

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

Sixty-sixth meeting of the Standing Committee
Geneva (Switzerland), 11-15 January 2016

Interpretation and implementation of the Convention

Species trade and conservation

Asian big cats (Felidae spp.)

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.
2. In Resolution Conf. 12.5 (Rev. CoP16) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species*, the Conference of the Parties instructs the Secretariat to:

report to the Standing Committee and the Conference of the Parties on the status of Asian big cats in the wild, their conservation, and trade controls in place in Parties, using information provided by the range States on measures taken to comply with this Resolution and related relevant Decisions and any relevant additional information provided by relevant countries.

3. At its 16th meeting (CoP16, Bangkok, 2013), the Conference of the Parties adopted Decisions 16.68 to 16.70 on *Asian big cats (Felidae spp.)*. Further to this, the Standing Committee, at its 65th meeting (SC65, Geneva, July 2014), adopted Recommendations a) to p) on *Asian big cats*. These Decisions and Recommendations are shown in Annex 1 to this document.

Improved coordination and cooperation [Decision 16.70, paragraph a) and SC65 recommendation e)]

4. At SC65, in document SC65 Doc. 38 on *Asian big cats*, the Secretariat reported that it would focus its efforts, in the context of Decision 16.70 paragraph a), on the Parties specified in Recommendations a) to d) endorsed by the Standing Committee, (China, India, Nepal, the Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam). The Secretariat has continued to pursue the implementation of Decision 16.70, paragraph a) and SC65 recommendation e), as part of its ongoing activities, the work of its International Consortium on Combating Wildlife Crime (ICWC) partners, and during other relevant events.
5. At the request of the Secretariat, the United Nations Office on Drugs and Crime (UNODC) included a session on Asian big cats in the *Anti-Smuggling Training Courses* for border officers it hosted in Lao Cai, Lao Cai Province, Viet Nam, from 17 to 21 November 2014, and in Mong Cai, Quang Ninh Province, Viet Nam, from 24 to 28 November 2014. During these sessions, the following topics were presented to participants: poaching and illegal trade in Asian big cats, *modus operandi*, key areas affected by illegal trade in Asian big cat specimens, the need for intelligence-led investigations, cooperation at national and international levels, questioning of wildlife smugglers, controlled deliveries, the CITES Virtual Collage and the CITES species database.
6. The Secretariat continues to work closely with INTERPOL and provided co-funding to INTERPOL to support the convening of a Strategic Planning Workshop on Tiger Crime in Singapore, from 19 to 20

November 2015, as part of the INTERPOL *Project Predator Tiger Crime Initiative*.¹ The Secretariat would like to express its sincere appreciation to the European Union for the generous funds it provided, that enabled the Secretariat to support this workshop. The purpose of the workshop was fully aligned with Decision 16.70 paragraph a) and promoted multi-disciplinary law enforcement approaches that will facilitate improved coordination and cooperation in the detection, investigation and prosecution of wildlife crime, in particular illegal trade in tigers. The Parties identified in Recommendations a) to d) in document SC65 Doc. 38 were invited to the workshop, which will be followed by operational enforcement activities within framework of the INTERPOL Project Predator Tiger Crime Initiative. The workshop was attended by 23 senior law enforcement officials from the following 10 tiger range States: Bangladesh, Bhutan, India, Indonesia, Lao People's Democratic Republic (Lao PDR), Malaysia, Myanmar, Nepal, Thailand and Viet Nam, and by representatives from the CITES Secretariat, the New Global Tiger Initiative Council, TRAFFIC, Panthera, the Environmental Investigation Agency (EIA), the Wildlife Protection Society of India, the Global Tiger Forum and Freeland Foundation.

7. From 27 to 29 August 2014, the Secretariat participated in the 2nd Annual Meeting of South Asia Wildlife Enforcement Network (SAWEN) in Kathmandu, Nepal. SAWEN member States are Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. The meeting was organized by the SAWEN Secretariat, the Government of Nepal, INTERPOL (with funding from the United States Agency for International Development), the National Trust for Nature Conservation (NTNC), World Wildlife Fund (WWF) Nepal and TRAFFIC India. The main objectives of the meeting were to finalize the SAWEN Statute and Regulations and the action plan for the SAWEN Secretariat for the coming six years. The Secretariat delivered a presentation on the Resolutions, Decisions and Recommendations on enforcement adopted by CoP16 and SC65, including the Decisions and Recommendations on Asian big cats. The Secretariat expresses its sincere appreciation to Hong Kong, SAR, China, for the generous funding it provided, which enabled the Secretariat to participate in this meeting.
8. From 13 to 18 September 2014, the Secretariat participated in the *Second Stocktaking Conference of the Global Tiger Recovery Program (GTRP)* in Dhaka, Bangladesh, which was hosted by the Government of Bangladesh, in collaboration with the Global Tiger Initiative (GTI) Secretariat, the Global Tiger Forum (GTF) Secretariat and the World Bank, and organized back to back with the 6th General Assembly of the Global Tiger Forum. Thirteen tiger range States (Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Lao PDR, Malaysia, Myanmar, Nepal, Russian Federation, Thailand and Viet Nam), partner organizations, development partners, and donors attended the Conference. Conference participants took stock of the GTRP Implementation Plan 2013-2014 which is based on the Thimphu Agenda, adopted in 2012 in Thimphu, Bhutan, and agreed that significant progress had been achieved in meeting the goals of the Thimphu Agenda. Notable achievements included the adoption of new legislation and policies, the creation of new protected areas, growing transboundary collaboration, building capacity of frontline staff, and engagement with the private sector. Areas of continued concern were addressed in the 10 Dhaka Recommendations,² which were adopted by the Conference. These recommendations focused on matters such as strengthening the frontlines, habitat conservation, community engagement, enhanced collaboration, the development of new partnerships with business and industry, monitoring of tiger populations and monitoring of GTRP implementation. The Secretariat expresses its sincere appreciation to Hong Kong, SAR, China, for the generous funding it provided, which enabled the Secretariat to participate in this meeting.
9. From 2 to 6 February 2015, the Secretariat participated in the *Towards Zero Poaching in Asia Symposium* in Kathmandu, Nepal, which was hosted by the Government of Nepal in cooperation with WWF, the Global Tiger Forum, the National Trust for Nature Conservation and the South Asian Wildlife Enforcement Network (SAWEN). Representatives from 13 Asian countries (Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Lao PDR, Malaysia, Myanmar, Nepal, Russian Federation, Thailand, and Viet Nam), along with various intergovernmental and non-governmental organizations, attended the symposium. The Symposium focused on different aspects such as tools for working towards "Zero Poaching", sharing of best practices, identification of challenges and consultation on forming regional anti-poaching working groups to present best practice tools. The Secretariat took the opportunity to meet with representatives from all participating Asian big cat range States on the margins of the meeting, to discuss CoP16 Decisions and SC65 Recommendations on Asian big cat species with them. The Secretariat expresses its sincere appreciation to Australia, for the generous funding it provided, which enabled the Secretariat to participate in this meeting.

¹ <http://www.interpol.int/Crime-areas/Environmental-crime/Projects/Project-Predator>

² <http://globaltigerinitiative.org/site/wp-content/uploads/2014/12/Dhaka-Recommendations.pdf>

10. In addition to initiatives that have been highlighted above, a Regional Strategy to Combat Illegal Wildlife Trade in Central Asia was developed, and a Snow Leopard and Wildlife Enforcement Network (SLAWEN) was established at a regional workshop on combating illegal wildlife trade in Central Asia, held in Bishkek, Kyrgyzstan in September 2015. The workshop brought together representatives of environmental and law enforcement agencies from Kyrgyzstan, Kazakhstan, the Russian Federation and Tajikistan, along with international conservation organizations. The workshop was supported by INTERPOL, the United Nations Development Programme, Panthera, the Snow Leopard Trust and the Global Snow Leopard and Ecosystems Protection Program (GSLEP). The Regional Strategy to Combat Illegal Wildlife Trade in Central Asia provides an overview of SLAWEN's strategic direction and focus areas for the period 2015-2018, alongside with identifying law enforcement action points for the countries and organizations involved. The strategy was published on International Snow Leopard Day, 23 October 2015, the annual day celebrating the adoption of the Bishkek Declaration on the *Conservation of the Snow Leopard* by the 12 Snow Leopard range States, at the Global Snow Leopard Forum in 2013.

