

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



Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

Interpretation and implementation of the Convention

Species trade and conservation issues

ASIAN BIG CATS

1. This document has been prepared by the Secretariat.

Background

2. At the 53rd meeting of the Standing Committee (Geneva, June – July 2005), the United States of America submitted document SC53 Doc. 17, expressing concern regarding illicit trade in tigers. The Committee requested Asian big cat range States to submit reports on their implementation of Resolution Conf. 12.5 and deferred further discussion on this subject to its 54th meeting.
3. At its 54th meeting (Geneva, October 2006), the Standing Committee considered the report of the Secretariat, in document SC54 Doc. 25.1, in which it was recorded that only nine of the 21 range States had submitted reports. The United States also submitted document SC54 Doc. 25.2, in which it made a number of suggestions for consideration by the Committee.
4. In their documents, the United States and the Secretariat expressed their concerns regarding the drop in numbers of tigers in the wild and the continuing high levels of illicit trade in specimens of the species. The Secretariat recommended that a high-level summit be convened with a view to addressing the situation. For its part, the United States suggested that the progress of range States in implementing Resolution Conf. 12.5 should be assessed, that trade suspensions should be considered if inadequate progress was being made and that diplomatic missions involving the Secretary-General of CITES should be considered. Both documents questioned whether sufficient political will and law enforcement priority was being given to the conservation of the species.
5. During discussions on this subject, China and India (both tiger range States) made interventions in which their delegates denied emphatically any lack of political will with regard to tiger conservation in their countries and assured the Committee that enforcement work was being conducted to combat poaching and illicit trade. Neither country supported the proposal of a high-level summit and the Secretariat did not pursue this recommendation.
6. The Committee was unable to reach agreement on how this matter should be pursued and the subject was deferred to the 14th meeting of the Conference of the Parties (CoP14). At the same time, the Committee again called for range States to submit reports on their implementation of Resolution Conf. 12.5, so that the need for additional measures may be considered by CoP14. The Committee asked the Secretariat to consider, if funds were available, providing technical assistance to range States prior to CoP14.
7. At the time of writing (January 2007), Bangladesh, Kazakhstan, Malaysia, Myanmar, Thailand and Viet Nam had submitted reports. Reports that are received from range States will be attached to this documents as annexes. By January 2007, the Secretariat had been unable to undertake any

technical assistance work and does not believe it will have the capacity or funding to do so before CoP14.

8. The Standing Committee also encouraged the United States and the Secretariat to submit a document for CoP14, suggesting measures to be taken. Since SC54, the Secretariat and the CITES Management Authority of the United States have had discussions on this issue. The United States indicated that it preferred the Secretariat to submit a document on its own and, therefore, this document is solely the work of the Secretariat.

Asian big cats and CITES

9. The tiger has been a 'flagship species' of conservation for several decades. However, for all the attention that has been paid to this species, and the considerable sums of money that have been expended to safeguard its future, wild populations of the species are probably at greater risk of extinction today than ever before.
10. The CITES community has been aware of the plight of the tiger for many years and has attempted to address this in a variety of ways. In 1993, the Standing Committee undertook a combination of technical and political missions to a limited number of tiger range and consumer States. This led to China, in particular, prohibiting the domestic use of tiger parts and derivatives.
11. In 1999, the Standing Committee instructed the Secretariat to organize further technical missions. Consequently, a technical mission team, consisting of the CITES Secretariat, law enforcement officials and TRAFFIC staff members, visited 14 tiger range and consumer States. Subsequently, Secretariat staff, either alone or in conjunction with enforcement officers and TRAFFIC, have visited other range States. In total, the Secretariat has visited 12 of the 14 countries where tigers are believed to still be present in the wild.
12. The CITES Tiger Missions of 1999 identified a number of issues that it suggested should be addressed by range States, consumer States and the international community. It is worth noting that the team also expressed concerns regarding criminal activities in relation to leopard populations in Asia and commented that it felt insufficient attention was being paid to this species. This observation seemed to go unnoticed at the time but has since proved to be very valid. Indeed, at the 12th meeting of the Conference of the Parties (Santiago, 2002), the existing Resolution related to tigers was extended to all Appendix-I Asian big cat species.
13. The activities of the CITES Tiger Missions Technical Team were supplemented by political missions in 2000. These were conducted in China, India and Japan.
14. The technical missions, and also to an extent the political missions, considered alternative approaches to the total prohibition of international and domestic trade in tigers. It was noted that hunting could potentially raise considerable sums of money for tiger conservation but the technical team was of the opinion that wildlife law enforcement in several tiger range States was not sufficiently adequate to provide the strict regulation that would be necessary if this were to be adopted.
15. The technical team and political missions also considered the trade in tiger parts and derivatives from captive-breeding operations. This was also excluded for a number of reasons, including: doubts as to whether there was sufficient information available to assess the demand for products derived from the species; whether there was sufficient captive-breeding to meet demand; whether captive-breeding of tigers would be financially viable; concerns that captive-breeding operations might be used to 'launder' animals taken illegally from the wild; and concern that any legal trade in tiger and parts and derivatives thereof would motivate poaching of wild tigers, whose numbers were already worryingly low. However, what both the technical and political missions team regarded as being of almost primary importance was the fact that the international community, and many countries acting on their own, had spent considerable resources in education campaigns to discourage the traditional medicine community and consumers from using products containing Appendix-I species, especially the tiger. Both teams felt that to reverse this approach would send conflicting messages to consumers and others. The teams also noted comments made by persons in the traditional medicine community that the use of tiger in medicines was not essential and that several alternatives existed.

