

DECISIONS OF THE 1ST GOVERNING COUNCIL MEETING

Decision I/1

Institutional Arrangements

The Governing Council,

Mindful of the practical exigencies of the establishment of the Task Force and the commencement of its operation.

1. Authorizes its Bureau, elected pursuant to rule 20 of the rules of procedure, to exercise decision-making powers on substantive issues related to the establishment and operation of the Task force, including the appointment of Field Officers, revision of the staff chart of the Task force, distribution of funds within the approved budget of the Task Force and provisional determination of the budgetary allocation due and payable by any new Party to the Agreement;
2. Requests the Bureau, in discharging its functions under paragraph 1 above, to consult as appropriate specialists provided for in Article 7, paragraph 2 (c), of the Lusaka Agreement;
3. Decides that such decisions of the Bureau will be applied on a provisional basis and are subject to endorsement by the Governing Council at its next regular meeting;
4. Requests the Bureau, in taking decisions pursuant to paragraphs 1 and 3 above, to consult with other members of the Governing Council as may be feasible and appropriate.

Decision I/2

Development of National Bureaus under the Lusaka Agreement

The Governing Council,

Cognizant that the Parties would be unable to fulfill their obligations under the Lusaka Agreement without effectively functional National Bureaus,

Recognizing the priority need for rapid progress by some Parties to develop their National Bureaus with trained personnel into efficiently working entities,

1. Recommends that:
 - (a) Parties still preparing, or in the process of forming, their National Bureaus as soon as possible assign three selected officers for training at the National Bureaus of countries where such Bureaus operate efficiently;
 - (b) Parties whose officers are in need of such training where necessary approach donor States or other organizations for assistance to meet the expenses needed to secure such training;
2. Requests the Executive Director of the United Nations Environment Programme to continue assisting the Parties to the Lusaka Agreement in soliciting donor funding for training activities required by the Parties to the Lusaka Agreement.

Decision I/3

Cooperation with the United Nations Environment Programme

The Governing Council,

Recalling with appreciation the catalytic and facilitative role played by the United Nations Environment Programme in the process of negotiating and concluding the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora and in providing interim arrangements for the initial stage of its implementation,

1. Requests the Executive Director of the United Nations Environment Programme to continue to support the Lusaka and the bodies established thereunder, in particular, with advisory and consultative services;
2. Further requests the Executive Director to ensure that the relevant United Nations Environment Programme activities closely monitor and take fully into account the implementation of the Lusaka Agreement and consider possible joint actions and programmatic support;
3. Also requests the Executive Director to continue to solicit from donors additional financial resources for the Lusaka Agreement to ensure the expeditious and effective commencement of its operation;
4. Requests the Executive Director to negotiate on behalf of the Parties to the Lusaka Agreement a headquarters agreement with the country hosting the Task Force in the negotiation of other agreements.

Decision I/4

Budget for the Task Force for its first year operation and contributions from Parties

The Governing Council,

Recalling Article 7, paragraph 3, of the Lusaka Agreement, which calls upon the Executive Director of United Nations Environment Programme to convene the meeting of the Governing Council,

Recalling further Article 7, paragraph 6 (e), of the Lusaka Agreement, in accordance with which the Governing Council at its first meeting shall consider and approve the initial budget to establish and operate the Task Force and agree upon the contributions of each Party to the budget,

Having studied and revised the draft review prepared by government experts on the indicative budget prepared and agreed upon during the second negotiation sessions leading to the adoption of the Lusaka Agreement in May – June 1994,¹

1. Decides to approve, based on an initial five Parties, a budget of 1,165,000 United States dollars the details of which are attached as annex V to the report of the first meeting of the Governing Council, for the first year of the Task Force operation;

2. Decides further that each Party will contribute equal amount of funds to the annual budget of the Task Force;
3. Decides and calls upon each new Party to the Lusaka Agreement to contribute on an equal basis to the annual budget of the Task Force commencing from the financial year in which they become Parties calculated on a prorated basis from the time of their effective membership during the first year, thus increasing the approved budget accordingly;
4. Encourages the Parties and non-Parties to the Lusaka Agreement to continue to make voluntary contributions to the activities of the Task Force.

Decision I/5

Extrabudgetary resources

The Governing Council,

Recalling Article 8, paragraph 3, of the Lusaka Agreement, in accordance with which the first Governing Council meeting shall determine the mode of payment and currencies of contributions by the Parties to the budget of the Task Force,

Mindful that other resources of the Task Force may include extrabudgetary resources such as grants, donations, funds for projects and programmes and technical assistance,

1. Expresses its profound appreciation of donor support for the interim implementation of the Lusaka Agreement and, in particular, the contributions made by the Government of the Kingdom of the Netherlands and the Government of the United Kingdom of Great Britain and Northern Ireland, in terms of both logistical and financial support;
2. Calls upon the donor community to continue to provide additional resources to assist in the implementation of the Lusaka Agreement;
3. Urges the Executive Director of the United Nations Environment Programme to solicit funds from donors to contribute in the initial implementation of the Agreement.

DECISIONS OF THE 2ND GOVERNING COUNCIL MEETING

Decision III/1

Cooperation with the United Nations Environment Programme

The Governing Council,

Noting with appreciation the report of the Executive Director on the activities carried out by UNEP as an interim secretariat to the Lusaka Agreement;

Noting further the progress made in the negotiations for the Headquarters Agreement between the UNEP Executive Director, on behalf of the Parties, and the Republic of Kenya;

1. Expresses its deep appreciation to the Government of Kenya for the offer of free office accommodation for the Task Force at KWS in order to start without delay;

2. Urges the Executive Director and the Government of Kenya to expedite the conclusion of the Headquarters Agreement.

Decision II/2

Institutional Arrangements

The Governing Council,

Having received brief reports from the Parties on the implementation of the Agreement at national level;

Noting with appreciation that the David Shepherd Conservation Foundation, as announced by Zambia, has offered a donation to facilitate training of a contingent of Field Officers from the Task Force, and national law enforcement officers;

1. Requests the interim secretariat, in consultation with Kenya Wildlife Service, to make arrangements for the training of field officers with the help of the David Shepherd Conservation Foundation.
2. Further requests the Experts Group to provide proposals for the minimum requirements for an ideal national bureau, which the Interim Secretariat should share with the Parties.
3. Urges the Parties that have not designated national bureaus to do so, and those that have done so and not informed the Depositary to do so as soon as possible.
4. Urges also those Parties that have not nominated field officers to do so by 30th April 1999.
5. Calls upon its Bureau to make necessary appointments of field officers, director and other officials as resources become available.

Decision II/3

Budget for the Task Force and contributions from Parties

The Governing Council,

Noting with appreciation the part payment made by Tanzania as its first year's contribution to the Task Force;

Further noting that Zambia and Lesotho have made arrangements to pay their contributions to the budget and that a commitment has been made by the Republic of Congo, Kenya and Uganda that their contributions will be made during the next financial year (1999/2000);

1. Urges the other Parties to speed up payments of their contributions;
2. Approves the overall recommendations of the Consultative Meeting held in October 1998 and, in particular, the budget proposals as amended by the Experts Group which gave a new assessment contribution per Party of US\$ 154,910.

Decision II/4

Capacity Building

The Governing Council,

Having received with appreciation the progress report from the Kenyan expert on the assessment to evaluate law enforcement capacities and the needs of the Parties to the Lusaka Agreement;

Requests the Kenya expert to finalize the assessment report as soon as possible to be shared with the Parties for their comments.

