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## **Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act - 1998 Report**

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## MINISTER'S MESSAGE

Her Excellency  
The Right Honourable Adrienne Clarkson, C.C., C.M.M., C.D. Governor  
General of Canada  
Rideau Hall  
Ottawa, Ontario  
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Your Excellency:

### **Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA).**

Much dedication and hard work go into the implementation of WAPPRIITA and the **Wild Animal and Plant Trade Regulations**. I wish to acknowledge the contributions of my federal, provincial, and territorial colleagues and their officials, Environment Canada employees across the country, representatives of nongovernmental organizations, industry and trade associations, and the interested public. I look forward to continuing to work with all of these partners in our efforts to protect wild animals and plants from the risks posed by illegal trade.

Hon. David Anderson

## INTRODUCTION

The *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA) received royal assent on 17 December 1992 and came into force on 14 May 1996 when the **Wild Animal and Plant Trade Regulations** took effect. The purpose of WAPPRIITA is to protect Canadian and foreign species of animals and plants from illegal trade and to safeguard Canadian ecosystems from the introduction of species designated as harmful. It accomplishes these objectives by controlling the international trade and interprovincial transport of certain wild animals and plants, as well as their parts and derivatives, and by making it an offence to transport illegally obtained wildlife between provinces or between Canada and other countries.

WAPPRIITA is the legislative vehicle by which Canada meets its obligations under the **Convention on International Trade in Endangered Species of Wild Fauna and Flora**, commonly called CITES. Canada was one of the original Parties to this international agreement, which had been adopted by 148 sovereign states by the end of 1998. CITES sets controls on the trade and international movement of animal and plant species that have been, or may be, threatened with overexploitation as a result of trade pressures. Such species are identified by the Parties and listed in one of three appendices to the Convention according to the level of control considered necessary for their protection. **Appendix I** lists species that are threatened with extinction. Trade in these species is strictly regulated to ensure their survival. **Appendix II** lists species that are not currently threatened with extinction but may become so unless trade is regulated to avoid overexploitation. Individual Parties may list species found within their borders in **Appendix III** in order to manage international trade in those species. Trade in Appendix I, II, and III species requires that exporting countries issue CITES export authorizations; in the case of threatened Appendix I species, CITES import permits must also be granted by the importing countries.

## ADMINISTRATION OF THE ACT

### **B-1 Authorities**

Environment Canada administers **WAPPRIITA** through its national office, where the national **CITES** management and scientific authorities are located. CITES management and scientific authorities are also located in the Department of **Fisheries and Oceans** (DFO) for fish and marine mammals and in each province or territory (except Alberta) for provincially managed species. The **Canadian Food Inspection Agency** assists Environment Canada by processing CITES documentation for the export of artificially propagated plants as an attachment to documents required under the *Plant Protection Act*, which it administers.

Enforcement of WAPPRIITA is overseen by the **Office of Enforcement in Environment Canada** and carried out by five **regional offices** (Pacific and Yukon, Prairie and Northern, Ontario, Quebec, and Atlantic) in cooperation with other federal agencies, including the **Canada Customs and Revenue Agency** (formerly Revenue Canada), the **Royal Canadian Mounted Police** (RCMP) and **Department of Fisheries and Oceans** (DFO), as well as with **provincial and territorial wildlife agencies**.

### **B-2 Agreements with the Provinces and Territories**

Currently, all permits issued under the Act are to implement CITES. There were no applications in 1998 to import controlled species listed in Schedule II of the **Wild Animal and Plant Trade Regulations** as harmful to Canadian species and ecosystems.

All CITES import permits are issued by Environment Canada, as are all temporary movement certificates for live animals. Environment Canada also issues CITES export permits valid for multiple shipments by certified nurseries of artificially propagated plants. DFO issues CITES export permits for fish and marine mammals. The provinces and territories (except Alberta) issue CITES export permits for other species.

### **B-3 Permits**

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Import permits are most commonly issued to:

- institutions, such as zoos, to import live CITES Appendix I species for the purpose of breeding;
- new immigrants wishing to bring personal effects (e.g., furniture or decorative items, garments, live pets) into the country; and
- hunters who wish to bring back trophies of animals legally hunted abroad.

