



Minutes of the Virtual Project Board Review

Project Name: Reducing Maritime Trafficking of Wildlife between Africa and Asia

Project ID: 00109494

Date: 23 May – 23 June 2019 (conducted virtually)

1. List of Participants

| Board Members | Title |
|---------------------------------|--|
| Gerd Trogemann | Istanbul Regional Hub Manager, Chair, UNDP |
| <i>Claudia Sobrevila (late)</i> | <i>Manager of the Global Wildlife Program, World Bank</i> |
| Elisson Wright | Senior Natural Resources Management Specialist, World Bank |
| Naomi Doak | Head of Conservation Programmes, The Royal Foundation |
| Ricarda Amberg | Deputy, Container Control Programme, UNODC |
| Lisa Farroway | UNDP-GEF Regional Technical Advisor, UNDP |
| IRH participants | Title |
| Ekaterina Paniklova | Senior Programme Coordinator/Team Leader of Integrated Country Office Support Team |
| Marina Ten | Regional RBM Specialist / Head of Programme Support Unit |
| Mikhail Paltsyn | Project Technical Advisor, UNDP |
| Tamara Tschentscher | Knowledge Management Officer, UNDP |
| Yelda Bakar | Project Associate, UNDP |

2. Agenda and discussion

Background

The UNDP-GEF Project “Reducing Maritime Trafficking of Wildlife between Africa and Asia” officially was started in May 2018 with the Objective *to reduce maritime trafficking of wildlife (including elephant, rhinoceros and pangolin) between Africa and Asia through strengthening of capacity at ports and improving South-South cooperation to control wildlife trafficking*. The project objective is planned to be achieved via achievements of three project Outcomes:

1. Stakeholders at ports and across the shipping sector work towards, and maintain, best practice in combating wildlife trafficking
2. Strengthened coordination and enhanced South-South cooperation on combating wildlife trafficking
3. Continuous learning and sharing of lessons and results ensures maximum success of the GWP and its wider longer-term impact.

On 9 October 2018 the project had its first Project Board meeting in London. The Project Board “approved the project workplan 2018 and agreed that the priority for remainder of 2018 was to complete detailed consultations with stakeholders and partners and develop clear strategies to engage

with country governments, target port stakeholders, and other partners to start active project implementation in 2019” based on detailed Annual Work Plan 2019.

The project management team (Mikhail Paltsyn, Technical Project Advisor (PTA); Tamara Tschentscher, Knowledge Management (KM) Officer; and Yelda Bakar, Project Associate (PA)) conducted multiple meetings and consultations with 180 stakeholders, mainly in Mombasa, Dar es Salaam and Zanzibar Ports, with the objectives to:

- 1) Define key gaps that allow illicit wildlife trade to exploit the target ports as exit points to Asian markets;
- 2) Adjust project activities to cover these gaps in strong cooperation with governments, private sector entities, and non-governmental stakeholders in a sustainable manner and develop the project Work Plan 2019-2021 accordingly;
- 3) Collect and update baseline information for indicators of the Project Results Framework based on updated project activities;
- 4) Clarify project management arrangements given the global character of the project;
- 5) Update the project budget based on the adjusted activities; and
- 6) Develop Gender Mainstreaming as well as Knowledge Management & Communication Strategies for the project.

Given the large number of stakeholders and global project design, it was not cost-efficient to conduct traditional project Inception Workshops. Instead, from October 2018 to March 2019, the project team organized multiple face-to-face and virtual meetings and discussions of the project with key stakeholders.

On 23 May 2019, the PTA has referred to the discussion of the first Project Board meeting in October, informed the Project Board about consultations with key port stakeholders, including port-based government agencies and private sector entities.

He also communicated that despite the considerable delay in finalizing the project work plan, the project had made suggested adjustments to the project work plan. Based on our stakeholder consultations, the project team is confident that these adjustments will help to achieve the project’s ambitious objective as well as generate positive and sustainable impact for target sea ports and beyond.

The PTA has shared the Project Inception Package, including the updated Inception Report, the Project Work Plan 2019-2021, the Project Results Framework and other annexes with the kind request for your review and approval at the following link https://1drv.ms/f/s!AoslWz8yoAvch6NMDgKEIicHcGdV_A . In particular, this project inception package includes:

- The Inception Report outlining suggested changes in the strategy and workplan of the project is based on consultations with key stakeholders. The Board’s particular attention was drawn to the section “Suggested Project Partners (Responsible Parties)”, p.43, with a list of Responsible Parties for some of the project activities. Following suggested Responsible Parties: The Institute of Chartered Shipbrokers and the Space for Giants, are Non-governmental organizations and as per UNDP rules and procedures require competitive selection unless the Project Board decides they have a unique value and sufficient justification to engage them without competition. Thus, the Board was requested the approval regarding suggested entities, deliverables and amounts. This approval will allow the project team to establish direct agreements with these actors in line with the UNDP rules and procedures (without competitive procurement procedure), based on the justification of their unique value and expertise to implement a set of the key project activities;

Based on the consultations the Project Team developed following annexes to the Inception Report:

- Annex 1. List of stakeholders consulted during the project Inception Phase;
- Annex 2. Summary of stakeholder meetings in Kenya and Tanzania;
- Annex 3. 1st Project Board Meeting Minutes;
- Annex 4. Project Work Plan 2019-2021, which requires approval by the Project Board;
- Annex 5. Gender Action Plan;
- Annex 6. Project Knowledge Management & Communications Strategy;
- Annex 7. Updated Project Results Framework (PRF) with suggested (substantive) changes, which require approval by the Project Board;
- Annex 8. Draft Agreements and Concept Notes for some of the project activities;
- Annex 9. Updated Project Risks Log;
- Annex 10. Project Procurement Plan for 2019;

All the documents above were submitted to the Project Board on 23 May 2019 for review and approval. Project Board members comments were collected by 23 June.

The recommendations and comments made by the Board members have been addressed during the consultations. A detailed comments log is attached in the Annex 1 to this document.