Leaflet to increase awareness of illegal trade in Asian big cats [Decision 16.70, paragraph b)]

11. The Secretariat has engaged with non-governmental organizations about the development of the leaflet to increase awareness of illegal trade in Asian big cats and the endangered status of the species among frontline law enforcement and border control staff. The Secretariat has, at the time of writing, received a proposal for the development of the leaflet from the Environmental Investigation Agency (EIA), and will again report on the implementation of Decision 16.70 paragraph b) at the 17th meeting of the Conference of the Parties (CoP17, Johannesburg, 2016).

Incidents of poaching of and illegal trade in all Asian big cats [Decision 16.68 paragraph b) and Decision 16.70 paragraph d)]

12. In light of Operation Protection of Asian Wildlife Species II (Operation PAWS II), initiated and coordinated by INTERPOL, as described in paragraphs 14 to 16, the Secretariat worked closely with INTERPOL on the implementation of Decision 16.68 paragraph b) and Decision 16.70 paragraph d). On 16 January 2015, the Secretariat issued Notification to the Parties No. 2015/002, inviting all Parties to provide information on incidents of poaching of and illegal trade in all Asian big cat species, including their parts and derivatives, using INTERPOL's Ecomessage³ form, or alternatively an Excel spreadsheet that was made available to Parties in an Annex to the Notification. The Secretariat requested Parties to submit completed Ecomessage forms or Excel spreadsheets through their INTERPOL National Central Bureaus (NCBs) to the INTERPOL Environmental Security Sub-Directorate in Lyon, France.
13. In response to the Notification, INTERPOL received reports from Armenia, the Czech Republic, Germany, Greece, Indonesia, Latvia, Malta, Slovakia, Thailand and from the European Union. The Secretariat would like to thank these Parties for the reports submitted. It should however be mentioned that only two Asian big cat range States responded to the Notification, and that five of the Parties that responded reported that no incidents involving illegal Asian big cat specimens occurred within their territory since 2010. In the light of the limited number of responses received, the preparation of a report for the law enforcement community as anticipated in Decision 16.70 paragraph d) was not possible. INTERPOL did however share the information received with law enforcement agencies of relevant Parties as appropriate, and included it in Operation PAWS II. The Secretariat believes that Operation PAWS II to a large extent addressed Decision 16.68 paragraph b) and Decision 16.70 paragraph d). The activities that will be undertaken following the Strategic Planning Workshop on Tiger Crime in Singapore, as described in paragraph 6, will further complement what has already been done, and the Secretariat believes that what was anticipated by Decision 16.68 paragraph b) and Decision 16.70 paragraph d) will be adequately implemented through these activities.

INTERPOL's Operation PAWS II

14. Operation PAWS II, a transnational intelligence-led operation initiated by INTERPOL, was implemented between April and May 2015,⁴ and targeted wildlife crime and criminals across Asia. Between January and June 2015, INTERPOL coordinated the planning and follow-up of the operation, which was supported by ICCWC and funded by multiple donors. Seventeen Parties (Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Nepal, Russian Federation, Singapore, Thailand and Viet Nam), supported by Australia, Canada and the United States of America, took part in

³ <https://cites.org/sites/default/files/eng/notif/2009/E028.pdf>

⁴ <http://www.interpol.int/News-and-media/News/2015/N2015-076>

Operation PAWS II. The operation aimed to enhance coordinated law enforcement responses to wildlife crime through cross-border multi-agency collaboration. It placed a strong emphasis on improving the quality of investigations and on progressing outstanding cases where members of criminal groups involved in wildlife crime have been identified. The specific objectives of Operation PAWS II were to identify specific wildlife cases requiring joint transnational responses; to plan and carry out joint transnational investigations; to identify, locate and arrest fugitives, in particular fugitives for whom INTERPOL Red Notices were issued; to facilitate information exchange and analysis; and to encourage greater international collaboration on wildlife crime investigations. A comprehensive debrief process after the operation concluded that all of these objectives were achieved.

15. The operation primarily targeted incidents of trafficking involving tigers and other Asian big cats, pangolins and timber. Participating Parties divided themselves into three groups taking into account their own national priorities, outstanding cases and information about transnational trafficking routes and criminal groups. Joint transnational operational plans focusing on specific targets were developed, helping participating Parties to collaborate effectively and make best use of their resources. Parties took ownership of the operation, with INTERPOL playing a coordinating and investigative support role where required. Bangladesh, Bhutan, India, Indonesia, Malaysia, Nepal, Singapore, Thailand and Viet Nam all investigated cases relating to Asian big cat specimens, including the poaching, smuggling or trade of tigers and leopards. Forty-eight arrests were made in relation to both new and outstanding cases involving tigers and other big cat specimens. In a collaborative effort with India, Nepal arrested a notorious poacher and smuggler with a tiger skin and bones in May 2015. India also concluded an outstanding tiger skin, meat and bones trafficking case, arresting 13 individuals. The full Operation PAWS II report is available in English only and is attached as Annex 3.
16. Operation PAWS II is an excellent example of a coordinated law enforcement effort with the common objective of identifying, disrupting and dismantling the organised criminal groups behind wildlife trafficking. The Secretariat believes that Operation PAWS II significantly contributed to implement Decision 16.70 paragraphs a) and d), and encourages Parties to support and participate in similar future initiatives.

Implementation of Recommendations adopted by SC65

17. As requested by the Standing Committee, the Secretariat issued Notification to the Parties No. 2015/006 of 30 January 2015 to communicate the Recommendations on Asian big cats that were endorsed at SC65 to Parties.

Activities implemented in relation to SC65 Recommendations a) to c) [SC65 Recommendation d)]

18. In Notification to the Parties No. 2015/006, China, India, the Lao People's Democratic Republic, Myanmar, Nepal, Thailand and Viet Nam were requested to submit to the Secretariat, their reports requested by the Standing Committee in SC65 Recommendation d).
19. Thailand and Viet Nam included in their reports on the implementation of Recommendations f) to n) described in paragraph 24, information about the implementation of Resolution Conf. 12.5 (Rev. CoP16), and in particular the management practices and controls that are in place to prevent parts and derivatives from Asian big cats bred in captivity from entering illegal trade from or through such facilities, as requested in SC65 Recommendation a)i). Thailand also provided additional information in its report on the volume of national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives. The Secretariat elaborates in more detail on this reporting from Thailand and Viet Nam in paragraphs 52 and 54.
20. China, India and Viet Nam provided no specific reporting on the matters outlined in SC65 Recommendations b) and c), but in their reports on the implementation of Recommendations f) to n) as described in paragraph 24, provided brief and general information about their law enforcement activities. According to their reports,
 - a) Chinese law enforcement agencies have launched and will continue to strengthen awareness raising activities, education, capacity-building, intelligence sharing and special campaigns.
 - b) The National Tiger Conservation Authority of India and the Wildlife Crime Control Bureau of India are actively participating in the INTERPOL Project Predator Tiger Crime Initiative, to crack down on illegal trade and offences involving tiger skin and body parts.

- c) The CITES Management Authority of Viet Nam, in cooperation with the Environmental Police Department and other related agencies, conducted a number of activities in response to the recommendations in INTERPOL's 2014 assessment of enforcement responses to tiger crime, and Viet Nam has established a national wildlife law enforcement network.
21. At the time of writing, the Secretariat has not received reports from the Lao People's Democratic Republic, Myanmar and Nepal.
22. It should be noted that all the Parties identified in SC65 Recommendation d) took part in Operation PAWS II and that, with the exception of China, all these Parties participated in the Strategic Planning Workshop on Tiger Crime in Singapore, described in paragraph 6. The Secretariat believes that such engagement is key to addressing the matters outlined in SC65 Recommendations a) to c). These Parties are encouraged to continue and further strengthen their engagement in operational enforcement activities within the framework of the INTERPOL Project Predator Tiger Crime Initiative, and any similar future initiatives.