Decision II/5

The South African Development Community (SADC) Draft Protocol on Wildlife Conservation and Law Enforcement

The Governing Council,

Having exchanged views on the SADC Draft Protocol on Wildlife Conservation and Law Enforcement;

Requests the Interim Secretariat to keep the Governing Council informed of the development of the said Draft Protocol.

Decision II/6

Customs Controls Procedures

The Governing Council,

Having exchanged views on the concern expressed by the CITES Secretariat in document SC.41.14.1 over the reduction in routine customs inspections worldwide and its implications for the enforcement of CITES controls and the Lusaka Agreement;

Notes that the adverse impacts of reduced inspections will fall on wildlife producer rather than wildlife consumer States;

1. **Requests** the Interim Secretariat to monitor developments in CITES on that issue.
2. **Recommends** that the concerns of the Governing Council on this issue be conveyed to the World Customs Organization.
3. **Decides** to invite the WCO as an observer to future meetings of the Governing Council.

Decision II/7

Cooperation with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

The Governing Council,

Noting the Resolution Conf. 9.8 (Rev.) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, which states, in part "...directs the Secretariat to utilize such funds towards the following priorities..... (b) Assistance in the development and implementation of regional law enforcement agreements";

Further noting that the Lusaka Agreement is the only regional wildlife law enforcement instrument presently existing;

Requests the interim secretariat to draw the attention of the Secretary General of that Convention to the aforementioned Resolution.

DECISIONS OF THE 3RD GOVERNING COUNCIL MEETING

Decision III/I

Cooperation with other bodies

The Governing Council,

Noting that Southern Africa Development Community (SADC) countries have adopted the Protocol on Wildlife Conservation and Law Enforcement, which is complementary to the Lusaka Agreement;

Taking into account the Memorandum of Understanding (MOU) between CITES and the Lusaka Agreement Task Force adopted on 11 April 2000;

Noting further that more benefits could be realized through similar arrangements involving close co-operation between the Lusaka Agreement Task Force with other relevant bodies, such as WCO and Interpol;

1. **Urges** the Lusaka Agreement Task Force to initiate and expedite the development of memoranda of understanding with other relevant organizations.
2. **Calls upon** the Director of the Lusaka Agreement Task Force to forge close collaboration and co-operation between the Lusaka Agreement and the SADC Wildlife Sector for the implementation of the SADC Protocol on Wildlife Conservation and Law Enforcement.
3. **Calls upon** the Director to report on the implementation of this decision to the Fourth Governing Council.

Decision III/2

Designation of National Bureaus and nomination of Enforcement Officers under the Lusaka Agreement

The Governing Council,

Recalling Article 6 of the Lusaka Agreement and Decision I/2 of the First Governing Council, which recognize the priority need for rapid progress by some Parties to develop their National Bureaus with trained personnel into efficiently working entities;

Recalling that Article 5(3) of the Lusaka Agreement and Decision II/2(4) require the Parties to nominate their national law enforcement officers to be seconded to the Lusaka Agreement Task Force;

Taking note that only three of the Parties have thus far designated national entities and/or nominated field officers to facilitate the implementation of the Lusaka Agreement at national level and further that the other Parties are yet to fulfill their obligations;

Commending the Director of Lusaka Agreement Task Force and the Executive Director of UNEP for the capacity building initiatives arranged for the Parties and Lusaka Agreement Task Force;

Recognizing that those Parties would be unable to fulfill their obligations under the Lusaka Agreement without functional national entities;

1. Urges those Parties that have not yet designated National Bureaus and/or nominated national law enforcement officers to do so as soon as possible and to notify the Depository on the designated national entities.
2. Requests its Bureau to make necessary arrangements for the appointment of field officers once nominated and seconded by the Parties.
3. Further requests the Director of Lusaka Agreement Task Force and the Executive Director of UNEP to facilitate and make necessary arrangements for the organization of the training programmes for law enforcement officers at national and regional levels.
4. Calls upon the Director to report on the implementation of this decision at the fourth Governing Council.

Decision III/3

Collaboration with UNEP and other donors

Noting with appreciation the efforts undertaken by the Executive Director of UNEP towards facilitating the implementation of the Lusaka Agreement, as outlined in the Executive Director's Report contained in document UNEP/DEPI/LAGC.3/ED's Report;

Appreciating the generous financial and material support provided by UNEP and various donors to the Parties and Lusaka Agreement Task Force which have greatly assisted in the implementation of the Lusaka Agreement;

1. Requests the Executive Director of UNEP and other donors to continue to extend financial and material support to the Parties, Lusaka Agreement Task Force and other bodies established under the Lusaka Agreement.
2. Further requests the Executive Director of UNEP to continue to support and facilitate the implementation of the Lusaka Agreement and the bodies established under it.
3. Also requests the Executive Director UNEP to continue to support capacity building efforts of the national bureaus and the Lusaka Agreement Task Force;
4. Requests further the Executive Director of UNEP to continue to solicit from donors additional financial resources to ensure the effective implementation of the Lusaka Agreement and operation of Task Force activities;
5. Directs the Director of Lusaka Agreement Task Force to rigorously undertake fundraising initiatives for both the national bureaus and the Lusaka Agreement Task Force, bearing in mind the need for transparency in those efforts.
6. Calls upon the Director of the Lusaka Agreement Task Force and the Executive Director of UNEP to report on the status of implementation of this decision to the fourth Governing Council.

Decision III/4

Budget for the Task Force and contributions from Parties

The Governing Council

Affirming that full contribution by the Parties will facilitate the effective implementation of the Lusaka Agreement and smooth operation of the Lusaka Agreement Task Force;

Affirming further that as the Lusaka Agreement Task Force is still a young body, continued financial and material support by Parties is crucial in enabling it to meet its objectives;

Having considered the report of the Director of the Lusaka Agreement Task Force, which detailed the budget proposals and work programme planned for the year 2000-2001;

1. Approves the proposed Work Programme and the Budget of US\$.....for the year 2000-2001.
2. Further approves the assessed contribution for each Party to the budget of the Lusaka Agreement Task Force for the year 2000-2001 at US\$.....
3. Calls upon the Parties that have not paid their contributions towards the 1999-2000 budget to do so without further delay.
4. Calls upon the Parties to make the necessary arrangements to pay their full contributions to the 2000-2001 budget as soon as possible to enable the Lusaka Agreement Task Force to implement the approved work programme for the coming financial year.
5. Also approves the establishment of a Trust Fund by Lusaka Agreement Task Force.

6. Requests the Director of Lusaka Agreement Task Force to prepare and present modalities for its operation for review by the Parties at the fourth Governing Council.
7. Calls upon the Director of Lusaka Agreement Task Force to report the implementation on this decision at the fourth Governing

DECISIONS OF THE 4TH GOVERNING COUNCIL MEETING

Decision IV/1

Harmonization of Parties' National Wildlife Enforcement/Management Laws and Regulation

The Governing Council,

Emphasizing the need for harmonization of the Parties' National Wildlife Enforcement/Management laws and regulations,

1. Calls upon the parties to undertake measures to review, develop and strengthen their national wildlife management laws and regulations to incorporate the provisions of the Lusaka Agreement and to facilitate the operations of the Lusaka Agreement Task Force;
2. Further calls upon the Parties to undertake measures to harmonize their national wildlife management laws and regulations to incorporate the provisions of the Lusaka Agreement and to facilitate the operations of the Lusaka Agreement Task Force;
3. Directs the Director of the Task Force, in collaboration with UNEP and other Partners to assist the Parties with the process of the development, harmonization and strengthening of national wildlife management laws and regulations of the member states;
4. Calls upon the Director to report on the progress of implementation of this decision at the fifth Governing Council Meeting.

