

The CITES Secretariat and the epitome of double standards

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) will shortly hold its seventeenth major Conference of the Parties event in Johannesburg from 24 September to 5 October 2016 (CoP17). As part of the agenda for CoP17 the CITES Secretariat has published an agenda and numerous documents for consideration against each of the items on that agenda.

Between 2007 and 2011 a great deal of illegal ape trade took place between Guinea and China when at least 104 endangered chimpanzees and 10 endangered gorillas were officially reported as having been exported from Guinea to China only for it to later come to light that these were wild animals exported illegally by way of fraudulent CITES permits stating they were bred in captivity.



Typical Guinea chimp holding set up prior to export, hidden in the bush

Article VIII (1) of CITES states that:

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

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

On 26 September 2011 the CITES Secretariat went on record confirming that 'exports have occurred from Guinea in relation to specimens declared as having been bred in captivity. This trade has been in violation of the Convention'.

Despite being required to do so by the above piece of international law China has, to date, not taken a single one of the actions above in connection with the numerous illegally imported chimpanzees currently being mercilessly exploited on a daily basis in tacky commercial shows in its zoos. The CITES Secretariat, apparently content with this failure by China to do what is required under the convention has, similarly, taken no action whatsoever to compel China to do what the convention requires. Instead, the very limited enforcement action that the CITES Secretariat and members of the NGO community have been hiding behind in this case took place at the Guinean end of the supply chain.

In its briefing on 'enforcement matters' for CoP17 the CITES Secretariat now states:

It is becoming increasingly important for Parties to ensure that adequate measures are in place to prevent, identify and address corruption. As reported at SC66, in September 2015 the Secretariat received formal confirmation from INTERPOL that the former wildlife director and head of the CITES Management Authority of Guinea had been arrested for his suspected role in corrupt and fraudulent actions in the issuance of CITES export permits. Concerns regarding illegal trade in CITES-listed species involving Guinea have been dealt with in a thorough manner by the Standing Committee and the Secretariat. It should be noted that, while on mission in Guinea in 2011 to investigate concerns regarding

illegal trade involving Guinea, the CITES Secretariat brought suspected irregular activities to the attention of the head of the anti-corruption unit and other authorities in Guinea. Although this arrest is very encouraging and commendable, it also raises concerns about the urgency and vigour with which some countries are tackling the issue of corruption. To effectively combat corruption, the promotion of good governance and swift action to identify and act against corrupt officials are vital.



Ansoumane Doumbouya the former head of the Guinea CITES management authority studying his permit file.

2. According to the former head of the CITES Management Authority in Guinea, referred to in the CITES Secretariat's statement above, there was a meeting to discuss these exports at the CITES Conference of the Parties in Doha in 2010 (CoP15). A translation of a letter he wrote to the CITES Secretary General states that he met Chinese CITES officials face to face at CoP 15 in Doha in the presence of a member of the CITES Secretariat to discuss 'the issues of fraud and tampering of great apes'. He advised that the outcome of that meeting was that 'we have adopted certain document control measures between Guinea and China'. He has also subsequently confirmed that it was the same CITES Secretariat Chief of Capacity-building Services referred to above who translated at that meeting. It should be noted that, following that meeting in March 2010 that was the year in

which the CITES trade data shows that China declared the import of 61 chimpanzees and 10 gorillas from Guinea (all of whom were exported illegally from the wild with fraudulent permits saying they were bred in captivity). According to the statement above for CoP17, through its mission team that visited Guinea in 2011, 'the CITES Secretariat brought suspected irregular activities to the attention of the head of the anti-corruption unit and other authorities in Guinea'. Evidence shows that the CITES team who visited Guinea in 2011 clearly had in their possession a wide range of falsified import and export permits. This was also confirmed in an e-mail exchange with the Chinese CITES Management Authority as part of a journalistic investigation. The resulting mission report confirms that copies of these permits were received by the CITES Secretariat prior to the team leaving for Conakry.

Breaking that statement down with some of the facts of this case it should be noted that:

1. In 2008 the CITES Secretariat sent its Chief of Capacity-building Services at that time to Guinea to help with a wide range of compliance problems. It was following that trip that the bulk of the illegal ape exports from Guinea took place.



Mr. Nash from the CITES secretariat who conducted enforcement meetings in Guinea in 2008 and according to Mr. Doumbouya chaired a meeting on the illegal ape exports in Doha in March 2010.