Implementation of Recommendations f) to n) adopted by SC65

23. The Standing Committee at SC65 established an intersessional Working Group on Asian Big Cats, with China as its Chair and with the following membership: India, Indonesia, Malaysia, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Viet Nam, International Union for Conservation of Nature, Asiatic, Born Free Foundation, Environmental Investigation Agency, Elephant Action League, International Fund for Animal Welfare, Panthera, TRAFFIC, Wildlife Conservation Society, Wildlife Protection Society of India and WWF. The mandate of the Working Group is detailed in SC65 Recommendation p).
24. As part of the implementation of its mandate, the Working Group, with the assistance of the Secretariat prepared a questionnaire in relation to SC65 Recommendations f) to n). The questionnaire was made available to Parties as Annex 1 to Notification to the Parties No. 2015/006, and Parties were requested to report on their implementation of Recommendations f) to n), preferably using the questionnaire to facilitate a standardized approach to reporting. The Secretariat received reports from China, Greece, India, Italy, Latvia, the Netherlands, New Zealand, Slovakia, Thailand, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Viet Nam, on their implementation of Recommendations f) to n). The Secretariat would like to thank these Parties for the reports submitted, which were subsequently submitted to the Chair of the Working Group on Asian big cats for review by the Working Group in accordance with its mandate. The Working Group on Asian Big Cats prepared document SC66 Doc. 44.2 on *Asian big cats* for the present meeting, and will report on its work.
25. It should however be noted that despite several rounds of discussion, there remain matters over which the Working Group on Asian Big Cats, despite its best efforts, was unable to find agreement. In particular, considerable discussion took place about Decision 14.69, and the issue of restricting both internal and international trade in Asian big cat specimens.
26. Decision 14.69 did not achieve consensus at the 14th meeting of the Conference of the Parties (CoP14, The Hague, 2007), and was only adopted after being put to a vote.⁵ Since then, its implementation has been a challenging matter and has continued to generate considerable debate. The Secretariat, at the 57th meeting of the Standing Committee (SC57, Geneva, July 2008), suggested that the Committee determine how implementation of Decision 14.69 should be assessed. The Committee discussed the matter and agreed that it would welcome reports from relevant Parties on the implementation of the Decision. The Secretariat at the time indicated that it believed that this was a complex and potentially sensitive issue, and requested assistance in determining the wording of a Notification calling for such reports. In response to this request from the Secretariat, the Committee established a working group to assist it.⁶ In document SC58 Doc. 33, the Secretariat reported that the working group established at SC57 exchanged messages over a period of four months, but was unable to reach a consensus on the wording of a Notification. The Secretariat further reported that it consequently decided to determine for itself the wording, and that it issued Notification No. 2008/059 of 8 October 2008. The Secretariat at the time, in the annex to Notification No. 2008/059, provided guidance to Parties about the terms "trade", "intensive operations", "commercial scale" and "a level supportive only to conserving wild tigers" as used in Decision 14.69. It should however be noted that this guidance reflected the views of the Secretariat, and that it was never

⁵ <https://cites.org/sites/default/files/eng/cop/14/rep/E14-Com-II-Rep-14.pdf>

⁶ <https://cites.org/sites/default/files/eng/com/sc/57/E57-SumRec.pdf>

endorsed by the SC or CoP. The Secretariat also reported at SC58 that in response to the Notification, only one response had been received.

27. The Standing Committee at SC58 directed the Secretariat to issue a Notification to the Parties calling upon range States of Asian big cats to, amongst others, report on their implementation of Decision 14.69, for consideration at the 59th meeting of the Standing Committee (SC59, Qatar, March 2010), and ahead of the 15th meeting of the Conference of the Parties (CoP15, Qatar, 2010).⁷
28. At SC59, the Secretariat reported that it issued Notification to the Parties No. 2009/029 of 22 July 2009, and that reports have been received from China, India, Lao People's Democratic Republic, Malaysia, Thailand, and Viet Nam. The Committee agreed that any further discussion of this subject should take place during CoP15. At CoP15, this matter was again discussed at length, in the context of the revision of Resolution Conf. 12.5. While some Parties argued that there were precedents within the Convention for addressing domestic trade issues, others argued that interpreting 'trade' to include domestic trade was beyond the mandate of the Convention. It was also highlighted in discussions, that neither Decision 14.69, nor the annex to Notification to the Parties No. 2008/059 on how to interpret Decision 14.69, was passed by consensus.⁸ Some Parties expressed concern that a negative precedent might be set for the future of other CITES Appendix-I species utilized domestically, and that this matter would impact sovereign rights over wildlife use.⁹ At CoP15, taking into consideration the concerns expressed by range States, it was agreed that Decision 14.69 would remain in effect, but that it would not be incorporated into Resolution Conf. 12.5.¹⁰
29. At its 62nd meeting (SC62, Geneva, July 2012), the Standing Committee, amongst others, stressed the need for information on compliance with Decision 14.69, and requested the Secretariat to issue a Notification to Parties requesting Parties to report on their implementation of Decision 14.69.¹¹ Consequently, the Secretariat issued Notification to the Parties No. 2012/054 of 3 September 2012. As reported at the 16th meeting of the Conference of the Parties (CoP16, Bangkok, 2013), only China, India and Thailand submitted reports in response to this Notification. At SC65 Recommendations f), g) and l), relevant to this matter, were adopted, and the SC65 Working Group on Asian Big Cats was established.
30. It should be noted that there appears to be some differences in the language used in Decision 14.69, Resolution Conf. 12.5 (Rev. CoP16) and the Recommendations adopted at SC65.

a) Decision 14.69 states that:

14.69 Parties with intensive operations breeding tigers on a commercial scale shall implement measures to restrict the captive population to a level supportive only to conserving wild tigers; tigers should not be bred for trade in their parts and derivatives.

b) Resolution Conf. 12.5 (Rev. CoP16) states that:

b) all Parties seeking to improve their legislation prohibiting international commercial trade in specimens of tiger and other Asian big cat species, and products labelled as, or claiming to contain, their parts and derivatives, to adopt such legislation, to include penalties adequate to deter illegal trade and to consider introducing national measures to facilitate implementation of CITES, such as voluntarily prohibiting internal trade in such parts, derivatives and products, as provided for in Resolution Conf. 9.6 (Rev. CoP16);

g) those Parties and non-Parties on whose territories tigers and other Asian big cat species are bred in captivity to ensure that adequate management practices and controls are in place to prevent parts and derivatives from entering illegal trade from or through such facilities;

c) Recommendations f) and l) adopted at SC65 states that:

⁷ <https://cites.org/sites/default/files/eng/com/sc/58/sum/E58-SumRec.pdf>

⁸ <https://cites.org/sites/default/files/eng/cop/15/sum/E15-Com-II-Rec07.pdf>

⁹ <https://cites.org/sites/default/files/eng/cop/15/sum/E15-Com-II-Rec08.pdf>

¹⁰ <https://cites.org/sites/default/files/eng/cop/15/sum/E15-Com-II-Rec10.pdf>

¹¹ <https://cites.org/sites/default/files/eng/com/sc/62/E-SC62-SumRec.pdf>

- f) *encourages Parties to review all relevant national legislation to ensure that national measures restricting internal and international trade in Asian big cats and their parts and derivatives are comprehensive in that, recalling Decision 14.69, parts and derivatives obtained from specimens bred in captivity are included;*
- l) *recalling Decision 14.69, urges Parties to develop and implement regulatory controls for Asian big cat breeding facilities to prevent illegal trade, including oversight of any international trade to ensure non-commercial purposes, and monitored destruction of the specimens that die in captivity;*