Decision IV/2

Capacity Building and Institutional Strengthening

Commending those Parties that have fully established or designated operational National Bureaux;

Appreciating the commitment of the Task Force in providing relevant wildlife data and information, including technical expertise to the National Bureaux and contribution to the implementation of the Lusaka Agreement;

Appreciating further the capacity building activities, in particular, training programmes undertaken by the Task Force for the National Bureaux and Task Force Officers;

Taking note that some Parties are yet to make nominations of their national law enforcement officers to be seconded to the Task Force and that efforts towards nomination are underway;

Acknowledging the need and importance of capacity building, including training in wildlife law enforcement for the effective implementation of the Lusaka Agreement

1. *Calls upon* the Director of the Task Force to assist and facilitate the establishment and strengthening of National Bureau
2. *Requests* each Party to undertake necessary measures at National level to develop an independent wildlife protection fund to enable the Parties to adequately fund the operations of the National Bureau and contribute to the operations of the Task Force;
3. *Calls upon* the Director of the Task Force, in collaboration with Executive Director of UNEP and other partners, to undertake concerted measures to continue to assist and support the Task Force in its capacity building programmes, including national institutional capacity building;
4. *Directs* the Director of the Task Force to undertake periodic law enforcement awareness training programs for other relevant institutions;
5. *Calls upon* the Director of the Task Force and the Parties to report on the Implementation of this decision at the fifth Governing Council Meeting.

Decision IV/3

Budget and Programme of Work for the Lusaka Agreement Task Force 2001/2002 budget of the Lusaka Agreement Task Force;

Appreciating the partial advance contribution already made by one Party towards the 2001/2002 budget of the Task Force;

Noting with appreciation the report of the Director of the Task Force on the operations and activities of the Task Force for the period 2000/2001;

Acknowledging the generous financial support provided to the Task Force by the donors for various activities and operations;

1. *Approves* the proposed work programme and budget for the year 2001/2002 at US\$ 972,400;
2. *Further approves* the assessed contribution for each party to the budget of the LATF for the year 2001/2002 at US\$ 163,000;
3. *Directs* the Director of the Task Force to develop a more comprehensive format for the presentation of future budget proposals and work programme;
4. *Calls upon* the Director of the Task Force to continue consultations on necessary modalities for the establishment of a Trust Fund of the Task Force;
5. *Calls upon* those Parties that have not yet paid their full annual assessed contributions and for those in arrears to the budget of the Task Force to do so as soon as possible so as to permit the Task Force to implement the approved Programme of Work;
6. *Calls upon* the donor community to continue supporting the Task Force;

7. *Calls upon* the Director of the Task Force to sustain and enhance efforts towards mobilizing additional resources;
8. *Calls upon* the Director of the Task Force and Parties to report on the implementation of this decision of the fifth Governing Council Meeting

Decision IV/4

National Bureaux and nominations of Field Officers

Having considered the reports of the States Parties on the implementation of the Lusaka Agreement at national level;

Taking note that the Republic of Congo, Uganda and Zambia have nominated and seconded national law enforcement officers to the Task Force;

Commending those Parties that have fully established or designated operational National Bureaux;

1. *Reiterates* its earlier decision urging those Parties that have not yet designated National Bureaux and/or nominated national law enforcement officers to do so as soon as possible and to notify the depository on the designated national entities;
2. *Calls upon* Parties to identify and designate competent authorities for purposes of co-ordinating and facilitating the work of the National Bureaux and the Task Force;
3. *Calls upon* the Director of the Task Force and the Parties to report on the implementation of this decision at the fifth Governing Council Meeting.

Decision IV/5

Expanding of Membership

Appreciating efforts being made by the Director of the Task Force in sensitising other African States especially through collaboration in training and law enforcement operations;

Noting that bringing other States on board is a matter of concerted effort of current member states of Lusaka Agreement;

1. *Calls upon* the Ministers responsible for the implementation of the Lusaka Agreement to undertake individually and jointly efforts aimed at encouraging other African Governments to join the Lusaka Agreement;
2. *Further calls upon* the President of the Governing Council to undertake specific efforts towards expanding the membership of the Agreement;
3. *Calls upon* Parties and the Director to report on the implementation of this decision at the Fifth Governing Council Meeting.

DECISIONS OF THE 5TH GOVERNING COUNCIL MEETING

Decision V/1

Task Force Work Programme and Budget for year 2002/2003

Noting with appreciation the Director's Report on Task Force activities for the year 2001/2002 and the activities for the year 2002/2003, also acknowledging the support to the Task Force by various Donors;

- i) Approves the proposed work budget for the year 2002/2003 at US Dollars 947,686 (nine hundred and forty seven thousand, six hundred and eighty six only).
- ii) Further approves assessed contributions by each Party States to the Task Force during the period at U.S Dollars 158,000 (one hundred and fifty eight thousand only).
- iii) Directs the Task Force to present future budgets in accordance with the format developed by the Expert Group.
- iv) Expresses its gratitude to the Parties that have already generously and on a timely basis paid their dues and calls upon Parties that have not paid to do so as soon as possible.
- v) Commends also all the donors and partners for their invaluable support.
- vi) Expresses special appreciation to the Executive Director of UNEP for his financial and material support and urges him to continue with the same spirit.
- vii) Directs the Task Force Director to continue his fund-raising efforts so that the programme of work may be implemented on a timely basis.

Decision V/2

Compensation and Gratuity to the Staff of the Task Force

Noting the issue arising from untimely demise of Mr. Adan W. Dullo, Appreciating the efforts by the Task Force to develop a framework for compensation of the staff,

- i) Directs the Task Force Director to bring up recommended options on the review of Financial Rule 30 (6) and 49 of Staff Rules to the next Bureau and Council Meeting.
- ii) Further directs that the issue of compensation be handled on a one-off basis.

Decision V/3

Expanding of Membership and International Co-operation among Agencies

Noting with appreciation the implementation of Decision IV/5 (July 2001 Council Meeting) in which collaborative efforts of Lusaka Agreement Task Force and International Institutions intercepted six metric tons of raw ivory which had been smuggled across international frontiers.

- i) Directs the Director of the Task Force to continue cultivating good relations with more organizations in order to succeed in enforcement operations.
- ii) Further calls upon the Ministers responsible for the implementation of the Agreement to undertake efforts aimed at encouraging other African Governments to join the Lusaka Agreement.

Decision V/4

UNEP Guidelines on Multilateral Environmental Agreements

Noting with appreciation the work of UNEP on the development of guidelines on compliance with Multilateral Environment Agreements (M.E.A.s), effective national enforcement of environmental laws and co-operation in combating violation of laws;

- i) Request the Executive Director UNEP to distribute the M.E.As Guidelines in co-operation with the Lusaka Agreement Task Force among its parties,
- ii) Further requests the Executive Director to conduct awareness workshops for Governments to speed up the implementation of the guidelines.