In 1998, the total number of import permits issued rose by 21% over 1997 figures, and the number of export permits dropped by 2%. The number of temporary export/import certificates issued rose by 14%, and the number of scientific permits remained the same.

The relatively large number of export permits (see table) derives largely from the export of black bear trophies by nonresident hunters to their home country. Although wildlife management agencies in Canada agree that black bear populations in Canada are healthy, the black bear is listed in CITES **Appendix II** for “look-alike” reasons (i.e., black bear parts look like the parts of endangered bears, which require a higher level of protection; thus, they are subject to trade controls not normally applied to species with healthy populations).

<b>CITES Permits issued in Canada in 1997 and 1998</b>								
Jurisdiction	Import		Export		Temporary Export/Import		Scientific	
	1997	1998	1997	1998	1997	1998	1997	1998
Canada	160	193	9315	8438	210	239	36	36
N.W.T.			69	95				
Yukon			198	242				
British Columbia			2262	2084				
Saskatchewan			492	718				
Manitoba			2116	1630				
Ontario			5446	5697				
Quebec			1782	1999				
New Brunswick			1165	1547				
Nova Scotia			59	63				
P.E.I.			0	3				
Newfoundland			129	102				
TOTAL	160	193	23033	22618	210	239	36	36
Appendix I species included on permit	141	193	183	N/A	N/A	N/A	N/A	N/A
<i>Notes: Alberta does not issue CITES permits. Since 1997, Canada has issued most export permits for black bear from Saskatchewan.</i>								

## REGULATION, COMPLIANCE, AND ENFORCEMENT

### C-1 Regulatory Development

The **Wild Animal and Plant Trade Regulations** (1996) designate the species protected by the Act and detail the Act's requirements with respect to import, export, and possession of wild species. Further regulatory development has been the subject of consultations begun in 1997 and continued in 1998.

The proposed regulatory initiatives are intended to reduce the administrative burden on government and the public and improve the enforcement capacity for **WAPPRIITA**. They include:

- an exemption from **CITES** permit requirements for most types of personal effects accompanying a traveller, as well as for items that are part of an inheritance or the household effects of individuals moving to or from Canada;
- the authority to prosecute based on species information provided on shipment labels, marks, or accompanying documents; and
- prescribing the content of removal orders and extending the period before automatic forfeiture of detained or seized items to the Crown.

## **C-2 Compliance**

### *Promotion*

Environment Canada has maintained its efforts to promote compliance with WAPPRIITA by focussing on public awareness. It has done so in several ways, including:

- newspaper articles, press releases, advertisements, and media interviews;
- posters, brochures, and a video on CITES in several languages;
- regular mailings to user groups (e.g., traditional medicine importers, hobbyist societies);
- CITES displays in airports, zoos, and other public buildings;
- information sessions for the public (e.g., international travellers and school groups) and user groups, such as travel agencies, hunting clubs, and commercial importers (e.g., traditional medicine importers, pet trade industry, plant growers); and
- attendance at trade shows, conferences, and special events.

For example, in 1998:

- The Pacific and Yukon Region made presentations to youth being trained for resource management and international work and to club members at the annual British Columbia Wildlife Federation Convention.
- The Prairie and Northern Region ran a popular public service announcement, **Endangered Species and the Traveller**, on national television.
- The Ontario Region exhibited at numerous pet shows, including the **Pet Industry Joint Advisory Council** Annual Trade Show, All About Pets, and the **Canadian Pet Expo**, and also participated in major travel and orchid shows.
- The Quebec Region operated a kiosk at the **Salon Tourisme-Voyages** in Montreal and Quebec City to encourage travel wholesalers and agents to offer CITES information to their clients.
- The Atlantic Region installed permanent CITES displays at several zoos, parks, and museums throughout New Brunswick and Nova Scotia, as well as at the Halifax International Airport.

The provinces and territories promote public awareness of WAPPRIITA and their own wildlife trade regulations through media releases, provision of information about permit requirements to clients (e.g., outfitters, taxidermists, fur dealers), notes in hunting/trapping regulation brochures, and school presentations.

### *Monitoring*

Compliance with WAPPRIITA is monitored by such means as checking permits, making inspections at international ports, running routine or spot inspections of wildlife businesses, monitoring hunting, sharing information with the **Canada Customs and Revenue Agency** and

other national/international agencies, gathering intelligence, and following up reports from the public (e.g., through Crime Stoppers). Environment Canada conducted about 5800 inspections related to wildlife trafficking in 1998.

