

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

Twelfth meeting of the Conference of the Parties
Santiago (Chile), 3-15 November 2002

Interpretation and implementation of the Convention

Species trade and conservation issues

CONSERVATION OF AND TRADE IN TIGERS

1. This document has been prepared by the Secretariat. It is also intended to serve as the report of the Standing Committee, as required by Decision 11.82.

Background

2. Resolution Conf. 11.5 (Conservation of and trade in tigers) contains a number of recommendations encouraging action by the Parties to increase efforts to conserve populations of tigers and combat illegal trade in live animals and parts and derivatives thereof. At the 11th meeting of the Conference of the Parties (CoP11), a large number of Decisions were adopted in pursuance of the aims of the Resolution and this report addresses each in turn, as well as providing general information.

Decision 11.47

Range and consumer States that were visited by the Technical Team and had not reported to the Secretariat their response to the Team's recommendations by the time of the 11th meeting of the Conference of the Parties, should do so by 31 August 2000.

3. Myanmar remains the only Party not to have responded to the Team's recommendations, despite several reminders. The Secretariat has received information that Myanmar appears to continue to be an important source and transit point for illicit trade in parts and derivatives of tiger and other Appendix-I species. Its borders with Thailand and China have several crossing points where smuggling and illegal trade appears to be commonplace. It is hoped that the proposed tiger technical mission to Thailand will have an opportunity to examine this issue more closely and that the Technical Team will be able to report at the 12th meeting of the Conference of the Parties and make any appropriate recommendations.

Decision 11.48

All Parties, non-Parties, international organizations and non-governmental organizations are encouraged to provide financial support to tiger conservation in India. However, India is encouraged to demonstrate that measures are or will be in place to allow the efficient disbursement of funds for tiger conservation.

4. Several Parties and non-governmental organizations continue to support tiger conservation initiatives in India. The Secretariat understands, however, that some problems relating to the disbursement of governmental funds remain. It is further understood, nevertheless that the Indian Board for Wildlife, chaired by the Prime Minister of India, is taking a number of initiatives to improve the situation, particularly with regard to the filling of vacant posts among forest personnel and in placing special emphasis on the detection and prevention of poaching and illicit trade.

Decision 11.49

India should establish a specialized unit to combat wildlife crime and illicit trade. The Conference of the Parties urges India to determine how the Union, working with the States, could investigate serious incidents of wildlife crime and coordinate action at Union and States levels. India should also review the process for issuing specific instructions to State police managers to increase action against wildlife crime and ensure that responses from police managers are monitored.

5. At its 46th meeting, the Standing Committee was advised by the delegation of India that the Central Government of India had agreed to the creation of a specialized unit to focus on the gathering of intelligence related to wildlife crime. It is not clear when the unit will become operational. The Secretariat understands that other enforcement-related issues will be addressed in the initiatives described in paragraph 4 above and hopes that India will be able to supply further details at the 12th meeting of the Conference of the Parties.

Decision 11.50

Parties with appropriate expertise and experience in combating poaching and illicit trade are encouraged to participate in the provision of training. Additionally, they are encouraged to provide continuing support through the secondment of enforcement officers to enable in-the-field and on-the-job training to take place. Priority for such a secondment might be given to the proposed specialized unit in India.

6. The Secretariat is aware of several non-governmental organizations that have provided assistance in this field to tiger range States and that suitably experienced personnel have been involved. It is not, however, aware of any secondments having taken place. Several Parties contributed material for the preparation of the training course held at the National Police Academy of India, involving enforcement personnel from tiger range States (further described later in this document).

Decision 11.51

All range and consumer States should take measures to increase awareness of wildlife crime and illicit wildlife trade among their enforcement, prosecution and judicial authorities.

7. The Secretariat is aware of a number of initiatives in both range and consumer States to address this decision. It believes, however, that there remains scope for considerably more to be done in relation to prosecution and judicial authorities, since it regularly receives comments from enforcement agencies regarding the low priority given in some areas to the prosecution of offenders and also that penalties are being imposed that do not reflect the seriousness of the crimes. The Secretariat hopes to be able to conduct some work in this field, in its activities connected with the CITES Strategic Plan and its Action Plan. It is pleased to note that UNEP has engaged in work in Asia to raise awareness of environmental crime matters among the judiciary.

Decision 11.52

Every consumer and range State that seizes an illicit shipment of tiger parts or derivatives, and any Party that intercepts such a shipment, should communicate the details of such action to each country of origin, export or re-export that can be determined and, in any case, to the CITES Secretariat. Any country so advised, should conduct an appropriate investigation and report the result to the State of seizure and to the Secretariat.

