

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA

---

Eleventh meeting of the Conference of the Parties  
Gigiri (Kenya), 10-20 April 2000

Interpretation and implementation of the Convention

CONSERVATION OF AND TRADE IN TIGERS

1. This report has been prepared by the Secretariat.
2. At its 10th meeting, the Conference of the Parties adopted Decision 10.66, directed to the Standing Committee, to pursue the objectives of Resolution Conf. 9.13 (Rev.) (Conservation of and Trade in Tigers).
3. At its 42nd meeting, the Standing Committee discussed a report by the Secretariat, document Doc.SC.42.10.3 (copy attached as Annex 1), and agreed with the Secretariat's proposals. The Standing Committee also discussed the report of the CITES Tiger Missions Technical Team and accepted the report. (As the Technical Team's report is over 100 pages in length, it has not been annexed to this document. The Secretariat will make a copy available to those Parties at the meeting who request one. The report is also available on the CITES Web site in the section relating to the 42nd meeting of the Standing Committee). The Committee directed that copies of the report should be supplied to major international conservation organizations and that each of the range and consumer States visited by the Team should be asked to respond to the Team's recommendations in relation to individual countries.
4. The Secretary General subsequently supplied copies of the report to the Secretariat of the Convention on Biological Diversity, the Global Tiger Forum, IUCN, TRAFFIC, WWF and the 14 range and consumer States visited by the Team.
5. Canada responded in the following terms:
  - a) "The report, in our view, is generally an accurate reflection of the situation in Canada and we commend the Team for their analysis and comments. They have made some very useful recommendations. On some, we can already report progress, while others will be of assistance as we seek to make improvements to our administration of the Convention in the coming years.
  - b) As noted in the Tiger Mission report, Canada implements its obligations under CITES through the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act of 1996 and its subordinate regulations, the Wild Animal and Plant Trade Regulations. It is further noted that, at the time of the mission, Canada was in the process of considering changes to our legislation to take account of Resolution Conf. 9.6.
  - c) Canada is pleased to report that the Wild Animal and Plant Trade Regulations have now been revised to authorize prosecutions based on claims made as to contents on any labels, marks or in accompanying documents for goods which are being exported or imported, unless there is evidence that raises a reasonable doubt to the contrary. This provision (section 20) has been drafted so as to be consistent with the presumption of innocence contained in our Charter of Rights and Freedoms, which forms part of the Canadian Constitution. The revised regulation was published in the Canada Gazette, Part II on January 5 and will become law on January 15, 2000.
  - d) It is noted in the report that Canada does not yet have a system of designated ports for CITES purposes. This is a matter that Environment Canada intends to examine, now that we have implemented the Personal and Household Effects Exemption, which also comes into effect on January 15.

- e) The report expresses the concern that enforcement resources may be deployed to meet regional rather than national priorities, and that insufficient resources may be devoted to public awareness activities particularly with respect to TM products.
  - f) With respect to priority setting, Environment Canada establishes priorities in a national wildlife enforcement workplan on a yearly basis, based on discussions among enforcement and wildlife program managers at both the national and regional levels. The process also includes consultation with our partners, including the Canada Customs and Revenue Agency, the Royal Canadian Mounted Police and provincial and territorial wildlife enforcement groups. The workplan sets national priorities and this may include some which are region-specific in the event that there are significant enforcement issues in a given region which are not present in other parts of the country; this is essential in order to reflect different enforcement issues and realities across a very large country like Canada.
  - g) With respect to resources, Environment Canada seeks to maximize the effectiveness of its enforcement and public awareness budgets through partnerships with other enforcement agencies, such as Canada Customs and Revenue Agency, the RCMP, the Canada Food Inspection Agency, and the provinces and territories, as well as with non-governmental organizations such as TRAFFIC North America and the World Wildlife Fund. Efforts are on-going to confirm and enhance co-operation among our various partners, through Memoranda of Understanding and less formal arrangements. At the same time, as noted in the report, we are increasingly using technology to improve communications and transfer of information internally and with our partners, given the size of the country, and we will continue to explore opportunities for further developments in this area.”
6. The response from Japan was:
- a) “The recommendations to Japan are:
  - b) Recommendation 1: that the authority of Japan investigate the activities of this facility (a tiger farm)
  - c) Recommendation 2.1: that Japan's legislation be amended and that an internal ban on trade in parts and derivatives of tiger should be put in place as a matter of priority.
  - d) Recommendation 2.2: that any amendment to Japan's legislation take into consideration the definition in Resolution Conf. 9.6.
  - e) Recommendation 3: that Japan seek any intelligence from other States that indicates that it is the destination for parts and derivatives of tigers.
  - f) Suggestion 1: that Japan consider creating a specialized unit of Customs, Police or a combination of both to target illicit trade in specimens of CITES-listed species and that intelligence acquired by such a unit be used in formulating future strategies for Japan's CITES controls and in planning education and awareness campaigns.
  - g) Japan conducted the following to implement the recommendation in favour of tiger conservation.
  - h) The police started the compulsory investigation on the tiger farm in June 1999 suspecting a violation of the prefectural ordinance on breeding of dangerous animals. During the investigation, the situation of observance of "The Law for Conservation of Endangered Species of Wild Fauna and Flora (LCES)" which regulates the domestic trade of endangered species, was examined but no illegal domestic trade was found. The police found that the breeding house had been reconstructed without a necessary permit of the Governor, and they sent papers on the case to the prosecutor's office on 28 October 1999. (Recommendation 1).
  - i) Japan implements CITES through its "Foreign Exchange and Foreign Trade Law". LCES regulates internal trade of endangered species and the species included in CITES Appendix I are designated as endangered species under LCES. LCES originally regulated trade in individual endangered species. After the amendment of LCES in 1995, it now regulates trade in designated parts and derivatives of endangered species. In the case of tigers; fur, skin, teeth, claws, fur products, skin products, tooth products and ornaments made of claws have been designated as the parts and derivatives that are subject to the regulation since 1995.