DECISIONS OF THE 6TH GOVERNING COUNCIL MEETING

DECISION VI/1 - DEVELOPMENT AND HARMONISATION OF WILDLIFE LAWS AND REGULATIONS

Reiterating its earlier decision (IV/1) urges the Parties on the need to harmonize national wildlife enforcement management laws and regulations,

Appreciating that some Parties have started the processes of developing or strengthening wildlife laws and regulations,

1. Calls upon the Director of the Lusaka Agreement Task Force, in cooperation with the National Bureaus, to conduct annual surveys of illegal trade in wild fauna and flora to establish levels and extent of the problem which will be the basis for determining classification of Endangered Species;
2. Calls also upon the Parties to speed up the processes of review, developing and strengthening wildlife laws and regulations to incorporate the provisions for the operations of the Lusaka Agreement Task Force;
3. Further calls upon the Parties to undertake measures to harmonize wildlife laws and regulations with those of the other Parties to the Lusaka Agreement to ensure comparable punishment for similar violations and listing of wildlife offences as extraditionable offences;
4. Requests the Director of the Task Force, to collaborate with the Executive Director of UNEP and other Partners, to assist the Lusaka Agreement in developing, harmonizing and strengthening of wildlife laws and regulations of the member states;

5. Further requests the Director of the Task Force, to collaborate with the Executive Director of UNEP to convene expert wildlife law workshop(s) to follow up on the strengthening and harmonisation of the wildlife laws of member states;
6. Calls upon the Director of the Task Force to report on the process of implementation of this decision at the seventh Governing Council Meeting.

DECISION VI/2 - INSTITUTIONAL CAPACITY BUILDING AND STRENGTHENING

Commending those Parties that have fully established or designated operational National Bureaux,

Appreciating the commitment of the Task Force in providing relevant wildlife data and information, including technical expertise to the National Bureaux and contributions to the implementation of the Lusaka Agreement,

Appreciating further the capacity building activities, in particular, training programmes undertaken by the Task Force for the National Bureaux and Task Force Officers,

Appreciating similarly that some Parties have already established independent wildlife protection funds,

Taking note that one Party State, the Kingdom of Lesotho, is yet to nominate its Law Enforcement Officer to be seconded to the Task Force and that efforts towards that nomination are under way,

Acknowledging the need and importance of capacity building, including training in wildlife law enforcement for the effective implementation of the Lusaka Agreement,

Appreciating the generous contributions made by donors and partners to enhance the capacity of Enforcement Officers and in the implementation of the Lusaka Agreement,

1. Calls upon the Director of the Task Force to continue assisting and facilitating the establishment and strengthening of National Bureaux;
2. Reiterates the earlier request (Decision IV/2(2)) to the Parties to undertake necessary measures at national level to develop an independent wildlife protection fund to enable the Parties to adequately fund operations of the National Bureaux and contribute to the running of the Task Force;
3. Requests the Director of the Task Force, to collaborate with the Executive Director of UNEP and other partners, to undertake concerted measures to continue assisting and supporting the Task Force in its capacity building programmes, including national institutional building capacity;
4. Further requests the Director of the Task Force to continue undertaking periodic law enforcement awareness training programs for other relevant agencies;
5. Further requests the Director of the Task Force to initiate concerted outreach programme(s) to publicise the work of the Task Force;
6. Calls upon the Director of the Task Force and the Parties to report on the implementation of this decision at the Seventh Governing Council meeting.

DECISION VI/3 - BUDGET AND PROGRAMME OF WORK FOR LUSAKA AGREEMENT TASK FORCE 2003/2004

Noting that the present financial results are based on an eleven-months' operation, it is desirable that the annual Governing Council Meeting be held at the end of a complete financial year,

Noting with appreciation the Director's Report on Task Force activities for the year 2002/2003, the Programme of Work for Task Force for the year 2003/2004, and acknowledging the support by some of the Parties and donors,

1. Approves the proposed work budget for the year 2003/2004 at US\$ 900,823;
2. Further approves assessed contributions by each Party to the Task Force's budget for the period at US\$ 150,137;
3. Expresses gratitude to the Parties that have, on a timely basis, paid their dues and calls upon Parties that have not paid to do so soon, as a matter of urgency;
4. Commends donors and partners for the invaluable financial, material and moral support, given to the Task Force, for the implementation of the Lusaka Agreement;
5. Expresses special appreciation to the Executive Director of UNEP for financial and material support and urges the organization to continue in the same spirit;
6. Directs the Director of the Task Force to intensify fundraising efforts from partners and potential donors.

DECISION VI/4 - NATIONAL BUREAUS AND NOMINATION OF FIELD OFFICERS

Having considered the reports of the Parties on the implementation of the Lusaka Agreement at national level and commending the Parties that have fully established or designated operational bureaux,

Taking note that the United Republic of Tanzania and the Republic of Zambia need to nominate a Field Officer each,

1. Requests the United Republic of Tanzania and the Republic of Zambia to nominate respective Field Officers who shall be deployed as determined by the Bureau of the Governing Council;
2. Calls upon the Kingdom of Lesotho to establish and designate a National Bureau and notify the Director of the Task Force as soon as possible.

DECISION VI/5 - CO-OPERATION WITH PARTNERS

Noting that the Lusaka Agreement is open to all African States, it is now desirable that more eligible states become parties,

Observing that some difficulties exist when Parties seek full collaboration with non-party states on matters related to enforcement of wildlife law,

Appreciating efforts made by the Director of the Task Force to continue sensitising other African States, especially through collaboration in training and law enforcement operations,

Further noting that some African non –Party States have shown interest in becoming parties to the Lusaka Agreement,

Noting that bringing other states on board is a matter of concerted effort of current Parties,

1. Calls upon the Ministers responsible for the implementation of Lusaka Agreement to continue undertaking, individually and jointly, efforts aimed at encouraging other African Governments to join the Lusaka Agreement;
2. Further calls upon the Parties and the Task Force, to collaborate with non-party states, on common enforcement cross-border matters;
3. Further calls upon the President of the Governing Council to undertake specific efforts towards expanding the membership of the Lusaka Agreement;
4. Calls upon Parties and the Director of the Task Force to report on implementation of this decision at the Seventh Governing Council Meeting.

DECISION VI/6 - EVALUATION OF THE LUSAKA AGREEMENT.

Noting that the Lusaka Agreement is about ten years old and should be evaluated,

Appreciating the kind offer of the United Nations Environment Programme (UNEP) to facilitate the funding of this independent evaluation through the Task Force,

Realizing the need for the long term planning of the work of the Task Force and implementation of the Lusaka Agreement,

1. Requests the Executive Director of UNEP, in co-operation with the Director of Task Force, to initiate the process of carrying out an independent review of the work of the Task Force and the impact of the implementation of the Lusaka Agreement, since its adoption in September 1994, and to make recommendations for the enhancement of the Task Force and the Lusaka Agreement;
2. Requests the Director of the Task Force to develop a strategic plan of action for the implementation and enforcement of the Lusaka Agreement at regional and national level in the short, medium and long term;
3. Requests the Director of the Task Force to report on the implementation of these decisions at the Seventh Governing Council meeting.

DECISIONS OF THE 7TH GOVERNING COUNCIL MEETING

Decision VII/1

The Evaluation Report and Review of The Lusaka Agreement and its Institutions

The Governing Council,

Recalling Decision VI/6(1) of the 6th Governing Council requesting the Executive Director of UNEP in cooperation with the Director of the Task Force to initiate the process of carrying out an independent review of the work of the Task Force and the impact of the implementation of the Lusaka Agreement, since its adoption in September 1994, and to make recommendations for the enhancement of the Task Force and the Lusaka Agreement,

Acknowledging the role-played and support given by the Parties and their experts as well as other relevant stakeholders in the entire process for the review of the Evaluation Report;

Observing that the underlying problem facing the implementation of the Agreement and the institutions established under it highlighted in the Evaluation Report is lack of and/or inadequate financial resources;

Further observing that the implementation of the Agreement and the work of the Task Force has been adversely affected by the lack of a strategic plan of action for its activities as well as a funding strategy;

Noting that the success and effectiveness of the Task Force depends on the commitment and lead role played by the National Bureaus and in this regard need to play a lead role in all their dealings with the Task Force, and give it, through the Governing Council, appropriate guidance and mandate for effective follow up;

1. Takes note of the work undertaken by the Executive Director of UNEP to prepare and submit for review and consideration an Evaluation Report for the Lusaka Agreement since its adoption and enhancement of the institutions established under the Agreement.
2. Expresses its deep appreciation for the work undertaken by the Executive Director of UNEP in supporting, facilitating and preparing the draft Evaluation Report presented in document *LATF/LAGC.7/Review Report* which has been reviewed and considered by the Parties.
3. Adopts the recommendations as contained in the attached Annex I on strengthening of National Bureaus, strengthening the role of the Task Force and strengthening the role played by the Bureau of the Governing Council.

