

Conf. 12.5

(Rev. CoP15)*

Conservation of and trade in tigers and other Appendix-I Asian big cat species

RECALLING Resolution Conf. 11.5, adopted by the Conference of the Parties at its 11th meeting (Gigiri, 2000), relating to *Conservation of and trade in tigers*;

NOTING that wild populations of tigers and other Asian big cat species (snow leopard, *Uncia uncia*, clouded leopard, *Neofelis nebulosa*, all subspecies of leopard *Panthera pardus* within its Asian range, and Asiatic lion, *Panthera leo persica*) are threatened by the combined effects of poaching and habitat loss caused by disturbance, fragmentation and destruction;

AWARE that all tigers and other Asian big cat species are included in Appendix I, and that commercial international trade in Asian big cat species and their parts and derivatives has been prohibited by the Convention since 1975 (with the exception of the Asiatic lion and the Amur tiger *Panthera tigris altaica*, which were included in 1977 and 1987, respectively);

CONSCIOUS that three subspecies of tiger, *Panthera tigris*, have become extinct within the last 50 years and NOTING with concern that, despite inclusion of Asian big cat species in Appendix I, illegal trade in specimens of nearly all these species has escalated and further threatens their long-term survival in the wild;

CONCERNED that the use of medicines and products containing parts and derivatives from the tiger and other Asian big cat species continues in many countries around the world and that the bones of some of these species may be used in traditional medicine systems as a substitute for tiger bone;

CONCERNED further that, despite some improvements, trade in skins from the tiger and other Asian big cat species continues to fuel poaching that could lead to extinction in the wild;

NOTING that the Standing Committee has called upon all Parties and non-Parties to the Convention to take such measures as are required to halt the illegal trade in tigers and tiger parts and derivatives;

COMMENDING the positive actions taken by some range and consumer States to address the illegal trade in tiger and tiger parts and derivatives and to facilitate cooperation with other Parties, but NOTING that measures are required to address illegal trade in specimens of all Appendix-I Asian big cat species;

CONSCIOUS that the driving forces behind the illegal killing of tigers and other Asian big cats and the illegal trade in specimens thereof vary from region to region and may include financial gain from the sale of live specimens, parts and derivatives, protection of people living in Asian big cat habitats and protection against or response to the predation of livestock;

RECOGNIZING that strengthened technical cooperation between range and non-range States and financial support, would contribute to more effective conservation of tigers and other Asian big cat species;

ACKNOWLEDGING that increased political commitment, financial resources and expertise in some range and consumer States will significantly improve control of the illegal killing of Asian big cat species, trade in their parts and derivatives and protection of their habitats;

ACKNOWLEDGING the progress made through the CITES Tiger Enforcement Task Force, and the results of the second CITES Enforcement Experts Group meeting in 2009, and NOTING that the causes of conservation problems could be relevant to other Asian big cat species and that the solutions to reduce illegal trade in tiger specimens could be applied to benefit these species;

ACKNOWLEDGING further the actions and reports of members of the Snow Leopard Network and of the Global Tiger Forum in reviewing the threats to the long-term survival of the species in the wild and the recommended measures to address those threats;

CONCERNED that the failure to provide regular detailed reports on progress in implementing measures aimed at conserving tigers and other Appendix-I Asian big cats has prevented adequate assessment of the effectiveness of the measures taken;

* Amended at the 15th meeting of the Conference of the Parties.

RECOGNIZING also that long-term solutions to the protection, conservation and management of tigers and other Asian big cat species and their habitats requires the adoption of bold and innovative actions based on a sound base of information;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES:

