

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

Forty-sixth meeting of the Standing Committee
Geneva (Switzerland), 12-15 March 2002

Implementation and interpretation of the Convention

CONSERVATION OF AND TRADE IN SPECIFIC SPECIES

1. This document has been prepared by the Secretariat.

Background

2. The Standing Committee has been tasked by the Conference of the Parties with monitoring the progress of Parties in relation to the conservation of specific species and reducing illegal trade in specimens of those species.
3. In its report on this subject at the 45th meeting of the Standing Committee, the Secretariat raised its concerns regarding the effectiveness of current approaches, particularly relating to the fact that several Resolutions contain recommendations with regard to specific species that are, essentially, already basic requirements for adequate implementation of the Convention.
4. The Secretariat continues to hold these concerns and is also concerned that previous approaches to gathering information from what can, depending on the species, often be significant numbers of range and consumer States are not proving effective. Consequently, it may be unrealistic to expect the Standing Committee to be sufficiently well informed to prepare meaningful reports to the Conference of the Parties regarding general effectiveness and implementation.
5. The Secretariat commends those Parties that respond to its requests for information but notes that such responses commonly outline effective and positive national work, which may not always be of international relevance. It is also conscious that considerable work may be required to prepare such responses, which may not be warranted by the subsequent use of the information.
6. The Secretariat suggests that an alternative approach would be to identify: specific difficulties of implementation of the Convention relating to specific species; specific countries or regions where implementation is poor or there are significant levels of illicit trade; specific examples of good practice or innovations that other Parties can learn from or that can be adapted for better implementation of CITES; and specific proposals for action. It believes this should be easier to achieve and result in as large a level of response (or greater) as is obtained at present and a more meaningful supply of information to the Standing Committee and, in turn, the Conference of the Parties.
7. The following sections summarize activities regarding the specific species to be reviewed by the Committee.

Bears

8. The Secretariat has received detailed reports from Poland, Romania, the Slovak Republic and the United States of America, each of which indicate that they have adequate legislation for controlling trade in bear specimens.
9. The Standing Committee is required by Decision 11.80 to identify additional legislative and enforcement measures that may be necessary to stop the international illegal trade in bear specimens. The Secretariat believes that no additional measures, beyond those previously identified as being required to implement the Convention adequately (for example, those listed in paragraph 10 of Document SC45 Doc. 21), have been identified.
10. The Secretariat is conscious, however, that illegal trade in bear parts has not been eliminated. It repeats its request for information regarding relevant incidents or seizures, so that a more targeted approach can be taken.

Tiger

11. Funding has been obtained to enable a two-week specialized enforcement training course to be conducted under the auspices of the CITES Tiger Enforcement Task Force from 13 to 24 May 2002. This will be held at the National Police Academy of India, using staff of the Academy and external lecturers. Each tiger range State has been invited to nominate two students to attend the course. All tiger range States that are CITES Parties have indicated their willingness to participate and the Secretariat is encouraging non-Party range States also to become involved. The Secretariat is currently collating and assisting in the preparation of material for the course, which should also be of considerable benefit for general CITES enforcement and will not be restricted solely to tiger. The Secretariat believes the course will also provide an excellent opportunity for enforcement officials to meet and establish networks that will facilitate free exchanges of information and lead to greater cooperation among tiger range States in combating illicit trade.
12. After receiving information from China and the gathering of additional information by the Secretariat, the Secretariat issued on behalf of the CITES Tiger Enforcement Task Force a crime intelligence bulletin to all tiger range States, and to Interpol and the World Customs Organization, in September 2001. This contained important information regarding trade routes and trading places that had not been identified previously.
13. The Secretariat commends work going on in Cambodia where, with the assistance of national and international non-governmental organizations, considerable training regarding CITES implementation has taken place and new anti-poaching initiatives are underway. The Secretariat understands that many seizures of a range of illicit specimens, including live tigers and tiger parts and derivatives, have taken place. The enthusiasm witnessed by the CITES Tiger Missions Technical Team is obviously now being converted into effective actions.
14. Myanmar remains the only country that was visited by the CITES Tiger Missions Technical Team not to have reported on what action it has taken to implement the Team's recommendations. The Secretariat is, however, aware that the authorities in Myanmar, with the assistance of international non-governmental organizations, have been engaged in tiger population surveys and other conservation work. The Secretariat remains concerned that enforcement efforts in the country appear to still require increased effort. For example, it has intelligence that shows that Myanmar continues to be an important transit route for illicit trade in wildlife, including tiger parts and derivatives, and that specimens of Appendix I

species are readily available for sale in towns along Myanmar's borders, particularly with China, the Lao People's Democratic Republic and Thailand.

