

CONVENTION SUR LE COMMERCE INTERNATIONAL DES ESPECES
DE FAUNE ET DE FLORE SAUVAGES MENACEES D'EXTINCTION



Quatorzième session de la Conférence des Parties
La Haye (Pays-Bas), 3 – 15 juin 2007

Interprétation et application de la Convention

Commerce d'espèces et questions de conservation

ANTILOPE DU TIBET

1. Le présent document a été préparé par le Secrétariat et fait aussi office de rapport du Comité permanent à la 14^e session de la Conférence des Parties (CoP14) sur ce sujet.

Contexte

2. A sa 13^e session (Bangkok, 2004), la Conférence des Parties a adopté la résolution Conf. 11.8 (Rev. CoP13), Conservation et contrôle du commerce de l'antilope du Tibet, dans laquelle elle:

CHARGE:

- b) le Comité permanent d'examiner régulièrement les mesures de lutte contre la fraude prises par les Parties visant à éliminer le commerce illicite des produits de l'antilope du Tibet sur la base du rapport du Secrétariat, et de communiquer ses résultats à chaque session de la Conférence des Parties.*

Mesures prises par les Parties

3. Le Comité permanent a examiné la question de l'antilope du Tibet à ses 53^e (Genève, juin/juillet 2005) et 54^e (octobre 2006) sessions, où les documents SC53 Doc. 21 et SC54 Doc. 28 ont été présentés par le Secrétariat.
4. A la 54^e session du Comité permanent, le Secrétariat, tout en se félicitant de l'action menée par les autorités thaïlandaises contre les personnes faisant le commerce de châles apparemment tissés en laine d'antilope du Tibet, s'est déclaré préoccupé par des déclarations selon lesquelles la législation thaïlandaise pourrait ne pas être adéquate pour traiter ces cas.
5. Le Comité permanent a convenu que la Thaïlande devrait préparer pour la CoP14 un rapport sur la lutte contre la fraude qu'elle mène au titre de la Convention, et en particulier sur les progrès accomplis vers l'adoption d'une nouvelle législation et sur le commerce illicite d'antilopes du Tibet. Le Comité a recommandé que la Conférence des Parties examine ce rapport et qu'elle décide si d'autres mesures, y compris pour non-respect de la Convention, sont nécessaires. Au moment de la rédaction du présent document (décembre 2006), le Secrétariat n'avait pas reçu de rapport de la Thaïlande.
6. A la même session, le Comité permanent a pris note d'informations selon lesquelles un comité avait été établi en Inde pour examiner la fabrication de produits en laine d'antilope du Tibet dans l'Etat de Jammu-et-Cachemire. L'une des questions examinées par ce comité a été celle de savoir si l'élevage en captivité à des fins commerciales de l'antilope du Tibet pouvait être envisagé. Le Secrétariat a informé le Comité permanent que ce comité indien avait conclu que l'élevage en captivité ne devrait pas être envisagé.

Effectif des populations de l'antilope du Tibet

7. La Chine a informé le Comité permanent, à sa 54^e session, que d'après des études récentes, l'on a estimé que l'effectif des populations de l'antilope du Tibet dans toute la Chine avait augmenté, passant à 200.000 individus.