3. Decision of the Project Board

Following the review of the project documentations and virtual discussion, the Project Board approved the following:

- Inception Report with all annexes, including Annex 4. Project Work Plan 2019-2021 with changes made based on the PB comments and Annex 7. Updated Project Results Framework (PRF);
- List of Responsible Parties with exclusion of the Space for Giants (As Project Board did not reach consensus on the KYC proposal/implementation arrangements and that will come back with a revised proposal for 2020 work plan.)

Prepared by : Mikhail Paltsyn, PTA, and Tamara Tschentscher, KM Officer



Cleared by : Ekaterina Paniklova, Senior Programme Coordinator



20-Nov-19 | 08:13:35 PST

Approved by : Gerd Trogemann, Istanbul Regional Hub Manager

Gerd Trogemann

24-Nov-19 | 10:35:45 PST

Annex 1. Comments Log during Project Board Consultations

| Comments from Board Members | Response from the Project Team |
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| Advanced training and mentoring to cover CITES regulations, identification, and risk indicators at the ports | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section 4. Key gaps identified in the target ports during the Inception Phase: Insufficient knowledge and skills in CITES regulations, identification, and risk indicators at the ports, p. 21</p> <p>Comment: “This is all noted but I would question whether identification of species is really needed given the number of staff and turn over”.</p> | <p>Insufficient knowledge and skills in CITES regulations, identification, and risk indicators at the ports was announced as one of the key gaps by Joint Port Control Units (JPCUs) at Mombasa and Dar es Salaam Ports and confirmed by UNODC. They requested advanced training and mentoring to cover CITES, that includes identification of key species and their derivatives. Regarding species identification the advanced CCP training covers mainly following species and derivatives: ivory, pangolins and pangolin scales, rhino horn, shark fins, as well as endangered wood species. Customs officers at the ports need to know how the derivatives look like, including on scanner images, and what concealment methods are used for their smuggling. This training is also important for the JPCU that is going to be established at Zanzibar Port.</p> <p>Actual turnover of JPCUs at Mombasa and Dar es Salaam is pretty low with almost same people working in the units since their establishment in 2014 and 2016: all JPCU staff are expected to remain in post for 3 years, although there have been occasional exceptions. However, turnover of other Customs staff working at the port is much higher. Thus, simple annual refreshments on CITES identification after advanced CCP training on CITES would be quite useful.</p> |
| Know Your Customer legal framework in Kenya | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section 4. Key gaps identified in the target ports during the Inception Phase: on “In discussions with prosecutors based around these ports and borders, one issue repeatedly emerged as posing a particular challenge, namely that many investigations stall because it is currently difficult to identify the source of seized consignments of illegal wildlife or forestry products, or to precisely track where they were heading (Space for Giants, pers. comm).” P. 22.</p> <p>Comment: “I am not sure about this given how the taskforce has been doing this exact thing. It is about connecting to the private sector who have this information in terms of the destination”.</p> | <p>We are eager to learn more about the experience of the UfW Transport Taskforce to deal with this issue and incorporate it in the project. Currently majority of seizures (UNODC 2017) of large wildlife shipments at sea ports do not have any suspects or arrests associated with the preliminary case because of insufficient evidence and lack of exact contraband source/final destination identification. Based on your suggestion the following has been added to the gap “Lack of cooperation between law enforcement and private sector at ports” of the Inception Report, p.23: “Stronger collaboration between law enforcement and private sector will also help to identify the source of seized consignments of illegal wildlife or forestry products, or to precisely track where they were heading”.</p> |
| <p>The Royal Foundation:</p> <p>Inception Report, Section 4. Key gaps identified in the target ports during the Inception Phase: on “This is partly a result of insufficient vetting of their customers or their consignments by agents facilitating transactions and shipments. They are not compelled to collect sufficient, accurate information, and what they do collect is rarely comprehensive enough for investigations, which may commence long after the transaction. Introduction of</p> | <p>We agree that KYC framework is developed and used by some of the companies (e.g., shippers). There are various forms for that developed by AEO and C-TPAT members. But the project goal is actually to develop and facilitate gazettement of a legislation behind the KYC framework in Kenya that makes its application mandatory for all relevant supply chain stakeholders. It is similar to KYC framework for financial sector in Kenya: a bank KYC form is simple (10 pages only), but legislation (driving mechanism of the KYC) behind it is pretty</p> |

