



Wildlife
Justice
Commission

ANNUAL REPORT 2016

STICHTING WILDLIFE JUSTICE COMMISSION
THE HAGUE

Contact

Tel: +31 70 205 1050

General: info@wildlifejustice.org

www.wildlifejustice.org

1 Background of the Wildlife Justice Commission

The Wildlife Justice Commission (WJC) was established to help disrupt and dismantle transnational criminal wildlife trade networks by exposing and helping to dismantle these criminal networks and the corruption that enables them to flourish. The WJC's vision is a future in which wildlife crime no longer occurs, because governments effectively enforce the law. The focus of the WJC is the rule of law and its activation. The WJC's activities are subjected to the Rules of Procedure – designed by world class procedure architects – and adhere to the data protection laws in The Netherlands.

The WJC operates according to the following model. In the initial stage, field research and investigations are conducted. If direct and trusted contact with law enforcement agency is available, the intelligence gathered will be passed on to them directly for immediate action. If no such contact exists a Case File will be drafted. The Case File is a document outlining the alleged wildlife crimes committed, the criminal networks concerned, the relevant facts, and key individuals and institutions involved.

To ensure that the Case File is accurate, legally solid and of a high-quality, it is reviewed by two members of the Independent Review Panel. The Independent Review Panel consists of independent, renown experts in the fields of international law, investigative journalism, governance and international crime, among others.

The Case File is then presented to the relevant government(s) to establish a National Dialogue in a spirit of cooperation meant to help local law enforcement to take appropriate action in response to the findings described in the Case File.

The WJC's Ambassadors and other influencers are also involved in helping to convince, and if necessary, exert background pressure on the authorities to act on the evidence provided.

If the National Dialogue is unsuccessful and insufficient action is taken, the WJC has the option of convening a Public Hearing. The Public Hearing is a mechanism designed to help activate justice once all other avenues have been explored. (Anonymized) evidence from the investigation is presented for validation to five members drawn from the WJC Independent Review Panel. Over the course of two days, experts and witnesses are also heard. The outcome of the Public Hearing is a decision by the Designated Independent Review Panel and recommendations for further action. This decision serves to leverage stakeholder's influence and sanctions mechanisms in order to activate justice.

2 Annual Performances

2.1 Operational Developments

2.1.1 Operation Phoenix

In 2016, the WJC continued its Operation Phoenix, an investigation into a wildlife trafficking network of 33 suspects operating in Nhi Khe, Viet Nam. In January 2016, following a review by two members of the Designated Independent Review Panel, the WJC transmitted a Vietnamese version of the Case File to several authorities within the Vietnamese government. In February 2016, a Mandarin version of the Case File was delivered to the Chinese authorities, and the WJC entered its National Dialogue phase with the Vietnamese and Chinese authorities. WJC staff, ambassadors and stakeholders repeatedly engaged with

Vietnamese and Chinese authorities to encourage concrete law enforcement measures against the individuals identified in the Case File.

Meanwhile, the WJC continued its investigations in Viet Nam. The results of its new field missions were included in the Update to the Case File, which by then contained evidence regarding 51 suspects and was over 5,500 pages long. The Update of the Case File was translated into Vietnamese and delivered to the Vietnamese authorities in July 2016.

Over the course of the year, the WJC observed some changes in the illegal wildlife business in Nhi Khe as traders reacted to increased enforcement measures. From March 2016, the previously overt character of the business evolved to be increasingly covert and more akin to a traditional crime model. Several shops closed in Nhi Khe while others relocated to surrounding villages.

Despite these changes and the National Dialogue efforts of the WJC, there was insufficient evidence of concrete law enforcement action directed against the criminal network identified in the Case File. Therefore, in accordance with its procedures, the WJC escalated the case to the Public Hearing phase.

Public Hearing

The Public Hearing concerning Operation Phoenix took place on the 14th and 15th of November 2016, at the Peace Palace, in The Hague. Over the course of these two days, the WJC presented to the Designated Independent Review Panel evidence of the \$53.1 million trade in, among other, parts and products of rhinos, elephants, and tigers by a criminal network. The Designated Independent Review Panel was made up of international law experts and a renown investigative journalist.

At the end of the Public Hearing, the Designated Independent Review Panel validated the findings of the WJC as a fair and neutral description of the facts and issued recommendations, including immediate measures the Vietnamese authorities should take, while concomitantly recognising the efforts they already had made. The [recommendations of the Designated Independent Review Panel](#) are publicly available on the website of the WJC.

The WJC continues to offer its assistance to the Vietnamese authorities. The WJC is now in the monitoring phase pursuant to the Public Hearing.

2.1.2 Other Investigations

Between July and September 2016, Operations Chameleon, Dragon and Ambush resulted in the arrest of 17 individuals from three wildlife trafficking networks operating in Malaysia. These operations resulted in the seizure of approximately 500 kilograms of ivory, over 1200 CITES Appendix I and II turtles, 2 tiger skins and other tiger products from tigers poached in the Malaysian jungle and lion products trafficked from Africa. WJC staff were embedded with local Malaysian authorities and advised them during the whole investigation and enforcement process.