### **C-3 Enforcement**

#### *Implementation Procedures and Officer Training*

In 1998, Environment Canada cooperated with the **U.S. Fish and Wildlife Service** in service training for enforcement inspectors. Environment Canada regional enforcement officers conducted training programs on WAPPRIITA for regional personnel in other federal agencies. For example, the Pacific and Yukon Region ran a training session in Whitehorse, Yukon, attended by Yukon territorial conservation officers, Parks Canada wardens, RCMP officers and Canada Customs officers; they also trained summer students assigned to Customs cruise ship terminals in Vancouver and offered wildlife forensic instruction to 48 university students. The Ontario Region offered 22 training sessions to Customs personnel at two international airports and various Customs offices in the region.

#### *Investigations*

In 1998, Environment Canada conducted more than 650 investigations into poaching or trafficking incidents involving international or interprovincial movement of wildlife, under provisions of applicable federal, provincial/territorial, or foreign legislation.

#### *Penalties and Prosecutions*

The penalty regime of WAPPRIITA reflects the seriousness with which Parliament views wildlife-related crime. On summary conviction, an individual may be fined up to \$25 000, imprisoned for up to six months, or both. Conviction on more serious offences, such as organized poaching and trafficking, may result in fines up to \$150 000, imprisonment for up to five years, or both. Fines for corporations are higher: up to \$50 000 on summary conviction and up to \$300 000 for indictable offences.

Eight cases were prosecuted successfully under WAPPRIITA in 1998. Examples follow.

- **Illegal interprovincial transport:** In January 1998, a Yukon resident pleaded guilty to two counts under the *Yukon Wildlife Act* for the unlawful killing of a moose and to one count under section 11(1) of WAPPRIITA for the subsequent transport of the moose from Yukon to British Columbia. The offender was fined a total of \$5000, including \$3000 for the WAPPRIITA violation (Prosecuting agencies: Environment Canada and Yukon Department of Renewable Resources).
- **Illegal international importation:** An Alberta resident pleaded guilty to two counts of illegal importation of animal parts under section 6(1) of WAPPRIITA and one count of illegal possession under the *Alberta Wildlife Act*. Charges stemmed from the importation of several African trophy animals from Germany without the required CITES permits, along with several other trophies under a fraudulent Namibian export permit. The judge ordered forfeiture of all the imported items, and the offender was fined \$5000 for the WAPPRIITA violations and \$200 for the provincial offence (Prosecuting agencies: Environment Canada and Alberta Fish and Wildlife).
- **Illegal international exportation:** In December 1998, an Alberta taxidermist pleaded guilty under section 11 of WAPPRIITA for altering the contents of export permits.

## INTERNATIONAL COOPERATION

Through the **North American Wildlife Enforcement Group (NAWEG)**, Canada (Environment Canada) works with the United States (**U.S. Fish and Wildlife Service**) and Mexico (**Procuraduría Federal de Protección del Ambiente**) to improve the effectiveness of wildlife enforcement. NAWEG acts as the North American representative to Interpol and is the enforcement contact for the **Trilateral Committee for Conservation and Management of Wildlife and Ecosystems**. In Canada, NAWEG is the link between the foreign agencies and the federal and provincial chiefs responsible for natural resources law enforcement. Environment Canada personnel attend regular NAWEG meetings to discuss national positions and to develop a North American approach to present to **CITES**, Interpol, and the Trilateral Committee.

In 1998, Canada's international cooperation included, for example:

- attending a NAWEG conference on trade in coral and marine invertebrates at Los Angeles, California;
- reviewing bilateral and multilateral protocols to facilitate the exchange of enforcement data and intelligence;
- assisting in the publication and distribution of a brochure describing the function of NAWEG; and
- signing agreements with the **U.S. Department of Agriculture, Safari Club International**, and the **Humane Society of America** to support work on identification guides for species protected under CITES.

## FURTHER INFORMATION

For further information about WAPPRIITA, please refer to the Canadian Wildlife Service web site at [http://www.cites.ec.gc.ca/eng/sct4/index\\_e.cfm](http://www.cites.ec.gc.ca/eng/sct4/index_e.cfm) or contact:

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