| Comments from Board Members | Response from the Project Team |
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| <p>mandatory procedures for export actors to conduct a due diligence process is expected to increase the conviction rate for wildlife traffickers as well as limit corruption". P.22.</p> <p>Comment: "It is not that simple, and I would disagree with much of this as many shippers do have KYC in place, but it is an issue with freight forwarders and they don't necessarily operate in the port. How will a KYC framework in the port help with freight forwarders? and how will this increase convictions which are often about prosecutions".</p> <p>Annex 4. UNDP/GEF Project Work Plan 2019-2021" on: Activity 1.3.3. Introduction of Know Your Customer (KYC) regulation framework to export actors in sea ports in Kenya, p. 6</p> <p>Comment: "This activity needs to be revisited. It needs to be an open call for the funding and the draft proposal includes things that do not seem relevant to this activity e.g. support to the DPP, how is that about KYC frameworks for business?"</p> <p>Annex 8. Draft Agreements and Concept Notes for the project activities on Activity 1.3.3. Introduction of Know Your Customer (KYC) regulation framework to export actors in sea ports in Kenya, p. 32-33.</p> <p>Comment: "See previous comments. I am just not sure this is a stand-alone activity and definitely not one that costs the estimated amount in this document. We can provide a draft KYC framework with no cost attached from a global law firm. or is this about support to the DPP which is not about KYC. It is the companies that have to accept the framework not the DPP".</p> | <p>complex (at least 5 documents and several hundred pages). The KYC legislation for export actors in Kenya will be simpler than KYC legislation for bank sector, but still will require a lot of consultations and legislation drafting. That is why we reserved quite sufficient budget for that (\$90,000) after relevant consultations.</p> <p>Kenya Maritime Authority (KMA) has very good regulations on seafarers and vessels, enabling an investigation to track and know which ship/vessel is where and who is in charge of it, trace source and destination for sea containers, and know what agent provided particular container for shipment. However, KMA regulations do not cover other supply chain agents at the ports or connected to the ports who often order or receive goods on behalf of customers. These customers are often anonymous in the case of crime and even in ordinary business like simply bringing in a car or clothing merchandise from China, seldom do the agents keep sufficient records nor are they required to by law. In short, the agents are known and registered, but their customers are not. So these KYC regulations wouldn't so much affect the international shipping companies. They already know who (the agents) they are delivering to or who is sending goods they're shipping.</p> <p>This is where all criminal investigations at the port of Mombasa and other ports of entry hit a dead end from ODPP experience of guiding criminal investigations into wildlife crime and indeed other illegal contraband such as sugar, narcotics etc. Police, KRA, KMA and the Ports authority will typically be able to identify which vessel was used and which agent was used. Sometimes which officials at the port colluded. But the agent will hardly have any records of who the real customer was. They often have single use phone numbers/emails or a bogus physical address. That's it. They are no rules requiring they keep any records in the first place and in what format/how long. Thus, OPDD ends up with many unclosed investigations. There are several cases dating as way back as 2014 which are unresolved to date. Worse when the prosecutions are made, often the agents are charged but they get acquitted as they can plead lack of knowledge (especially where there's concealment or misdeclaration of what is actually being shipped). The crimes they're charged with often require knowledge. Ultimately, investigators end up not knowing who the customer was. In the end law enforcement is left with a possibly innocent agent, the offending cargo (if it hasn't already left Kenya) and a few low level KRA/port officers in what cases of massive amounts of are illegal cargo/of high value.</p> <p>That is why these KYC regulations are required. It is near impossible to investigate these cases without making agents more accountable. It would not only help fighting crime but enable the revenue authority to track tax payers much better. Right now, it is easier to know/investigate who a customer was on Amazon or even Uber than it is to know who brought in a shipload of narcotics or send several containers full of concealed ivory to China.</p> |

| Comments from Board Members | Response from the Project Team |
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| | <p>The project is not actually going to provide any funds to ODPP but support intensive consultative process on development of KYC framework regulation with active participation of government agencies and private sector stakeholders and drafting KYC regulation. ODPP and KRA will play leading role in the process, but the legislation and framework itself will be used by export actors (business stakeholders) to make a mandatory due diligence on their clients. The project will also facilitate the process of the regulation official approval/gazettelement, however, the official approval is not under the project control. Due to lack of consensus between Project Board members on implementation of this activity this will not be commenced during 2019. Further discussions will take place with Board Members with the aim that a revised proposal with consensus support will be included in the 2020 work plan.</p> |
| <p>UNODC</p> <p>Annex 4. UNDP/GEF Project Work Plan 2019-2021 on: Activity 1.3.3. Introduction of Know Your Customer (KYC) regulation framework to export actors in sea ports in Kenya, p. 6 and the previous comment of the Royal Foundation (“This activity needs to be revisited. It needs to be an open call for the funding and the draft proposal includes things that do not seem relevant to this activity e.g. support to the DPP, how is that about KYC frameworks for business?”)</p> <p>Comment: “I am very familiar with this activity (I was present when it was introduced to this initiative [UNDP Port Project]). I am aware that it is an initiative that the DPP himself is pushing forward with a view to advance investigation on seizures at the port, (at present prosecutions are failing due to inability to track or identify owners or responsible for the consignments). The KYC framework will improve the ability of the DPP to direct and guide investigation on seizures and will ultimately be the responsible party for enforcing the consequences for noncompliance.</p> <p>I do not agree with the need to engage on a call for proposals for this [unless it is a requirement for the grants process from UNDP]. The proposal was presented by an implementer that has pursued the issue on the ground (which was a need identified in a report of court outcomes issued on 2018) They have followed this for over one year and have built support for the initiative with the Customs authority and other agencies (KRA, the DPP and KWS). Any newcomer will need to invest substantially in building the ownership from the local counterparts, and it will be seen as a duplication or a competition generated by this initiative, which will be counter-productive).</p> <p>The KYC as envisaged by SFG proposal has a consultative approach with participation of the institutions for the development of the framework with various development workshops which will consume most of the funds and ensure the ownership. This will not be a desk exercise. Hence the great importance of the buy-in and ownership of the DPP, KRA and KWS.</p> | <p>This is exactly how the KYC activity was discussed with stakeholders in Kenya. That is why Space for Giants was suggested as a Responsible Party for KYC activity where they have full competitive advantage and obtained necessary political support. However, due to lack of consensus between the Project Board members on implementation of this project we suggest having further discussion on the project and include revised proposal in 2020 work plan. The ToR for the project was developed and included in the Annex 8.</p> <p>We agree that the project has no control over gazettelement/official approval of the KYC framework and changed the Expected Result as the following: “KYC regulation framework for export actors is developed, discussed with stakeholders, and submitted for gazettelement by the Kenya Revenue Authority”, Annex 4. UNDP/GEF Project Work Plan 2019-2021, p. 6.</p> |