Datum: Montag, 13. Mai 2013 11:53
An: "Dr. Klaus Sparwasser" < >
CC: wzz < >, wzm < >
Betreff: Re: International Ape Trade

- The Conakry Connection
Dear Mr. Sparwasser,
Thank you for your letter.

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

For your last 2 questions, we don't think it is possible for us to return them to Guinea because the imports have followed all provisions of CITES.
We hope that this information is helpful.

Sincerely yours
Dr. Meng Xianlin"

An e-mail from the Chinese CITES MA confirming that copies of all the dubious permits had been supplied to the CITES Secretariat.

3. There is no indication of any kind that the CITES Secretariat's 2011 mission team that went to Guinea presented any of the key documents or evidence in this case to any official in Guinea. The two of them, who were only in Guinea from 12-14 September 2011, asked the Guinean CITES Management Authority for copies of Guinea's CITES permits. They were given copies of over a hundred such permits but these apparently did not contain any of the falsified import and export permits relating to this illegal ape trade (which the team already had copies of in their possession in any event). The mission team certainly did not ask the anti-corruption authorities or Interpol to start an investigation based on those permits or any of the other evidence in this case. When the permits collected by the CITES Secretariat in this case, including those gathered by its 2011 mission team in Guinea, were eventually handed to an independent expert for review none of the fraudulent ape trade permits, that the Chinese MA confirmed he had sent to the CITES Secretariat, were provided to that expert.

4. While all of this was going on an application for a Chinese CITES import permit, for one specific shipment of 8 fraudulently reported 'captive bred' chimpanzees from Guinea to Shanghai Wild Animal Park, had been obtained in evidence. This clearly showed that it was issued well before the corresponding fraudulent Guinean export permit (as is the normal procedure for CITES Appendix I listed imports and exports).



A representative of the Chinese CITES scientific authority informing a filming team that all the Guinea export permits had been authenticated by the former head of the Guinea CITES MA, Mr. Namory Keita

5. The Chinese CITES Scientific Authority separately confirmed in an e-mail exchange that they had all the export permits which were issued by Guinea's CITES Management Authority, Mr Ansoumane Doumbouya, and that they had all been authenticated by his predecessor Mr Namori Keita. They confirmed that Mr. Doumbouya had also provided them with some further corresponding documentation to that effect.

6. Mr Doumbouya was promoted to a higher position prior to his arrest and the subsequent court case and the same Mr Namori Keita, who the Chinese confirmed had authenticated all the fraudulent ape trade permits at the Guinean end of the supply chain, has now taken over as Guinea's CITES Management Authority.

7. The day before the sixteenth Conference of the Parties to CITES in Bangkok in March 2013 (CoP16) the 63rd meeting of the CITES Standing Committee (SC63) recommended the suspension of any COMMERCIAL trade in CITES listed species with Guinea. This was virtually pointless as none of the illegal ape trade exports in this case had been reported on either the import or export permits as being for commercial purposes. Most of those transactions used the CITES purpose code 'Z' referring to zoological purposes that are considered scientific and educational - exactly the opposite of what these apes are being used for in the tacky and exploitative shows they are subjected to!



8. Since the appointment of Mr Namori Keita as head of Guinea's CITES Management Authority in place of Mr Doumbouya, trade in CITES listed species from Guinea for commercial purposes has continued despite the still active 2013 recommendation to the other Parties to CITES that they suspend such trade with Guinea. Hundreds of African gray parrots were exported from Guinea to Oman in 2014 for commercial purposes for instance with Mr Keita apparently doing nothing to stop that trade.