- j) In addition, the National Cabinet decided on 21 December 1999 to designate tiger bone, tiger penis and materials for human consumption or other human usage which contain tiger bone, tiger penis (medicinal products, liquor, virility products and so on) as parts and derivatives which are subject to the regulation. This amendment to the Cabinet Order under LCES will come into effect on 1 April 2000. The Government of Japan is conducting public awareness campaigns on this measure. (Recommendation 2.1)
  - k) The Japanese Customs Authority controls the import of specimens of species listed in the CITES appendices at the border under "The Foreign Exchange and Foreign Trade Law" in accordance with Resolution Conf. 9.6. The amendment of the Cabinet Order under LCES enables enforcement actions in regard to specimens which appear from an accompanying document, the packaging or a mark or label, or from any other circumstances, to be a tiger bone or tiger penis. Furthermore, the Government will direct traders and retailers to cease selling or exhibiting such specimens in order to exterminate the demand for tiger in Japan. (Recommendation 2.2)
  - l) In 1987, the Regional Intelligence Liaison Office (LIRO) project in the Asia-Pacific region was established. The aim of this project is to improve the skills for Customs control and make an information network between the Asia-Pacific regional Customs offices. This project's officers hold a conference every year to discuss illicit trade in the region. The latest conference was held in November 1999 in Tokyo.
  - m) Regardless of the CITES Tiger Missions Technical Team's kind description in their report and their kind assistance at the 42nd Standing Committee meeting to call upon all range States to supply information to Japan that would assist its enforcement agencies in combating illicit trade, Japan has not yet received any such information. Japan would like to ask for the Secretariat's kind assistance to communicate to Parties in the Asian Region that Japan would like to receive such information at the coming Asian regional meeting. (Recommendation 3)
  - n) Since 1985, the Japanese Customs Authority, which is under both the CITES Management Authority (MITI) and the Ministry of Finance (MOF) has limited the number of ports of entry that can give clearance to CITES-listed species. Each designated port has appointed officers (up to the director class) at each branch who specialize in the handling of CITES-listed species. These officers gather information for species identification and collect export permit samples from abroad. This system contributes to the smooth implementation of Customs clearance and effective control. Each Customs branch holds training programmes for the officers responsible for examining CITES-listed species to improve their identification skills.
  - o) Each Customs branch undertakes public awareness campaigns to educate travellers about the purpose of CITES and to warn them about import restrictions on CITES-listed species. Furthermore, the MOF and the Japanese Police Agency have established a Board to monitor illicit trade in CITES specimens and other illegal imports. The Japanese Customs Authority and the regional police agency have established a similar board that works closely with the one under the MOF and the Japanese Police Agency. (Suggestion 1)."
7. Malaysia responded that its Wildlife Protection Act of 1972 was being reviewed by the Attorney General to take account of the definition of readily recognizable in Resolution Conf. 9.6. To take account of the recommendation that illicit trade be subject to investigation, Malaysia replied that Department of Wildlife and National Parks (DWNP) Directors in the four states with high tiger populations had been tasked to carry out such work. Information obtained would be analysed by DWNP headquarters. If trends are established, enforcement and awareness programmes will follow.
  8. The Netherlands responded that its previous comments, during the consultation process, had been incorporated into the Team's report. It wished to add, however, that the recommendation that the Netherlands increase public awareness about traditional medicine would be addressed by being scheduled in its work programme in the year 2000.
  9. The Russian Federation reiterated its comments on the Technical Team report. It added that, on the basis of the Joint Action Plan for Executive Authorities, signed in 1995, it intended to make Inspection Tiger the co-ordinating body for the fight against poaching and illegal trade in wildlife. It reported that there are proposals to make the punishment for illegal use of wild fauna and flora more rigorous. Two international seminars on control of illegal trade in CITES-listed specimens, and other rare species of wild fauna and flora, were organized in Vladivostok in 1998 and 1999, with the participation of CITES Management Authorities and Customs authorities from China, Japan and the Republic of Korea. The Russian

Federation emphasized its disagreement with the suggestion that a CITES regional office be established in the Russian Far East.

10. The United Kingdom responded as follows:

- a) "The United Kingdom's key recommendations were:
  - i) Encourage co-operation and exchange of information between the United States of America and the United Kingdom on their respective databases of traditional medicines
  - ii) suggest greater involvement of the traditional medicine community in educational campaigns
  - iii) reconsider obtaining information on American research into toxicity in TMs (traditional medicines)
  - iv) suggest establishment of a national enforcement agencies co-ordinating unit
  - v) [enforcement agencies] establish more routine contact with counterparts abroad, either direct or via Interpol or the World Customs Organization; and
  - vi) fraudulent applications for sales exemption certificates for skins and mounted specimens should be made more difficult; suggest that requirement of identification of individual skins and specimens could reduce opportunity for fraud.
- b) Recommendations i), iii) and v) all focus on the need for greater communication between the United Kingdom and our counterparts abroad, largely by the statutory enforcement agencies. We do of course already take note of developments abroad and the findings of international research. For instance, cases abroad of fatalities resulting from the use of traditional medicines containing toxic plant material have resulted in the United Kingdom's Medicines Control Agency notifying HM Customs and Excise of a ban in the use of medicines containing ingredients derived from those plants. We accept that there is always room for improvement and we shall continue to look at ways in which we can further develop lines of communication, particularly with the United States of America.
- c) We are pleased to report that we should soon make significant progress on recommendation iv) by establishing a new National Wildlife Crime Co-ordinating Unit for the United Kingdom. Proposals for this Unit, which we envisage will provide a central point of contact for both national and international wildlife crime, have been under consideration in the United Kingdom for some time. We now have approval for the resources needed to establish the Unit and hope to make a formal announcement about it within the next few weeks. Once established, such a Unit would also help in attaining recommendation v).
- d) On recommendation ii), we entirely agree on the importance of involving the TM community in educational campaigns and already seek to do this. The United Kingdom's new TM television advertisement was developed and cast following full consultation with TM practitioners and the Chinese Medicine Association of Suppliers, as was other recent educational material. Parties may be interested to know the advertisement has just been taken on by Virgin Atlantic as well as Chinese and Polish television companies. We shall continue to ensure the involvement of the TM community in the production of all such material.
- e) Finally, on recommendation vi), we can report that we are tightening up our policy on marking and identifying specimens. No internal sales of dead tiger specimens are allowed unless they are worked specimens acquired before 1 June 1947, in which case they are covered by the general derogation for antiques (although the United Kingdom's Scientific Authority for Animals, JNCC, nevertheless requests a photographic record of all antique tiger skins, clearly showing back and side markings, for future reference). No commercial imports of any dead tiger parts are permitted, although applications to import personal effects for non-commercial use are considered on their merits (and any such imports are subject to a "no sale" condition). Where sales certificates are issued for non-commercial purposes, such as research or education, we require the specimen to be uniquely marked or labelled and insist on photographs to identify it."

11. At the time of writing (February 2000) no further responses had been received from Parties visited by the Technical Team.

12. Pursuant to one of the strategic recommendations of the Technical Team, which was endorsed by the Standing Committee, the Secretary General sent copies of the Team's report to the Permanent Missions to the United Nations at Geneva of Bhutan and the Democratic People's Republic of Korea, and to the Embassy of the Lao People's Democratic Republic in France, with a diplomatic note encouraging those tiger range States to accede to the Convention.
13. The Secretariat was represented at the First General Assembly meeting of the Global Tiger Forum, held in Dhaka, Bangladesh, 18-20 January 2000, where a presentation on the CITES Tiger Technical Missions was given by the Team Leader.
14. The Standing Committee further directed that political missions should be conducted to China, India and Japan to, in particular, discuss with senior government Ministers and officials the Technical Team's recommendations.
15. The Secretary General, accompanied by the Chairman of the Standing Committee and the Technical Team Leader, conducted a political mission to India from 23 to 29 January 2000.
16. The Political Mission Team then travelled from India to Japan and met with officials there on 31 January 2000.
17. It was hoped to conduct a mission to China in March 2000.
18. A report of the work conducted by the Political Mission Team is attached as Annex 2.



CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA

---

Forty-second meeting of the Standing Committee  
Lisbon (Portugal), 28 September-1 October 1999

Issues relating to species

Tiger

DECISION 10.66

1. At its 10th meeting, the Conference of the Parties adopted Decision 10.66, directed to the Standing Committee, regarding trade in tigers. This matter is being brought to the attention of the Committee now because, in accordance with this Decision, it will be required to report at the 11th meeting of the Conference of the Parties.