8. There is still far too little information exchange between the Parties and the Secretariat regarding seizures, particularly regarding Appendix-I species. This issue is addressed in the Secretariat's report on enforcement issues. The Secretariat believes, however, that this is a matter of general concern and it should not be regarded as species-specific.

Decision 11.53

Noting the continuing intelligence and evidence that China remains a destination for tiger parts and derivatives, the Conference suggests that China should especially be prepared to implement the preceding decision.

9. China has been an active member of the CITES Tiger Enforcement Task Force and has demonstrated a clear commitment to the exchange of information regarding illicit trade in specimens of tiger and other species.

Decision 11.54

China should circulate a list of former manufacturers of traditional Chinese medicine products containing parts of tiger or other Appendix-I species, including illustrations of typical packaging. This would assist CITES enforcement agencies in consumer countries to assess whether future seizures of tiger products were newly manufactured or from old stocks that continue to be in illegal commerce. This list could be used alongside other enforcement tools, including the guide to recognition of genuine and fake tiger parts, in the TRAFFIC report 'Far From A Cure'.

10. China has supplied to the Secretariat a variety of examples of medicinal products. These are to be incorporated in a guide on traditional medicines being prepared by the Customs authorities of the United Kingdom of Great Britain and Northern Ireland and TRAFFIC International.

Decision 11.55

Each range State should consider ways in which local communities might be encouraged to play a part in, and benefit from, the conservation of tigers and their habitat, for example through ecotourism. Each range State should prepare a report on its approach to this matter for the 45th meeting of the Standing Committee, so that concepts and initiatives can be shared among relevant Parties.

11. The only range State that reported to the Standing Committee on this issue was the Russian Federation, which pointed out that the development of ecotourism is very problematic owing to the nature of the habitat, the fact that tigers are seldom seen in the dense forests of the Russian Far East, and that encounters between humans and tigers can prove highly dangerous. The Secretariat is aware, however, that there are several good examples of ecotourism involving tigers, particularly in India and Nepal. In particular, the Secretariat has recently learned of a project in Periyar Tiger Reserve in India, where persons previously engaged in poaching have been encouraged to convert to legal activities, including acting as guides for tourists trekking in the reserve.

Decision 11.56

Tiger range States should seek to draw upon the experience of some African range States of endangered species, in all aspects of conservation, enforcement and ecotourism. The provision of external funding to enable exchange visits between enforcement and management personnel of such States is encouraged.

12. The Secretariat is not aware of any Party that has followed the advice offered in this decision. No examples of such exchanges were brought to the attention of the Standing Committee.

Decision 11.81

The Standing Committee should continue to review, through a targeted programme, the progress of tiger range and consumer States, particularly those reviewed by the Technical and Political Missions. This review should consider: control of the illegal tiger trade; legislative and enforcement measures taken by States; and implementation of the recommendations of the Missions.

13. At its 45th meeting, the Standing Committee noted the Secretariat's report (document SC45 Doc. 21) on this subject and, at its 46th meeting, it noted the Secretariat's report (document SC46 Doc. 15). At the latter meeting, the Committee agreed that a technical mission should visit Thailand to examine conservation of the tiger and trade in specimens of tiger in this country.

Decision 11.82

The Standing Committee should report at the 12th meeting of the Conference of the Parties upon the progress made by the Parties visited by the Technical and Political Missions. The report may contain recommendations regarding appropriate measures where no progress has been made.

14. This document serves as the Committee's report in compliance with Decision 11.82.
15. At its 46th meeting, the Standing Committee agreed that the Secretariat should, in future, work with relevant Parties and organizations to identify: specific difficulties of implementation of the Convention relating to specific species; specific countries or regions where implementation is poor or where 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. The Secretariat would, thereafter, bring such matters to the attention of the Standing Committee or Conference of the Parties.
16. In light of the above, it is believed that Decisions 11.47, 11.48, 11.49, 11.50, 11.51, 11.52, 11.53, 11.54, 11.55, 11.56, 11.81 and 11.82 can be deleted.

Decision 11.140

The Secretariat should report at the 45th meeting of the Standing Committee on the communications it receives in response to Decision 11.47. It should additionally report upon the implementation of undertakings by Parties in response to the recommendations of the Technical Team. The Standing Committee shall consider such responses and decide whether further action is appropriate.