Year	App.	Taxon	Class	Order	Family	Importer	Imp. Q	Exp Q	Term	Purpose	Source
2014	II	<i>Amazona farinosa</i>	Aves	Psittaciformes	Psittacidae	OM	4		live	T	W
2014	II	<i>Amazona festiva</i>	Aves	Psittaciformes	Psittacidae	OM	4		live	T	W
2014	II	<i>Deroyptus accipitrinus</i>	Aves	Psittaciformes	Psittacidae	OM	8		live	T	W
2014	II	<i>Poicephalus gulielmi</i>	Aves	Psittaciformes	Psittacidae	OM	100		live	T	C
2014	II	<i>Poicephalus senegalus</i>	Aves	Psittaciformes	Psittacidae	OM	200		live	T	W
2014	II	<i>Psittacus erithacus</i>	Aves	Psittaciformes	Psittacidae	OM	50		live	T	C
2014	II	<i>Psittacus erithacus</i>	Aves	Psittaciformes	Psittacidae	OM	300		live	T	W
2014	II	<i>Ramphastos tucanus</i>	Aves	Piciformes	Ramphastidae	OM	4		live	T	W
2014	II	<i>Ramphastos vitellinus</i>	Aves	Piciformes	Ramphastidae	OM	8		live	T	W
2014	N	<i>Columba livia</i>	Aves	Columbiformes	Columbidae	US		1	live	T	W
2014	N	<i>Streptopelia turtur</i>	Aves	Columbiformes	Columbidae	US		4	live	T	W
2014	II	<i>Aerangis</i> spp.		Orchidales	Orchidaceae	BE	9		specimens	S	W
2014	II	<i>Aerangis biloba</i>		Orchidales	Orchidaceae	BE	2		specimens	S	W
2014	II	<i>Ancistrorhynchus cephalotes</i>		Orchidales	Orchidaceae	BE	18		specimens	S	W
2014	II	<i>Ancistrorhynchus clandestinus</i>		Orchidales	Orchidaceae	BE	2		specimens	S	W
2014	II	<i>Angraecum</i> spp.		Orchidales	Orchidaceae	BE	6		specimens	S	W
2014	II	<i>Angraecum moandense</i>		Orchidales	Orchidaceae	BE	41		specimens	S	W
2014	II	<i>Angraecum subulatum</i>		Orchidales	Orchidaceae	BE	25		specimens	S	W
2014	II	<i>Bolusiella maudiae</i>		Orchidales	Orchidaceae	BE	13		specimens	S	W
2014	II	<i>Bulbophyllum</i> spp.		Orchidales	Orchidaceae	BE	91		specimens	S	W
2014	II	<i>Bulbophyllum cochleatum</i>		Orchidales	Orchidaceae	BE	5		specimens	S	W
2014	II	<i>Bulbophyllum cocoinum</i>		Orchidales	Orchidaceae	BE	3		specimens	S	W
2014	II	<i>Bulbophyllum comatum</i>		Orchidales	Orchidaceae	BE	5		specimens	S	W

Facts relating to the recent court case in which Mr. Doumbouya was sentenced to a jail term of 18 months



John Scanlon giving an interview on this issue at a CITES meeting in Geneva

After the arrest of Mr Doumbouya as the former head of Guinea's CITES Management Authority in August 2015, the NGO involved in having presented some of the evidence initiated a wide range of press releases with the same 'facts' that were also picked up and reported by a range of conservation players.

At the time, the CITES Secretariat went on record to congratulate the Guinean authorities for their action. The Guinean state had not ever joined the case though and all indications are that this was an NGO driven prosecution that was in no way geared to address the underlying issues in this case.

Based on a press statement by journalists having attended the recently concluded court case:

[Le Jour Guinee](#), and confirmed by other parties on the ground, the prosecutor in the end charged Mr Doumboya with "usurpation de titre" (assuming a position without the legal right) in connection with a post he held after he was head of Guinea's CITES Management Authority and based only on a blank export permit which was found on him. This was apparently seized from him at customs and had his signature on. The defense brought in claims of entrapment and questioned a case which the state had not joined and in which an NGO had presented the sole evidence to the prosecution. They asked who the plaintiff was, an NGO or the government? They also asked who represented this NGO and if it could substitute for the state of Guinea.

There is no indication that any of the signed, fraudulent export permits for the illegal large scale exports of apes, manatees and other CITES Appendix I listed species from Guinea, that started around 2008, were ever presented by the prosecutor in Mr Doumboya's court case. Once again, the relevant permits held by the Secretariat and allegedly signed by Mr Doumbouya and authenticated by Mr Namori Keita have never seen the light of day and were not part of any legal process nor presented to the court by the CITES Secretariat or the importing CITES authorities.

The above is despite personal communication from the NGO in question making it clear that they had a wide range of copies of these earlier export permits with some also having been presented and made available in our Conakry Connection report: [The Conakry Connection](#).