- a) all Parties and non-Parties, especially range and consumer States of Asian big cat species, to adopt comprehensive legislation and enforcement controls which clearly define the administrative responsibilities of the various government agencies responsible for regulating trade within and outside of protected areas and in outlets for parts and derivatives, such as in wildlife markets and shops, etc., as a matter of urgency;
- 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.);
- c) all Parties, especially range and consumer States, to introduce innovative enforcement methods and, as a matter of priority, strengthen enforcement efforts in key border regions, and develop or improve implementation of regional enforcement networks;
- d) all range States and other relevant Parties to implement systems for the recording of information relating to illegal trade in Asian big cats and to share this information as appropriate to ensure coordinated investigations and enforcement;
- e) all range States shall seek to ensure enforcement units and personnel receive relevant and effective support in anti-poaching operations; the gathering and use of intelligence; targeting offenders; wildlife crime investigative techniques; collecting evidence; inter-agency liaison and cooperation; and preparing cases for prosecution; and in doing so may wish to consider the guidance provided at Annexes 1, 2 and 3, taking into account individual national circumstances;
- f) Parties to contribute financial and technical assistance to enable range States to comply with the implementation of this Resolution and enhance capacity building, improvement of conservation measures and sustainable livelihoods, so as to contribute towards the conservation of Asian big cats;
- g) those Parties and non-Parties in whose territory 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;
- h) those Parties and non-Parties in whose countries there exist stocks of parts and derivatives of tiger and other Asian big cat species (such as tiger bone stocks), but not including pre-Convention specimens, to consolidate and ensure adequate control of such stocks, and where possible destroy the same, with the exception of those used for educational and scientific purposes;
- i) range and non-range States of the tiger and other Asian big cat species to support and participate in international conservation programmes, such as the Global Tiger Forum, the Snow Leopard Network, the CITES Tiger Enforcement Task Force and the Global Tiger Initiative; and
- j) all range and consumer States that are not party to CITES to accede to the Convention at the earliest possible date in order to improve control of international trade in parts and derivatives of tiger and other Asian big cat species;

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;

RECOMMENDS that:

- a) the range States of the tiger and other Asian big cat species ensure that anti-poaching teams and enforcement units are established and effectively resourced to counter the illegal killing of and

trade in Asian big cat species, and that intelligence is shared between relevant enforcement agencies to counter illegal killing and trade;

- b) range States of the tiger and other Asian big cat species carry out appropriate education and awareness campaigns directed at urban and rural communities and other targeted groups, on the ecological and cultural significance and the significance for ecotourism of Asian big cats, their prey and habitats;
- c) all range and consumer States take measures to increase awareness of wildlife crime and illicit wildlife trade among their enforcement, prosecution and judicial authorities;
- d) the enforcement agencies in range and consumer States of the tiger and other Asian big cat species establish cooperative bilateral and multilateral arrangements, especially for the management of shared wildlife species and protected habitats with common boundaries, in order to achieve more effective control of illegal international trade in specimens of Asian big cat species;
- e) Parties and non-Parties convene regional workshops on law enforcement needs associated with illegal cross-border movement of specimens of Asian big cat species, including the extent of the trade, smuggling routes, methods and final consumer markets for live specimens and parts and derivatives, with technical assistance from the CITES Secretariat and, where available, financial support from interested governments and organizations; and
- f) the range States of Asian big cat species conduct, where appropriate, studies to examine the motivation behind the illegal killing of these species and to recommend appropriate measures to address such motivation;

REQUESTS:

- a) Parties to submit information in relation to the scale and nature of the trade in Asian big cats to the database to be developed as agreed in Decision 15.42;
- b) countries and organizations with the relevant expertise to encourage and support range and consumer States, as a matter of urgency, in the development of practical identification manuals to aid the detection and accurate identification of parts and derivatives of Asian big cats; and
- c) that, since biological and distribution data are essential for the implementation of the Convention, donor nations assist in funding the infrastructure and the provision of expertise to develop computer databases and mapping as well as any other necessary conservation management techniques;

RECOMMENDS that the consumer States of specimens from the tiger and other Asian big cat species:

- a) work with traditional medicine communities and industries to develop and implement strategies for gradually reducing and eventually eliminating the use of Asian big cat parts and derivatives;
- b) where necessary and appropriate, remove references to parts and derivatives of Appendix-I Asian big cats from the official pharmacopoeia and include acceptable substitute products that do not endanger other wild species, and introduce programmes to educate the industry and user groups in order to eliminate the use of substances derived from Appendix-I Asian big cats and promote the adoption of appropriate alternatives; and
- c) carry out appropriate education and awareness campaigns to eliminate illegal trade in and use of Asian big cat skins as trophies, ornaments and items of clothing or for the production of other materials;

CALLS UPON all governments and intergovernmental organizations, international aid agencies, and non-governmental organizations to provide, as a matter of urgency, funds and other assistance to stop illegal trade in specimens of Asian big cat species, and to ensure the long-term survival of the Asian big cat species in the wild; and

REPEALS Resolution Conf. 11.5 (Gigiri, 2000) – *Conservation of and trade in tigers*.

