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48th session  
Agenda item 9

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**DEVELOPMENT OF GUIDELINES FOR THE PREVENTION AND SUPPRESSION  
OF THE SMUGGLING OF WILDLIFE ON SHIPS ENGAGED  
IN INTERNATIONAL MARITIME TRAFFIC**

**Illegal wildlife trafficking: Joint industry guidelines**

**Submitted by Belgium, WWF, WSC and BIC**

**SUMMARY**

*Executive summary:* This document describes the background for, and introduces joint industry guidelines on illegal wildlife trafficking. The objective of the joint industry guidelines is to support and further promote the uptake of the Guidelines approved by FAL 46 by providing specific and actionable guidance to all parties in the maritime industry. As such, the joint industry guidelines may also be seen as a response to the call in Assembly resolution A.1190(33) for submissions to the Maritime Safety Committee and the Facilitation Committee in respect of organized crime in the maritime sector.

*Strategic direction,  
if applicable:* 5

*Output:* 5.14

*Action to be taken:* Paragraph 11

*Related documents:* FAL. 5/Circ. 50; FAL 47/21/1 and resolution A.1190(33)

1 The approval and issuance by the Facilitation Committee at its forty-sixth session of the *Guidelines for the Prevention and Suppression of the Smuggling of Wildlife on Ships Engaged in International Maritime Traffic* (FAL. 5/Circ. 50) (hereinafter "the Guidelines") is an important development in the fight against illegal wildlife trafficking (hereinafter "IWT") in the maritime sector.

2 The chief objective of the Guidelines is to encourage collaboration and coordination at international, regional, and national levels, port level, and between competent Government agencies, maritime transport operators, shippers, seafarers, and other stakeholders in the prevention and suppression of wildlife trafficking. The Guidelines also serve as an additional tool to prevent and combat the smuggling of wildlife by enhancing awareness and involvement of all stakeholders concerned.

3 The Royal Thai Government and IMO, together with WWF and with support from the German Corporation for International Cooperation GmbH (GIZ), USAID, UNDP, WCO, and WSC; and with the participation of the Government of Kenya, organized in Bangkok the "All Hands on Deck Maritime Stakeholders Workshop" on 6 and 7 December 2022. Bringing together delegations from a number of Member States in the region, Government regulators, global maritime and wildlife conservation organizations, and shipping and ports executives, the Bangkok workshop was successful in assembling the first ever public-private partnership initiative supporting the adoption and implementation of the new Guidelines on wildlife trafficking for the international maritime industry.

4 The Bangkok workshop participants identified and agreed on multiple recommendations for follow-up actions. Amongst these were, inter alia, that: each stakeholder should know their role in the international supply chains and the responsibility they each hold for preventing and suppressing IWT; all actors have the responsibility to safeguard the integrity of the maritime industry; and partners must continue to work together to raise awareness, build capacity, initiate, and further foster collaboration and networks and share information and best practices.

5 Enhancing awareness of the Guidelines and their implementation were important objectives identified at the Bangkok workshop. It was also agreed that the Guidelines could be further supported by additional guidance on the prevention and suppression of IWT addressed to industry stakeholders throughout the international supply chains. It was also noted that there is currently no lack of guidelines. The challenge is rather to condense and summarize these Guidelines in a format that is conducive to sharing and uptake by the various parties in the international maritime industry.

6 The thirty-third session of the Assembly adopted Assembly resolution on *Enhancing the framework of the fight against organized crime in the maritime sector* (A.1190(33)).

7 The Assembly resolution expresses concerns about the illicit trafficking of humans, wildlife and goods by organized crime and the devastating impact on society caused by these criminal activities. Further, the resolution calls upon interested Member States, governmental and non-governmental organizations to submit proposals to the Maritime Safety Committee and the Facilitation Committee in respect of organized crime in the maritime sector.

8 In response to the above-mentioned developments, WSC has been working with several stakeholders to develop joint industry guidelines on IWT. It is important to stress that these joint industry guidelines are not, and should not be seen as, contradictory to, distancing from, or unsupportive of the Guidelines approved by FAL 46. On the contrary, the objective of the joint industry guidelines is to support and further promote the uptake of the Guidelines by providing specific and actionable guidance to all parties in the maritime industry. It must also be stressed that the organizations involved in the development of the joint industry guidelines strongly oppose trafficking of protected wildlife, and do not speak for, or condone, those who undertake or facilitate such illegal activities.