Clearly illegal exports in CITES terms means illegal imports also and clearly if any of these permits had been presented in court at Mr Doumboya's trial they would have resulted in questions being asked as to the role of the importers (China, Armenia, Russia, UAE and possibly many more) and also the CITES Secretariat itself. In particular the role of the CITES Secretariat's Chief of Capacity-building Services at the meeting at CoP15 in Doha in 2010, after which a lot more apes were cleared for export from Guinea, may well have



Mr Xianlin, the head of the Chinese management authority in BKK offering to give a statement but not answering questions in an interview context.

been questioned. The part played by the new head of Guinea's CITES Management Authority, who originally authenticated the falsified permits that were issued and signed by Mr Doumbouya, should also not be ignored. Mr Doumbouya also told the CITES Secretariat's mission team in September 2011 that he was told to leave copies of signed, blank permits behind whenever he went on any foreign trips. This is seemingly another issue that was not addressed by the CITES Secretariat's Chief of Capacity-building Services at that time when he visited Guinea in 2008.



An official from the CITES Secretariat and the head of the Chinese management authority walking off after the statement to the journalists

The question arises whether all the parties involved in this case were just interested in closing this sorry chapter, regardless of whether or not that meant making a fall guy / scape goat out of Guinea and Mr Doumbouya, whilst some of the conservation NGO players were even on the ground whilst this large scale slaughter, capture and export of apes and other wildlife was taking place.

Raising the issue of the importers (especially China but also the UAE and Armenia) would clearly have opened a big can of worms and resulted in the question as to why there was never any kind of effort by the CITES bureaucrats to enforce Article VIII of the convention above

which stipulates that identified traffickers should be prosecuted. All the importers at the Chinese end of the supply chain could easily have been identified and the illegally imported apes and other animals into China should and could still be confiscated and if possible repatriated or placed in sanctuaries.

There are also indications that maybe at some point the NGO behind Mr Doumbouya's prosecution had some intentions to take this further. Shortly after Mr Doumbouya's arrest their CEO stated to the media that 'there are many more such criminals in suit and tie, not just in Africa, and we have our plans against a few'. As is often the case though, things then seem to have been frustrated and there has since been no evidence of anybody presenting any evidence anywhere else against any of these players 'in suit and tie' outside Africa. Instead that NGO's efforts apparently moved on to spinning the court verdict and then embarking on damage control.

When discussing motivation it is clear that UN bodies like CITES and GRASP, as well as much of the NGO community, want to believe that they are effective. One of the ways they try to gain this recognition is to take any aspect of their activities which feels like a success and pass that on to the media and / or circulate it to their donors. All parties concerned then use that in further fundraising activities. The problem is that with locations like Central and West Africa, with priority given to wildlife trafficking, there is little chance any third party will ever embark on an independent audit of any of their claims. The conduct of the NGO in Mr Doumbouya's court case seems to once again illustrate this point with, like the wildlife trade itself, little risk but the potential of high monetary reward regardless of the consequences.

As it stands Mr Doumbouya has been sentenced to 18 months in jail even though he is officially still waiting to take up his new and elevated position in the ministry as head of the mobile enforcement unit dealing with environmental issues. Mr Namori Keita, the new head of the Guinea's CITES Management Authority, was never asked to testify in court or explain on what basis he authenticated any export permits

The key Guinean dealers of CITES Appendix I species are all still active and in some cases have moved operations to neighboring countries. Some have also moved their holding facilities to the corresponding border and now continue to export wild apes via neighboring countries. If getting falsified CITES permits becomes difficult the answer seems to simply be the outright trafficking of valuable CITES Appendix I listed apes, often packaging them in with CITES Appendix II listed monkeys or even with 'rabbits' which some of these dealers claim works just fine.

Of course the lack of enforcement of CITES Article VIII against China or any of the other importers in this case, or any remote recommendation for such enforcement by the CITES bureaucrats whose job it is to do that so as to 'give teeth' to the CITES convention, means those illegal importers continue to turn over millions of dollars with their new safari parks (Letter to [Chimelong Safari Park](#)) every year. The reality seems to be if there is a buyer there will be a supplier and this supply chain involved a lot of culpable players from the capture teams having been sent to the forest to the executives of the safari parks having placed the orders to the bureaucrats who brushed it under the carpet.

The roles of the NGOs in this and similar such sagas:



The picture for the chimps and gorillas having ended up in Chinese entertainment facilities is not rosy under the best of circumstances.

We started investigating the illegal ape exports out of Guinea in 2011 as part of a documentary film project for ZDF Television in Germany ([Destination China](#)). In the process we set up a wildlife trading front in Indonesia with a webpage, an e-mail account and a phone number. We then interacted with a wide range of dealers in West and Central Africa and buyers in China, Armenia and some of the other former Russian republics. The results as they related to the wildlife trade out of Guinea and the DRC were summarized in our report published in mid 2015 ([The CITES Permitting System](#)).