Activités et autres questions

8. Depuis toujours, les agents chargés de la lutte contre la fraude sont capables d'identifier les châles en laine d'antilope du Tibet (appelée "shahtoosh") à leur texture extrêmement fine. Les châles en shahtoosh sont si différents des autres, et de tellement bonne qualité, que les agents expérimentés peuvent d'ordinaire les distinguer simplement au toucher d'autres produits similaires.
9. Cependant, plusieurs agences de lutte contre la fraude ont remarqué récemment l'apparition sur le marché de châles en laine de chèvre de bonne qualité mais travaillée pour atteindre une qualité très similaire à celle du shahtoosh, au point que des agents expérimentés ont initialement identifiés par erreur ces châles comme étant en shahtoosh. L'on a également remarqué qu'il existe des châles composés d'un mélange de shahtoosh et d'autre laines fines, comme les pashminas. Si les agents chargés de la lutte contre la fraude ont toujours demandé au personnel médico-légal de confirmer l'identification de la laine après les saisies, les dernières découvertes font qu'ils sont à présent réticents à saisir les produits.
10. Il y a dans le monde plusieurs laboratoires, notamment de science médico-légale, qui ont l'expérience et les techniques nécessaires pour identifier la laine de l'antilope du Tibet, par examen morphologique ou par profilage de l'ADN; le Secrétariat est prêt à fournir des informations à ce sujet aux agences de lutte contre la fraude qui en feront la demande.
11. Il ressort des saisies faites régulièrement et du braconnage de l'espèce en Chine, que le commerce illicite de l'antilope du Tibet reste un problème pour la Convention. La Chine continue d'accorder une priorité élevée à la lutte contre le braconnage. Il faut que cette action soit complétée par celle des pays de consommation, mais l'expérience montre que l'on peut trouver des châles en shahtoosh partout où il y a une demande de vêtements de luxe à la mode. Le Secrétariat remercie le groupe de travail d'Interpol, pour qui la lutte contre ce commerce reste une des activités prioritaires.

Conclusion

12. Le présent document et les documents SC53 Doc. 21 et SC54 Doc. 28 résument le travail fait concernant l'antilope du Tibet. Le Secrétariat fera un rapport oral à la CoP14 sur d'éventuels nouveaux développements.

REPORT SUBMITTED BY THAILAND
FOR THE 14TH MEETING OF THE CONFERENCE OF THE PARTIES

In accordance with the decision of the 54th Standing Committee meeting, below is the report submitted by Thailand for the 14th meeting of the Conference of the Parties. It is noted that the information and activities mentioned are mainly from the 2005 fiscal year (October 1, 2005 – September 31, 2006), except when indicated otherwise.

1. Legislation

- a) In order to fully meet the requirements of CITES by using two principle laws, WARPA and Plant Act (No. 2) B.E.2535, Thailand has made efforts to improve its national legislation for CITES implementation. The WARPA amended in 1992 was then intended to comply with CITES. Though this WARPA is fully implemented, supported legislations such as the Custom Act B.E. 2469 (1926), the Commercial Registration Act, B.E. 2499 (1956), and the Animal Epidemics Act B.E. 2499 (1956), and Export and Import of Goods Act B.E. 2522(1979) are also applied to CITES implementation.
- b) Despite WARPA legislation is fully implemented, with other laws mentioned above, the previous government initiated the policy to update laws all over the country. Because of this opportunity, in the last couple of years the Department of National Parks, Wildlife and Plant Conservation (DoNP) proposed to improve WARPA as one of the natural resources laws to protect Thailand's natural resources. This revised legislation aims to modernize and re-categorize the articles to be better in implementing not only for domestic wildlife management, but for compliance with international agreements as well. The new revision has also provided significant roles of people participation in helping the government sector to protect Thailand's wildlife habitats and species, i.e., the committee at local levels. This new revision will provide significant mechanisms in managing and researching Thailand wildlife resources. As of December 2006, the new revision was at the secretariat office of the Prime Minister office. The revised legislation is still there since the political change in Thailand on September 19, 2006. This new revision may need to wait until the new elected-government comes to office to make a decision. However, it should be further noted that the timelines described for Cabinet consideration and Parliament ruling from the up coming government can only be approximate. The approvals depend on other pending, unrelated legislation, and day to day business of Cabinet and Parliament.

2. Law Enforcement Activities

To comply with the Articles VIII and XIV of the Convention, as well as recommended in Resolution Conf. 11.8 (Rev. CoP13), Thailand by 3 Management Authorities, DoNP, Department of Agriculture, and Fisheries Department, has made significant progress in implementing CITES. Principle Laws such as Wild Reservation and Protection Act B.E. 2535 (1992) or WARPA and Plant Act (No. 2) B.E.2535 are implemented. Support Acts such as the Custom Act B.E. 2469 (1926), Pant Act (No. 2) B.E.2535, the Commercial Registration Act, B.E. 2499 (1956), the Animal Epidemics Act B.E. 2499 (1956), and Export and Import of Goods Act B.E. 2522(1979) are also applied to CITES implementation. Ministerial regulations have been applied; checking points are set up along the border with neighbouring countries, and at international sea and air ports. With efforts from these 3 Authorities, together with their partners from the Thai police, customs and relevant governmental organizations, as well as the support from Non-Governmental Organizations, the following activities were implemented.