31. Decision 14.69 aims to address domestic trade issues and provides no clarity on how it should be interpreted and reconciled with Article VII, paragraph 4, of the Convention. It is clear from paragraphs 26 to 29 that this particular species specific approach is presenting implementation challenges in practice. The Secretariat observes that in both the SC65 Working Group on Asian Big Cats and in the Committee itself, opinions are deeply divided. This has resulted in a lack of clarity about the best way forward, which requires further deliberation. The Secretariat believes that the differences in language that has been used, as described in paragraph 30, further contributes to ongoing debates and differences of opinion among Parties, with regard to what is expected from them.
32. It should also be noted that information suggests that some captive breeding facilities maintain very large numbers of Asian big cats in captivity. The Secretariat in document [CoP15 Doc. 43.1](#) reported that captive-breeding of tigers is occurring in several range States, and that many captive breeding facilities appear to be owned and operated in a manner that would not seem to align with the goals expressed in Decision 14.69. Further to this, information provided by some Working Group members during the deliberations of the SC65 Working Group on Asian Big Cats, suggested that there are large numbers of tigers in captive breeding facilities in some countries. The maintenance of such large numbers of animals would result in significant expenses for running these facilities, and it is unclear how this would be financially viable if it is only being undertaken for the purpose of conserving wild tigers. This raises questions about the domestic policy of some Parties, and how it would align to Decision 14.69.
33. It should also be noted that the CITES Trade Database indicates that trade in Asian big cat specimens does occur to and from both Asian big cat range States, and non-range States. The purpose of this trade varies, and it is conducted using various purpose codes, which for example include purpose codes B, P, Q, S, T and Z.
34. Given the sensitivities surrounding the matter of restricting internal trade, and the history surrounding the adoption and application of Decision 14.69 as outlined in this document, and taking into consideration the different positions expressed by members of the SC65 Working Group on Asian Big Cats, it seems most unlikely that further discussions of these matters by the Working Group in the margins of SC66, would result in any agreement being reached. For this reason, the Standing Committee might wish to consider to request the Working Group to focus any further deliberations it may have, on those issues outlined in SC65 Recommendations h) to k), and m), with the purpose of formulating recommendations for consideration by the Committee where there could be consensus.
35. The Secretariat believes that any further requests to Parties to report on their implementation of Decision 14.69 may be of limited value. Such requests for reporting have not proven to be successful since CoP14, and it is likely that this will continue to be the case until an agreed way forward has been reached, one which allows for unity and clarity in the Convention's approach to Asian big cat issues.
36. In document SC66 Doc. 41.1 on *Implementation of the Convention relating to captive-bred and ranched specimens*, the Secretariat has pointed out some of the problems associated with regulating trade in specimens of species which have been bred in captivity. The Secretariat believes that a closer examination of the impacts of trade in captive-bred specimens of Asian big cats would assist Parties in developing an effective and coherent policy for their control and contribute to the wider review of the policies adopted by the Parties for captive-bred specimens of all species. Consequently, as part of the report to the CoP which it is instructed to present under Resolution Conf. 12.5 (Rev. CoP16), the Secretariat is minded to propose a number of draft Decisions along the following lines:

Directed to the Secretariat

17.xx *Subject to external funding, the Secretariat shall:*

- a) *conduct a review of the number of Asian big cat breeding facilities maintained by Parties and the number of Asian big cats kept in these facilities;*
- b) *request Parties with facilities where large numbers of Asian big cats are bred in captivity to welcome a mission from the Secretariat to visit such facilities with the purpose of gaining a better understanding of the operations and activities undertaken by them; and*
- c) *report on the implementation of the present Decision to the Standing Committee, with recommendations as necessary.*

Directed to the Secretariat

17.xx *Subject to external funding, the Secretariat shall:*

- a) *commission a study on the impacts of captive breeding of Asian big cats on their status in the wild;*
- b) *commission a study on the impacts of domestic and international trade in Asian big cat specimens on wild populations, including an analysis of trade in Asian big cat specimens as reported in the CITES Trade Database; and*
- c) *report on the implementation of paragraphs a) and b) of the present Decision to the Standing Committee, with recommendations as necessary.*

Directed to the Animals Committee

17.xx *The Animals Committee shall review the results of the studies referred to in Decision 17.xx paragraphs a) and b), and provide scientific advice and guidance to the Standing Committee.*

Directed to the Standing Committee

17.xx *The Standing Committee shall:*

- a) *review the results of the studies referred to in Decision 17.xx paragraphs a) and b);*
- b) *consider the recommendations of the Secretariat referred to in Decision 17.xx paragraph c) and Decision 17.xx paragraph c);*
- c) *consider the advice and guidance of the Animals Committee referred to in Decision 17.xx;*
- d) *review the language used in Decisions and Recommendations on Asian big cats, and in Resolution Conf. 12.5 (Rev. CoP16), and address any inconsistencies; and*
- e) *report its findings to the 18th meeting of the Conference of the Parties, including proposals for the revision of Resolution Conf. 12.5 (Rev. CoP16) or Decisions that may be required.*

37. In the questionnaire in relation to SC65 Recommendations f) to n) as described in paragraph 24, Parties provided information on legislation adopted to combat illegal trade in wildlife, including illegal trade in Asian big cat specimens. In particular, Parties reported on measures implemented to regulate the captive breeding of Asian big cats and to prevent specimens from Asian big cat captive breeding facilities from entering illegal trade. In the interest of sharing information about how these matters are currently being dealt with by different Parties, the Secretariat in its own words briefly summarises what was reported by Parties, in Annex 2 (available in English only) to the present document. Although the Secretariat made every effort to accurately capture what Parties reported, it should be noted that Annex 2 in some places reflects the Secretariat's interpretation of the wording that was used by Parties in their reports. It should further be noted that this is not a comprehensive summary of what Parties reported.

38. Trafficking in Asian big cat specimens continues to be detected, and there is no room for complacency. Further strengthened enforcement efforts to combat illegal trafficking in Asian big cat specimens are vital. Equally important is the effective implementation of existing management practices and controls, to prevent specimens coming from Asian big cat captive breeding facilities from entering illegal trade. At CoP15, the Secretariat reported that intelligence suggest that tigers, or their parts and derivatives, are

increasingly entering illegal commercial trade from captive breeding facilities. The findings of the review of the implementation of Resolution Conf. 12.5 (Rev. CoP16), as presented at SC65 and highlighted in document SC65 Doc. 38, further supported what was reported at CoP15, and included the following:

- a) The number of live animals and frozen Asian big cat carcasses detected reflects an increase in illegal trade; and seizures of live tigers are increasing in Asian big cat range States.
 - b) A significant number of Asian big cat seizures has occurred since 2010, with 62 animals seized in the ten year period from 2000-2009, compared with 61 animals seized in the three year period from 2010-2012.
 - c) Seventy-four percent of tiger specimens in Southeast Asia were confiscated in three South-East Asian countries – the Lao People's Democratic Republic, Thailand and Viet Nam. This raised concerns about the source of tigers in illegal trade, considering the presence of tiger breeding facilities in these countries and the fact that they have small numbers of wild tigers.
 - d) Out of 28 Asian big cat range States assessed under the CITES National Legislation Project, more than half of the Asian range States still require legislative improvements, and only 11 of these States are in Category 1.
39. The Secretariat believes that this warrants more detailed attention and intends to propose the following draft Decisions in its report to CoP17 as requested in Resolution Conf. 12.5 (Rev. CoP16):

Directed to all Parties with Asian big cat captive breeding facilities

17.xx All Parties with Asian big cat captive breeding facilities are requested to:

- a) *review national management practices and controls that are in place for Asian big cat captive breeding facilities, to ensure that these management practices and controls are adequate to prevent Asian big cat specimens from entering illegal trade from or through such facilities; and*
- b) *ensure strict application of all management practices and controls implemented to regulate the activities of Asian big cat captive breeding facilities, including with regard to the disposal of specimens from Asian big cats that die in captivity.*

Directed to the Secretariat

17.xx Subject to external funding, the Secretariat shall

- a) *work with the International Consortium on Combating Wildlife Crime (ICWC) partner organizations, in particular INTERPOL, to further build upon the work already conducted through initiatives such as Operation PAWS II, by supporting key Parties affected by trafficking in Asian big cat specimens, to initiate, plan and carry out joint intelligence-driven national and transnational investigations, to disrupt and dismantle the criminal groups involved in trafficking in Asian big cat specimens; and*
- b) *report at the 69th and 70th meetings of to the Standing Committee on progress with regard to the implementation of this Decision.*

Management of national and privately held stocks of parts and derivatives [SC65 Recommendation n)]

40. In SC65 Recommendation n), the Standing Committee requested Parties to report to the Secretariat on the volume of national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives that exist in their territories; measures taken to ensure the security of these stockpiles; and, if applicable, actions taken to destroy such stockpiles, with the exception of those used for educational or scientific purposes. To assist Parties in reporting on the volume of national or privately held stockpiles, the Secretariat prepared a model table which was made available to Parties as Annex 2 to Notification to the Parties No. 2015/006.