One of the key dealers who we dealt with and received very detailed information from was Mr Thierno Barry based in Guinea who turned out to be able to source a range of falsified CITES permits. Subsequently the NGO in Guinea (going under different names from EAGLE to GALF to WARA) announced the arrest of Thierno Barry at the same time as they arrest of Mr Doumboya (with the pair of them being prosecuted and appearing in court at the same time).

Thierno Barry was supposedly enticed into bringing two white nosed Guenons to a potential buyer at a hotel in Conakry (with the buyer turning out to be a representative of the NGO). After this arrest we received the following e-mail from the head of the NGO:

"It is not secure a permit with a dealer. Our investigative, evidence and analysis file on Doumbouya is heavy. It is 105 pages that the magistrates in charge of the case have received from us, we started it 2 years ago, we have more than 50 permits signed by Doumbouya, many documents and confirmations on his involvement in international traffic, many investigations and evidences from Guineans and foreign dealers in several African countries.

Thierno Barry's arrest with the permit and primates is only the cherry on the cake, we gave these arrests red handed for the Justice. Also, when we arrest Doumbouya in the street, he had in his bag few virgin CITES permits, some with his signature and stamp, just like a gift. He acknowledged that the permits belong to him before the public prosecutor, the police and me.

"Of course, the arrest of the two men gave us more evidence and permits, a ton of evidence, through search, ordinator and others. Also, the different mailboxes of Thierno and his associates including 15,000 emails were very interesting Mr Alex. You're wasting your time trying to communicate with Thierno, he is in his dirty cell in the central prison with his friend Doumbouya and we have the control of its mailboxes since the arrest.

So do not worry about us, we have enough evidences."

Of course the lack of enforcement of CITES Article VIII against China or any of the other importers in this case, or any remote recommendation for such enforcement by the CITES bureaucrats whose job it is to do that so as to 'give teeth' to the CITES convention, means those illegal importers continue to turn over millions of dollars with their new safari parks (Letter to Chimelong Safari Park) every year. The reality seems to be if there is a buyer there will be a supplier and this supply chain involved a lot of culpable players from the capture teams having been sent to the forest to the executives of the safari parks having placed the orders to the bureaucrats who brushed it under the carpet.

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> From: Thierno Barry [zooanimalimport@gmail.com]
> Sent: Monday, January 25, 2016 12:38 AM
> To:
> Subject: Re: Animals
>
> dear
> i not have chimpanzee in stock
> you send price cites i take cites to send you after i get animals i
> take photo to send you.
> cites price 4heads total is@$16.000usd . i get cites in congo.twoo
> week after i get cites .
> i waiting your news
```

An email from an animal dealer in Guinea supposedly behind bars.

Bizarrely, as of the end of August 2016, there are still e-mails and offers coming from this account supposedly with Thierno Barry still being in jail and having been sentenced to 12 months in prison as part of the same trial which dealt with Mr Doumbouya. The answer might be that the enforcement authority concerned, which according to press statements was Interpol, had helped to obtain evidence like the computer in question but then did not secure the custody of this evidence or follow it up with an in depth investigation, instead leaving that task to a private NGO.

In pretty much any jurisdiction anywhere in the world, any prosecutor (in Guinea it seems to have been an independent magistrate instructed by the judge) would have found it difficult to accept such tainted evidence. Rejecting it would however jeopardize the case against most of the players in court and with the world's conservation community having been asked to send congratulatory messages to the Guinean authorities this could have become embarrassing. Instead the compromise that was most likely decided upon was most likely sentencing Mr Doumbouya on the lesser charge of assuming an official government position without relevant authority and sentencing Thierno Barry for holding two partially protected primates.

If this assumption is correct than clearly a further post mortem of the court case would be in the interest of all concerned. This should of course include why Thierno Barry still has access to his e-mail and bank account and has continued soliciting more of this illegal business.

If the above assumption is wrong then the question arises why was the key evidence in the form of all the copies of the falsified CITES permits, import and export, not presented in court? Also, why was the other key evidence from the Thierno Barry computer and bank account not put on the table? In short, why was this court case short circuited allowing a wide range of parties including the CITES Secretariat to hide behind the token sentences handed out to these two traffickers for offenses which had little to do with the real crimes in this case? Crimes for which all of the key evidence still exists and in respect of which all of the Chinese instigators and key players who helped them get away with it are all still in post and carrying on business as usual...

Karl Ammann
Nanyuki, Sept. 2016