2.1 CITES activities at the national level

- a) Thailand cracks down on illegal trade in CITES and endangered species. According to statistics from October 1, 2005 to September 31, 2006, DoNP, with cooperation from governmental counterparts (i.e., police, customs) and related non-governmental organization (i.e., TRAFFIC), intercepted 36 cases with confiscating 48 endangered species (3,241

animals) and parts or derivatives of 28 endangered species (734 animals). During 2005-2006, The Department of Agriculture confiscated 9 cases, with 7,181 plants/species (Orchid, Cycas, Cactus and Succulents combined) and Fisheries Department confiscated 39 cases. In 2006, The Customs Department seized 11 cases (1,623 individuals). This statistics do not include the cases operated by the Thai Police.

- b) In order to build capacity and strengthen cooperation on CITES enforcement by expanding networks among CITES authorities and related parties, the CITES Management Authorities has organized several trainings, seminars, and meetings at national level as follows:
- 3 CITES Management Authorities meetings on March 7, 2006, at DoNP
 - The Seminar on Law Enforcement on Thailand and CITES Wild fauna and Flora Species, February 19-21, 2006, Khao Yai National Park, Thailand (Funded by WildAid)
 - The Thai national network committee on ASEAN Wildlife Network Enforcement Network meeting on May 17, 2006, at Ministry of Natural Resources and Environment (MoNRE)
 - Laws and CITES Training on June 22-24, 2006, at Khao Yai Training Center, Khao Yai National Park
 - Introduction to CITES/Controlling Illegal Wildlife Trade Training Workshop on August 9 to 11, 2006, at International Laws Enforcement Academy (ILEA), Bangkok, funded by TRAFFIC
 - CITES Species Identification Training on August 21-23, 2006, at Chaum Training Center, Petchaburi Province
 - MIKE Training, August 8-12 and September 5-9, 2006 at MIKE sites, western Thailand
 - MIKE IT Training, July 17-21, 2006, Kasetsart University, Bangkok, Thailand
 - MIKE GIS Training, December 18-22, Forestry Lab, Kasetsart University, Bangkok, Thailand.
- c) Network:
- To support the ASEAN Wildlife Law Enforcement Network (ASEAN-WEN), Thailand designated DoNP as the focal point of the network. The National Wildlife Law Network Committee was set up by MoNRE executive no.316/2548, dated August 29, 2005. The network consists of 22 organizations such as DoNP, Department of Agriculture, Fisheries Department, Thai Police, Thai Police, Custom Department, Air and Sea Port Authorities, Thai Airways International, Forestry Department, Department of Live Stock Development, Public Relations Department, Tourism Authority of Thailand.
 - As the lead country on the objective 2 of the ASEAN Regional Action Plan on Trade in Wild Fauna and Flora (2005-2010) to promote networking among relevant law enforcement authorities in ASEAN countries to curb illegal trade in wild fauna and flora, Thailand set up the office of Programme Coordination Unit of ASEAN Wildlife Enforcement Network located at DoNP. This office will be the centre for information exchange and coordination of enforcement work in the region.
 - To improve communication by networking among related agencies, Thailand, by DoNP with support from the Department of Agriculture and Fisheries Department, organized National Interagency Training Workshop at ILEA as mentioned above. Participants attending the workshop were from various governmental (i.e., customs, police) and non-governmental organizations (i.e., TRAFFIC, WCS), including private sectors (i.e., Fed-ex) to learn about CITES. This Training Workshop provided the opportunity to improve communications among CITES and non-CITES agencies. Many cases on CITES recently intercepted in Thailand were the results from this network.
- d) To build up public awareness on CITES, especially among sellers, DoNP, Department of Agriculture, Fisheries Department, and Thai police organized a seminar on CITES issues at Chatuchak market in Bangkok on August 4, 2006. DoNP also set up the wildlife campaign project in December 2006. This project aims to build awareness on wildlife illegal trade. It will be conducted domestically (both local issues targets through mass media and printed

matters, i.e., signs, brochures, leaflets. Domestic airports, local markets, and hotels will be targeted for domestic public relations.