17. At its 45th meeting, the Standing Committee noted the Secretariat's report (document SC45 Doc. 21) but made no recommendations regarding further action.
18. The Secretariat notes, however, that one of the Technical Team's recommendations to the United Kingdom was to encourage the establishment of a specialized unit to combat wildlife crime. The United Kingdom was apparently already considering such an initiative. In April 2002, a Wildlife Crime Intelligence Unit was established within the National Criminal Intelligence Service and the Secretariat congratulates the United Kingdom on taking this step.

Decision 11.141

The Secretariat should bring to the attention of all Parties, ICPO-Interpol and the World Customs Organization, the apparent resurgence in illicit trade involving skins of cat species and seek their cooperation in combating this.

19. The Secretariat did this in Notification to the Parties No. 2000/017 of 29 February 2000. In September 2001, the Secretariat also issued a crime intelligence bulletin using information from the CITES Tiger Enforcement Task Force to all tiger range States, and to ICPO-Interpol and the World Customs Organization, relating to fresh information regarding trade in skins of cat species. The Secretariat will continue to distribute information as and when appropriate.

Decision 11.142

The Secretariat should provide to the Standing Committee at its 45th meeting an assessment of the effectiveness of the legislative changes relating to trade in tiger parts and derivatives introduced by Japan.

20. The Secretariat addressed this issue in its report to the Standing Committee (document SC45 Doc. 21). Although the Secretariat is aware of information from a non-governmental organization that some medicinal products, allegedly containing tiger parts and derivatives, can still be found on sale in Japan, it appears that the legislative changes have generally been successful and that Japan has responded effectively.

Decision 11.143

The Secretariat should seek invitations to visit tiger range States that remain non-Parties to CITES (Bhutan, Democratic People's Republic of Korea and Lao People's Democratic Republic) to encourage their accession. Parties neighbouring those States, the United Nations Environment Programme and NGOs should also give such encouragement.

21. The Secretariat has made several approaches to the Governments of the tiger range States that remain non-Parties to CITES encouraging their accession but without, so far, any success. CITES Secretariat and UNEP staff also spoke with government officials from Bhutan and the Lao People's Democratic Republic when they attended an international tiger symposium held in November 2001 in India, once again providing information regarding accession to the Convention. These countries were also invited to participate in the training organized by the CITES Tiger Enforcement Task Force. The Secretariat is aware that China, in its role as a regional representative for Asia, has also encouraged the Lao People's Democratic Republic to accede to the Convention. It is hoped that at least one of the countries may accede prior to CoP12.

Decision 11.144

The CITES Secretariat should seek to establish a Memorandum of Understanding with the Secretariat of the Global Tiger Forum, or another appropriate means of creating a closer link between the two organizations.

22. The CITES Secretariat and the Secretariat of the Global Tiger Forum continue to have a good working relationship and Secretariat staff and the Secretary-General of the Forum have met on several occasions since CoP11. Discussions have taken place as to how to formalize this relationship in the most appropriate manner and the Executive Committee of the Global Tiger Forum is expected to resolve this issue later in 2002.

Decision 11.145

The Conference of the Parties having adopted the terms of reference for the Tiger Enforcement Task Force, the Secretariat should seek external funding to allow the establishment of the Task Force to examine, among other things, ways in which illicit trade in tiger specimens can be combated and how to improve the collation of information relating to poaching of tigers and trade in their parts. The participation of ICPO-Interpol and the World Customs Organization should be encouraged. Attention should be given to range States as a priority.

23. The Secretariat is grateful to the United Kingdom, which provided funding to enable the Task Force to start its work. A description of the work of the Task Force, and the outcomes from its first meeting, were distributed via Notification to the Parties No. 2001/047 of 9 July 2001.

24. The Secretariat believes this initiative, even with only one formal meeting so far, has been a great success and the Secretariat has held it up as an example in many enforcement and legislation-related meetings. Enabling experts from range and consumer States to meet together and exchange knowledge and ideas produced very valuable guidance. It now remains for Parties to make use of this guidance. As was expected, the CITES Tiger Enforcement Task Force identified training as a priority and the material gathered for the course at the National Police Academy of India in May 2002 should prove of considerable benefit to personnel responsible for enforcing the Convention and conserving all CITES-listed species; not just tigers.
25. The training event helped establish important contacts and informal networks between the tiger range States attending. It is too early to report upon the impacts of the training itself and the Secretariat will report orally to the Conference of the Parties on this issue. It also hopes that the Task Force will be able to meet after the training, evaluate the course, and decide on appropriate future action.