41. In accordance with the provisions of SC65 Recommendation n), the Secretariat received reports from China, Nepal and Thailand. Only the report from Nepal however contained data on the volume of national or privately held stockpiles. The Secretariat would like to thank these Parties for the reports submitted.
42. The reports received from China, Greece, India, Italy, Latvia, the Netherlands, New Zealand, Slovakia, the United Kingdom of Great Britain and Northern Ireland and Viet Nam as described in paragraph 24, on the implementation of Recommendations f) to n), also included reporting on Asian big cat specimen stockpiles and matters related to it, as reflected in the paragraphs below.
43. China reported the following. Measures for managing, storing or disposing of specimens from Asian big cats have been established, and that carcasses or classified products of captive-bred tigers must be sealed and recorded, if no legal permission for reasonable utilization exists. Carcasses or classified products of captive-bred tigers that are not suitable to be sealed and stored must be destroyed under the supervision of the competent forestry departments, to prevent such specimens from entering into illegal trade. The use of specimens for educational and scientific purposes is subject to approval on the basis of the submission of relevant documentation to competent authorities. The update of the stockpile inventory for government stockpiles is ongoing in some provinces, but takes time. Chinese legislation does not make provision for the monitoring of possession of Asian big cat parts and derivatives by private individuals and agencies. According to China, the issue of 'pre-convention' specimens could also complicate the gathering and provision of information about privately held stockpiles.
44. Greece reported that no national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives exist within its territory.
45. India reported the following. Captive Asian big cats can only be possessed and bred by recognized zoos¹² for conservation purposes. Every animal which dies in a zoo is required to be subjected to a *post mortem* examination by a registered veterinarian to determine the cause of death. In the case of large cats, the carcasses are required to be disposed of by burning in the presence of the Director of the Zoo. The guidelines of the Central Zoo Authority (CZA),¹³ the body which regulates zoos in India, on the disposal of animal carcasses in zoos, emphasize that special care has to be taken in the case of leopards, lions and tigers, and that the burning should occur in the presence of zoo directors, so that the possibility of specimens being smuggled into illegal trade can be prevented.¹⁴ The National Tiger Conservation Authority (NTCA)¹⁵ of India has issued standard operating procedures for disposal of tiger and leopard carcasses and body parts,¹⁶ which state that tiger and leopard specimens not required for court purposes should be destroyed, with suitable safeguards such as video recording and the presence of civil society to ensure that there is no leakage into trade. Every zoo is required to maintain record of the births, acquisitions, deaths and disposals of animals of each species in its collection, in the manner and in the format determined by the CZA. The inventory for each financial year must be submitted to the CZA by 30 April of the ensuing year. For species listed in Schedule I and Schedule II of the Indian Wildlife (Protection) Act, 1972 (WLPA),¹⁷ (which includes all Asian big cat species), in addition to the above reporting requirement, detailed reasons for the death of each animal identified on the basis of the *post mortem* examination reports are required to be submitted to the CZA every quarter, and within a period of 15 days of the end of that quarter. India further reported that there are no privately held stockpiles of Asian big cat specimens in its territory, and that private ownership of Asian big cat specimens is strictly regulated through the WLPA. The Party reported that specimens held by the government mostly consist of specimens seized because of WLPA violations, pending resolution in court, and that these are secured in governmental storage facilities across the country and disposed of as per court orders. The Indian Ministry of Environment, Forests and Climate Change has destroyed some confiscated Asian big cat specimens in New Delhi, in late 2014.¹⁸ The Secretariat believes that the provisions of India's WLPA, the guidelines of the India Central Zoo Authority on the disposal of animal carcasses in zoos, and the standard operating procedures for disposal of tiger and leopard carcasses and body parts issued by the National Tiger Conservation Authority of India, provide good examples of practices and controls that could be put in place to prevent Asian big cat parts and derivatives from entering illegal trade, and to manage or dispose of specimens from Asian big cats.

¹² Section 2(39) of the Wild Life (Protection) Act (WLPA).

¹³ <http://www.cza.nic.in/index1.html>

¹⁴ <http://www.cza.nic.in/guidelines1.html>

¹⁵ <http://projecttiger.nic.in/>

¹⁶ http://projecttiger.nic.in/writereaddata/cms/sop_carcass-disposa25feb2013.pdf

¹⁷ <http://envfor.nic.in/legis/wildlife/wildlife1.html>

¹⁸ <http://www.thehindu.com/news/cities/Delhi/moef-officials-destroy-seized-illegal-wildlife-products/article6557944.ece>

46. Italy reported that no national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives exist within its territory, and that the management and possible destruction of Asian big cat specimens is done and authorized by its CITES Management Authority.
47. Latvia reported that no national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives exist within its territory.
48. Nepal used the model table prepared by the Secretariat for its reporting, and reported that Asian big cat stocks are adequately secured, and kept in different locations depending on whether it originated from within or outside protected areas. It was evident that great effort was made by Nepal to complete the table of government held stockpiles it submitted, for which the Party is commended. Nepal for example mentioned that it was time consuming to gather information from the remote Himalayan districts. Despite these obvious efforts, the table of government held stockpiles did not provide any information about the source of the seized specimens; for some incidents, quantities were not provided and it should also be mentioned that the quantity and unit of measure varied, with seized items recorded in for example weight or number of pieces. This brings into question the value of such reporting, and the Secretariat believes that the need for such reporting should be carefully considered in future as it is clear that reporting of this nature could place a significant burden on Parties.
49. The Netherlands reported that no national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives exist within its territory, and that institutions and zoos may prepare dead animals and transfer it to others, if authorised through relevant documentation issued by the Dutch CITES Management Authority.
50. New Zealand reported that no national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives exist within its territory. Managing, storing or disposing of specimens from animals that die in captivity is done by individual zoos, and these zoos may with regard to larger animals conduct a *post mortem*; keep samples for histology purposes; and dispose of the carcass via onsite or offsite burial. Alternatively, smaller species may be cremated at a pet crematorium. Parts of an animal are normally not retained, although, on occasion, zoos have kept small pieces for educational purposes.
51. Slovakia reported that no national governmental stockpile of captive-bred or confiscated Asian big cat body parts and derivatives exist in the country. According to Slovak national legislation, it is not obligatory to register Asian big cat body parts and derivatives, and such registration is only obligatory for live animals. For this reason no information is available with regard to privately held stockpiles of Asian big cat body parts and derivatives.
52. Thailand used the model table prepared by the Secretariat, but compiled information about the quantity of live Asian big cats in governmental and private captive breeding facilities in the country. The table, amongst others, showed that a total of 33 confiscated Asian big cats including 26 tigers (*Panthera tigris*) and seven leopards (*Panthera pardus*) are being held in two governmental facilities. No information about the volume of national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives were however included in the table. According to Thailand, the Wild Animal Reservation and Protection Act of 1992 (WARPA) makes adequate provision for the control of stocks. The Party reported that it established procedures for disposing of specimens from animals that die in captivity in Asian big cat breeding facilities, and such specimens are disposed of by burying and sealing the buried specimens with cement. The Department of National Parks, Wildlife and Plant Conservation must be informed, whenever there is an increase or decrease in numbers, for records to be updated. Thailand further reported that it had destroyed some Asian big cats specimens from stockpiles by burning or burying, and that this was monitored by governmental officers.
53. The United Kingdom of Great Britain and Northern Ireland reported that stockpiles in its territory only consist of items seized by the UK Border Force (UKBF). The UKBF maintains a database of all seized items and such items are under UKBF control. With regard to the disposal of specimens from Asian big cats that die in captivity, carcasses and organs should be disposed of swiftly and in accordance with the Animals By-Products (Enforcement) (England) Regulations 2011.¹⁹
54. Viet Nam reported the following. Regulations for managing, storing or disposing of specimens from animals that die in captivity have been established for endangered species in general, and not specifically for Asian big cats. Whenever an Asian big cat dies in captivity, the owner of the animal must report such a

¹⁹ <http://www.legislation.gov.uk/ukSI/2011/881/contents/made>

death to a forest ranger and local authority at commune level. Dead specimens of endangered species are handed over to scientific institutes for research or environmental education purposes, or if a veterinarian is of the opinion that there is a risk of disease, it is disposed of by burning it in the presence of all relevant stakeholders.