4. Decides and calls upon,

A. THE NATIONAL BUREAUS TO:

- i. **Participate** in the development of a strategic action plan and funding strategy for the Task Force, taking into consideration their activities and priorities.
- ii. **Facilitate** effective networking and collaboration at national level with relevant national stakeholders as well as strengthen networking with relevant regional and international organizations.
- iii. **Develop and review** their wildlife policies, related laws and regulations and, in liaison with the Task Force, agree on common areas or principles of harmonization for effective implementation of the Agreement.
- iv. **Identify** competent and experienced law enforcement officers who possess suitable skills in enforcement of wildlife laws for the work of the Task Force.

- v. **Ensure** national awareness-raising programmes and sensitization on law enforcement matters related to the Agreement and to include participation of the local communities so as to assist in community policing for better understanding of the Agreement and to encourage compliance and support for the objective of the Agreement.

B. THE TASK FORCE TO:

- i. **Implement** its Decision VI/6(1), which called upon it to develop, on a priority basis, a strategic plan of action for the Task Force.
- ii. **Prepare and finalize** the assessment of law enforcement capacities and needs of the Parties as directed by the second Governing Council, to determine the status of existing technical and institutional capacities and needs of National Bureaus and identify gaps, for consideration.
- iii. **Assist** the National Bureaus to develop effective and operational inter-agency co-operation to gather, exchange and disseminate intelligence and other information, and undertake field operations as well as develop a harmonized reporting system on cases or a case management system.
- iv. **Participate** in the process of the development and/or strengthening and harmonization of relevant wildlife and other related laws and regulations for the implementation and enforcement of the Agreement.
- v. **Follow up, implement and report** on the status of implementation of previous Governing Council decisions, which have not been or are partly implemented.
- vi. **Develop, maintain and update** a regional intelligence database on wildlife crime and illegal trade in wildlife products; and forge links with relevant regional and international databases, such as, INTERPOL/ROCCISS and RILO/CEN databases.
- vii. **Undertake** annual analysis and assessment of the volumes, value and patterns of illegal trade in wild flora and fauna; and/or methods of smuggling (container profiles, air freight profiles).
- viii. **Promote** cooperation and develop linkages with partners at sub-regional, regional and international levels (e.g. with Interpol, WCO, CITES etc.), and regular exchange of information and intelligence between the agencies, the Task Force and the National Bureaus.
- ix. **Provide** the National Bureaus with regular assessment and analysis of wildlife crime intelligence and data on patterns of wildlife crime and illegal trade at sub-regional, regional and (as appropriate) international level.
- x. **Develop**, in collaboration with National Bureaus, a new revised template or format for the preparation of Parties' reports with clear distinction between national and cross border issues carried out by the National Bureaus and the Task Force reports to the Governing Council for its review and consideration.
- xi. **Carry out** on behalf of the National Bureaus and other regional and international partners investigations of specific wildlife crimes, set up joint investigation teams to investigate specific

cases of wildlife crime and to target, disrupt and wind up specific illegal networks, and report on the outcome and implications of such investigations to the National Bureaus.

- xii. **Undertake** a study on gathering information and dissemination with other relevant enforcement and intelligence agencies for consideration.

C. THE BUREAU OF THE GOVERNING COUNCIL TO:

- i. **Serve** as an Implementation Committee of the Agreement and undertake regular reviews and monitor the implementation of the Agreement and the institutions established under it as well as review budgets and financial management of the Task Force.
 - ii. **Continue to exercise** decision-making powers on substantive issues related to the implementation of the recommendations of the Evaluation Report (Annexed to this Decision) as well as decisions related thereto, in consultation with other members of the Governing Council as may be feasible and appropriate, on provisional basis and subject to endorsement by the Governing Council at its next regular meeting.
 - iii. **Undertake** an assessment of the means and mechanisms of actions required to implement the decisions by this meeting on the recommendations made in the Evaluation Report for the enhancement of the Agreement and the institutions established under it and ensure those recommendations are effectively implemented.
 - iv. **Supervise** development of funding strategy for the work of the Task Force and implementation of the Agreement and on that basis assess and propose annual contributions for the Parties.
 - v. **Supervise and review** the strategic plan of action prepared by the Task Force, prioritize activities, and adopt short, medium to long-term strategies and objectives as well as financial implications for its implementation.
 - vi. **Develop** contingency plan and strategy on payment of arrears by the Parties including future compliance as well as strategy for encouraging new parties to ratify or accede to the Agreement.
- 5. Calls upon** the President of the Governing Council to ensure that major regional political conferences, such as, the East African Community Summit, the African Union Summit, Southern African Development Community etc, include in their Agenda, an item on the Agreement as such fora could also be used to promote the Agreement, its ratification and accession.
- 6. Directs** the Bureau to undertake and report on, the implementation of this decision to the 8th Governing Council,

Decision VII/2

Program of Work and Budget for the Task Force

The Governing Council

Taking note of the proposed program of work and budget of the Task Force from January 2005 to July 2005;

Having considered the proposed program of work and the budget of the Task Force;

Noting the need to develop a Strategic Action Plan for the Task Force as a matter of priority;

1. Approves the proposed program of work and budget for the period August 2004 to July 2005 at US\$ 591,780.
2. Further approves assessed contributions by each party State to the Task Force for the period at US\$ 98,630.
3. Directs the Director of the Task Force to develop a Strategic Action Plan for the Task Force by July 2005.
4. Instructs the Bureau of the Governing Council to review and consider the proposed strategic action plan by the Task Force by July 2005 and make necessary decisions for its implementation on provisional basis, subject to endorsement of the Governing Council.
5. Directs upon the Director of the Task Force to report the implementation of this Decision to the next Meeting of the Governing Council.
6. Notes and approves the Audit Reports for the 49 month period ended 31 July 2003 and for the year ended 31 July 2004.
7. Endorses the Decisions of the Bureau of 2004 and the financial expenditure incurred in the period.

DECISIONS BY THE 8TH GOVERNING COUNCIL OF THE LUSAKA AGREEMENT

DECISION VIII/I

LATF STRATEGIC PLAN (2005-2015)

The 8th Governing Council,

Having met at the Grand Regency Hotel, Nairobi, Kenya on 4th to 6th October 2006 to review and monitor the implementation of the Agreement and the institutions established under it as well as review budgets and financial management of the Task Force;

Having considered the proposed ten-year *Strategic Plan* (2005 to 2015) and the corresponding budget of US\$ 11,583,152 that was presented, discussed and approved, on a provisional basis by the Bureau of the 7th Governing Council in July 2005;

Further considering the importance of the Strategic Plan in effectively guiding the programmes of work for the Task Force;

Acknowledging the role played by UNEP and the support given by the Parties and their Experts as well as other relevant stakeholders in the entire process of developing the Strategic Plan;

Further acknowledging the efforts made by some Party States to pay their full contributions and part of their dues to the budget of the Lusaka Agreement Task Force;

Taking note that the Task Force has already commenced implementation of the Strategic Plan with satisfactory results;

1. **Approves** the Strategic Plan and its corresponding budgets for the ten-year period 2005-2015;
2. **Directs** the Director of the Task Force to continue drawing up the annual work programmes and budgets based on the Strategic Plan;
3. **Urges** the Parties to support the implementation of the activities as enunciated in the Strategic Plan and to comply with their financial obligations to the Agreement on a timely basis;
4. **Expresses** its deep appreciation to the Executive Director of UNEP for supporting the development of the Strategic Plan and other activities of the Agreement;
5. **Requests** the Executive Director of UNEP to continue supporting the implementation of the LATF Strategic Plan;
6. **Directs** the Director to report on the progress of the implementation of this Decision to each Governing Council meeting in the future.