15. The Secretariat acknowledges, however, that the same intelligence indicates that some of these areas may be under the control of insurgent groups. This is an important factor in many parts of the world where illegal taking of and trading in wildlife are at their worst. The Secretariat has often heard of rebel groups, or foreign military troops (supposedly assisting the country's government), condoning such activities and even levying taxes upon them.
16. In November 2001 the Secretariat gave a presentation relating to illicit trade in tiger specimens and the work of the CITES Tiger Enforcement Task Force to an international symposium on the tiger, held in New Delhi, India, which was organized by the Global Tiger Forum. Although many tiger range States attended the event, the Secretariat noted that several delegations consisted only of representatives of non-governmental organizations and it was not clear whether they represented those States formally. The Secretariat took the opportunity to meet with government officials from Bhutan and the Lao People's Democratic Republic and again encouraged them to accede to the Convention. The Secretary-General subsequently wrote to both governments to encourage accession. The Secretariat requests that Regional Representatives to the Standing Committee also assist these efforts; particularly since both countries are important tiger range States and are also used as transit countries by smugglers and illicit traders.
17. The Secretariat noted Thailand's absence from the symposium. The Secretariat continues to receive information raising concerns regarding Thailand's domestic controls of trade in tiger specimens and the availability of medicinal products claiming to contain tiger ingredients, some of which have allegedly been manufactured in Thailand. Thailand also appears to be an important transit country for illicit trade in wildlife. Bangladesh and Thailand were not visited by the CITES Tiger Missions Technical Team but the Team leader subsequently visited Bangladesh as part of a mission to the Global Tiger Forum. The Secretariat suggests that a technical mission may be appropriate to assess Thailand's work relating to conservation of the tiger and combating of illicit trade in wildlife. There is no provision in the Secretariat's current budget to enable this to take place. The Secretariat will, however, attempt to identify funding to undertake such work.
18. The Secretariat has noted that no progress has been made by India toward the creation of a specialized wildlife crime unit, despite assurances in 2000 and in early 2001 that such a unit would soon be established. It believes that the scale of the threat to the tiger, and other species of conservation concern, in India is at a level where such a unit is more than justified. The involvement of organized criminal networks also requires a more coordinated response than may be possible at present. Additionally, the Secretariat is concerned that India has apparently been unable to investigate information it has supplied relating to illicit traders and believes that the establishment of a dedicated unit would help address any difficulties that may currently be experienced.

Tibetan antelope

19. In 1999, the CITES Secretariat co-chaired, with the Management Authority of China, an International Workshop on Conservation and Control of Trade in Tibetan antelope. One of the recommendations of the workshop was that an identification kit be created to assist enforcement officials to distinguish Tibetan antelope wool from other similar products. The Metropolitan Police Service of the United Kingdom, with the assistance of non-governmental organizations, the Management Authority of the United Kingdom and the Secretariat, has created such a kit and it is expected that these will be available for distribution to Parties by the time of the Committee meeting.

20. The Secretariat has requested China and India to inform it of any assistance that may be required to update status assessments, formulate a conservation strategy, improve anti-poaching and prevent trade in Tibetan antelope parts and derivatives. Once the two countries have responded, the Secretariat will attempt to provide the assistance required or seek such assistance from other interested Parties and organizations. The Secretariat remains willing to undertake a needs assessment in Tibetan antelope habitat to identify ways in which enforcement authorities can best be assisted in their work. It believes the CITES Tiger Missions Technical Team and the recent enforcement-needs study in the Russian Federation regarding the control of the trade in caviar demonstrate the effectiveness of such work. The Secretariat will continue to try to identify funding to allow the work to be conducted in 2002.

Musk deer

21. Decision 11.83 reads as follows:

The Standing Committee shall undertake a review of actions taken by key musk deer range, transit and consumer States – particularly China, India, Kazakhstan, Mongolia, Nepal, the Russian Federation, Germany, France, Malaysia, Singapore, the Republic of Korea and Japan – to improve enforcement (especially in key border areas), implement trade controls and conserve and protect musk deer populations, and shall report at the 12th meeting of the Conference of the Parties.

22. The Animals Committee is considering trade in musk under the Review of Significant Trade and it is expected that recommendations will have been prepared by the time of the Standing Committee meeting (in accordance with Decision 11.92).