| Comments from Board Members | Response from the Project Team |
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| <p>Also, I would suggest to change the “gazetted” part to “submitted for gazettement (if required) to by the national authorities”.</p> <p>Annex 2. Summary of stakeholder meetings in Kenya and Tanzania on Meeting with Space for Giants and UNODC-WCO Container Control Program on KYC framework, p. 3: “The concept suggests development, introduction and official gazettement of the KYC framework in cooperation with Space for Giants, Office of the Director of Public Prosecution in Kenya, and Kenya Revenue Authority”.</p> <p>Comment: “The gazettement does not depend on the project and should not be part. In case gazettement is needed, the project can push for the ODPP to submit the framework for gazettement to the AG’s office, but the project will have no control beyond that”.</p> | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested involvement of Asian Ports in the project implementation on: Activity 1.2.1. Comprehensive trainings and mentoring for Joint Port Control Units, Joint Operation Centers and other customs officers at Mombasa and Dar es Salaam Ports on CITES identification, regulation, and risk indicators, wildlife crime intelligence, and basics of financial and cyber-crime investigation. Participation of JPCU officers from Vietnam, Thailand, Cambodia, Indonesia, and Philippines in the intelligence workshops in Mombasa and Dar es Salam will be encouraged through the Container Control Program. P. 46.</p> <p>Comment: “Why is the KYC framework not included here as surely that is something to share beyond Mombasa?”</p> | <p>Activity 1.2.1 is designed as a capacity building block for port-base law enforcement officers implemented via Container Control Program. It does not include KYC framework that is a stand-alone legislation initiative designed for Kenya.</p> <p>However, we agree with your comments and added the following to the section: Activity 1.3.3. Introduction of Know Your Customer (KYC) regulation framework to export actors in sea ports in Kenya: After introduction to Kenya the KYC regulation model will be presented for implementation to other African and Asian countries via port best practice guide and relevant events in the countries. P. 47. Due to lack of consensus between Project Board members on implementation of the KYC activity it will not be commenced during 2019.</p> |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on “- Introduction of the Know Your Customer regulation framework to encourage export actors to run a due diligence process on their clients (mainly works as disincentive to engage with wildlife traffickers)”. P. 30.</p> <p>Comment: “But this is only being suggested for one location from the draft contract”</p> | <p>Yes, in the framework of the project we are going to introduce Know Your Customer regulation only in Kenya where we have necessary political will and support from Kenya Revenue Authority and Office of Director for Public Prosecution as well as an organization capable to facilitate the process until official gazettement of the regulations. The clarification has been added to p. 30 of the Inception Report. If the project is successful, the model can be suggested to other countries in Africa and Asia (e.g., Tanzania and Vietnam). Due to lack of consensus between Project Board members on implementation of this activity this will not be commenced during 2019.</p> |
| Awareness and capacity of port stakeholders to address illicit wildlife trafficking | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section 4. Key gaps identified in the target ports during the Inception Phase: on Lack of cooperation between law enforcement and private sector at ports. P. 22.</p> <p>Comment: “This has changed significantly. the Taskforce Information Sharing System specifically tackles this so funding that system would address this”.</p> | <p>No doubts, the situation at the global level has changed last years and we greatly appreciate United for Wildlife Transport Taskforce efforts to make it happen. However, here we are speaking about the situation at the target ports of Mombasa and Dar es Salaam that does not demonstrate high level of cooperation between law enforcement and private sector to detect and prevent illicit trafficking, including wildlife crime. Following clarification added to the gap section of the Inception Report, p. 23: “Often customs cannot receive full cargo manifest from shippers for risk profiling in advance, many of the companies are not yet willing to develop corporate awareness/security measures to detect and prevent illicit trafficking pointing to Customs as the only responsible for that. Another indicator of low-level</p> |

| Comments from Board Members | Response from the Project Team |
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| | <p>cooperation between law enforcement and private sector is very few participants of Authorized Economic Operator (AEO) program at the ports. AEO is a mutually beneficial mechanism of supply chain security collaboration between private sector and law enforcement. According to WCO data, Kenya and Tanzania have only 14 and 2 AEOs respectively, mainly importers. Given facts of ivory detection in containers of one of the Kenyan tea exporters (by the way, AEO) at Mombasa Port, collaborative supply chain security measures are far from perfection yet". This fact of insufficient law enforcement – private sector cooperation at the port level has been confirmed by both parties in Mombasa and Dar es Salaam.</p> <p>Also, we can discuss funding of the Taskforce Information Sharing System in the Port project framework if necessary. Please, kindly advise on what is actually needed.</p> |
| <p>The Royal Foundation:</p> <p>Inception Report, Section 4. Key gaps identified in the target ports during the Inception Phase: on "Although some companies at Mombasa and Dar es Salaam ports are signatories of the Buckingham Palace Declaration, particular measures to implement these commitments at the ports are not being implemented yet". P. 23.</p> <p>Comment: "The BPD does not have specific port related commitments other than the UNDP led one".</p> | <p>Some of the BPD commitments could be very powerful if implemented at the port level, especially the following:</p> <ol style="list-style-type: none"> 5. Enhance data systems, including due diligence and risk assessment, to allow the transport sector and/or enforcement agencies to screen data and/or cargo, to identify potential shipments of suspected illegal wildlife and their products; 6. Identify and promote systems for staff and the public to report suspicions in relation to the transportation of illegal wildlife and their products. 7. Improve the training of staff within the transport sector to enable them to detect, identify and report suspected illegal wildlife trade, and acknowledge staff who champion this cause. 9. Notify relevant law enforcement authorities of cargoes suspected of containing illegal wildlife and their products and, where able, refuse to accept or ship such cargoes. 10. Establish a cross-disciplinary team working with local customs and law enforcement authorities to develop a system of best practice for combatting illegal wildlife trade in key ports. <p>These commitments are fully in line and agreement with AEO and Customs-Trade Partnership Against Terrorism (C-TPAT) recommendations to ensure security of supply chains. These exactly what we discussed with PBD signatories (Maersk and Hutchison Port) as well as other private sector stakeholders (Kenya Ship Agent Association, Tanzania Ship Agent Association, WEC Line, PIL, and CMA-CGM). We are sure that the Port project can contribute to active implementation of the PBD commitments at Mombasa and Dar es Salaam ports.</p> |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on "Strengthening collaboration with private sector entities at ports, including more clearly detailed activities to strengthen private sector engagement and demonstration of an assessment</p> | <p>Under the "assessment technique for private sector efforts to combat maritime wildlife trafficking" we mean self-assessment practice that the companies can implement to evaluate their capacity to prevent and detect suspicious consignments with key focus on wildlife crime. The assessment techniques was developed by AEO and C-TPAT to</p> |