9 The joint industry guidelines are reproduced in annexes 1 and 2. They are supported by UNDP, GEF and GWP; have been developed in collaboration with TRAFFIC and WWF; and are co-sponsored by BIC, Global Shippers Forum, and the TT Club.

## **Proposal**

10 The Facilitation Committee may wish to refer the joint industry guidelines in the draft resolution and the draft revised Guidelines that are expected to be considered by FAL 48.

**Action requested of the Committee**

11 The Committee is invited to consider the proposals in paragraph 10 and take action as appropriate.

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## ANNEX 1

# JOINT INDUSTRY GUIDELINES: COMBATTING ILLEGAL WILDLIFE TRADE – A SHARED RESPONSIBILITY



### Introduction

- ❑ **Wildlife crime** is a critical threat to biodiversity, local and national economies, national and international security, and global health.
- ❑ **Maritime traffic** is vulnerable to the trafficking of illegal goods. Due to the vast volume of trade carried by sea, the increased complexity of intermodal supply chains, and the demand for faster, just-in-time deliveries, criminals can exploit weaknesses in global maritime supply chains to move contrabands.
- ❑ **All parties** in the international containerised supply chains, in particular consolidators, receiving goods for packing or carriage should take steps to prevent illegal wildlife shipments. This involves checking the legitimacy of cargoes handled, performing a risk assessment, and alerting appropriate national authorities of suspicious activity.
- ❑ **Guidelines on combatting wildlife trafficking** in the maritime sector have been developed by the International Maritime Organization (IMO) and should be consulted by all parties in maritime supply chains.<sup>1</sup>

### Key measures

- ❑ **Mis- and non-declaration** of wildlife shipments is common. So is the concealment of such shipments in and among legitimate cargoes. Parties in the containerised supply chains are therefore encouraged to establish appropriate procedures to identify and combat such illicit trade, including the use of screening practices and automated tools to detect illegal wildlife shipments. Whenever wildlife products are detected in a shipment, the species should be checked against the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) to determine their protected status and whether trade is permissible. A dedicated Checklist of CITES Species allows the exploration of more than 36,000 species of animals and plants and their degree of protection. Each shipment of wildlife should be accompanied by valid documentation, including where applicable, a CITES permit.
- ❑ **The sealing of containers** and maintaining seal integrity are crucial elements of a secure supply chain. All containers must be secured immediately after packing by the responsible party (i.e., the shipper or packer acting on the shipper's behalf) with a high-security seal that meets or exceeds the most current International Organization for Standardization (ISO) 17712 standard for high-security seals. Equivalent electronic devices may be used. Throughout transit, it should be verified that the seal is intact with no signs of tampering, and that the seal number matches the number noted on the shipping documents.
- ❑ **A company's human resource force** is one of its most critical assets, but it may also be one of its weakest links. Many compromises of container integrity are caused where one or more of the workforce are corrupted or forced to collude with criminal parties to infiltrate and exploit the supply chain. Because of the size and weight of wildlife shipments, such exploitation is most prevalent at the packing and consolidation location. Companies should therefore exercise due diligence to verify on initial engagement and periodically thereafter that employees filling sensitive positions are reliable and trustworthy. Sensitive positions include staff working directly with cargo or its documentation, as well as personnel involved in controlling access to sensitive areas or equipment.

### Additional measures

Additional measures to prevent the introduction of illegal wildlife in the containerised supply chains include:

### Due diligence and documentation

- ❑ **Risk assess your supply chain**, and identify areas that might be vulnerable to illegal wildlife trade.
- ❑ **Conduct due diligence on suppliers** and counterparties ("know your customer or KYC"). Searches should include any prior involvement in wildlife crime and ensure that suppliers have policies and procedures in place to prevent illegal trade.