DECISION VIII/II

PROGRAMME OF WORK AND BUDGETS FOR THE TASK FORCE

Having reviewed the progress made by the Lusaka Agreement Task Force on the implementation of its Programme of Work and the Decisions of the Governing Council;

Taking note that the Lusaka Agreement Task Force made progress in its implementation of the planned and approved activities during the period January 2005 to September 2006 as presented by its Director in document LATF/LAGC/Exp/8.3 entitled “*LATF Progress and Implementation Reports*”;

Further taking note of the Audit Reports for the financial years 2004/2005 and 2005/2006;

Acknowledging the need to appoint competent auditors to audit the financial statements of the Task Force;

Considering the proposed *Programme of the Work and Budget of the Lusaka Agreement Task Force* for the Financial Year 2006/2007 presented by its Director and discussed by the Experts’ group meeting;

Acknowledging that the Proposed Programme of Work and Budgets are in line with the Strategic Plan;

1. **Appreciates** the positive progress made by the Lusaka Agreement Task Force in the implementation of its Programme of Work and the Decisions of the 7th Governing Council meeting;

2. **Directs** the Director of the Lusaka Agreement Task Force to continue implementing the Programme of work based on the approved Strategic Plan;
3. **Approves** the proposed Programme of Work and its corresponding Budget of US\$ 1,073,156 for the Lusaka Agreement of Task Force for the financial year 2006/2007;
4. **Further approves** the assessed contribution by each Party State to the budget of the Lusaka Agreement Task Force for the financial year 2006/2007 at US\$ 125,202;
5. **Directs** the Bureau of the Governing Council to continue exercising decision making powers on substantive issues related to Programmes of Work and Budgets for the Task Force;
6. **Further** directs the Director of the Lusaka Agreement Task Force to report on the implementation of this decision to the next meeting of the Bureau of the Governing Council and subsequently to the 9th Governing Council meeting;
7. **Approves the** Audit Report for the Financial Year 2005/2006 and further directs the Bureau of the Governing Council to continue appointing auditors as appropriate.

DECISION VIII/III

FINANCIAL STRATEGY, PARTNERSHIPS AND STAFFING LEVELS

Considering the Proposals presented by the Director of the Task Force;

Acknowledging that the proposals are in line with the Strategic Plan as well as the Proposed Programme of work of the Task Force;

Taking note of the proposal by the Director of the Task Force to develop funding strategies to support the budgets of the Task Force;

Having considered the proposal made by the Director of the Task Force on the new partnership arrangement with UNEP and INECE;

Further considering the proposal for establishing staffing levels and Organization Structure for the Task Force;

1. **Urges** the Party States to take measures to mainstream the Lusaka Agreement activities and factor the statutory contributions to the Task Force into their National budgets as a mechanism to ensure, among others, their obligations to the Lusaka Agreement are fulfilled;
2. **Calls upon** the Bureau of the Governing Council to rigorously undertake fund raising initiatives;
3. **Further calls upon** the Bureau to continue with the effort of developing and supervising the implementation of the contingency plans and strategies on payment of arrears by the Parties;
4. **Approves** the proposal for partnership arrangements between LATF, UNEP and INECE;

5. **Further directs** the Director of the Task Force to incorporate the observations of the Parties into the proposed staffing levels and organization structure of the Task Force and submit it to the Bureau of the 8th Governing Council for approval and urges its Bureau to regularly monitor its implementation subject to financial availability;
6. **Directs** the Director to report the progress on the implementation of this Decision to the Governing Council.

Signed after adoption by:

Hon. Raphael Muriungi (MP) **Date**

For: Minister for Tourism and Wildlife of the Republic of Kenya and President of the 8th Lusaka Agreement Governing Council.

Hon. Anthony Diallo (MP) **Date**

Minister for Natural Resources and Tourism, The United Republic of Tanzania and Vice President of the 8th Lusaka Agreement Governing Council.

Hon. Henri Djombo (MP) **Date**

Minister for Forest Economy and Environment, Republic of Congo and Rapporteur of the 8th Lusaka Agreement Governing Council

DECISIONS OF THE 9TH GOVERNING COUNCIL MEETING OF THE LUSAKA AGREEMENT

The 9th Governing Council,

Having met at the Imperial Royale Hotel, Kampala, Uganda, from 1st to 3rd October 2008, to review and monitor the implementation of the Lusaka Agreement and institutions established under it, hereby makes the following decisions:

DECISION IX/1

DECISIONS OF THE BUREAU OF THE 8TH GOVERNING COUNCIL

Recalling *Decision I/1* which authorized the Bureau of the Governing Council to exercise decision-making powers on substantive issues related to the establishment and operation of the Lusaka Agreement Task Force;

Further recalling *Decision VII/1.C* which designated the Bureau of the Governing Council to serve as an Implementation Committee to undertake regular reviews and monitor the implementation of the Lusaka Agreement and institutions established under it;

Taking note of the meeting of the Bureau of the Governing Council held on 4th October 2007 in Nairobi, Kenya, to review progress on the implementation of the Lusaka Agreement;

Taking further note of the decisions considered and adopted on an interim basis to be approved by the Governing Council;

1. **Endorses** the following decisions, attached as Annex I, earlier adopted by the Bureau of the Governing Council held on 4th October 2007 in Nairobi, Kenya:
 - (a) Programme of Work and Budget for the Lusaka Agreement Task Force – Year 2007/2008 (*Decision BGC 1/VII/1*)
 - (b) Establishment of a Trust Fund, Staffing Levels and Appointment of Auditors (*Decision BGC 1/VII/2*)
 - (c) Establishment and Development of Partnerships (*Decision BGC 1/VII/1*),
2. **Calls upon** the Parties and the Lusaka Agreement Task Force to implement these decisions as appropriate,
3. **Directs** the Director of the Lusaka Agreement Task Force to report on implementation of this decision at the next meeting of the Bureau of the Governing Council and subsequently to the 10th Governing Council Meeting.

DECISION IX/2

NATIONAL IMPLEMENTATION OF THE LUSAKA AGREEMENT

Having considered the reports presented by Parties on the national implementation of the decisions of the Governing Council;

Appreciating the efforts made by the National Bureaus in the implementation of the Lusaka Agreement;

Acknowledging that to effectively combat illegal trade in wild fauna and flora there is a need for concerted efforts by all stakeholders;

Recognising the increased level and sophistication in illegal wildlife trade;

Further recognising the need for Parties to continue developing their law enforcement capacities and reviewing and strengthening national wildlife laws, including harmonizing those laws for effective wildlife management;

1. **Urges** the National Bureaus to continue with their efforts to fight wildlife crime through increased law enforcement operations and through sharing information with other national enforcement agencies and the Lusaka Agreement Task Force,
2. **Urges** the Parties to continue sensitising other national law enforcement agencies on wildlife crime through training and inter-agency awareness programmes,
3. **Encourages** the Parties to speed up the process of adoption of their new or amended wildlife laws implementing, among others, the Lusaka Agreement,
4. **Calls upon** the Parties and the Heads of the National Bureaus to report on implementation of this decision at the next meeting of the Bureau of the Governing Council and subsequently to the 10th Governing Council Meeting.