2.2 Activities at the international level

Many actions have been undertaken to promote regional or sub-regional coordination and cooperation in enforcement and implementation of CITES. These are listed below:

- a) To implement CITES, the repatriation of orangutans was conducted under ASEAN-WEN. Several meetings between the representatives from Thailand and Indonesia were conducted.
- b) Many cases of communication between 3 CITES MA of Thailand and MA of CITES members, among the countries in the network, or between the networks, have been contacted, e.g., validate the permits, passing information on illegal cases.
- c) In order to enhance the cooperation on the conservation and trade with neighbouring countries, a possibility of exchange between officials working in the field of CITES was discussed, i.e., between Thailand and Lao, Thailand and Cambodia. Further discussion is needed to get funding support. These mutual visits are expected to start soon when funding is available.
- d) To strengthen the cooperation at the regional level, Thailand organized several international trainings, seminars, and meetings at national level as the following:
 - ASEAN Regional Law Enforcement Network, 17-21 October 2005, Khao Yai National Park, Thailand
 - The Special Meeting of the ASEAN Ministers Responsible for the Implementation of CITES held on November 31 and 1 December 1, 2005, Bangkok
 - The repatriation of the orangutan meeting, on April 21-22, 2006, at Rama Gardens Hotel, Bangkok
 - International Executive Seminar on Implementing the ASEAN-WEN, May 22-25, 2006, Bangkok, Thailand.
- e) To improve communications, building capacity, and expand the network, Thailand sent CITES staff to attend international workshops, meetings, trainings and seminars as the following:
 - The second Mekong sub-regional CITES implementation and enforcement workshop, July 4-7, 2006, Kunming, Yunnan, China
 - CITES and Livelihoods Workshop, Kirstenbosch Botanical Gardens, September 5-7, Cape Town, South Africa
 - The 54th Standing Committee meeting, on October 2-6, 2006, Geneva, Switzerland
 - The 3rd Australia Environmental Law Enforcement and Regulators Network (AELERT) annual meeting, November 22-24, 2006, Sydney, Australia
 - Coalition Against Wildlife Trafficking (CAWT), November 20-21, London, England
 - CITES Law Enforcement Seminar: Learning from Each Other, November 21-23, 2006, Hong Kong
 - The 4th Meeting of the ASEAN Experts Group on CITES, November 28-29, 2006, Manila, Philippines.

3. Illicit Trade in Tibetan Antelope (*Pantholops hodgsonii*)

- a) To protect Tibetan antelope (*Pantholops hodgsonii*), which is the Appendix-I species, Thailand has made great efforts to combat with illegal trades on this species, especially its parts and derivative or Shahtoosh. On July 17, the staff from the CITES office in cooperation with the Thai police exercised this laws to the shatoosh case by seizing shatoosh shawls from a seller, which declared the goods as pashmina. Also, with the technical support from US fisheries and Wildlife, funding support from UDA Forest Service, and coordinating support from interested party (WildAid), the staff from the US lab was brought to Thailand during the first week of December 2006, to help identify the questionable shawl at the Veterinary Medicine lab of Mahidol University. One-day workshop on Shahtoosh identification was also organized on December 6, 2006. Sixty participants from CITES Management and Scientific Authority of

Thailand, Thai police from Natural Resources and Environment Crime Division, Customs, and other interested parties were attending the workshop. The case is now at the attorney office.

- b) With good cooperation between DoNP, as focal point of the network, the Thai police from Natural Resources and Environment Crime Division and the Customs, as well as the initiative on ASEAN-WEN, Thailand will continue through its effort to combat illegal commercial trade in Tibetan antelope products or specimens as recommended in Resolution Conf. 11.8 (Rev. CoP13).