| Comments from Board Members | Response from the Project Team |
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| <p>technique for private sector efforts to combat maritime wildlife trafficking”, p. 23 of the Inception Report.</p> <p>Comment: “I am not sure what this [an assessment technique for private sector efforts to combat maritime wildlife trafficking] means?”</p> | <p>identify gaps in awareness/security systems of supply chain participants and develop and implement relevant measures to cover the gaps. The clarification has been added to the “Suggested adjustments to the project” section of the Inception Report, p. 23. Thus, we had discussions with business stakeholders at Mombasa and Dar es Salaam ports mentioned above to implement this kind of assessment. Currently we are going to implement this assessment for Hutchison Ports in Dar es Salaam and are in discussion with Maersk Line, MSC, Bollere Transport & Logistics, and Tanzania Ship Agents Association if they want to do something like that too. The assessment methodology will be shared with the Project Board members for their input.</p> |
| Capacity of African and Asian Ports to address IWT | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on “Law enforcement capacity at Asian ports is significantly stronger than at African ports: 69% of all large-scale ivory seizures in 2000-2017 were made at Asian ports, and only 31% at African ports”, p. 24.</p> <p>Comment: “I think that is a bit claim given most of the seizures come from specific tip offs”.</p> | <p>This is one of the conclusions of C4ADS Report “Out of Africa” 2014: “...but most seizures have historically been on the East Asian leg of the journey, where security screening is better than African ports”. Also, this conclusion was supported by the Container Control Program during our consultations on target ports with recommendation to focus the project on the key East African ports.</p> <p>We suggest following change to this sentence: “Law enforcement capacity at Asian ports looks significantly stronger than at African ports: 69% of all large-scale ivory seizures in 2000-2017 were made at Asian ports, and only 31% at African ports (C4ADS 2014; EIA 2018; CCP, pers. comm)”, p. 24 of the Inception Report.</p> |
| Development and introduction of a certified course for port-based stakeholders on corporate awareness and security measures to prevent illicit wildlife trafficking at Mombasa and Dar es Salaam ports | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on “It is suggested to develop a 2-3-day long certified, in-person course for port-based business stakeholders on corporate awareness and security measures to prevent and detect illicit wildlife trafficking, building on recommendations of the Customs-Trade Partnership Against Terrorism and Authorized Economic Operators program”. P. 25-26.</p> <p>Comment: “I am slightly confused by this one. The above clearly says awareness is high so I think this need some more work on why it is included and how it will have an impact. The course suggested will help ensure new students are made aware but how will the course add to the awareness the consultation already said was high?</p> <p>As noted elsewhere I don’t see how an in-person course in places where there is awareness will be sustainable.”</p> | <p>Our apologies for confusion, this is true about Customs and other law enforcement agencies at the ports. This is what we mentioned in the report on private sector awareness, p. 25: “Private sector entities consulted at the ports (i.e. Maersk Line, WEC Lines, CMA CGM, PIL, and Hutchison Ports) are aware about illicit wildlife trafficking, and some have commitments to combat illegal wildlife trade (signatories of Buckingham Palace Declaration). However, awareness and understanding of measures to address the issue is limited, and barely any such measures are in place yet”, p. 25.</p> <p>This issue is going to be addressed by the project partially by the introduction of certified course for port-based stakeholders on corporate awareness and security measures to prevent illicit wildlife trafficking by the Institute of Chartered Shipbrokers. The course will be included in the certified training program of the Institute to run on regular basis at Mombasa and Dar es Salaam ports. The course will be available for wide spectrum of port-based business stakeholders as a part of overall training program for students as well as company staff.</p> <p>Also, to ensure that private sector stakeholders are sufficiently aware about wildlife crime and actually implement measures to prevent and detect it the project will work with interested companies (e.g., Hutchison Port) to develop an implement corporate awareness/security programs,</p> |

| Comments from Board Members | Response from the Project Team |
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| | developed based on recommendations AEO and C-TPAT (please, see Activity 1.4). |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested Project Partners (Responsible Parties): on Activity 1.1.4. Development and introduction of a certified course for port-based stakeholders (Port Authorities, clearing agents, freight forwarders, shippers, and container terminal operators) on corporate awareness and security measures to prevent illicit wildlife trafficking at Mombasa and Dar es Salaam ports. "The course is introduced to at least other 5 African and Asian ports." P. 44 of the Inception Report.</p> <p>Comment: "Who will fund this?"</p> | Introduction of the course to 5 other ports will be done by the Institute of Chartered Shipbrokers via their network of examination centres, branches, and International Teaching Centres. It does not require funding from the project. This clarification has been added to the Inception Report, p. 44 |
| <p>The Royal Foundation:</p> <p>Annex 4. UNDP/GEF Project Work Plan 2019-2021" on: Activity 1.1.4. Development and introduction of certified course for port-based stakeholders (Port Authorities, clearing agents, freight forwarders, shippers, and container terminal operators) on corporate awareness and security measures to prevent illicit wildlife trafficking to Mombasa and Dar es Salaam ports, p. 2.</p> <p>Comment: "See my comments on the draft contract document. I think there needs to be a bit more clarity on where and how IWT is being covered in some sections. I am also unsure how this can be delivered for the budget provided. Consideration of online modules to ensure it can be scaled. Needs to be embedded in their existing courses and information not just stand-alone trainings".</p> <p>Annex 8. Draft Agreements and Concept Notes for the project activities on Activity 1.1.4. Certified course for port-based stakeholders on corporate awareness and security measures to prevent illicit wildlife trafficking, p. 6-9</p> <p>Comment: "The course has a lot of content but very little is about IWT, so I think there needs to be a bit more consideration of the content here and how IWT can be included in more of this. IWT is mentioned in the highlighted parts but could be in a much more of this content. Could include in here something that specifically mentioned IWT - which could come under smuggling, but it may not."</p> <p>"Why not look at online modules? this would mean it could be delivered elsewhere and surely the ask would be to embed this in their existing training, so it doesn't need to be specific supported courses".</p> <p>"This budget is not much to develop the materials and run the courses when for example the KYC budget is nearly double this".</p> | The course concept has been revised with the Institute of Chartered Shipbrokers based on the recommendation. The updated concept is included in the Annex 8. Draft Agreements and Concept Notes for the project activities, pp. 7-9. We tried to incorporate in the course the most needed information on IWT that can be actually used by port stakeholders to prevent and detect illicit wildlife trafficking. The main focus of the course is explaining measures that allow to prevent and detect any illicit trafficking in supply chains, including wildlife crime. The Project Board members suggestions for the course are very welcome. The concept has been sent for review and comments to KPA, TPA, KSAA, TASAA, Maersk Line, MSC, COSCO, Hutchison Port. The initial budget (\$50,000) has been discussed with the Institute of Chartered Shipbrokers (ICS) and was confirmed as sufficient to introduce the course to Mombasa and Dar es Salaam ports. ICS also agreed to develop on-line version of the course along with in person course for additional \$50,000. So, we added that amount to the activity budget in the Work Plan. So, the total budget for Activity 1.1.5 now is \$100,000. As you noted, it was originally planned that the course will be fully integrated in the ICS existing certified training program. Additional funds for the course have been allocated from Activities 1.1.3, 1.1.6, 1.3.2, 1.3.4, 2.1.2, and 2.1.3) |
| Illegal wildlife trafficking gaps identified at the ports | |