55. As mentioned in paragraph 48, the Secretariat believes that the request for reporting on the volume of national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives could place a significant burden on Parties. The fact that no Parties, except for Nepal, reported on the volume of their stockpiles reflects this. There is limited capacity in every country and the time and effort associated with collecting this information should be balanced against the conservation benefits of having such information. It should further be noted that, in the light of national legislation, the gathering of such information with regard to privately held stockpiles might not yet be possible for some Parties. Where Parties might be in a position to provide this information, it is likely that it will be recorded in different ways, which could bring into question the value of such reporting. Whilst the collection and maintenance of detailed stockpile data for specimens from larger animals such as ivory from elephants and horns from rhinoceroses is feasible, this is likely to be more challenging with regard to smaller animals, and in particular where these specimens can be further divided into carcasses, bones, teeth and more. This does not in any way suggest that Parties in whose territories there exist stocks of parts and derivatives of tiger and other Asian big cat species should not make every effort to consolidate and ensure adequate control of such stocks as urged by the Conference of the Parties in Resolution Conf. 12.5 (Rev. CoP16). Parties should continue to actively pursue this. However, even if Parties “consolidate and ensure adequate control of such stocks”, it might be difficult to collect data about such stocks at national level, for the purpose of reporting as required by SC65 Recommendation n). The difficulties that Parties face in practice is evident from Nepal’s report, stating that it was time consuming to gather information from the remote Himalayan districts.
56. Although data on Asian big cat specimen stockpiles in the custody of Parties could be useful, the Secretariat is not convinced that the benefit from such reporting would outweigh the burden it creates. National conservation efforts may better be deployed in other ways. The results of the work done by the Working Group on Special Reporting Requirements, as described in the paragraph below, should also be noted in this context.

Reporting requirements for individual species [SC65 Recommendation o)]

57. The Standing Committee requested the Working Group on Special Reporting Requirements to consider all reporting requirements for individual species and devise a template which would form the basis for consistent reporting across species. The Working Group reports on its work in document SC66 Doc. 30.2 on *Special reporting requirements*.

Recommendations

58. The Secretariat recommends that the Standing Committee:
- a) encourage Parties to ensure that adequate control measures are in place to secure Asian big cat specimen stockpiles, and to ensure strict application of these measures;
 - b) encourage Parties to take note of India’s Wild Life Protection Act (WLPA), the guidelines of the India Central Zoo Authority on the disposal of animal carcasses in zoos, and the standard operating procedures for disposal of tiger and leopard carcasses and body parts issued by the National Tiger Conservation Authority of India, as good examples of practices and controls that could be put in place to prevent Asian big cat parts and derivatives from entering illegal trade, and to manage or dispose of specimens from Asian big cats; and to consider implementing similar measures, as appropriate;
 - c) welcome Operation Protection of Asian Wildlife Species II (Operation PAWS II), initiated and coordinated by INTERPOL across 17 Parties with support from ICCWC and multiple donors;
 - d) encourage China, India, the Lao People’s Democratic Republic, Myanmar, Nepal, Thailand and Viet Nam to continue and further strengthen their engagement in operational enforcement activities within framework of the INTERPOL Project Predator Tiger Crime Initiative, and any similar future initiatives; and
 - e) provide any general observations on the Secretariat’s intentions as detailed in paragraphs 36 and 39.

ASIAN BIG CATS

1. At its 16th meeting (CoP16, Bangkok, 2013), the Conference of the Parties adopted Decisions 16.68 to 16.70 on *Asian big cats (Felidae spp.)*, as follows:

Directed to the Parties, especially Appendix-I Asian big cat range States

16.68 *All Parties, particularly Appendix-I Asian big cat range States, are encouraged to:*

- a) *support the activities to be conducted in compliance with Decision 16.70, paragraph c), to enable the Secretariat to prepare a report with findings and recommendations, including reporting on the implementation of Resolution Conf. 12.5 (Rev. CoP16) (Conservation of and trade in tigers and other Appendix-I Asian big cat species), at the 65th meeting of the Standing Committee; and*
- b) *provide information on incidents of poaching of and illegal trade in all Asian big cat species, including their parts and derivatives, which will enable the compilation of a report for the law enforcement community, in compliance with Decision 16.70, paragraph d).*

Directed to the Standing Committee

16.69 *The Standing Committee shall review the conservation of and trade in Appendix-I Asian big cat species at its 65th and 66th meetings, and determine any actions deemed necessary to combat illegal trade in Asian big cats.*

Directs to the Secretariat

16.70 *The Secretariat shall, subject to the availability of external funds, in cooperation with partner organizations in the International Consortium on Combating Wildlife Crime and, as appropriate, other experts and organizations:*

- a) *arrange national seminars in Appendix-I Asian big cat range States, involving all relevant enforcement agencies, to promote a multi-disciplinary approach that will facilitate improved coordination and cooperation in the detection, investigation and prosecution of wildlife crime offences;*
- b) *develop a leaflet containing simple illustrations and guidance, to increase awareness of illegal trade in Asian big cats and the endangered status of the species amongst front-line law enforcement staff and border control staff;*
- c) *in consultation with Appendix-I Asian big cat range and consumer States, conduct a review of implementation of Resolution Conf. 12.5 (Rev. CoP16) in relation to all Asian big cats and prepare a report providing its findings and recommendations for the 65th meeting of the Standing Committee; and*
- d) *gather information on incidents of poaching of and illegal trade in all Asian big cats since the beginning of 2010, undertake an analysis of the information, and prepare a report for the law enforcement community to be circulated in a restricted fashion to relevant enforcement agencies and range States.*

2. At its 65th meeting (SC65, Geneva, July 2014), the Standing Committee adopted Recommendations a) to p) on *Asian big cats*, in which it:

- a) *requests the Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam to review their implementation of Resolution Conf. 12.5 (Rev. CoP16), and in particular:*

- i) *paragraph g) under URGES – for Lao People’s Democratic Republic, Thailand and Viet Nam; and*
 - ii) *paragraph c) under URGES, and paragraphs a), c) and e) under the first RECOMMENDS – for Myanmar, with a specific focus on its borders with China and Thailand, and the towns of Mong La, Golden Rock and Three Pagodas Pass;*
- b) *requests China, India and Nepal to take note of the information about the alleged illegal trade in Asian big cats from the seven border towns identified in Annex 1 to the present document [Document SC65 Doc. 38], and to take it into account when developing work programmes and undertaking law enforcement operations;*
 - c) *requests China and Viet Nam to take note of the information about the alleged illegal trade across the Ka Long river at the border between near Mong Cai, Viet Nam, identified in Annex 1 [to document SC65 Doc. 38];*
 - d) *requests China, India, the Lao People’s Democratic Republic, Myanmar, Nepal, Thailand and Viet Nam to provide a report to the Secretariat, by 1 October 2015, on activities implemented in relation to recommendations a) to c) above, as applicable, for consideration by the Standing Committee at SC66; and*
 - e) *encourages Appendix-I Asian big cat range States, where possible, to promote the elements referred to in Decision 16.70, paragraph a), within existing or planned broader enforcement initiatives in order to implement this part of the Decision in a cost-effective manner, and to invite the Secretariat to support these as instructed by the Conference of the Parties.*

Concerning legislative and regulatory measures

- f) *encourages Parties to review all relevant national legislation to ensure that national measures restricting internal and international trade in Asian big cats and their parts and derivatives are comprehensive in that, recalling Decision 14.69, parts and derivatives obtained from specimens bred in captivity are included;*
- g) *recalling Decisions 14.66 (Rev. CoP15) and 14.69, as well as Resolution Conf. 12.5 (Rev. CoP16), requests all Parties where internal and international trade in Asian big cats and their parts and derivatives is permitted, to report at the 66th meeting of the Standing Committee on what legal trade is allowed, the species and trade volume involved, and describe how such trade is monitored and enforced, and to inform about measures taken to prevent illegal exports;*