2. Decision 10.66 of the Conference of the Parties is as follows:

*The Standing Committee shall:*

- a) *continue its review of tiger-trade issues in range and consumer States, by including illegal trade in tiger parts and derivatives as a priority issue at its 40th and 41st meetings; report to the Parties on progress made, with a view to identifying, on a country-by-country basis, additional legislative and enforcement measures that may be necessary to stop the illegal trade in tigers and tiger parts and derivatives; and, as necessary, advise those countries directly;*
- b) *in consultation with interested Parties and where appropriate, undertake technical and political missions to tiger range and consumer States, to assist in developing strategies for improving control of tiger trade and for related activities;*
- c) *report to the 11th meeting of the Conference of the Parties on progress made in tiger range and consumer States in implementing the provisions of the Convention with respect to tiger trade and the measures provided by Resolution Conf. 9.13 (Rev.), notably the specific recommendations for reducing the illegal trade in tiger parts and derivatives, including manufactured medicines; and*
- d) *continue to review on an annual basis the progress of tiger range and consumer States in controlling the illegal tiger trade and to review the implementation of legislative and enforcement measures taken by them.*

3. Regarding paragraph a), the subject was, as required, included in the agenda for the 40th and 41st meetings of the Standing Committee. The team that undertook the technical missions required in paragraph b) identified the legislative and enforcement measures in the countries that they visited and provided the advice referred to.

4. Regarding paragraph b), the technical missions have already taken place and the report of the technical team is presented in document Doc. SC.42.10.4. The political missions are planned for the end of 1999.

5. Regarding paragraph c), the review of progress was conducted by the technical-mission team in relation to the countries that they visited. The Secretariat suggests that it would not be practicable to report on progress in all range and consumer States except on the basis of information voluntarily provided (for example in response to a Notification), as was done previously. However it might be considered that the countries covered by the technical and political missions serve as a sufficiently good sample to provide the basis of the Standing Committee's report to the 11th meeting of the Conference of the Parties.

6. The decision in paragraph d) requires a review to be made on an annual basis. The Secretariat believes that this is impracticable unless it is based on information voluntarily provided by Parties. In particular it is

not reasonable to expect a review of implementation and enforcement measures to be conducted annually without resources specifically for this purpose.

7. It remains for the Standing Committee to decide how to proceed in implementing Decision 10.66. What remains to be done is for the Committee to report to the Conference of the Parties in accordance with paragraphs a) and c). The Secretariat suggests that the reports of the technical and political missions should form the basis of any report and should be considered as providing information on a reasonable sample of States. The Secretariat also suggests that the Standing Committee should make a proposal to the Conference of the Parties about how to revise the Decision at the 11th meeting to achieve the desired objective in a practical way. It might be desirable to establish a working group of the Standing Committee to formulate the necessary proposals.

## THE CITES TIGER HIGH -LEVEL POLITICAL MISSIONS

1. In the early part of 2000, the Secretary General, Chairman of the Standing Committee and Technical Team Leader conducted high-level, political missions to India, Japan and China, as decided by the 42nd meeting of the Standing Committee.

### India (22-29 January 2000)

2. On arrival, the team learned of two recent enforcement actions in Ghaziabad and Khaga, India which led to the seizure of 120 leopard skins, 7 tiger skins, 185 kg of tiger bones, over a hundred tiger claws and 18,000 leopard claws. Officials at all levels had been surprised at the scale of the seizures, which clearly indicated an organized wildlife crime network. It also demonstrated a re-emergence of the large cat skin trade that had previously been thought to have been eliminated during the early and mid-1990s. Evidence and intelligence suggests the items were destined to be smuggled across India's north-eastern borders.
3. The manner in which arrested poachers and/or persons charged with simple possession of protected species are regularly supported by experienced and well-staffed legal defence teams, out of all proportion with what such individuals might be expected to afford, provides further grounds to suggest the presence of organized criminal networks. It seems such illicit organizations must be acquiring sufficient profits to enable them to deploy substantial legal assistance to junior members of the networks. The mission heard, as had the Technical Team, that persons charged with serious wildlife crimes and repeat offenders are regularly granted bail. This clearly hampers efforts by enforcement and conservation organizations to promote the importance of protecting tiger populations.
4. The mission team flew to Khajuraho in Madhya Pradesh State where meetings were held over two days with the head of India's CITES Management Authority, the Director of Project Tiger, officials of the Ministry of Environment and Forests in Madhya Pradesh, staff from Bandhavgarh, Kanha and Panna Tiger Reserves, Ken Gharial Crocodile Sanctuary and tiger conservationists and researchers.

### Tiger Conservation and Protection Initiatives in India

5. A number of initiatives have been put in place to address tiger conservation and protection in India. Some are designed to be co-ordinated at a central government level, whilst others are administered at State level.
6. The mission was already aware that there is meant to be a central government co-ordinating cell, meeting annually, that brings together the Ministry of Environment and Forests, the Central Bureau of Investigation, Customs, the Directorate of Revenue Intelligence and others of Deputy Inspector General and Commissioner level and status. This approach is meant to be replicated at State and Regional level, where a 'Tiger Cell' of relevant personnel is tasked with overseeing Forest and Police work in combating poaching and illicit trade. The Regional Committees are divided into Monitoring and District Committees.
7. The mission found, upon questioning Union and State staff, that such committees have not, in fact been meeting as they are designed to. Similarly, The Madhya Pradesh Tiger Foundation Society, formed to secure support from the public and organizations outside government, has not raised any funds for conservation purposes. The mission questions whether the proliferation of committees is not, in itself, simply adding to the bureaucracy which already seems to impede tiger conservation efforts.
8. Indeed, officials were clearly embarrassed when questioned closely regarding the practical implementation of the various schemes that are, outwardly, in place to further conservation and tiger protection. Madhya Pradesh prides itself as being India's 'Tiger State' but the mission found the responsible officials to be, in the main, evasive when questioned about what work was actually taking place at field level. In a PowerPoint presentation to the mission, an official deliberately sped past figures that showed a decrease in poaching detection and seizure cases. Officials had to be pressed before admitting that the allocation of funds from Central and State government are routinely underspent. Even Project Tiger's budget, which has recently been doubled, annually faces an underspend and funds do not reach field level, where they are needed. At State level, Project Tiger's underspend can reach 30 per cent of allocated funds. Officials explained that this was primarily due to bureaucracy that creates blockages in the disbursement of money.