| Comments from Board Members | Response from the Project Team |
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| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on “All these assessments indicated multiple gaps in the ports and developed a number of recommendations to close them, including key gaps discussed in section 4 of this report. However, these gaps are still not sufficiently addressed due funding limitations. Thus, the PMU suggests following recommendations of project stakeholders and not conduct another costly assessment that may only identify the same gaps and develop similar recommendations. Instead, the PMU suggests investing project funds to cover those gaps that have been indicated as high priority by stakeholders at Dar es Salaam, Mombasa, and Zanzibar ports”. P. 27.</p> <p>Comment: “Agreed, but I think it would be useful to try and compile these assessments to make sure they cover everything and that the recommendations are captured”.</p> | <p>Thank you! We tried to summarize key findings of the assessments and recommendations in the section “Key gaps identified in the target ports during the Inception Phase” and to confirm/update them via consultations with stakeholders at Mombasa, Dar es Salaam, and Zanzibar ports. We added (see Appendix 1. Summary of assessments and reports with recommendations relevant for Mombasa and Dar es Salaam Ports, p. 49, to the Inception Report. Additionally, all the findings and recommendations will be confirmed/refined at the Port Stakeholder Workshops in Dar es Salaam and Mombasa and will be reflected in the workshop reports. We tried to incorporate in the Port project workplan key activities to cover the most important gaps at the ports in line with the recommendations and best available solutions suggested by stakeholders. We will also summarize other gaps/recommendations relevant to the ports that emerge during the project implementation and highlight them in the best practice guide that is going to be developed by the project under Outcome 3.</p> |
| <p>Assessment of current corporate awareness/security/capacity measures to prevent and detect illicit wildlife trafficking of interested port business stakeholders</p> | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on “- Assessment of current corporate awareness/security/capacity measures to prevent and detect illicit wildlife trafficking of interested port business stakeholders (Activity 1.1.4) – a shift towards assessment of private sector efforts which is not currently well-established”. P. 27 of the Inception Report.</p> <p>Comment: “I am not convinced this is needed”</p> | <p>During our consultations we discussed supply chain security assessment with private sector at the ports (Hutchison Ports, Maersk Line, MSC, PIL, CMA CGM, Kenya and Tanzania Ship Agent Association). We received very positive feedback on that from Hutchison Ports and we are currently working with the company security staff to design and implement this assessment based on C-TPAT recommendations for their terminal in Dar es Salaam. Interest to the assessment has been also expressed by Maersk Line, MSC, Kenya and Tanzania Ship Agent Associations, and Bolllore Transport & Logistics who recognized its importance (we continue relevant discussions with them). The assessment will be discussed with Tanzania and Kenya Port Authorities as well.</p> <p>Based on the assessment we will be able to develop and implement targeted wildlife crime awareness/ security programs for interested companies at the ports (e.g., Hutchison Ports).</p> <p>As it has been clearly demonstrated by AEO and C-TPAT programmes private sector at ports can effectively establish “second line of defence” to prevent and detect illicit trafficking, including wildlife products, narcotics, counterfeit products, etc. The very first step of this process is an assessment of the current practices and supply chains of a particular company to identify key gaps that are used by illicit traffickers. Based on the assessment targeted corporate awareness/security programs can be developed and implemented on a regular basis to improve supply chain security.</p> <p>The sentence in the Inception Report has been corrected as the following: “- Assessment of current corporate awareness/security/capacity measures to prevent and detect illicit wildlife trafficking of interested port business stakeholders (Activity 1.1.3) – a shift towards assessment of</p> |