### Some of the questions you should ask yourself when assessing potential new clients (or monitoring existing ones)<sup>3</sup>

- 1 **Is the shipper a registered business entity? Does it have a tax ID? Is it a member of the national Chamber of Commerce or the relevant business association?** Conduct searches on local corporate registry to verify that the company is active. (Remember: recently established companies may be a risk factor!)
- 2 **Does the company exist on the web? Own or third party website? Does its website corroborate the stated line of business?** (For example, a timber company sending a one-off shipment declared to contain cashew nuts could be a risk factor.)
- 3 **Can you geo-locate the company? Is it a private residence or commercial property? Are multiple other businesses registered at the same address?** (Remember: the inclusion of fake addresses on documentation is a possible indicator of a shell company.)
- 4 **Are the IP address, phone, and email address consistent? Is it a business email address or-for example a gmail, yahoo account? Who answers the phone?** (Links between an Africa-based shipper and one or more parties in known transit or destination countries in Asia could be a risk factor.)

- ❑ **Establish traceability** and consider implementation of technologies to trace products from source to market and to monitor the supply chain for any potential illegal activity. Also, emerging technologies are capable of wood species identification that, combined with machine learning on trade in wood products, can identify illegal activity.
- ❑ **Regularly review and update processes**, including supply chain procedures, to ensure they remain fit for purpose and relevant. Risks through the supply chain evolve, so staying agile is important.

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Disclaimer: The trafficking of protected wildlife is an illegal act under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). It is to be understood that the organisations endorsing this document oppose such trade and do not speak for, or condone, those who undertake or facilitate it.

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**Company policies and practices**

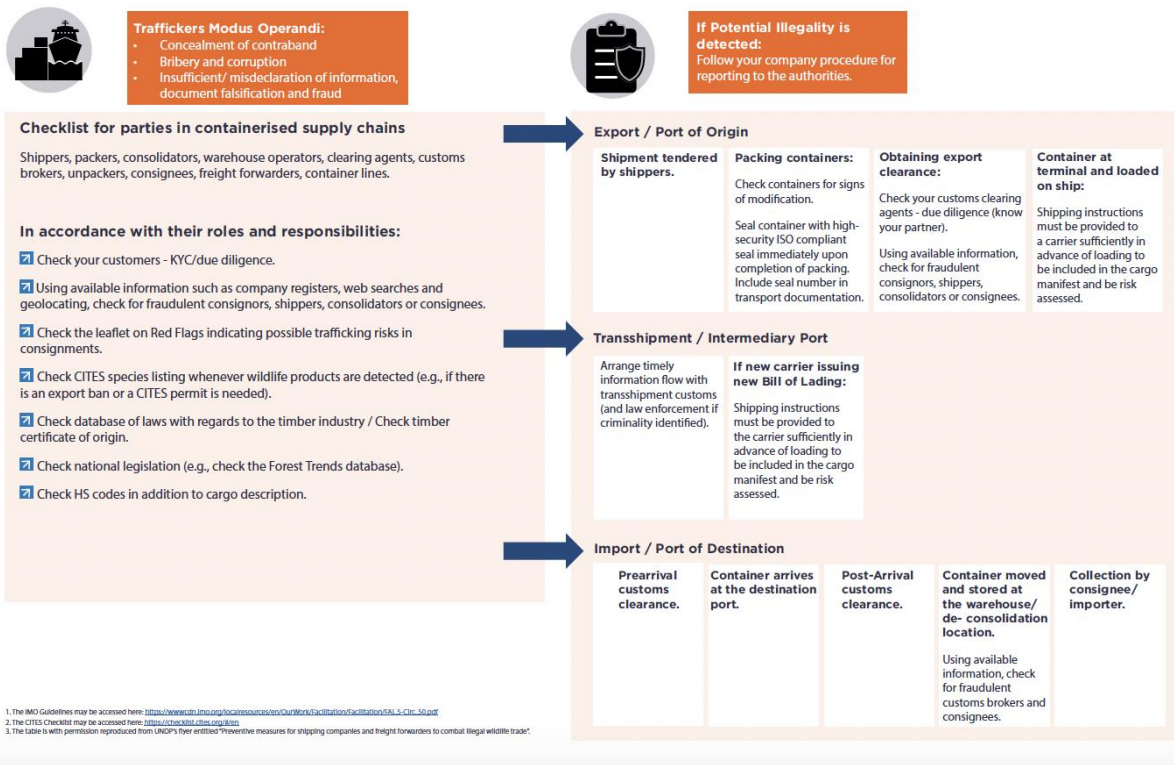
- 2. **Develop and implement** a zero-tolerance wildlife crime policy anchored in a strong corporate culture of awareness of the importance and shared responsibility to combat illegal wildlife trafficking. Such a policy should include clear guidelines and procedures for employees, suppliers, and other stakeholders to follow in mitigation of the risks of illegal wildlife products.
- 2. **Screen prospective** employees and periodically check current employees. Application information, such as employment history and references, should be verified prior to employment, to the extent possible and allowed under the law.
- 2. **Conduct employee background** screenings in accordance with applicable legal limitations, and the availability of criminal record databases. Based on the sensitivity of the position, employee vetting requirements should extend to temporary workforce and contractors.
- 2. **Establish systems** for employees to confidentially report corrupt practices and suspicions in relation to the transportation of illegal wildlife and their products, or encourage use of whistle-blowing systems, where available. Means for anonymous reporting should be developed and made available.
- 2. **Educate employees** and counterparties about the dangers of wildlife crime, the importance of due diligence, how to recognise and report suspicious activity, and latest trends (e.g., concealment methods and trafficking routes).