9. The mission heard of Forest Guards in some parts of India who have not received their salaries for 21 months.
10. Central government officials intend to address this by allocating budgets directly to field managers. It was apparent to the mission, however, that considerable tension exists between Central and State officials. State officials are reluctant to speak of enforcement issues, presumably on this basis that it may reflect poorly on their activities.
11. It appears that, in a significant number of India's States, statistics relating to tiger and leopard mortality and enforcement actions are either not available or are not made available. Many NGOs and tiger conservationists believe that official figures regarding tiger populations are inflated. State administrations appear to deliberately conceal the loss of tigers to poachers.
12. A graphic illustration of this culture of cover-up was a recent incident that began when a leading member of the Project Tiger committee learned from his own sources that a tiger had been poached in a well known northern tiger reserve. He sought confirmation of the report from a series of state conservation officials at different levels, all of whom denied the report. Unconvinced, he travelled several hundred miles to the reserve, and after making inquiries among local villagers, confronted the local forest officers with incontrovertible evidence that not only had a tiger been shot by poachers on the reserve but its remains had been buried 100 metres from the forest office after poachers had been disturbed in the act by forest guards. Although the authorities finally admitted the incident had taken place, they claimed that the tiger had been killed by a wild boar, despite the fact that two bullets were recovered from the carcass. Several similar incidents of deliberate concealment of tiger losses are reported to have occurred elsewhere in the same State over the previous twelve months.
13. The mission believes that an essential first step in solving any problem is to face up to its existence. The Union Government must make it clear that reserve and forest administrations have to submit honest and full returns of all poaching incidents and that those who submit false or incomplete reports will be penalized.
14. The mission was concerned that WWF India, as the largest national wildlife NGO, with the most access to external funds, has apparently been so absorbed in recent years with its internal problems that it has failed to motivate stronger action from public authorities in India or provide a lead harnessing the widespread concern among the general public and smaller NGOs that India might lose such a national asset as the tiger. The mission was also disappointed that TRAFFIC India does not appear to have played as large a role in calling attention to the clear shortcomings in tiger conservation as might have been reasonably expected. The mission learned that a change of senior management in WWF India was imminent. It hopes that the new Executive Director will put tiger conservation at the heart of a revitalized WWF programme in India.

#### Field operations

15. Tiger reserves that attract considerable numbers of visitors, particularly foreign tourists, appear to be something of 'showcases' and their promotional material contains photographs of well armed, well-equipped Forest Guards, using new off-road vehicles. By comparison, the mission visited Panna Tiger Reserve, which does not attract many visitors. Indeed, the mission could not obtain a map or guide for the reserve in its hotel in the nearby town of Khajuraho.
16. Panna's Forest Guards do not have ready access to vehicles or weapons. Many staff appeared elderly and were seen patrolling alone, without radio communication, deep into the reserve. The mission was firmly of the opinion that such personnel could not properly protect themselves, let alone protect the tigers in the Reserve.
17. The fact that basic essentials, such as personal radio equipment, modern weaponry and suitable vehicles, are still not present in many areas is regrettable. Particularly so, given that project Tiger was launched 27 years ago by the then Prime Minister; since when some USD 8-10 million has been channelled into India by overseas Governmental and NGO bodies for tiger conservation and approximately USD 130-150 million has been spent by Union and State governments.
18. The mission heard, as had the Technical Team, of vehicles that had been presented by foreign NGOs for anti-poaching work being diverted to other uses.

19. Kanha Tiger Reserve covers almost 1,000 sq km and has route guides, visitor centres, rest houses and elephant rides for visitors. Villages within the core area have been relocated and a 1,000 sq km buffer zone has been created. The reserve is estimated to contain 86 leopards and 114 tigers.
20. Panna Tiger Reserve covers almost 550 sq km. There are villages within the reserve and no buffer zone. It has few visitor facilities. The reserve is estimated to contain 31 leopards and 22 tigers. A radio-tracking research project that is monitoring the tiger population shows that more breeding pairs are required if the population is to remain viable. Any relocation of villagers would have to be carefully managed, though, since livestock now accounts for over 30 per cent of the tigers' diet.
21. Enforcement operations in Madhya Pradesh do not seem professionally focussed. Field staff appear to regard action against encroachment, subsistence poaching, firewood collection, illegal logging and poaching of tiger and leopard almost with equality. Tiger poaching and trading in skin or bone have to take their place alongside minor cases in an already overburdened court system. The mission was taken to view a store of items seized from offenders. Expecting to see weapons and tiger or leopard skins/bones, it was shown a shed full of old bicycles. The mission was concerned that enforcement activities, if not properly targeted, are simply alienating local residents. There was no indication that local communities are encouraged to value wildlife or contribute to its protection.
22. The mission noted considerable livestock grazing within reserves and sanctuaries, to the detriment of the habitat and tiger and leopard prey species.
23. The majority of tigers live outside the protected areas of reserves and sanctuaries. Few resources are devoted to anti-poaching efforts outside designated protected areas. Although the Police are empowered to enforce the Wildlife Protection Act of 1972, little attention is given to that aspect of law enforcement. The mission could find no evidence of real operational co-operation or intelligence exchange between the Police and Forest personnel. In fact, it seems that direct competition ensues when cases or incidents emerge that will result in publicity. The mission heard of several examples where lack of communication and co-operation had impeded efficient investigations, allowed evidence to be destroyed or removed prior to the execution of search warrants, and enabled suspects to evade arrest.
24. The mission heard, from officials at all levels, of corruption and collusion among enforcement staff. The mission did not feel that there is sufficient deterrent to poaching and/or illicit trade presented by enforcement staff or the judicial system.
25. It was astonished to learn that Madhya Pradesh has a Lion Project that is researching the potential of reintroducing lions to parts of the State. Given that the State apparently cannot provide adequate levels of protection to existing large cat populations, this seems a waste of funds and resources. It does, however, reflect the image projected by some Central and State officials that everything is under control.

#### Eco-tourism and the involvement of local communities

26. The mission noted considerable scope for wildlife tourism development. It believes that the mere presence of increased visitor numbers would motivate staff, bring increased revenue for conservation work and would, in itself, act as a deterrent to poachers.
27. India has yet to establish any form of eco-tourism that contains an element to benefit local communities. At present, hotel and tour operators do not have to pass any of their revenue to conservation and neither Central nor State government control franchise operations for commercial operators. There seems little incentive for local communities to value their wildlife and its terrain. Far more could be done to ensure, in the minority of tiger reserves that do attract significant tourist numbers, that revenue is recycled locally and that local staff, goods and produce are used wherever possible.
28. Another area of serious concern is the failure to engage local people in the fight against tiger poaching. This requires not only education and law enforcement but also measures to provide more economic as well as social incentives for very poor people living in or around tiger habitats. At present, such people are easy prey for the organized gangs who may pay them to poach tigers and supply the illegal trade from which the gangs make large profits. The illegal trade also acts as a means for villagers, who may kill tigers as a result of conflict situations, to dispose of the carcass and acquire extra income at the same time.
29. The mission accepts that addressing such issues will not be easy. Targeted investment in genuinely eco-friendly tourism and other compatible income-generating projects linked directly to the forest ecosystems is

essential and will have to be sustained over several years before significant conservation benefits are realised. Given that the most important cash invested in this field is from the World Bank (via the eco-development project), the mission believes that it has a major responsibility to help India create the right framework in which both people and wildlife can flourish.

