effective and more strategically-focused support</p>	<p>23. Increase the effectiveness of funding support for the fight against wildlife trafficking and poaching</p>	<p>MINCOTUR MAEUEC MIR MITERD</p>	<p>Regular meetings are held in key countries to coordinate donor activities</p> <p>Beneficiary countries are asked to report on how the actions against wildlife trafficking and poaching funded by Spain have been effective in addressing the problem (using indicators such as the number of confiscations and successful prosecutions)</p>
<p><b>Objective 3.2:</b></p> <p>Strengthen and coordinate better action against wildlife trafficking and its root causes with relevant source, transit and consumer countries</p>	<p>24. Intensify dialogue with the main source, transit and consumer countries, and also with local communities, civil society and the private sector</p>	<p>MAEUEC MINCOTUR MITERD</p>	<p>Priority source countries have been identified</p> <p>Specific permanent structures have been set up to promote dialogue and technical cooperation</p> <p>This point is systematically included in the agenda of political and sectorial dialogues, and high-level meetings with the key countries and regions</p>
		<p>MAEUEC</p>	<p>A contact network has been set up in the delegations and embassies of the corresponding countries, using, where applicable, current structures such as the Green Diplomacy Network</p>
<p><b>Objective 3.3:</b></p> <p>Address the security dimension of wildlife trafficking</p>	<p>25. Improve the knowledge base and develop strategies to tackle the links between international wildlife trafficking and security</p>	<p>MAEUEC</p>	<p>Based on the results of the Plan implementation, subsequent steps are agreed at the corresponding fora in Spain and the EU</p>
		<p>MAEUEC</p>	<p>Security-related aspects of international wildlife trafficking are taken into account in the overall assessment by Spain and the EU of the situation in relevant third countries</p>
		<p>MAEUEC</p>	<p>Cooperation with the EU and the UN on wildlife trafficking has been strengthened in the framework of peacekeeping operations and crisis management</p>



ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
<p>Collaborate with third countries in pilot projects on action against wildlife trafficking and poaching in source countries (MINCOTUR GC, SGBTM)</p> <p>Collaborate with third countries on the development of innovative projects using new technologies to combat poaching in source countries and expansion to other countries (GC, SGBTM)</p> <p>Collaborate with third countries on the provision, training and preparation of bodies specialising in the fight against wildlife trafficking and poaching in source countries (GC, SGBTM, MINCOTUR)</p>	Continuous action. First milestone in 2018
Identify financing mechanisms and funds (e.g., related to international cooperation) that facilitate the implementation of actions identified in the pilot projects (SGCTDDO, SGBTM)	Continuous action. First milestone in 2018
Specific related actions (SGCTDDO)	Begins in 2018
Specific related actions (SGCTDDO)	2018
Specific related actions (SGCTDDO)	2018
Specific related actions (SGCTDDO)	Continuous action. First milestone in 2018

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OBJETIVES	ACTIONS	RESPONSIBLE	EXPECTED RESULTS
<p><b>Objective 3.4:</b></p> <p>Strengthen multilateral efforts to combat international wildlife trafficking</p>	<p>26. Support the adoption and implementation of strong decisions, resolutions and political declarations on wildlife trafficking at multilateral fora and in international instruments</p>	<p>MINCOTUR MITERD MAEUEC SMAFGE</p>	<p>This point is included in the following frameworks:</p> <ul style="list-style-type: none"> <li>- CITES, including, if necessary, support for trade sanctions in the event of non-compliance</li> <li>- Convention on Migratory Species: <ul style="list-style-type: none"> <li>Tunis Action Plan 2013-2020 for the eradication of slaughter, trapping, and illegal trade in wild birds under the Berne Convention relating to the Conservation of European Wildlife and Natural Habitats</li> </ul> </li> <li>- Relevant multilateral initiatives at the global level (UN, London and Kasane follow-up processes, G-7, G-20, etc.)</li> </ul> <p>The EU and Spain regularly check the implementation of commitments made at these fora</p>



	ACTIONS AND PROJECTS, INDICATING THE RESPONSIBLE DEPARTMENT	TIMELINE
	<p>Improve information resources including in situ evaluation of the conservation status of the affected species and joint missions in coordination with other EU scientific authorities (SGBTM).</p> <p>Promote coordinated actions at the European level to enable stiffer sanctions (trade, capital flows, etc.) to be applied to countries subject to CITES suspensions and individuals convicted of wildlife-related offences (MINCOTUR, SMAFGE, GC)</p>	<p>Continuous action. First milestone in 2018</p>



Luis Arranz





GOBIERNO  
DE ESPAÑA

VICEPRESIDENCIA  
CUARTA DEL GOBIERNO

MINISTERIO  
PARA LA TRANSICIÓN ECOLÓGICA  
Y EL RETO DEMOGRÁFICO