2.1.2.1 Operation Dragon

Operation Dragon is an investigation focusing on an extensive criminal network, operating across South East Asia, involved in the illegal trade in live birds, reptiles and primates.

At present results remain confidential as the investigation is on-going.

2.1.2.2 Operation Ambush

Within its Operation Phoenix investigation (Viet Nam), the WJC observed an alarming increase in the illegal tiger trade. Operation Ambush began in July 2016 to examine the drivers and organised criminality

Email: info@wildlifejustice.org

www.wildlifejustice.org

behind the illegal tiger trade across Asia focusing in particular on the role of tiger farms across the Greater Mekong region.

Key findings

There is an astounding amount of tiger parts for sale in Viet Nam, with social media functioning as a key outlet. In Viet Nam, the WJC identified a strong demand for tiger claws and canines as a fashion or status symbol. Furthermore, the WJC observed what appears to be a new trend: the trade in tiger and other big cat cubs contained in liquid vases, described as ‘tonic wine’.

WJC’s intelligence suggests that tiger traffickers in Viet Nam source tigers from Thailand, Laos, Viet Nam and Malaysia. Due to the volume of parts observed for sale and the paucity of wild tigers in the region, it is likely that a large part of the tiger parts and products on the market have originated from tiger farms or that a proportion of products may be fake. Worryingly, reliable intelligence indicates that tiger breeding for the illegal trade is now also occurring in the Czech Republic and in South Africa.

2.1.2.3 Operation Chameleon

WJC’s intelligence led to a number of sting operations in Malaysia, in collaboration with Malaysian wildlife authorities, Perhilitan. To date, as a result, seventeen individuals (four Chinese, eight Vietnamese, four Indian and one Malay-Indian) have been arrested and seizures made of large quantities of African ivory, tiger parts, pangolin scales and helmeted hornbill beaks. At least three transnational criminal networks have been identified and disrupted.

This level of investigation also highlights the strong level of coordination and trust between the WJC and a national authority committed to activating local justice.

2.1.3 Further Investigations

Besides the investigations described above, the WJC has eight other investigations in play and more under review.

2.2 Organisational Developments

In 2016, the WJC moved its office to accommodate its growing team. The organisation’s headquarters are now located at Prinses Margrietplantsoen 79, The Hague, and remain in the World Trade Centre building.

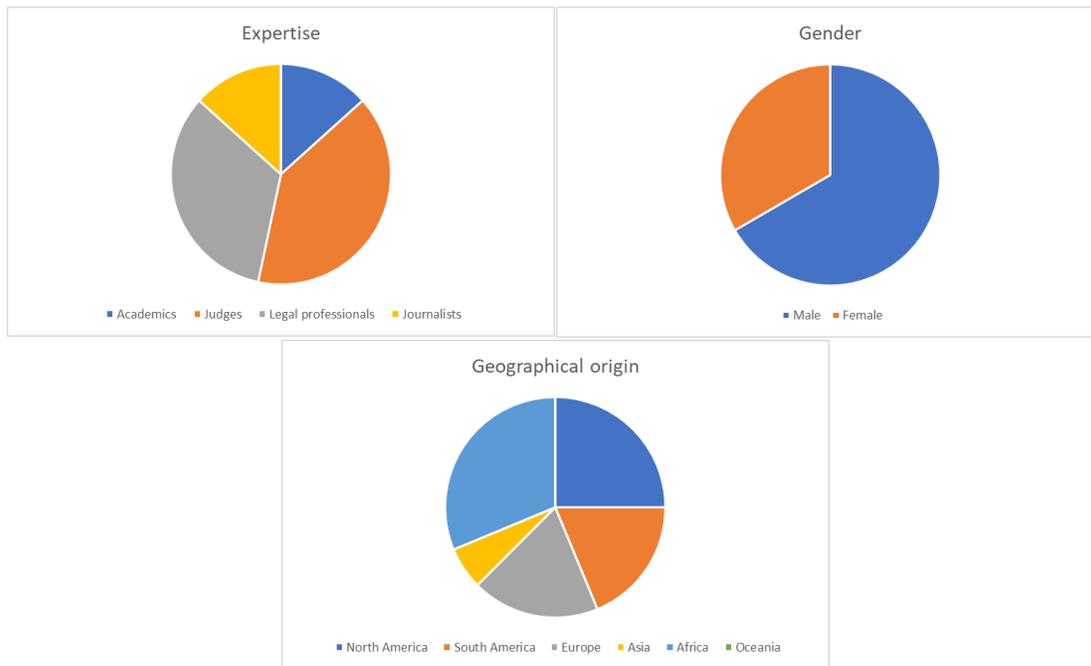
In April 2016, a new Executive Director, Olivia Swaak-Goldman, joined the team. Mrs Swaak-Goldman has over twenty years of experience in international justice and diplomacy, has published extensively on issues of international criminal law and international humanitarian law and served as a lecturer at Harvard and Leiden Universities. Prior to joining the WJC, Olivia was Head of the International Relations Task Force of the Office of the Prosecutor of the International Criminal Court, Senior Legal Advisor at the Netherlands Ministry of Foreign Affairs, Legal Advisor at the Iran-United States Claims Tribunal and Legal Assistant at the UN International Criminal Tribunal for the former Yugoslavia.