DECISION IX/3

PROGRAMMES OF WORK, BUDGETS AND STRUCTURE OF THE LUSAKA AGREEMENT TASK FORCE

Having reviewed the progress made by the Lusaka Agreement Task Force on the implementation of its Programme of Work and the decisions of the Governing Council;

Appreciating the positive progress made by the Lusaka Agreement Task Force in the implementation of its Programme of Work and the decisions of the 8th Governing Council Meeting held in October 2006 and the Bureau of the Governing Council meeting held in held on 4th October 2007 in Nairobi, Kenya ;

Taking note that the Lusaka Agreement Task Force has made progress in implementing the planned and approved activities during the period October 2006 to September 2008 as presented by its Director in the document entitled "*LATF Progress and Implementation Reports*" (LATF/LAGC/Exp/9.3);

Considering the proposed *Programmes of Work and Budgets of the Lusaka Agreement Task Force* (LATF/LAGC/Exp/9.4) for the Financial Years 2008/2009 and 2009/2010 presented by its Director and discussed by the Meeting of Experts held on 1st to 2nd October 2008;

Recalling that Governing Council Decision VI/1.C.vi calls for, *inter alia*, the development of contingency plans and strategies on payment of arrears by the Parties including future compliance and that this work needs to be completed;

Considering that the Parties provide equal contributions to the budget of the Lusaka Agreement Task Force;

Considering further that equal contributions impede timely contributions to the budget of the Lusaka Agreement Task Force and may affect the decision by non-Parties to accede to the Lusaka Agreement;

Taking note of the Evaluation Report (June 2005) submitted to the 7th Governing Council that included, *inter alia*, recommendations on the structure of the Lusaka Agreement Task Force;

Further taking note of the Organisation Structure and Staffing Level of the Lusaka Agreement Task Force approved by the 8th Governing Council in October 2007;

Acknowledging that the proposed Programmes of Work and Budgets are in line with the Strategic Plan (2005-2015);

8. **Approves** the proposed Programmes of Work and their corresponding Budgets (LATF/LAGC/Exp/9.4) for the Lusaka Agreement Task Force of USD 1,278,388 for the financial year 2008/2009 and USD 1,092,207 for the financial year 2009/2010,
9. **Further approves** the contributions by each Party to the budgets of the Lusaka Agreement Task Force for the financial year 2008/2009 at USD 137,485 and for financial year 2009/2010 at USD 127,329,
10. **Instructs** the Director of the Lusaka Agreement Task Force to undertake an assessment of alternative options on levels of annual contributions by each Party to the budget of the Lusaka Agreement Task Force for consideration by the Lusaka Agreement Governing Council at the 10th Governing Council meeting,
11. **Directs** the Director of the Lusaka Agreement Task Force to continue implementing the Programme of Work based on the approved Strategic Plan,
12. **Urges** the Parties to support the implementation of activities as enunciated in the Strategic Plan and to comply with their financial obligations to the Lusaka Agreement on a timely basis,
13. **Instructs** the Director of the Lusaka Agreement Task Force to undertake an assessment of sustainable options related to financing mechanisms for the Lusaka Agreement and its Task Force, the structure of the Task Force and the deployment of its Field Officers,
14. **Requests** the Executive Director of the United Nations Environment Programme (UNEP) to assist and fund the assessment of the sustainable options related to financing mechanisms for the Lusaka Agreement and its Task Force, the structure of the Lusaka Agreement Task Force and the deployment of its Field Officers,

15. **Directs** the Director of the Lusaka Agreement Task Force to report on the implementation of this decision to the next meeting of the Bureau of the Governing Council and subsequently to the 10th Governing Council Meeting.

DECISION IX/4

FINANCIAL SUSTAINABILITY OF THE TASK FORCE

Recalling Decision *GCVIII/III.1-3* on developing a Strategy for financial sustainability to improve the funding of the Task Force;

Having reviewed the report and recommendations of the meeting of the Experts of the Bureau of the Governing Council on financial sustainability held in Nairobi from 15th to 17th April 2008;

Acknowledging that the recommendations are in line with the Strategic Plan (2005-2015) as well as the proposed Programme of Work of the Lusaka Agreement Task Force;

Further acknowledging the efforts made by some Parties to pay their full contributions and arrears to the budget of the Lusaka Agreement Task Force;

Noting that some Parties have not fully met their financial obligations under the Lusaka Agreement;

Taking note of the Funding Strategy (LATF/LAGC/Exp/8.5) approved by the 8th Governing Council on 6th October 2006 to support the budgets of the Task Force;

Further taking note of the financial progress reports of the Lusaka Agreement Task Force for the financial years 2006/2007 and 2007/2008 (LATF/LAGC/Exp/9.3.4);

Having reviewed the Audit Reports for the financial years 2006/2007 and 2007/2008 (LATF/LAGC/Exp/9.3.5);

Acknowledging the need to appoint competent auditors to audit the financial statements of the Lusaka Agreement Task Force;

1. **Adopts** the financial strategies as recommended by the Experts of the Bureau of the Governing Council,
2. **Urges** the Parties in arrears to continue exploring strategies and measures, including the establishment of a Conservation Fund, factoring annual contributions into national budgets and implementing their contingency plans on payment of arrears, to enable them fully pay their outstanding contributions,
3. **Further Urges** the Parties to take measures to mainstream the Lusaka Agreement Task Force activities and implement the approved financial strategy as a mechanism to ensure, among others, that their financial obligations to the Lusaka Agreement are fulfilled,
4. **Calls upon** the Bureau of the Governing Council to rigorously undertake measures to fund raise for the Lusaka Agreement's activities,

5. **Further calls upon** the Bureau of the Governing Council to continue with efforts to oversee development and implementation of contingency plans and strategies on payment of arrears by Parties,
6. **Endorses and Approves** the Audit Reports for the Financial Years 2006/2007 and 2007/2008, respectively,
7. **Approves** the appointment of Messrs Deloitte & Touche to audit the financial statements of the Lusaka Agreement Task Force for the financial years 2008/2009 and 2009/2010,
8. **Directs** the Director of the Lusaka Agreement Task Force to report on the implementation of this decision to the next meeting of the Bureau of the Governing Council and subsequently to the 10th Governing Council Meeting.