#### High-level meetings

30. The mission moved to New Delhi where it met with a number of senior Central government officials and leading members of well-established NGOs involved in tiger conservation. The recent significant seizures of tiger and leopard parts had clearly shaken even those individuals who are pessimistic about the future of endangered species in India. The Technical Team Leader also met with the British High Commission's Drug Liaison Officer, to be briefed on relationships with India's law enforcement agencies.
31. It had a lengthy meeting with the Secretary of the Ministry of Environment and Forests, where discussions took place regarding intelligence and informant networks and the possibility of introducing appropriately trained sniffer dogs at India's border crossing points. The mission advised him of the report published by TRAFFIC East Asia on that subject. The Secretary also raised the concept of using global positioning systems in an effort to track illicit shipments. The Secretary confirmed that the Ministry was considering a number of initiatives to better facilitate the disbursement of funds, improve co-ordination of enforcement and investigation and amend wildlife protection legislation. The Secretary called for consumer States to do more to assist in combating illicit trade and the mission recounted what is already being done abroad.
32. The mission emphasized its own and the Standing Committee's agreement that the CITES Tiger Missions Technical Team's recommendation for the creation of specialized wildlife crime units seemed both appropriate and badly needed.
33. Despite an indication that an appointment had been made for the mission to meet with the Cabinet Minister for Environment and Forests, such a meeting did not finally take place. The mission did, however, meet with the Cabinet Minister for Law, Justice and Company Affairs; Mr Ram Jethmalani. He indicated that several of his Cabinet colleagues were supportive of the concept of a central Wildlife Crime Cell, perhaps similar to the Narcotics Bureau that India has established and which has authority to act independently at State level. The mission found the Minister very supportive and was encouraged to make bold and clear recommendations in its report.

#### Media coverage

34. The visit of the CITES mission received widespread press notice and the mission held a well-attended press conference at the United Nations Conference Centre in New Delhi. Mission members subsequently conducted separate press, radio and television interviews with journalists and reporters. There is clearly substantial media interest in tiger conservation.

#### Conclusions

35. The mission was highly impressed by the dedication and determination shown by some officials, particularly the head of the CITES Management Authority and the Director of Project Tiger. Elsewhere, however, varying levels of apathy, complacency and bureaucracy seem to stifle or frustrate good work and good intentions.
36. There is very little evidence of a co-ordinated, modern and professional approach to law enforcement, either in anti-poaching operations or in the investigation of wildlife crime and illicit trading. Indeed, the follow-up to seizures appears to be hampered by a lack of co-operation between the various agencies that are empowered to act in this field. Whilst intelligence-driven targeting of resources within some tiger reserves was noted, there appeared to be room for improvement. Similarly, the specialized enforcement training that has been undertaken at State level appears to have been too little and concentrated on the staff of high profile reserves.
37. The mission was depressed to learn that, as long ago as 1994, one of the primary recommendations of a committee (chaired by a senior Police officer) that reported to India's Central government was the establishment of a Wildlife Crime Bureau to co-ordinate and undertake enforcement action.

38. The mission was encouraged by the fact that recent efforts to raise awareness of wildlife crime among the judiciary and at the Police Academy of India have met with success and great interest among those who attended such workshops. It recommends this approach be expanded and actively pursued.
39. The mission was not convinced that tigers outside designated protected areas, or indeed those inside other than showcase reserves, are being properly protected or valued.
40. The mission questions the advisability of potential donors directing fresh funds toward tiger conservation in India until Central and State governments demonstrate that such monies will be spent, in total, effectively and where they are needed.
41. Sufficient cause for concern has been seen to prompt the high-level mission to believe that India's whole approach to tiger conservation and the combating of illicit trade is worthy of detailed, in-depth and independent review. India, and Project Tiger, has seen success and failure since a crisis in tiger populations first prompted action in 1973. The mission believes that radical action is once again merited if tiger populations in that country are to be safeguarded in the new millennium.

Japan (31 January 2000)

42. The Technical Team had recorded strong criticism following its visit to Japan and had made a number of specific recommendations, in particular that the government should alter its legislation to totally ban trade in tiger parts and products.
43. The political mission met with officials from the Environment Agency, the Ministry of International Trade and Industry (MITI), the Ministry of Health and Welfare and the Ministry of Foreign Affairs. It learned that Japan had responded to each of the Technical Team's recommendations and suggestions.
44. The details of those responses are quoted elsewhere in Doc. 11.30. The mission was very favourably impressed by the manner in which Japan has addressed what the Technical Team saw as shortcomings. It believes this will positively assist the combating of illicit trade. The mission visited the Ginza area of Tokyo, where the Technical Team had previously found tiger parts openly on sale in the summer of 1999, but found no trace of tiger products.
45. The recommendation that the mission made was to suggest that MITI should also participate in the board to review illicit trade, established by the Ministry of Finance and the Police Agency. It believes this will address the Technical Team's concern that MITI should have a greater awareness of wildlife crime.
46. The mission was particularly impressed by the promotional material that the Environment Agency has produced to raise awareness of the new legislative controls and to warn travellers against bringing tiger products into the country.

China (20-22 March 2000)

Background

47. China has a centuries-long history of medicinal use of tiger and the species is of great cultural significance. Some Traditional Chinese Medicine practitioners, pharmacists, manufacturers and consumers still regard tiger as an important ingredient that can have beneficial effect on health and wellbeing. China, however, banned all internal trade in tiger parts and derivatives in May 1993. Tiger has also been removed from the official pharmacopoeia as a lawful ingredient for medicines. There were previously 456 preparations that used tiger.
48. There is ample evidence that the State has entered into significant law enforcement and education campaigns to alert its citizens that the killing of tiger and use of tiger parts and derivatives is illegal. China has also engaged in many and varied initiatives to raise awareness of the importance of conservation of the species and its risk of extinction. Details of these were provided in the report of the CITES Tiger Missions Technical Team.
49. Like many other range States, though, China had a prior history of regarding tiger as a pest species, the control of which was encouraged by central government. Indeed, as recently as the 1950's and 1960's, tigers were still being killed in their hundreds to facilitate the conversion of their habitat to agricultural use.

50. It is important to recognize that government, and consequently the Chinese people, during the latter half of the 20th century have taken diametrically differing views of the species. The fact that what might now be viewed as conflicting messages emanated from central government may well have an impact upon how the species continues to be regarded.
51. The high-level political mission visited China with the knowledge that many other tiger range States still view China as a destination for their illegally taken animals, parts and derivatives. Whilst such views may be based, in part, on rumour and conjecture there is also what the mission regarded as reliable intelligence to indicate that China deserves to still be considered a consumer State. There is also firm evidence from the arrest of Chinese nationals engaged in illegal killing, trading and smuggling in the Far East of the Russian Federation. Inspection Tiger officers have communicated reports of their encounters with such persons to the regional enforcement meetings, held in Vladivostok, which have been attended by CITES Management Authority personnel from China, Japan, the Republic of Korea and the Russian Federation.
52. The mission had a range of meetings and discussions in Beijing with officials from those government agencies involved in tiger conservation, traditional medicine, CITES administration and law enforcement, together with representatives of traditional medicine manufacture and trade. It also had the opportunity to visit an endangered species breeding centre and a modern factory manufacturing traditional Chinese medicine.