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| | private sector efforts which is not currently well- established, and which was noted as important by private sector stakeholders during consultations”, p. 27. |
| Wildlife Crime Law Enforcement Award | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on “- Extension of the Asian Law Enforcement Award to Africa (implemented by UN Environment), that can provide good incentives to port-based law enforcement officers to intercept and prosecute wildlife crime”. P. 30 of the Inception Report.</p> <p>Comment: “Flagged in other documents. I am unsure why this is here. I would recommend mapping existing awards, particularly those linked to law enforcement or transport, first and then linking to one of those maybe”.</p> <p>“What about other award systems? Interpol has an award for LE why not link to that one given it is law enforcement?”</p> <p>Annex 4. UNDP/GEF Project Work Plan 2019-2021” on: Activity 1.3.2. Extension of Asia Environmental Law Enforcement Award to include a category on wildlife crime LE cooperation between Asia and Africa, p. 5</p> <p>Comment: Noting this. It is very tricky to ask BPD signatories for funding to support this. Also note the information in the contract is not really clear. if this is an existing award why is this project paying for the ceremony? I think more clarity is needed on this. Interpol has an award - is that what is being referenced here? If not the why not? This should not just be support to an NGO instigated award as that is not sustainable.</p> <p>Annex 8. Draft Agreements and Concept Notes for the project activities on Activity 1.3.2. Extension of Asia Environmental Law Enforcement Award to include a category on wildlife crime LE cooperation between Asia and Africa, p. 30.</p> <p>Comment: The Interpol Wildlife Crime Working group already provides awards like this. Why would you create a new one? I think the best option would be to work with Interpol to add a category. First action should be a survey of existing awards like this - there are lots! I am just not convinced a whole new one is necessary.</p> <p>Annex 8. Draft Agreements and Concept Notes for the project activities on Activity 1.3.2. Extension of Asia Environmental Law Enforcement Award to include a category on wildlife crime LE cooperation between Asia and Africa, p. 31: “UNDP has a specific budget for the category on Africa-Asia cooperation (\$40,000 for 2019 and 2020)”.</p> <p>Comment: These seems like a big budget. What will it cover? An event? A financial award?</p> | <p>To say the truth, we are building of an existing UN initiative on the awards related to wildlife crime law enforcement, like Asian Environmental Law Enforcement Award.</p> <p>Asian Environmental Law Enforcement Award, that is implemented by UN Environment in collaboration with different organizations since 2016. For example, partners for the award in 2019 are UNDP, UNODC, INTERPOL, USAID, and Freeland Foundation. The award targets public officials and institutions/teams working on environmental enforcement issues, including illegal wildlife trade. The award is very relevant to port-based law enforcement officers and teams, like Joint Port Control Units and Customs and covers in particular the following: Investigations and/or enforcement activities that have succeeded through cooperation with counterparts from other countries either in the preparation, execution or follow-up phase; Law enforcement operations that have resulted in successful disruption of criminal networks beyond the mere confiscation of contraband; Law enforcement interventions that demonstrate technological, intelligence-led, science-based approaches resulting in successful arrests, prosecutions and convictions; and since 2019 remarkable examples of cooperation between Africa and Asia on investigation and prosecution of wildlife crime.</p> <p>So, it seems Asian Environmental Law Enforcement Award is the quite relevant for our project with objective to decrease illicit wildlife trafficking between Africa and Asia. This is not actually an NGO award, but an award established by a coalition of organization, including UN agencies, INTERPOL, USAID and even government. The award has clear categories and application process and is issued annually based on selected nominations reviewed by the selection panel represented by the organizations above. The project is planning to support extension of the award to support LE cooperation between African and Asian countries to combat wildlife crime, that is especially relevant to port law enforcement teams. For example, this year due to the project team efforts the award included a category that makes participation of African countries possible. Actually, we are planning to support participation of African representatives in the award ceremony (travel expenses). Thus, we reserved \$40,000 for that for 2019 and 2021 after discussion with UN Environment, but actually we can spend less depending on actual number of winners from Africa.</p> |
| <p>UNODC:</p> <p>Annex 4. UNDP/GEF Project Work Plan 2019-2021” on: Activity 1.3.2. Extension of Asia Environmental Law Enforcement Award</p> | <p>However, we reserved some funds under the Work Plan Activity 1.3.4. “Funds reserved for review and implementation of other incentives schemes for sea ports to improve wildlife crime law enforcement” to explore other opportunities (awards) as incentives at the sea ports.</p> |

| Comments from Board Members | Response from the Project Team |
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| <p>to include a category on wildlife crime LE cooperation between Asia and Africa, p. 5</p> <p>Comment: I concur with the assessment above.</p> | <p>“Sustainable financial mechanism to support the award is established [via involvement of private sector, especially BPD signatories]” – part in the brackets deleted from the project Work Plan, p. 5</p> |
| UN Massive Open Online Course on wildlife crime issues | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on “The Massive Open Online Course was supported under the 2018 budget (Individual Contract to design the course)”. P.33</p> <p>Comment: “There is already a MOOC on IWT - designed by UfW. depends what kind of content you want but why not link to existing work”.</p> | <p>The Massive Open Online Course on wildlife crime issues is a UN Task Force initiative agreed and commenced by UN Task Force members prior to implementation of this project. A nominal budget allocation was included to this joint UN activity in accordance with the ProDoc under Output 2.2.</p> |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on “Production of specific learning and awareness-raising materials for best practice in combating wildlife trafficking”. P. 34.</p> <p>Comment: “It is not really clear now in terms of these activities. the info above suggests this is not really needed as people had knowledge of this issue. So is it still being included”</p> | <p>Changed as “Production of specific learning and knowledge materials for best practice in combating wildlife trafficking” in the Inception Report for clarity. One of the project objectives is to summarize the best practices to address wildlife crime issues at ports by law enforcement agencies and private sector and make them available for other ports implicated in illicit wildlife trafficking. These best practices and lessons learned can be share on the United for Wildlife Transport Taskforce portal. Also, another project objective is to support coordination and lessons learning of 20 GWP projects managed by UNDP, World Band, and Asian Development Bank. That is why we have relevant set of the activities to ensure not only awareness (probably it does not make sense to be aware if you have no capacity to address the issue) but support some capacity to combat illicit wildlife trafficking based on best available practices.</p> |
| Changes to PRF indicators | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested adjustments to the project: on Indicator 1.2: Change in knowledge and attitudes of port stakeholders (disaggregated by gender) regarding illegal wildlife trade. The PMU suggests deleting this indicator because of the difficulty of measuring change in knowledge and attitudes of port stakeholders regarding illegal wildlife trade. Specific and likely cost-extensive sociological research would be required. P. 38.</p> <p>Comment: “Why can this not be a general survey of level of knowledge. it seems this was kind of done in the initial stakeholder discussions”.</p> | <p>We are going to do a simple survey to determine wildlife trafficking awareness level among participants of Port Stakeholder Workshops in Mombasa and Dar es Salaam. Also, we can do simple surveys under Activity 1.1.4. “Assessment of current corporate awareness/security/capacity measures to prevent and detect illicit wildlife trafficking and development of wildlife crime awareness, security and capacity building programmes for private sector in Mombasa and Dar es Salaam Ports” and capacity building activities for JPCUs under UNDP-UNODC agreement (e.g., pre and post training surveys). We just do not recommend using the surveys as indicators for the project at the port level, because we do not have a baseline for that and have other simple indicators for target ports to use in the Project Results Framework.</p> |
| Involvement of Asian Ports in the project implementation | |
| <p>The Royal Foundation:</p> <p>Inception Report, Section Suggested involvement of Asian Ports in the project implementation on: Activity 3.1.4. Establishment of a knowledge exchange platform for GWP national teams and local partners/stakeholders (e.g. through Yammer or C4D). This platform shall ensure exchange of knowledge, lessons, best</p> | <p>The resource can be used by other project stakeholders as well. The sentence was corrected as following: “This platform shall ensure exchange of knowledge, lessons, best practices and tools among all GWP national projects and other stakeholders involved in wildlife crime law enforcement and conservation”. P. 47</p> |