**Interaction with authorities and organisations**

- 2. **Share and exchange** information with authorities regarding suspicious shipments. Any such information sharing should respect and protect the confidential nature of the information and shield the source from exposure.
- 2. **Collaborate** with law enforcement and relevant organisations to gather information, exchange best practices, and support efforts to combat wildlife crime.
- 2. **Provision of information** to law enforcement is recommended to be handled by a designated unit or a person who is familiar with the relevant laws and the discovery process. Such designated staff should be involved in and consulted on acceptance of shipments that have been declared or are suspected of containing wildlife products. The designated staff should also receive training on matters regarding illegal wildlife trade and measures to detect such trafficking.
- 2. **The need to protect** the organisation and the sources from any type of harm (reputational or physical) should be considered carefully in the information exchange. Particular attention should be given to avoid information that might allow the identification of its source (crew, staff, or whistleblowers) in order to protect them and their family members from being targeted and threatened by criminals.



**Combatting illegal wildlife and timber trafficking in containerised maritime shipping: Suggested Actions**



More Information: [https://www.worldshipping.org/s/Combating-Illegal-Wildlife-Document\\_-Publication.pdf](https://www.worldshipping.org/s/Combating-Illegal-Wildlife-Document_-Publication.pdf)

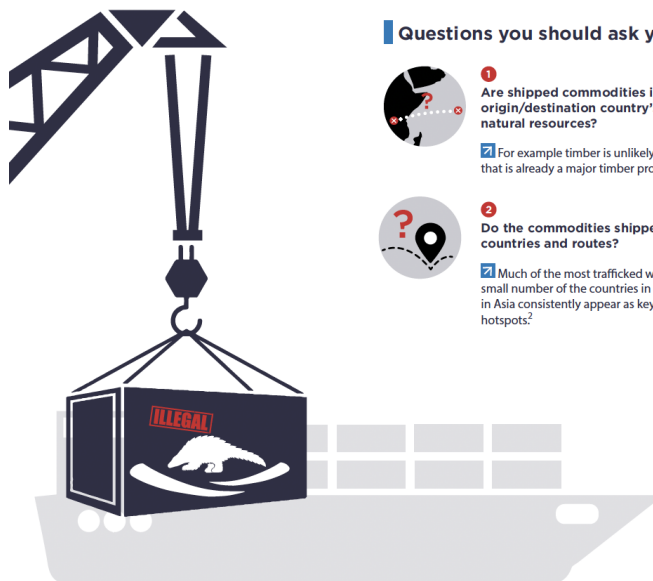
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## ANNEX 2

### JOINT INDUSTRY GUIDELINES: RED FLAGS FOR SUSPICIOUS ILLEGAL WILDLIFE TRADE

# Red flags for suspicious illegal wildlife trade

Many indicators of suspicious cargo are common to all forms of contraband, including trafficked wildlife. High levels of corruption in countries or in ports should be considered a major overarching red flag, since traffickers will look to exploit these weaknesses.



#### Questions you should ask yourself to spot possible red flags:<sup>1</sup>



**1 Are shipped commodities incompatible with the origin/destination country's technical capacities or natural resources?**

For example timber is unlikely to be shipped to a country that is already a major timber producer and exporter.