23. The Secretariat is required by Decision 11.149 to conduct an analysis of the use of musk in the perfume and traditional medicine industries. No budget was established to fund these activities. However, with financial support from the United States of America, the Secretariat has commissioned a small study of musk availability in Chinese markets.

24. The Secretariat wrote in January 2001 to the countries identified in Decision 11.83, seeking relevant information. China (including a separate report from Hong Kong SAR), Germany, Japan, Mongolia and the Russian Federation responded.

25. China provided very detailed information regarding musk deer populations, the use of musk deer, and legislative provisions to protect the species and control trade. China is actively engaged in the captive breeding of musk deer and the non-fatal extraction of musk. It appears, however, that the amount of musk obtained from such work remains relatively small. This is confirmed by a recent TRAFFIC East Asia report that has examined musk deer farming in China. The use of synthetic musk has apparently increased significantly. Hong Kong SAR acknowledges that it has been an important destination for musk, especially from the Russian Federation. Although some is used domestically for medicine, most is re-exported.

26. Germany acknowledged that it had previously been an important trading country of musk. However, since 1999 the European Union has prohibited commercial imports of musk from musk deer and Germany enforces that prohibition. The Secretariat presumes that this applies in France, which was identified in Decision 11.83.

27. Japan's response indicated that it had no information to report.

28. Mongolia reported that hunting of musk deer has been prohibited since 1953. A small captive-breeding operation has been established. Mongolia did not identify which species is involved.
29. Hunting of musk deer in the Russian Federation is allowed under licence and the country has established export quotas for musk. The Russian Federation acknowledges that, due to the small size of musk pods, smuggling can be very difficult to detect but its Inspection Tiger brigades have made some seizures in the Russian Far East.
30. Information available to the Secretariat suggests that the poaching of musk deer remains a problem in many of the species' areas of natural habitat. This is aggravated by the fact that much of the poaching appears to target animals indiscriminately and not just the males that have musk pods. Consequently, several deer may be killed or taken before one pod is obtained. As with many other species subject to poaching, the habitat is often in areas where local human populations suffer from significant socio-economic problems and enforcement alone is unlikely to halt poaching.
31. The Secretariat is aware that, whilst increasing use of synthetic musk will relieve pressure on wild populations, many of the products traded as containing musk do not make clear whether the ingredient is from a wild or synthetic source. There also seem to be reasonable grounds to suspect that some products claiming to contain musk may not contain any at all; just as is the case in some medicinal products claiming to have tiger bone as an ingredient. Not only does this cause difficulty for enforcement but it also makes obtaining accurate figures for domestic and international trade very difficult. This is why it is so relevant for Parties to implement the recommendation in Resolution Conf. 11.7 (Conservation of and trade in musk deer) to pursue the development of a labelling system and share forensic methods to detect musk in products. The Secretariat is aware of at least two laboratories that have engaged in work on the latter subject.
32. The Secretariat believes that improving enforcement in key border areas requires to be done not just for musk deer but for several other species, especially Appendix-I animals and plants. It must be acknowledged, however, that many of the borders in question are very lengthy, sometimes ill-defined and often porous. Many such areas have a traditional tolerance of frequent crossings by indigenous people for trading purposes without strict passport and visa controls. These factors all make life easier for smugglers.
33. The Secretariat believes, however, that this is a field where the use of trained dogs to detect musk and musk products in cargo and passenger baggage, especially given the pungent smell of raw musk, could prove very effective, if deployed at relevant border points.
34. Illicit trade in musk deer is another subject where the Secretariat would welcome receiving much more information from the Parties regarding seizures and enforcement actions. Without such information, it is very hard for the Secretariat to disseminate targeting advice, formulate enforcement strategies, or advise the Standing Committee effectively.

Recommendations

35. The Secretariat seeks the agreement of the Standing Committee that the previous approaches of distributing Notifications to the Parties seeking information regarding specific species or of writing to all range and consumer States seeking such information have not proved effective and are not an efficient use of the Secretariat's time and resources. It recommends the alternative approach, described in paragraph 6 above, where the

Secretariat will work with relevant Parties and organizations to focus and report upon specific elements.

36. The Secretariat seeks the endorsement of the Standing Committee to conduct:

- a technical mission to Thailand to examine domestic control of trade in tiger specimens and general implementation of the Convention; and
- an enforcement needs-assessment study in China to assist in the reduction of poaching of Tibetan antelope;

and asks the Standing Committee to encourage interested Parties and other organizations to provide funding to enable this work to be undertaken in 2002.