Decision 11.146

The Secretariat should organize a workshop, or workshops, in tiger range States to provide training for enforcement personnel. These should include a train-the-trainer element. The Secretariat should report at the 12th meeting of the Conference of the Parties on how States have made use of and disseminated the training provided.

26. Using guidance provided by the CITES Tiger Enforcement Task Force, the Secretariat prepared the programme for a two-week training event for enforcement personnel. It then collated and helped prepare a range of training materials for delivery at the course but also for use by students in subsequent in-country training. The Sardar Vallabhbhai Patel National Police Academy, Hyderabad, India, agreed to host the course and all tiger range States were invited to nominate students. The Secretariat expresses its gratitude to the Government of India for its support to this initiative. The Secretariat also thanks the Conservation Treaty Support Fund for providing funding to enable the course to take place, with additional financial support from the Government of the United Kingdom, the U.S. Fish and Wildlife Service Rhinoceros and Tiger Conservation Fund and the World Wildlife Fund (US) Species Conservation Program.
27. The training took place at the Academy from 13 to 24 May 2002. Twenty-eight students attended from the following countries; Bangladesh, Cambodia, China, India, Indonesia, the Lao People's Democratic Republic, Malaysia, Myanmar, Nepal, the Russian Federation, Thailand and Viet Nam. Responsibility for the training was divided between staff of the Academy faculty and specialized instructors from the Secretariat, Africa, Europe and North America. The subjects covered included: arrest techniques, border controls, CITES, covert operations, evidence gathering, fraud, forensic science, informants, interview techniques, intelligence, organized crime, personal safety, search and train-the-trainer. The training received high evaluation ratings from the students and the Academy. Together with written training materials, each student also received an electronic version of the presentations to enable him or her to conduct further training. The Secretariat will monitor how Parties and the students subsequently make use of the course.
28. The course was one of the most intensive ever organized by the Secretariat and, whilst it is regarded as having been highly successful, it placed a heavy burden upon the resources of the Secretariat and it would be difficult for it to conduct such training on a regular basis. The students were very keen that similar training should be repeated and extended to more enforcement personnel and how best this might be achieved is worthy of further consideration.

Decision 11.147

The Secretariat should support any activities undertaken in relation to Decision 11.51, in particular by range States, and report on these at the 45th meeting of the Standing Committee.

29. The Secretariat reported at the 45th meeting of the Standing Committee on this issue (document SC45 Doc. 21). The Secretariat views increasing the awareness of wildlife crime and illicit wildlife trade as one of its priorities and every opportunity is taken to do this. It will continue to do so and to support the Parties in such work.

Decision 11.148

The Secretariat should communicate to ICPO-Interpol and the World Customs Organization the importance of the exchanges of information referred to in Decision 11.52 and request their participation in facilitating this.

30. Both ICPO-Interpol and the World Customs Organization have reporting mechanisms to assist in the collation and dissemination of information relating to seizures. The Secretariat continues to have a very close working relationship with both organizations and continues to receive excellent support in relation to the dissemination of information it passes to them. Like the Secretariat, however, both ICPO-Interpol and the World Customs Organization note that there is scope for improvement in the exchange of such information between national authorities.

General observations

31. Although illicit trade in live tigers and parts and derivatives thereof has certainly not been eliminated, the Secretariat believes that considerable progress has been made in recent years. Indeed, it is probably too soon to evaluate some of the most recent initiatives. Combating the illicit trade in tiger requires many of the same approaches needed to combat most other illicit trade in CITES-listed species effectively. The tiger remains a priority species for the Secretariat in its enforcement and capacity-building work.

Recommendations

32. It is believed that Decisions 11.140 – 11.148 have been complied with and can be deleted. Depending on the work of the technical mission to Thailand and the CITES Tiger Enforcement Task Force training event, the Secretariat will bring to the attention of the Conference of the Parties any future actions that may seem appropriate.
33. There are many examples of good work being conducted by Parties and organizations in relation to the recommendations in Resolution Conf. 11.5. The Secretariat does not believe, however, that it is sensible, efficient or cost-effective for the Parties or others to address all the points listed under URGES in this Resolution on a species-specific basis, and it recommends that paragraphs a), b) and d) under URGES be repealed. For similar reasons, and because these issues are also part of general enforcement needs, the Secretariat recommends that paragraphs b), c) and d) under the first RECOMMENDS of the Resolution be repealed.