#### Recent developments

53. Since the visit of the Technical Team, China has reviewed its domestic legislation and is in the process of amending and strengthening it. It is anticipated that amendments will allow products labelled as containing parts and derivatives to be controlled by law and that transporting such items will become a separate offence. Penalties are also to be increased, although these are already substantial. It is hoped such legislative changes will take place before the end of 2000.
54. China has also strengthened its Scientific Authority by re-establishing the role of the independent Endangered Species Scientific Commission (ESSC), comprising 34 experts. This was announced at a workshop in Beijing shortly before the visit of the mission.
55. In response to recommendations made by the Technical Team, a specific division is being created within the CITES Management Authority to overview and co-ordinate enforcement activities. A Central Enforcement Committee is also being established to bring together Management Authority officials, Customs, Public Security Bureau staff of the Forestry Administration, Wildlife Protection Department and the Police.
56. Chinese officials told the mission that they welcome the Technical Team's recommendation of the creation of a CITES Enforcement Task Force and are very keen to participate. China is apparently also willing to continue to consider joining the Global Tiger Forum but is anxious that the Forum should be pro-active and not simply a venue for discussion. Officials advised the mission that lack of sufficient advance notice had prevented a delegation being sent to the recent 1st General Assembly of the Global Tiger Forum. The Chairman of the CITES Standing Committee, as a representative of the Global Tiger Forum's Executive Committee, undertook to raise this with the Forum's Secretariat.
57. The Chairman also took the opportunity of the mission to provide China with copies of the United Kingdom's recently produced public education video on tiger conservation and its Forensic Science Service research relating to DNA profiling of tiger and testing of products alleged to contain tiger parts and derivatives.
58. The mission congratulates China on its responses to the Technical Team's comments and could find nothing to suggest that the government's commitment to tiger conservation and law enforcement has diminished. It noted, however, that the protocol on tiger conservation, signed between China and India, appears to have borne few practical results, although a similar protocol between China and the Russian Federation seems to have produced good co-operation.

#### Tiger populations in the wild

59. Officials told the mission that the latest surveys indicate the following numbers in tiger sub-species in China:

- 20-30 South-China tigers, spread across five Provinces;
  - 8-12 Siberian tigers in two northern Provinces adjoining the border with the Russian Federation;
  - 20 Bengal tigers in the Tibetan region; and
  - 30-40 Indo-China tigers in western border areas.
60. Nation-wide, China has created 20 tiger reserves, with seven of these being regarded as of prime national importance. It is regrettable that the opportunities for the public to view tigers in their natural habitat, other than a few chance encounters, are extremely limited. It would appear, therefore, that there is little scope for eco-tourism or other ways in which local communities might benefit from the continuing presence of wild tigers. Indeed, few officials have ever seen a tiger in the wild and, thus, do not enjoy the motivation such an experience brings to their counterparts in other range States.
61. China is the only country to have wild populations of as many as four of the five surviving sub-species of tiger. The total number of tigers is, however, extremely small compared with wild populations of 30 or 40 years ago. Well funded, technically proficient conservation programmes will have to be sustained by China for many years if any of the four populations are continue to survive and attain viable levels in the wild.

#### Captive breeding

62. There are approximately 50 South-China, 100 Bengal and Indo-China and 400 Siberian tigers in captive breeding facilities throughout the country. China places great importance on the captive breeding of tigers. The first aim of such work is to maintain viable populations of the different sub-species. The second is to release tigers into the wild. Research is being conducted into the latter aspect but it is at an early stage and no releases have taken place yet or are considered likely in the near future. Preparing captive-bred tigers for release is a difficult process and finding suitable habitat with an adequate prey base is also problematic. Previous release projects, involving bear species, resulted in failure.
63. Captive breeding, population monitoring, re-introduction projects and enhanced general research relating to tiger is a priority in the 10-year national wildlife action plan currently under development.
64. The mission was satisfied that there is a genuine commitment by Chinese officials to tiger conservation but wishes to make the observation that the captive breeding of tigers is relatively easy, whilst conservation and protection of wild populations is much more difficult. The mission acknowledges the difficulties but believes that China has a major opportunity to demonstrate that diminished tiger populations can be successfully augmented by the targeted release of captive bred animals which have been prepared for the wild.

#### Illegal killing and illicit trade

65. Officials reported that since 1993, 10 criminal prosecutions have taken place related to cases involving tiger. The most recent detection occurred in early summer 1999 when 10 tiger skins were confiscated by Customs near the border with Myanmar. The purpose of the illegal import, and its final destination, remains unknown. No poaching cases have, however, been recorded since 1993. The mission wishes to warn China against any complacency with regard to poaching, as the very limited number of tigers and their wide distribution is bound to make both their protection and the detection of offenders very difficult.
66. China has, potentially, large numbers of enforcement staff. There are 35,000 Forest Public Security staff and 15,000 Forest Police who are directly tasked with enforcing wildlife legislation, alongside national Customs and Police authorities who can play a role. It appears, though, that the level of training, equipment and specialization of such personnel is still well below that available in some more developed countries and China acknowledges that it faces problems due to the huge size of its country, its massive human population and the fact that its economy is still in transition.
67. Despite this, the Chinese delegation to a recent meeting of the Interpol Working Group on Wildlife Crime reported that a major enforcement action, conducted throughout many parts of the country in January 2000, had resulted in 3,000 cases being detected involving over 2,000 endangered species. 28,000 kg of wildlife products, 1,652 animal skins and 42 firearms were seized.
68. China would welcome both financial and technical assistance to make improvements. The mission heard of recent training seminars, conducted by the CITES Secretariat and NGOs, that were regarded as very successful. It was recognized, however, that the number of people who benefited from such training was, of course, limited.

69. The mission provided evidence from Europe and North America of recent seizures of traditional Chinese medicine products purporting to contain tiger ingredients, the packaging and accompanying literature of which indicated that they were of Chinese manufacture. The most recent of these had been on 17 March 2000, in London, United Kingdom. Officials undertook to conduct investigations into the origin of the products. Before the mission left China, one manufacturer had been visited and stated that the product in question was from pre-1993 stock. This was subsequently shown to also be the case with regard to the seizure in London. The Chinese authorities said that similar cases in the past often turned out to involve TCM factories that no longer produce tiger products. China also believes that some foreign-based suppliers may be replicating the packaging of former well known tiger product manufacturers to confer authenticity on their (often counterfeit) contents.
70. Whilst these claims are difficult to evaluate definitively, they are consistent with other recent indicators, including the general turndown in global consumption of tiger products noted in the most recent TRAFFIC report, and the switch to leopard bone as an alternative to tiger products.
71. Chinese authorities are, to a large degree, clearly bemused as to why their country should continue to be viewed as a consuming nation of tiger parts and derivatives. The high-level political mission agrees with the Technical Team that there has been, and continues to be, a serious lack of communication between law enforcement bodies in other range/consumer States and their Chinese counterparts. Chinese officials were, for example, unaware of the major seizures of tiger and leopard parts that occurred in India in late 1999 and early 2000. It is clear from the location and circumstances of those seizures that some of the specimens were likely to have been destined for TCM markets.
72. The mission believes it is perfectly understandable that China should feel a sense of some frustration and lack of appreciation of the efforts it has made since 1993 to eradicate trade in tiger parts and derivatives. It also believes, though, that experience in other forms of crime throughout the world has demonstrated that despite the best efforts in legislation and education, some crimes and criminal activity are extremely difficult to eliminate. As illustrated by the global trade in narcotics, highly secretive smuggling and supply routes emerge and there seems no logical reason why this is not the case with illicit trade in tiger. Indeed, given the strong measures taken by China since 1993, it is highly likely that such activities are all the more deeply 'underground'. The mission is of the opinion that infiltrating/investigating such routes may take considerable work and may greatly stretch the resources and capabilities currently available in China. It is for this reason, if none other, that China deserves to be supported by the international community in stepping up its work against organized wildlife crime.
73. The mission further suggests that China should take account of some of the information contained in TRAFFIC's newly published report, 'Far From A Cure'. This was not available at the time of the visit to China but the mission subsequently noted, in particular:
- claims that counterfeit medicines claiming to contain tiger bone are being produced in China without official sanction;
  - the results of surveys conducted in the late 1990's; and
  - allegations that wine containing tiger parts is being supplied to visitors to a Bear and Tiger Mountain Village in such a way as to circumvent internal trade law.