A Communications and Special Projects Officer, two Investigation Assistants, and an extra analyst also joined the organisation in 2016 and expert consultants were engaged as necessary.

The WJC continued to extend its network of supporting individuals through the [Supervisory Board](#), [Advisory Council](#), [Independent Review Panel](#) and [Ambassadors](#).

The WJC strives to achieve a balanced representation of Independent Review Panel members with regard to their expertise, gender and geographical background.

2016 distribution of Independent Review Panel members



In 2017, the WJC will strive to achieve an even more balanced Independent Review Panel.

2.3 Fundraising

A fundraising strategy was approved by the Supervisory Board in December 2016. The WJC seeks to secure core funding and this is one of the organisation's priorities for the coming year. Another fundraising priority for the coming year is securing multi-year grants. Furthermore, the WJC will seek to increase the geographic distribution of its funders.

The WJC is extremely pleased with the trust and financial support received from well-respected donors in 2016, including the Nationale Postcode Loterij, Oak Foundation, Brook Foundation, Elsa and Nando Peretti, Dioraphte and the Swedish Postcode Foundation. More [details](#) can be found on the WJC's website.

2.4 Communications

2.4.1 Public Hearing

The first Public Hearing of the WJC drew a lot of attention from the media. The announcement of the Public Hearing on 14 September was broadcasted on Dutch TV and many national and international media outlets.

In November, the Public Hearing was extensively covered in global media - over 50 international media outlets reported on the event such as The Guardian, The Economist, China Daily, Le Monde, News



Republika, BBC Vietnam, Mongabay, Los Angeles Times and National Geographic.

At the Peace Palace, over 300 people attended the Public Hearing, and 1 600 people around the world followed it by livestream.

2.4.2 Other communications achievements

2016 was marked by several media moments for the WJC. It was featured in several documentaries, namely; the two-episode documentary 'Saving Africa's Elephants: Hug and the Ivory War' (BBC-One); 'The Ivory Game' (Executive producer: Leonardo DiCaprio, featured on Netflix); and 'The Poachers Pipeline' (Al Jazeera English).

Additionally, the WJC launched a new website in July 2016 and two mirror websites in French and Mandarin were launched in the following months.

3 Balance sheet as at 31 December 2016

	<u>31-12-2016</u>	<u>31-12-2015</u>
	€	
ASSETS		
Non-current assets		
- Automation and furniture	<u>90,789</u>	<u>60,328</u>
Current assets		
- Receivables	98,915	129,393
- Cash and cash equivalents	<u>1,256,382</u>	<u>229,006</u>
Total current assets	<u>1,355,297</u>	<u>358,399</u>
Total assets	<u><u>1,446,086</u></u>	<u><u>418,727</u></u>
LIABILITIES		
Reserves		
- Continuity reserve	<u>372,440</u>	<u>0</u>
Debts		
- Short term accruals	<u>1,073,646</u>	<u>418,727</u>

Total liabilities	<u>1,446,086</u>	<u>418,727</u>
-------------------	------------------	----------------

4 Income statement 2016

	Actual 2016	Budget 2016	Actual 2015 *
	€	€	€
<u>Income</u>			
Own fundraising	1,163,570	3,072,500	1,370,275
Government grants	87,818	0	62,182
Income from third parties	1,100,000	0	0
Interest	<u>2,100</u>	<u>1,000</u>	<u>0</u>
Total income	<u>2,353,488</u>	<u>3,073,500</u>	<u>1,432,457</u>
<u>Expenditure</u>			
Charitable activities			
- Investigation & review	1,194,262	1,219,222	1,102,845
- Dialogue	71,495	152,611	27,067
- Validation & lobbying	<u>285,258</u>	<u>1,096,677</u>	<u>66,751</u>
Total charitable activities	<u>1,551,015</u>	<u>2,468,510</u>	<u>1,196,663</u>
Fundraising			
- Costs of fundraising	<u>298,868</u>	<u>289,932</u>	<u>117,110</u>
Management & administration			
- Management & administration costs	<u>131,165</u>	<u>220,058</u>	<u>118,684</u>
Total expenditure	<u>1,981,048</u>	<u>2,978,500</u>	<u>1,432,457</u>
Balance income and expenditure	<u>372,440</u>	<u>95,000</u>	<u>0</u>
Allocation balance of income and expenditure			
Continuity reserve	<u>372,440</u>	<u>95,000</u>	<u>0</u>

* Period 4 March 2015 - 31 December 2015.

Expenditure charitable activities divided by:

- total income	66%	80%	84%
- total expenditure	78%	83%	84%

Expenditure costs of generating income
divided by income own fundraising

26%	9%	9%
-----	----	----

Expenditure management and administration
divided by total expenditure

7%	7%	8%
----	----	----