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| <p>practices and tools among all GWP national projects and their stakeholders. P.48 of the Inception Report.</p> <p>Comment: “Why is this just for GWP national teams? Why not access for project stakeholders?”</p> | |
| UNDP-UNODC Agreement | |
| <p>The Royal Foundation:</p> <p>Annex 8. Draft Agreements and Concept Notes for the project activities on UNDP-UNODC Agreement, section Reporting, p. 12: “The Recipient Agency will provide the Contributing Agency with a narrative report on the progress of the Activities on a regular basis, as set out below:</p> <p>Progress Report 2019: by December 20, 2019; Progress Report 2020: by December 20, 2020”.</p> <p>Comment: “This doesn’t seem like very regular progress reports given the size of the funding. is this standard? one report a year?”.</p> | <p>Currently the UNDP-UNODC Agreement is under revision by the agencies. It was suggested to have quarterly or semi-annual technical and financial reports under the agreement. So, the reporting will be more frequent. Relevant changes will be done to the agreement as soon as UNDP and UNODC agree on the reporting frequency and budget advances. In any case UNODC will work closely with the Project Team on the progress monitoring and communication issues, thus necessary update will be regularly provided.</p> |
| Development of guidance on prevention and detection of illicit wildlife trafficking for environmental management practice of maritime sector as of an updated or new ISO standard | |
| <p>The Royal Foundation:</p> <p>Annex 8. Draft Agreements and Concept Notes for the project activities on Activity 1.3.1. Development of guidance on prevention and detection of illicit wildlife trafficking for environmental management practice of maritime sector as of an updated or new ISO standard, p. 27.: “Measures/processes to include (high-level) in a new/updated standard:</p> <ul style="list-style-type: none"> - Conduct self-assessment of their [corporate] security measures and capacity to prevent and detect illicit wildlife trafficking through legal container supply chains; - Develop and implement a set of measures to improve awareness, corporate security measures and staff capacity to prevent and detect illicit wildlife trafficking as well as other illicit trafficking including the following: <p>Comment: I would be including something in here specifically about cooperation with relevant enforcement agencies. Its fine if they can detect these things but if they don’t have the link to enforcement then it might not go anywhere. I think the Standard needs to cover the transport chain within the port and so should have more detail here.</p> | <p>In response to your request we added one more point to the list of suggested measures, namely: “reporting/collaboration mechanisms between private sector and relevant law enforcement agencies to ensure supply chain security” to make it clear. As you correctly noted, the standard will cover all supply chain participants connected to sea ports willing to get ISO certification. Each suggested measure have detailed recommendations on their implementation (please, see AEO and C-TPAT recommendations, e.g., https://www.cbp.gov/border-security/ports-entry/cargo-security/ctpat). They are planned to be described in the standard by relevant ISO Working Group as soon as a new work item proposal is developed and approved by ISO. Thus, for initial discussion that is currently going in ISO between TC207 (Environmental management) and TC 292 (Security Management) secretaries we developed this brief concept without details.</p> |
| <p>The Royal Foundation:</p> <p>Annex 8. Draft Agreements and Concept Notes for the project activities on Activity 1.3.1. Development of guidance on prevention and detection of illicit wildlife trafficking for environmental management practice of maritime sector as of an updated or new ISO standard, p. 28.: project timeline</p> <p>Comment: Are these timelines realistic?</p> | <p>The timeline has been developed in December 2018 based on previous ISO experience of similar process. However, given we can get the Project Board approval on the work plan only now, the timeline has been shifted to start in July 2019. Relevant changes have been made in the Annex 8, p. 28-29</p> |
| <p>The Royal Foundation:</p> <p>Annex 8. Draft Agreements and Concept Notes for the project activities on Activity 1.3.1. Development of guidance on</p> | <p>All steps after step (1) Development of initial draft of the proposal for guidance on prevention and detection of illicit wildlife trafficking, are funded and led by ISO in framework</p> |

| Comments from Board Members | Response from the Project Team |
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| <p>prevention and detection of illicit wildlife trafficking for environmental management practice of maritime sector as of an updated or new ISO standard, p. 29.: project budget</p> <p>Comment: “The above included a workshop to assist with this. Who is paying for that workshop?”</p> | <p>of their standard procedures. This has been clarified in Annex 8, p.28.</p> |
| Additional Comments | |
| <p>UNODC:</p> <p>Annex 2. Summary of stakeholder meetings in Kenya and Tanzania on Meeting with PAMS Foundation, p. 12: “They recommended the project team to meet Mr. Robert Mande, Head of the National Anti-Poaching Task Team.”.</p> <p>Comment: “You may want to confirm his title, I believe he is the Assistant Director of the Wildlife Division at the MNRT”.</p> | <p>We added Mr. Mande title as the following: Assistant Director of Anti-Poaching at the Wildlife Division. Annex 2., p. 12</p> |
| <p>The Royal Foundation:</p> <p>Annex 1. List of stakeholders consulted during the Inception Phase on Scott Robertson, WCS-Indonesia and Keith Roberts, Elephant Protection Initiative, p. 11.</p> <p>Comment: “Not correct details here. Scott is Regional not a country programme”. “Keith is actually CI not EPI”.</p> | <p>Corrected as the following: Scott Robertson, WCS Keith Roberts, Conservation International Annex 1., p. 11</p> |