#### Stockpiles and future of use tiger parts and derivatives

74. Like the Technical Team, the mission heard of China's work in gathering together stocks of tiger bone and rhinoceros horn following the 1993 internal trade ban. It was also given the opportunity to inspect the stocks. The value of the 80.4 kg tiger bone currently in storage in Beijing is estimated at 4 million RMB (equivalent to approximately USD 500, 000).
75. Drawing comparisons with what has been proposed for the legal ivory stocks held by some African elephant range States, officials indicated that China might be willing to destroy tiger bone stocks in return for financial compensation, which it could then devote to, for example, tiger conservation and research into substitutes to be used in medicinal products. The mission responded that, whilst it could not speak for the Conference of the Parties (which would be the appropriate venue for such discussions and decisions), it felt that such proposals would have been better raised at the time of the internal trade ban or, alternatively, that a phasing-out period could have been adopted by China to eliminate the need for stockpiling.

76. On the issue of the possible future medicinal use of tiger bone stocks, including those accumulated through natural mortality in wild and captive-bred tiger populations, the mission, felt that current weaknesses in enforcement and seriously low levels of wild tiger populations, throughout range States, make such use highly risky. It also felt that such internal use, albeit perfectly lawful depending on China's laws, would be such a major U-turn in official policy that it would send a very conflicting and confusing message, both internally and to the world as a whole. As a result, the positive effects of the many measures taken since 1993 would be seriously undermined.
77. The mission asked whether any evidence was available, or whether any research had been undertaken, that would demonstrate that the internal trade ban had produced any adverse effects on public health in the last seven years or that it had adversely affected the ability of doctors to treat illnesses. It was that told none was available.
78. The mission considers, however, that research currently under way in China to identify TCM substitutes for tiger bone, including synthetic alternatives, is valuable, and could ultimately play an important role in relieving pressure on tigers from illegal trade.

### Conclusions

79. The mission was satisfied that, overall, China continues to meet its obligations under the Convention and Resolution Conf. 9.13 (Rev.) relating to tiger conservation. It was impressed by the enthusiasm and commitment shown by all the officials it met. It believes that the majority of the traditional medicine community has responded responsibly to the 1993 internal trade ban and continues to co-operate with government policy.
80. As with all consumer and range States, however, there is always room for improvement. The mission particularly sees a need for increased co-operation and communication with other States and for greater specialization in law enforcement efforts. Greater co-operation between enforcement officials of China and India is particularly needed. There is also scope for co-operation between China and other countries on areas such as research into the use of DNA techniques for tiger conservation and enforcement purposes, and the development of alternatives to tiger products within traditional medicine. To achieve these objectives, the Mission believes that China should receive, in particular, technical support from those Parties with suitable experience. The mission also recommends that China should take an active part in the Global Tiger Forum.
81. The Mission recognised the economic and cultural sacrifice, which China has made by banning the use of stockpiled or captive-bred tiger products in Traditional Chinese Medicine. At a time when tiger populations remain critically endangered by pressure from poachers and smugglers, it strongly recommends that China retains these prohibitions, and considers disposing of the stockpiles non-commercially in a way which will be acceptable both to conservationists and to the TCM community. One possibility would be to make the stockpile available for conservation, education and research.

### Strategic recommendations of the Political Mission

82. The high-level political mission believes that, in the short term at least, measures relating to effective adoption, implementation and enforcement of domestic legislation and international controls are of primary importance in safeguarding the future of the tiger. Although habitat degradation and the impact of growing human populations, with the resulting tiger conflict problems, ought to also receive attention, these issues are mainly outside the remit of a CITES mission. The mission is firmly of the opinion that all tiger range States are worthy of external support in their conservation efforts but that this should be set against the relevant governments' willingness and genuine desire to commit themselves to anti-poaching, combating of illicit trade and border control measures. The mission took account of, and agrees with, the observations by the Technical Team that much is being done in consumer States to address illicit trade and believes that there is potential for range States to do more to match such efforts.
83. The mission endorses all the recommendations made by the Technical Team, and subsequently agreed by the 4<sup>th</sup> meeting of the Standing Committee but suggests that the following detailed recommendations should be discussed, and endorsed by, the 11<sup>th</sup> meeting of the Conference of the Parties:
  - a) Those range and consumer States visited by the Technical Team, who had not reported to the Secretariat their response to the Team's recommendations by the time of the 11<sup>th</sup> meeting of the Conference of the Parties, should do so by 31 August 2000. The Secretariat should report on such

responses to the 45th meeting of the Standing Committee. It should additionally report upon the implementation of undertakings by Parties in response to the recommendations. The Standing Committee will thereafter consider such responses and decide whether further action is appropriate.