**2 Do the commodities shipped involve high-risk countries and routes?**

Much of the most trafficked wildlife originates in just a small number of the countries in Africa, while several locations in Asia consistently appear as key transit and destination hotspots.<sup>2</sup>



**3 Are weight and cargo appearance inconsistent?**

For example, actual weights are different than those stated in the bill of lading or packing lists; declared weight is not reasonable or realistic for the declared commodity; and/or the appearance and characteristics of the shipment do not seem to match the description in the import declaration or other documentation.



**4 Are cargo descriptions dubious, vague or misleading?**

Examples of vague or misleading descriptions for wildlife shipments include "fish", "shell", "horn" and "rosewood" (there are many species of rosewood, only some of which may be traded legally).



**5 Does the value of cargo tally with its description and size?**

The value of cargo can help authorities determine whether the shipment is identical to what is declared.



**6 Is the paperwork questionable?**

For example, are photocopies used instead of original documents? Are there spelling mistakes or inconsistencies? Is there a mismatch of permit number or date? Are documents expired? Is the official counter signature missing or do the documents seem altered (for example, look out for odd formatting, blurry text or cut and pasted logos).

<sup>1</sup> For sealed packed containers, the shipping line may not be able to determine several of the below red flags. Other parties in the supply chain may be able to do so as may Customs authorities when comparing the import declaration with the cargo manifest.

<sup>2</sup> For more information, see UNDP's flyer "Overview of known trafficking routes, concealment methods and misdeclarations of wildlife products commonly trafficked in containerized sea cargo in recent years."

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Red flags for suspicious illegal wildlife trade

**7** **Is the shipping route abnormal for the product and destination?**

For example, a) the shipment makes no commercial sense, e.g. is sent via a long slow route involving multiple stops when more direct routes exist; b) the shipping costs are abnormally high compared to the declared cargo value; or c) the shipment has no clear market value in the destination country. Criminal networks also have been known to use multiple transshipments to hide the origin of shipments and make surveillance and traceability more difficult.

**11** **Is the consignment split across multiple shipments?**

The splitting of consignments may occur for legitimate reasons and purposes. However, it can also be a tactic used by traffickers to spread the risk of loss in case of interception by law enforcement. It is also used to more easily hide smaller illegal shipments within shipments of legitimate commodities. The illegal shipment may be spread across multiple containers under one booking or across multiple bookings.

**14** **Is a first-time shipper reluctant to offer information about their business and product end-use?**

New customers should be subjected to thorough screening to rule out that they are shell companies created to obfuscate the actual ownership of the cargo.

**8** **Was the shipping route changed after the ship left the port?**

Change of destination or diversion of cargo is a legitimate procedure for commercial reasons but can be an indicator of illegal activities and an attempt to evade controls.

**12** **Are Free Trade Zones or Free Ports used for the shipment?**

The simplified import, export, transit and transshipment procedures and lax controls of free trade zones and free ports can make them prime sites for diversion of illegal shipments.

**15** **Was shipment clearance requested last-minute by the shipper?**

This might be an attempt to avoid Customs' controls due to time constraints.

**9** **Was the Bill of Lading (B/L) switched?**

This is when a shipper freight forwarder or shipping agent files a new Bill of Lading for a shipment that is already en route. This may occur for legitimate commercial reasons, but is also a common tactic used by traffickers to disguise information about the port of loading, port of discharge and routing of a shipment to reduce the likelihood that illegal shipments will be flagged for inspection or impede investigations if the contraband is seized.

**13** **Is the shipper and consignee information false?**

For example, look out for addresses that appear incomplete or overly simplistic (e.g., "1234 Main Street"); consignee names that are similar to large well-known companies; consignee addresses that are different to the businesses associated with the declared commodity.

**16** **Are payments made in cash?**

Cash payments can be a legitimate payment method, but they can also be a sign of an illegal transaction since they are not traceable.

**10** **Was the use of a Letter of Indemnity (LoI) requested without just cause?**

This can be legitimate where, for instance, the voyage is too short to issue B/ Ls. However, the LoI can designate different receivers, consignees and B/L contents. It can therefore be used to evade enforcement agencies by using different receivers at short notice and to change the port of discharge.

**One risk indicator alone, or without additional information about the customer or transaction, is not likely to be sufficient to confirm there is an illegal activity. If you suspect something suspicious, ask the customer to provide you with more information and follow your company's Standard Operating Procedures. Companies are encouraged to consider using a system of green/orange/red lights for the indicators described that could help assess the overall risks and take action where required.**



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