DECISION IX/5

APPOINTMENT OF FIELD OFFICERS

Taking note that Article 5 of the Lusaka Agreement established the Lusaka Agreement Task Force and outlines its composition to constitute at least one Field Officer seconded by each Party and approved by the Governing Council;

Having considered the nominations from the Parties for field officers to be seconded to the Lusaka Agreement Task Force in accordance with Article 5 of the Lusaka Agreement;

Taking note of the Decision BGC1/VIII/2.5 of the Bureau of the Governing Council meeting held on 4th October 2007 in Nairobi, Kenya on the reappointment of a Field Officer representing the Republic of Uganda;

Recalling that the Kingdom of Lesotho has not implemented Governing Council Decisions I/4, II/1, II/3, III/2, IV/3, IV/4, V/2 and IV/4 in respect of establishing its National Bureau, seconding a field officer to the Task Force, fulfilling its financial obligations under the Lusaka Agreement and facilitating the work of the Lusaka Agreement Task Force;

Considering that there is a need to further clarify the criteria for the nomination of Field Officers by the Parties;

1. **Decides** that Parties that have a Field Officer deployed at the Seat of the Lusaka Agreement Task Force must at least meet the minimum contributions that will sustain the costs of a seconded Field Officer,
2. **Approves** the reappointment of Messrs Bonaventure Ebayi and Adan Mohamed Alio representing the Republics of Congo and Kenya, respectively, as seconded Field Officers to the Lusaka Agreement Task Force for a further period of three years each from the expiry of their current contracts,
3. **Endorses** the decision of the Bureau of the Governing Council held on 4th October 2007 in Nairobi, Kenya on the reappointment of Mr. Karl Karugaba as the Field Officer representing the Republic of Uganda for three years from the expiry of his previous contract,

4. **Decides** to extend the employment contracts for the Director of the Lusaka Agreement Task Force, Mr. Emily S. Kisamo and the Intelligence Officer, Mr. Clement Mwale for the period up to 28th February 2009,
5. **Urges** the Kingdom of Lesotho to actively participate in the implementation of the Lusaka Agreement by establishing its National Bureau, appointing a Field Officer, implementing specific strategies and measures to enable full payment of its contributions and settlement of arrears and supporting and facilitating the work of the Lusaka Agreement Task Force at the national level,
6. **Directs** the Director of the Lusaka Agreement Task Force to report on the implementation of this decision to the next meeting of the Bureau of the Governing Council and subsequently to the 10th Governing Council Meeting.

DECISION IX/6

DISPOSAL OF CONTRABAND IVORY

Recalling the consignment of six and a half tonnes of illegally obtained elephant ivory confiscated in Singapore in June 2002 originating in Africa;

Recalling further the key role played by the Lusaka Agreement Task Force in the operation leading to the seizure;

Noting the desire of the Government of Singapore to return the confiscated specimens to Africa for investigation and prosecution;

Further noting that the confiscated specimens were handed over by the Government of Singapore to the Lusaka Agreement Task Force for investigation or use as evidence for prosecution;

Further noting that the confiscated specimens were subsequently shipped to the Lusaka Agreement Task Force, the consignee, in Kenya and that the Kenya Wildlife Service, which is a National Bureau to the Lusaka Agreement has been keeping the confiscated specimens in safe custody on its behalf while investigations were being undertaken;

Further noting that the Lusaka Agreement Task Force, in collaboration with other law enforcement partners, has concluded its investigations and handed over all the documentary evidence to the relevant authorities for prosecution;

Further noting that the confiscated specimens have already served their investigatory purposes and cannot be commercially traded internationally in accordance with CITES Resolution Conf.9.10 (Rev.CoP14), which recommends the prohibition of international commercial trade in confiscated Appendix I specimens such as elephant ivory and that the confiscated specimens therefore have no international commercial value for an importer;

Considering the high costs of maintaining and securing the confiscated specimens coupled with the high risks of pilferage, weathering and theft;

Further considering that Singapore has, in a letter ref. AVA TFG/Vol.2/3/20 CITES 09.100/1 dated 4th June 2003 indicated that the Lusaka Agreement Task Force may decide where to transfer the confiscated specimens and what to do with them after related investigations were completed;

Further considering that the investigations have since revealed that the confiscated specimens originated in the Republic of Zambia, Republic of Malawi and the United Republic of Tanzania;

Noting that the Government of Zambia had requested that the confiscated specimens be returned to their country in accordance with Article 4.9 of the Lusaka Agreement and Article VIII, paragraph 1(b), of CITES and that the Lusaka Agreement Task Force facilitates their return;

Further noting that in accordance with Article 4.9 of the Lusaka Agreement, the cost of returning specimens of wild fauna and flora are borne by the country receiving the specimens, unless there is an alternative offer to bear costs to which both the Party returning the specimen(s) and the Party receiving the specimens(s) agree;

Considering that the Governments of the Republic of Malawi and the United Republic of Tanzania have not requested that the confiscated specimens be returned to their countries in accordance with Article 4.9 of the Lusaka Agreement and Article VIII paragraph 1(b), of CITES;

Noting that under paragraph (e) of CITES Resolution Conf. 9.10 (Rev. CoP 14), such confiscated specimens under CITES Appendix I should only be used for *bonafide* scientific, educational, enforcement or identification purposes, saved in storage or destroyed;

Noting further that none of the interested parties have indicated an interest in using the confiscated specimens for scientific, educational or other purposes;

1. **Approves** the disposal of the six and a half tonnes of confiscated elephant ivory in accordance with the relevant CITES provisions and other relevant internationally agreed standards,
2. **Instructs** the Director of the Lusaka Agreement Task Force to seek a ‘no objection’ consent from the Republic of Zambia, Republic of Malawi and the United Republic of Tanzania to the disposal of the confiscated specimens,
3. **Further instructs** the Director of the Lusaka Agreement Task Force to proceed with the disposal of the confiscated specimens if no response is received from the Republic of Zambia, Republic of Malawi and the United Republic of Tanzania within sixty days from the date of receipt of the communication of the Director by each of the named countries,
4. **Directs** the Director of the Lusaka Agreement Task Force to dispose of the confiscated specimens in accordance with the relevant CITES provisions and other appropriate internationally agreed standards,
5. **Directs** the Director of the Lusaka Agreement Task Force to collaborate with partners such as the CITES Secretariat, CITES Management Authorities and relevant Authorities from the Republic of Zambia, Republic of Malawi and the United Republic of Tanzania, in the disposal of the confiscated specimens,

6. **Directs** the Director of the Lusaka Agreement Task Force to undertake publicity when disposing of the confiscated specimens necessary to raise awareness on the serious nature of illegal trade in wild fauna and flora and to promote the Lusaka Agreement,
7. **Instructs** the Director of the Lusaka Agreement Task Force to report on the implementation of this decision to the next meeting of the Bureau of the Governing Council and subsequently to the 10th Governing Council Meeting.

DECISION IX/7

PROMOTION OF THE LUSAKA AGREEMENT

Noting that the Lusaka Agreement is open for accession to all African States and that it is desirable that more eligible States become Parties;

Observing that some difficulties exist when Parties seek full collaboration with non-Parties on matters related to enforcement of wildlife laws;

Appreciating efforts made by the Bureau of the Governing Council and the Director of the Lusaka Agreement Task Force to continue sensitising other African States on the Lusaka Agreement and its activities, especially through collaboration in wildlife-related training and law enforcement operations;

Further noting that some African non-Parties have shown interest in becoming Parties to the Lusaka Agreement;

Noting that the accession of other African States is a matter for concerted efforts by current Parties;

5. **Calls upon** the Parties to work closely with the Lusaka Agreement Task Force in promoting the Lusaka Agreement and encouraging other African States to accede to the Lusaka Agreement,
6. **Directs** Parties and the Director of the Lusaka Agreement Task Force to report on the implementation of this decision to the next meeting of the Bureau of the Governing Council and subsequently to the 10th Governing Council Meeting.

Signed after adoption by:

Hon. Ezekiel Maige (MP) **Date**

Deputy Minister for Natural Resources and Tourism, The United Republic of Tanzania and the representative of the President of the 9th Governing Council of the Lusaka Agreement.

Hon. Henri Djombo (MP) **Date**

Minister for Forest Economy, Republic of Congo and Vice President of the 9th Governing Council of the Lusaka Agreement.

Hon. Serapio Rukundo (MP) **Date**

Minister of State for Tourism, Wildlife and Antiquities of the Republic of Uganda and Rapporteur of the 9th Governing Council of the Lusaka Agreement.