16. At its 42nd meeting of the Standing Committee (Lisbon, September – October 1999), considered the report of the Tiger Missions Technical Team and endorsed its recommendations. At its 11th meeting, the Conference of the Parties (Gigiri, 2000) noted the report of the political missions. In that report, the team raised concerns regarding the adequacy of work being conducted in India but the Conference did not decide that any additional measures were necessary. The Conference did, however, endorse the recommendation that a CITES Tiger Enforcement Task Force should be established and this group has met twice subsequently.
17. A major two-week training event, convened under the auspices of the CITES Tiger Enforcement Task Force, was held at the National Police Academy of India in May 2002 and provided law enforcement training to 28 officials from 12 tiger range States.
18. Since that time, the Secretariat has continued to monitor illicit trade in tigers (and other Asian big cats) and has provided assistance wherever possible.
19. It will be seen that the Convention and its bodies have given considerable attention to this species but it appears that the solution to reversing the decline in its numbers in the wild has yet to be identified. There are, of course, several issues affecting Asian big cats, such as socio-economic problems, habitat loss and conflict between big cats and humans and livestock that are largely outside the remit of CITES. Indeed, as is the case for many Appendix-I species, the most significant role for the Convention is in combating and preventing illicit trade.
20. Several countries have achieved success by using well-equipped and properly trained specialized units to combat poaching and illegal trade, supported by prompt prosecutions and adequate penalties imposed by courts. One excellent example has been the Inspection Tiger Brigades that operate in the Far-East of the Russian Federation. Although the level of penalties available to courts in that area appear limited and there have recently been concerns expressed regarding possible cuts in funding and other support for the Brigades it does seem that tiger numbers in this part of the world are no longer decreasing. It should be acknowledged, however, that the potential for conflict between tigers and humans and livestock appears to be less in the Russian Federation than in many other range States.
21. The Secretariat has no grounds to suggest that any tiger range State is ignoring poaching or illicit trade. It must also be recognized that these are both highly clandestine criminal activities and that many range States have large areas of land that are difficult to patrol and long borders that can make smuggling difficult to detect or prevent. It does believe, however, that two important range States give cause for concern and this is addressed in the following sections.

China

22. At SC54, in document SC54 Doc. 38 (Enforcement matters), the Secretariat described its communications in terms of Article XIII of the Convention with the CITES Management Authority of China. This related to what appeared to be significant levels of illicit trade in specimens of Asian big cats, particularly in the Tibet Autonomous Region and neighbouring provinces.
23. The Standing Committee agreed that China should submit a report to the Secretariat, by 31 January 2007, on its efforts to combat the illicit trade in Appendix-I Asian big cat species. China should also report upon any existing or intended domestic use of Asian big cat parts and derivatives. The Secretariat, should, thereafter, conduct a verification mission to assess the results of China's enforcement work and report at CoP14 on this subject. The Standing Committee recommended that the Conference of the Parties review the reports of China and the Secretariat and decide whether additional measures, including non-compliance measures, are necessary. The Secretariat will report orally at CoP14 on this issue.

India

24. Both the technical and political mission teams, in 1999 and 2000, expressed concern regarding a lack of coordination in India's wildlife law enforcement efforts and recommended the creation of a specialized central wildlife crime unit. In 1994, a committee, chaired by a senior police officer, and established by the Central Government of India had made exactly the same recommendation.

Throughout the early 2000s, India assured both the Conference of the Parties and the Standing Committee that such a unit was to be established.

25. In 2005, a task force established by the Prime Minister of India to review tiger conservation also called for the establishment of such a unit and the Prime Minister instructed that such a body should be created urgently.
26. At the time of writing, the Secretariat understood that formal approval had been given by the Government of India for the establishment of a central wildlife crime bureau but that it had still not come into operation.
27. The Secretariat believes that the continued absence of a central coordination of efforts in India to combat the poaching of and illegal trade in Asian big cats is a matter of concern. It presumes India will report on this issue in its national report relating to implementation of Resolution Conf. 12.5 and believes the Conference of the Parties should take careful note of whether progress has been made.

Conclusion

28. Since, at the time of writing, so few range States had submitted reports on their implementation of Resolution Conf. 12.5, the Secretariat finds it difficult to offer suggestions regarding either general or country-specific measures that the Conference might consider to improve the conservation of Asian big cats and reduce illicit trade in specimens of these species.
29. Saying that proper implementation of the Convention is essentially what is required may be somewhat simplistic but it is also accurate. Experience shows that political will to provide the resources needed, combined with law enforcement priority in range and consumer States, is effective. Experience also tends to show that calling upon States to repeatedly submit reports has not proved particularly useful. The CITES community is generally very effective in identifying where specific problems lie.
30. With reference to the provision of technical assistance, the Secretariat would welcome suggestions, especially from range States, as to what form this should take. The major training event held for tiger range States in 2002 appeared to be successful. However, it was very time-consuming upon Secretariat resources and also very expensive to organize (almost USD 100,000). The Secretariat is aware that many officials benefited from the training and knows that some were able to put the skills learned into action. It is conscious, however, that there is little use in providing such capacity building if those involved will not be provided with the opportunity or support to use skills, and share their knowledge, when they return to their home countries. This seems to have been the case for some who attended the training event and others like it.
31. The Secretariat suggests, as was agreed previously by the Standing Committee, that it be left to bring to the attention of that Committee and the Conference of the Parties situations or cases that deserve attention. It encourages the wider CITES community, particularly civil society, to assist it in that task.
32. Unless the Conference can identify any new approach to the conservation of tiger and other Appendix-I Asian big cat species, the Secretariat, with regard to the role of CITES, sees little option other than for the Parties to renew their efforts to eliminate illicit trade in specimens of these species. In doing so, the Parties (especially range States) will require the assistance of the international community and such efforts will need to be combined with actions related to habitat and prey loss and conflict between these species and humans and livestock.