ASEAN Senior Officials Meeting on Transnational Crime

Working Group on Illicit Trafficking of Wildlife and Timber

TERMS OF REFERENCE

I. Background

1. At the 10th ASEAN Ministerial Meeting on Transnational Crime (AMMTC) held in Kuala Lumpur in October 2015, ASEAN Member States (AMS) endorsed the illicit trafficking of wildlife and timber as a new area of transnational crime under its purview. Thailand was assigned as the Voluntary Lead Shepherd in this area, and tasked with developing a strategy to promote regional cooperation on this issue.

2. At the 17th Senior Officials Meeting on Transnational Crime (SOMTC) held in Vientiane in May 2017, Thailand briefed the meeting on the development of Illicit Trafficking of Wildlife and Timber (ITWT) Component of the SOMTC Work Programme 2016-2018, and proposed the establishment of a Working Group on Illicit Trafficking of Wildlife and Timber (WG on ITWT). At the Preparatory SOMTC held at the margins of the 11th AMMTC in Manila in September 2017, AMS agreed on the importance of keeping the scope of the work of the Working Group distinct from that of the ASEAN Working Group on the Convention of International Trade in Endangered Specific of Wild Fauna and Flora and Wildlife Enforcement (AWG on CITES and WE), and adopted the ITWT Component of the SOMTC Work Programme 2016 – 2018.

3. At the 11th AMMTC held in Manila in September 2017, the AMS noted SOMTC’s adoption of the ITWT Component of the SOMTC Work Programme 2016-2018, and endorsed SOMTC’s recommendation to establish a WG on ITWT.

4. On the basis of background described in the above, the following Terms of Reference outlines the purpose, scope, structure and modalities of the SOMTC WG on ITWT.

II. Purpose

5. The WG on ITWT provides a platform to complement, where necessary, the platform of the AWG on CITES and WE in developing and adopting a coordinated response to the most serious forms of wildlife and timber trafficking affecting the region, in particular, for relevant law enforcement agencies to follow financial or other evidential trails (e.g. fingerprints) to track down and crack down on syndicates, thereby strengthening regional and international law enforcement cooperation on the issue. The other objectives of the WG are to facilitate the exchange or sharing of
information and experience related to combating wildlife and timber trafficking; and
to guide and monitor implementation of the Illicit Trafficking of Wildlife and Timber Component of the SOMTC Work Programme.

III. Scope

6. The scope of the WG is as follows:
   a. Complement the AWG on CITES and WE in developing and adopting a coordinated response to wildlife and timber trafficking
      This includes identifying collaborative solutions; and facilitating donor contribution and cooperation on capacity building and projects, where relevant, to combat wildlife and timber trafficking.
   b. Strengthen regional and international cooperation to combat wildlife and timber trafficking
      The WG will establish points of contact in the AMS to facilitate and coordinate law enforcement cooperation on ITWT issues to complement the work of national authorities involved in the AWG on CITES and WE. These contact points will:
      i. Organise regular meetings (bilateral, multilateral, or involving all team members) to discuss ongoing cases, exchange or share intelligence and explore the possibility of conducting joint investigations on targeted networks with relevant parties, where applicable.
      ii. Maintain a regular flow of communication with ITWT information that could be of operational relevance to other team members.
      iii. Exchange or share information on investigations of wildlife and timber trafficking offences committed in multiple ASEAN countries.
      iv. Provide support to facilitate the exchange of information through formal channels to help the investigations of other AMS.
   c. Facilitate exchange of information and experience related to combating wildlife and timber trafficking
      The WG will create a framework for information exchange among relevant institutions of the AMS related to wildlife and timber trafficking cases. It will also, for instance, through organizing of workshops, seminars and conferences, facilitate information sharing related to the latest trends, best practices, new techniques, and tools to combat wildlife and timber trafficking.
   d. Guide and monitor implementation of the Illicit Trafficking of Wildlife and Timber Component of the SOMTC Work Programme
      This includes developing input for the ITWT component of the SOMTC Work Programme on a triannual basis; guiding implementation of the ITWT component in each AMS; monitoring and reviewing implementation; facilitating collection of data against the law enforcement indicators; and drafting annual implementation reports.
IV. Membership
7. The membership of the WG on ITWT shall comprise the ASEAN Member States. Each AMS is responsible for determining the composition of its delegation to the Working Group meetings, based on its domestic legal framework and law enforcement powers. Heads of delegations should be senior officials appointed by the SOMTC Focal Point of each AMS. For consistency, the attendance of the same delegates to WG meetings is highly encouraged.

8. Responsibilities of WG members are as follows:
   a. Familiarize and understand the objectives, outcomes, outputs and relevant activities of the WG and of the ITWT component of the SOMTC Work Programme.
   b. Actively participate in meetings through attendance, discussion, and review of minutes, papers and other documents.
   c. Support open discussion and debate, and encourage other members to voice their views.
   d. Consult with relevant agencies in their home countries on matters relating to wildlife and timber trafficking, and implementation of the ITWT component of the SOMTC Work Programme.

V. Chairmanship
9. Unless otherwise decided by the SOMTC, the ASEAN Lead Shepherd ITWT becomes the Chair of the WG on ITWT.

VI. Secretariat Support
10. Responsibilities of the Secretariat provided by the lead shepherd, Thailand, are as follows:
   a. Propose a draft agenda for each meeting.
   b. Coordinate the inputs of each WG member in relation to the Status of Action in the ITWT component of the SOMTC Work Programme.
   c. Ensure that invitations, agendas, and any supporting materials are delivered to the WG members with due notice.
   d. Take note of meeting proceedings, follow up on relevant decisions, and report back at the next meeting.
   e. Encourage broad participation and engagement of every member in WG matters.
   f. Work closely with SOMTC focal points and ASEAN Secretariat.

VII. Management
11. The WG on ITWT shall be convened at least once per year. Additional WG meetings may be proposed to the Secretariat by any AMS as necessary. At the end of each meeting, WG members will propose the date for the next meeting. The outcomes of the WG meetings will be reported at the annual SOMTC meeting.
12. Each delegation shall cover their own travel and accommodation expenses to attend the WG meetings. The Chair/host country will cover the cost of the venue and meeting arrangement.

VIII. Amendment

13. This TOR is a living document and subject to amendments by the ASEAN Member States, based on consensus and as deemed necessary.

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