Concerning national law enforcement

- h) *encourages Parties to engage with e-commerce trading site companies and to encourage them to ensure that no online advertisements are made for illegal specimens of protected species;*
- i) *encourages Parties to take note of the recommendations of INTERPOL’s 2014 assessment of enforcement responses to tiger crime;*
- j) *encourages Parties to share images of seized tiger skins with range States with photographic identification databases so as to assist in the identification of the origin of the illegal specimen;*

Concerning demand reduction, education and awareness

- k) *recalling Resolution Conf. 12.5 (Rev. CoP16), urges Parties to address the growing use of Asian big cats, including as pets, parts and derivatives as luxury items through targeted demand reduction strategies, including behavioural change interventions, and to strengthen demand reduction efforts;*

Concerning the prevention of illegal trade in parts and derivatives from breeding facilities

- l) *recalling Decision 14.69, urges Parties to develop and implement regulatory controls for Asian big cat breeding facilities to prevent illegal trade, including oversight of any international trade to ensure non-commercial purposes, and monitored destruction of the specimens that die in captivity;*

- m) encourages Parties developing DNA registration, photographic identification, other types of identification databases of captive Asian big cats to make this information available outside national borders for law enforcement purposes to assist forensic determination of the origin of seized specimens, and encourages the Secretariat and Parties with financial resources and technical expertise to assist, through in-country activities, Parties that have yet to establish national registries or identification databases for Asian big cats to do so;*

Concerning the management of national and privately-held stocks of parts and derivatives

- n) in accordance with Resolution Conf. 12.5 (Rev. CoP16), requests all Parties with national or privately held stockpiles of captive-bred or confiscated Asian big cat body parts and derivatives to report to the Secretariat on the volume of these stockpiles, measures taken to guarantee the security of these stockpiles and, if applicable, actions to destroy such stockpiles with the exception of those used for educational or scientific purposes;*

Concerning inter-sessional work

- o) requests the Working Group on Special Reporting Requirements to consider all reporting requirements for individual species and devise a template which would form the basis for consistent reporting across species;*
- p) decides to establish an inter-sessional Working Group on Asian Big Cats to identify outstanding issues of concern, assess implementation of these recommendations, Resolution Conf. 12.5 (Rev. CoP16), and related Decisions, and to make recommendations for further action at the 66th meeting of the Standing Committee.*

ASIAN BIG CATS

1. In the questionnaire in relation to SC65 Recommendations f) to n) as described in paragraph 24 of document SC66 Doc. 44.1, Parties provided information on legislation they adopted to combat illegal trade in wildlife, including illegal trade in Asian big cat specimens. In particular, Parties reported on measures implemented to regulate the captive breeding of Asian big cats, and to prevent specimens from Asian big cat captive breeding facilities from entering illegal trade. In the interest of sharing information about how these matters are currently being dealt with by different Parties, the Secretariat, in its own words, briefly summarises in this Annex what was reported. Although the Secretariat made every effort to accurately capture what Parties reported, it should be noted that in some places the Secretariat's interpretation of the wording that was used by Parties is reflected. It should further be noted that this is not a comprehensive summary of what Parties reported.
 - a) China reported that it has adopted legislation restricting activities concerning internal sale, purchase and utilization of, and international trade in Asian big cat specimens bred in captivity. Any such activities must comply with the Wildlife Conservation Law of People's Republic of China and the Criminal Law of the People's Republic of China. It was also reported that this legislation does not restrict the possession of Asian big cat parts and derivatives. China reported that the internal sale, purchase and utilization of Asian big cat specimens is permitted for scientific research, captive breeding, exhibition and other special circumstances, subject to the Wildlife Conservation Law of the People's Republic of China and the Administrative Permission Law of the People's Republic of China, and its associated rules and regulations. Information on what would be considered as other special circumstances was not provided. With regard to controls specifically regulating activities of Asian big cat captive breeding facilities, China reported that it applies a License Management Method for Captive Breeding of National Key-protected Wildlife, in addition to the above mentioned legislation. China reported that international trade in Asian big cat specimens is done in accordance with the provisions of CITES.
 - b) India reported that it adopted the Wild Life (Protection) Act, 1972 (WLPA) which provides for strict domestic legislation that regulates not just import or export of, but the hunting, possession of, and trade in Asian big cats specimens in India. It reported that the possession of Asian big cat specimens (including live captive animals) without an ownership certificate is an offence, and that there was a fixed period, which has now passed, for making declarations of ownership for such specimens, so as to receive ownership certificates. Therefore, no new Asian big cat specimens can be declared or legalized in India and existing legal Asian big cat specimens can only be transferred from one person to another through inheritance. "Offers for sale" are prohibited and this also covers advertising. It further reported that captive Asian big cats in India can only be possessed and bred by recognized zoos for conservation purposes under Guidelines issued by the Central Zoo Authority (CZA) established under the WLPA. No zoo can be operated without being recognised by the CZA, and a zoo can only acquire or transfer Asian big cats with the permission of the CZA. All trade in Asian big cat specimens, apart from exchange trade between recognized zoos as per applicable regulations, is prohibited. Transport of any legal Asian big cat specimen from one State to another requires the reporting of such transportation to the Chief Wild Life Warden of the States within whose jurisdiction the transport is affected, prior to the transport. Transporters are also prohibited from accepting any Asian big cat specimen for transport without taking due care to ascertain that permission from the competent officer has been obtained for such transportation. The WLPA reverses the burden of proof, and any person found in possession of any Asian big cat specimen is required to prove lawful possession of such specimen, instead of the prosecution having to prove that the person is in unlawful possession. The import and export of Asian big cat specimens, apart from exchange between recognized zoos as per applicable regulations, is prohibited by the Export-Import Policy of India, and any illegal activity will constitute a violation of the Customs Act of 1962. In addition to the penalties under the Customs Act, the import or export of any Asian big cat specimen without valid certificate of ownership and the required permissions for transportation, also constitutes an additional offence under the WLPA.
 - c) According to the report from Thailand, Asian big cats are protected species under the Wild Animal Reservation and Protection Act of 1992 (WARPA). It reported that possession, internal sale and international commercial trade (import, export and re-export) in specimens of Asian big cats are prohibited. Subject to written permission by the Director General of the Department of National

Parks, Wildlife and Plant Conservation (DNP), and under the rules and conditions set by the Minister, exceptions exist with regard to specimens used for the purpose of survey, study, research, wildlife protection, and zoos. No person may undertake captive breeding in Asian big cats without permission, and captive breeding in zoos must be licensed in accordance with Section 29 of the WARPA. The owner of a public zoo must, after receiving a licence and before starting operation of the zoo, declare the kind and number of specimens and parts in possession of or on display at the zoo, for examination by a governmental officer, and registration of the specimens. After this, it is the duty of the zoo owner to update records whenever a change in kind and number of specimens occurs, and to inform the DNP accordingly. Thailand further reported that in order to improve controls over Asian big cat captive breeding facilities, the DNP is currently developing individual stripe-marking of captive-bred tigers and transplanting a microchip into individuals as permanent marking.