- b) All Parties, non-Parties, international organizations and non-governmental organizations are recommended to refrain from providing financial support for tiger conservation in India until its government has adequately demonstrated that measures have been put in place to allow the efficient disbursement of such funds and that its own Union and State budgets are being utilized fully and efficiently.
- c) The mission particularly re-affirms the recommendation of the Technical Team that India should establish a specialized unit to combat wildlife crime and illicit trade. It is essential that the more serious incidents of wildlife crime are investigated under the supervision of the proposed unit, and that the unit has authority to co-ordinate action at Union and State levels. It is further recommended that the Indian Home Ministry issue specific instructions to local Police managers to increase action against wildlife crime and that responses be monitored.
- d) The Secretariat should report to the 45th meeting of the Standing Committee upon India's progress in the establishment of specialised wildlife crime units and increased enforcement and financial control measures. The 11th meeting of the Conference of the Parties should direct the Standing Committee to recommend that Parties do not authorize export/re-export to, or import from, India of any CITES-listed specimens if India has not made satisfactory progress prior to the date of that meeting and that such cessation of trade will remain in effect until the Secretariat confirms that the creation of a specialized unit, at least at Union level, has taken place.
- e) The Secretariat should bring to the attention of all Parties, ICPO-Interpol and the World Customs Organization, the apparent resurgence in illicit trade involving skins of cat species and seek their co-operation in combating this.
- f) The Secretariat should provide to the 45th meeting of the Standing Committee an assessment of the effectiveness of the legislative changes relating to trade in tiger parts and derivatives introduced by Japan. In doing so, it should take account of information from NGOs, particularly TRAFFIC.
- g) The Secretariat should seek invitations to visit tiger range States that remain non-Parties to CITES (Bhutan, Democratic People's Republic of Korea and Lao People's Democratic Republic) to actively encourage their accession. Neighbouring Parties to those States, the United Nations Environment Programme and NGOs should also participate in such encouragement.
- h) The CITES Secretariat should be directed to pursue the establishment of a Memorandum of Understanding with the Secretariat of the Global Tiger Forum, or other appropriate means of creating a closer link between the two organizations.
- i) The 11th meeting of the Conference of the Parties should endorse the draft terms of reference prepared by the mission for the concept of *ad hoc* CITES Enforcement Task Forces (see Appendix A). The meeting should direct the Secretariat to seek external funding to allow the establishment of the first Task Force to examine, among other factors, ways in which illicit trade in tiger can be combated and how to increase the collation of information relating to poaching of tigers and trade in their parts. The participation of ICPO-Interpol and the World Customs Organization is encouraged. Priority for support should be given to range States. The mission believes that the inclusion of illicit trade in leopard and Tibetan antelope, alongside its work on tiger, may be both appropriate and relevant for the first Task Force.
- j) The Secretariat should organize a workshop, or workshops, in tiger range States to provide training for enforcement personnel. This should include a train-the-trainer element. It should then report to the 12th meeting of the Conference of the Parties how States have made use of and disseminated the training provided.
- k) Parties with appropriate expertise and experience in combating poaching and illicit trade should be encouraged to participate in the provision of training. Additionally, they should be asked to provide continuing support through the secondment of enforcement officers to enable in-the-field and on-the-job training to take place. The mission believes that priority for such a secondment might be given to the proposed specialized unit in India.

- l) All range and consumer States should take measures to increase awareness of wildlife crime and illicit wildlife trade among their enforcement, prosecution and judicial authorities. The Conference of the Parties should direct the Secretariat to support any activities undertaken, in particular, by range States and report upon these to the 45th meeting of the Standing Committee.
- m) Every consumer and range State that seizes an illicit shipment of tiger parts or derivatives, or any Party who intercepts such a shipment, should communicate the details of such action to each country of origin/export/re-export that can be determined and, in any case, to the CITES Secretariat. Any country so advised, should conduct an appropriate investigation and report the result to the State of seizure/interception and to the Secretariat. The Conference of the Parties should direct the Secretariat to communicate to ICPO-Interpol and the World Customs Organization the importance of such exchanges of information and to request their participation in facilitating this.
- n) The mission noted the continuing intelligence and evidence that China remains a primary destination for tiger parts and derivatives. It suggests, therefore, that China should especially be prepared to actively participate in recommendation m).
- o) China should circulate a list of former manufacturers of Traditional Chinese Medicine products containing parts of tiger or other Appendix I species, including illustrations of typical packaging. This would assist CITES enforcement agencies in consumer countries to assess whether future seizures comprised tiger products, which were newly manufactured, or from old stocks that continue to be in illegal commerce. This could be used alongside other enforcement tools, including the guide to recognition of genuine and fake tiger parts in the new TRAFFIC report, 'Far From A Cure'.
- p) Each range State should consider ways in which local communities may be encouraged to play a part in, and benefit from, the conservation of tigers and their habitat; for example through eco-tourism. Each range State should prepare a report on its approach to this matter for the 45th meeting of the Standing Committee, so that concepts and initiatives can be shared among relevant Parties.
- q) Tiger range States should seek to draw upon the experience of some African endangered species range States, in all aspects of conservation, enforcement and eco-tourism. The provision of external funding to enable exchange visits between enforcement and management personnel of such States is encouraged.

## APPENDIX A

### CITES Enforcement Task Forces (CETF)

#### TERMS OF REFERENCE

1. The activities of a CETF will be co-ordinated by the CITES Secretariat, which will also provide secretarial and administrative support to a Task Force.
2. A CETF will consist of middle to senior management officials drawn from the law enforcement agencies and/or Customs authorities of CITES Parties. Dependent upon the field of wildlife crime and illicit trade that a Task Force is to target, the CITES Secretariat will invite the relevant CITES Management Authorities to nominate appropriate officials to become members of a CETF. CETF members will serve only for the period of time during which a Task Force targets a particular field of wildlife crime and illicit trade. Fields of wildlife crime and illicit trade to be targeted will be determined by the CITES Secretariat, in consultation with the Standing Committee and/or the Conference of the Parties.
3. A CETF will provide technical advice and wildlife crime and illicit trade intelligence support to Parties to the Convention. It will have no operational role in the territories of CITES Parties.
4. A CETF will, when targeting wildlife crime and illicit trade in particular regions and/or countries, ensure that the relevant CITES Management Authorities are kept informed of its activities and maintain an ongoing liaison with such authorities.
5. The CITES Secretariat will report upon the work of a CETF to each meeting of the Standing Committee/Conference of the Parties.
6. A CETF will, when appropriate, liaise and co-operate with ICPO-Interpol, the World Customs Organization and appropriate regional law enforcement groups, with whom the CITES Secretariat has established Memoranda of Understanding.
7. A CETF will establish and maintain a network and lines of communication for the collation, verification and dissemination of intelligence relating to wildlife crime and illicit trade in specimens of CITES-listed species, particularly those in Appendix I of the Convention, to the law enforcement agencies of Parties.
8. A CETF will be tasked with disseminating information relating to developments in law enforcement and forensic science techniques, relevant to the target subject, to all CITES Parties that can benefit from such information. To this end, a CETF may engage in and/or support specific training at international, regional and national levels at the invitation of the relevant CITES Management Authorities and/or law enforcement agencies.
9. A CETF should, where appropriate and relevant, seek to draw upon the wildlife trade knowledge of the TRAFFIC International network offices.
10. A CETF will not disclose intelligence obtained during its activities to any individual or organization, other than ICPO-Interpol, the World Customs Organization, relevant CITES Management Authorities and/or the governmental law enforcement agencies of a CITES Party.
11. A CETF will, when appropriate, be expected to make recommendations to Parties, the CITES Secretariat, the Animals, Plants and Identification Manual Committees, the Standing Committee and meetings of the Conference of the Parties (via the Secretariat) that will assist in the development of project proposals, strategies, Resolutions and Decisions to assist in the enforcement and implementation of the Convention at international, regional and national levels. A CETF will be expected to respond to requests for expert advice from the CITES Secretariat and the Standing, Animals, Plants and Identification Manual Committees and the Conference of the Parties.

NOTE: The terms of reference are not designed to be prescriptive, since the work of a CETF will require a degree of flexibility, with the emphasis always being on the provision of support to Parties. The members of a CETF might meet together formally and/or discuss issues/jointly prepare briefing and training documents by email before providing an end product. Alternatively, a Task Force might conduct expert and/or training workshops in a region or country. The numerical composition of a CETF is likely to vary according to the subject being addressed. There could even be more than one CETF operating at any given time. For example, one CETF might be concentrating on illicit tiger and shahtoosh trade in Asia, whilst another addressed illicit ivory and bushmeat trade in an African region.