- d) Viet Nam reported that it adopted Decree No. 82/2006/ND-CP on management of the import, export, re-export, transit, introduction from the sea, captive breeding and artificial propagation of endangered species of fauna and flora, Decree No. 160/2013/ND-CP on the criteria to identify endangered species and management mechanisms of protected species of fauna and flora, and Decree No. 190 of Penal Code 1999 (Rev. 2009) on violations related to endangered species of wild animals. According to the report from Viet Nam, these legislations prohibit the internal sale, purchase, possession and utilization of, and international trade in parts and derivatives of Asian big cats. It further reported that captive breeding of Asian big cats is for scientific and zoo purposes only, and that captive breeding facilities are strictly controlled by local forest rangers through a record keeping system and frequent inspections. It was also reported that data on Asian big cat specimens bred in captivity is maintained at district, provincial and national level, and that the database is updated monthly to include deaths, births, imports, exports, and exchange between facilities.
- e) Greece, Italy, Latvia and Slovakia reported that Asian big cat specimens are included in Appendix A of Council Regulation (EC) No 338/97, on the protection of species of wild fauna and flora by regulating trade therein.
- i) Greece reported that only zoos breed Asian big cats in captivity, for research and educational purposes, and that no Asian big cats are bred in captivity in the country for commercial purposes. Internal sale, purchase, possession and utilization of parts and derivatives of Asian big cats obtained from specimens bred in captivity is regulated in accordance with EC Regulation No 338/97 Article 8, and permitted only in exceptional circumstances. It further reported that the possession of Asian big cats as pets is strictly prohibited by stricter domestic measures. Any international trade is conducted in accordance with CITES.
- ii) Italy reported that proof of legal origin is required for the possession of Asian big cat specimens, and that Asian big cats are only bred in captivity in zoos and authorized rescue centres. Italy regulates the sale, purchase, possession and use of Asian big cat parts and derivatives from captive-bred animals through a certificate system, in accordance with EC Regulation No 338/97. Under applicable national legislation, Asian big cat specimens must be registered in special registers, of which completion is mandatory for breeders and zoos. It is compulsory to report any births and deaths to the State Forestry Corps, and this must be annotated in the mentioned register. Italy further reported that zoos and rescue centres are monitored and that the Ministry of Environment, as main competent authority, organizes periodic inspections at these facilities.
- iii) Latvia reported that *Panthera tigris* are bred in a national zoological garden for scientific and nature conservation purposes, and that no Asian big cats are bred in captivity in the country for commercial purposes. Latvia further reported that, since 2009, its national law on animal protection prohibits internal sale and purchase of wild-taken and captive-bred specimens of the order Carnivora, but that trade could be allowed with captive-bred or preconvention specimens if legal origin of these specimens can be proved. Any international trade is conducted in accordance with CITES, and import of legally obtained specimens is allowed for circuses, zoos or if it is preconvention specimens.
- iv) Slovakia reported that an exemption for internal commercial activities is allowed in one instance for a registered private facility, but mostly for the display of live animals in zoos. Legal origin of specimens must be proved, and the conditions laid down in Art. 8 (3) for internal trade or Art. 4 and 5 for international trade of the Council Regulation No 338/97 must be met. It is obligatory to keep records for live specimens of Asian big cats, and breeders are obliged to register each specimen at the competent District Office, which sends the information to a Central Register. It

was further reported that breeders can be inspected at any time by the Slovak Environmental Inspectorate and that the register obligation of keepers is controlled by inspection.

- f) The Netherlands reported that it only grants an exemption to (non-profit) organisations and zoos to possess live Asian big cats, subject to the availability of good housing facilities and sufficient expertise to care for the animals. Housing facilities and expertise are checked by a special zoo commission that visits the facilities. Furthermore, when animals are open to the public in a zoo, the zoo must have a zoo permit, and one of the conditions of this permit is that animals are being kept (and shown to public) for non-commercial purposes. Institutions and zoos under Dutch Law, are required to maintain record of all animals, and changes to this record need to be reported to the relevant Ministry. When this has not been done, the exemption of possession can be revoked. It further reported that no stricter domestic measures have been implemented in the country, in relation to parts and derivatives from Asian big cats. Legal internal sale, purchase, possession and utilization of Asian big cat parts and derivatives are permitted, but live animals are only traded between institutions and zoos that have an exemption of possession. An EU certificate is needed for all transactions (commercial or non-commercial).
- g) New Zealand reported that it adopted legislation restricting activities concerning international trade in Asian big cat specimens, but not for internal sale, purchase, possession and utilization of parts and derivatives. New Zealand further reported that Sumatran tigers are bred in captivity in the country, and that this is regulated under the Hazardous Substances and New Organisms (HSNO) Act of 1996. A new organism is defined as one which was not present in a contained environment in New Zealand before 29 July 1998. This includes lions and tigers, and a range of other species. Such animals cannot be legally released into the wider New Zealand environment, or owned by the general public as pets. Zoos need special approvals (called HSNO approvals) to hold new organisms. These approvals are granted by the Environmental Protection Authority (EPA). The EPA requires that all zoo animals are permanently held in containment facilities designed, constructed, and operated to securely contain each animal species. Only the Ministry for Primary Industries (MPI) can approve containment facilities and the operators responsible for them. In addition, legislation requires MPI to ensure that all zoos comply with HSNO containment facility and operator requirements. Audits are carried out by biosecurity inspectors, warranted under the Biosecurity Act of 1993. These inspectors are also New Organism Enforcement officers, warranted under the HSNO Act of 1996. In addition to the records held through the Zoo and Aquarium Association (ZAA) global species management program for Sumatran tigers, individual public zoos also maintain records through a database in which detailed and accurate records of individuals are kept in perpetuity. This includes all identifiers (microchips, house names and unique numbers), all medical records and behaviour records. Trade (exchange) between public zoos is managed under the Sumatran Tiger Global Species Management Plan. All public zoos who hold or breed Sumatran tigers are members of the ZAA. Through this membership they are part of the managed global species management program for Sumatran tigers. As part of this program, zoos abide by the recommendations made through an annual report, which details who can breed and who should transfer which cat to where, etc. International trade is managed in accordance with CITES under the Trade in Endangered Species Act of 1989.
- h) The United Kingdom (UK) of Great Britain and Northern Ireland reported that it has adopted stricter domestic measures for tigers that ban commercial trade in tiger parts and derivatives, and live wild taken specimens. Permit applications will only be considered for worked antiques and live captive-bred specimens, and applications for live specimens must include full details of the destination and intended use. Legal internal sale, purchase, possession and utilization of, and international trade in Asian big cat specimens is permitted and regulated by the Control of Trade in Endangered Species (Enforcement) Regulation 1997 (COTES). The UK reported that it adopted legislation to regulate captive breeding of Asian big cats, and that this is done through the EU Wildlife Trade Regulations (specifically in relation to commercial use of Annex A/Appendix I specimens), the Dangerous Wild Animals Act of 1976 and the Zoo Licencing Act (ZLA) of 1981. Under the ZLA, zoos are required to keep up to date records of the numbers of different animals, acquisitions, births, deaths, disposals and escapes of animals, the cause of any such deaths, and the health of the animals.
- i) The United States of America reported that all Asian big cats are listed under its Endangered Species Act (ESA). International trade is managed in accordance with CITES and the ESA. The ESA makes provision for a stricter domestic measure, which regulates import, export, interstate trade (trade between States within the USA) and "take" (e.g. harass, harm, pursue, hunt, shoot, wound, kill trap, capture, or collect) of listed wildlife species. The Party reported that the ESA does not regulate ownership or breeding of listed species, and that, as such, it is possible for individuals to own and breed Asian big cats in the United States, provided that the specimens was legally obtained. The ESA

controls and monitors imports, exports and re-exports between the United States and other Parties, and legal interstate trade in all listed species, including specimens of these species bred in captivity. It however does not regulate intrastate trade (trade within a US State). Many States within the United States have implemented additional regulations regarding the possession of Asian big cats, and these regulations vary from State to State, both with regard to activities that can be carried out with Asian big cat specimens and in terms of penalties for the violation of State laws. According to the report from the United States, the possession or utilization of Asian big cat parts or derivatives within a US State would not be a violation of the ESA, provided that the parts or derivatives were not taken from an animal in violation of the ESA. It was reported that it is the responsibility of individual breeders to confirm if there are any restrictions under State law, on selling products manufactured from endangered species within their State of residence. The Captive Wildlife Safety Act amends the U.S. Lacey Act by making it illegal to import, export, transport, sell, receive, acquire or purchase, in interstate or international trade, live lions, tigers, leopards, snow leopards, clouded leopards, cheetahs, jaguars or cougars, or any hybrid combination of any of these species, unless certain exemptions are met. Through the ESA, a registration system has been established for institutions that breed Asian big cats for conservation purposes. Registered breeders, typically zoos, are authorized to sell Asian big cats to registered facilities in other US States. This registration system includes an annual reporting requirement to document all births, deaths and transfers for each registered facility. If a facility is not registered, it may apply for an individual permit authorizing interstate trade. This permit allows for the tracking of interstate movement. Permits may only be issued if the proposed activity directly or indirectly enhances the propagation or survival of the species in the wild.