Annex 1

Preliminary report form

To be used for reporting incidents of wildlife crime, illegal trade, poaching of endangered species or significant intelligence.

1. Date:
2. Place:
3. Species:
4. Type of event:
5. Suspect(s):
6. Evidence:
7. *Modus operandi*:
8. Actions:
9. Other relevant information:
10. Person reporting:
11. Date form submitted:

The following guidance should be used to assist in the completion of the form and as a memory aid for staff at the scene of the incident.

<p>1. Date: indicate, as appropriate:</p> <ul style="list-style-type: none"> – date of discovery – date of incident – date information received 	<p>2. Place: indicate, as appropriate:</p> <ul style="list-style-type: none"> – full address (if known) – nearest town or landmark – map reference – GPS coordinates – type of place, e.g. forest, commercial building, private dwelling, railway station, airport etc.
<p>3. Species: indicate, as appropriate:</p> <ul style="list-style-type: none"> – common name – quantity – age – sex (if known) – live or dead – type of specimen, e.g. skin, trophy head, medicinal product, leather articles etc. 	<p>4. Type of event: indicate, as appropriate:</p> <ul style="list-style-type: none"> – poaching – taking – death – seizure – trade – intelligence
<p>5. Suspect: indicate:</p> <ul style="list-style-type: none"> – full name – age, including date and place of birth (if known) – address – nationality (ID and passport No. if known) – occupation – description – whether previous offender 	<p>6. Evidence: provide brief details of initial results, e.g.:</p> <ul style="list-style-type: none"> – witnesses – documents – carcasses (whether any parts removed, e.g. horn or tusk) and plants – scene of crime results (weapons, nets, lights, traps, poison, footprints, tyre tracks, photographs)

<p>7. <i>Modus operandi</i>: manner in which the crime was committed. For example:</p> <ul style="list-style-type: none"> – vehicle(s) used (provide registration number if possible) – apparent cause of death – method of killing, smuggling or concealment – route used 	<p>8. <i>Actions</i>: provide details of initial work done by law enforcement agency or others at scene, for example:</p> <ul style="list-style-type: none"> – arrest – <i>post mortem</i> – filing or registration of case – seizure – search
<p>9. <i>Other relevant information</i>: give details such as:</p> <ul style="list-style-type: none"> – intelligence gathered – any further action required 	<p>10. <i>Person reporting</i>: indicate:</p> <ul style="list-style-type: none"> – full name – rank or title – organization

Annex 2 Guidance for reporting and intelligence analysis

The Preliminary Report Form should, where necessary, be adapted to suit local requirements. Field staff should receive guidance on the categories of case for which it should be completed and to whom it should be submitted. It should be stressed to field staff that accurate and timely reporting is essential and, importantly, welcome. Every effort should be made to dispel any cultural or traditional influences that may encourage the concealment of crime or poaching. Prompt and detailed reporting and recording must be given a positive image within the organization. Staff must be reassured that there will be no recrimination for the reporting of incidents.

The person or persons tasked with collating the report forms should, ideally, maintain a database of the information and be responsible for responding to input, or communicating the information to those tasked with coordinating responses. It is at this stage that consideration can also be given to creating ECOMESSAGES to pass information between agencies or at regional and international levels or waiting until further investigation is complete.

The CITES Tiger Enforcement Task Force identified that the gathering of information and intelligence is not, in itself, sufficient. Once gathered, intelligence must be analysed. Although computer software packages are available to assist the analytical process, much can be achieved by simple study of the data.

Analyses can be used for both operational and strategic purposes. They enable not only decision-making with regard to deployment, or re-deployment, of resources, risk assessment and targeting, but can also identify the additional human or technical resources needed for effective response to crimes, legislative weaknesses, weak border points, and can assist in the design of awareness campaigns. Analyses should be viewed as a strong management tool to identify priorities and assess performance.

The intelligence gained from such analyses must then be used effectively and not just stored. Consideration will require to be given to how the information is disseminated. The preparation of alerts or bulletins for distribution has been shown to be very effective and demonstrates clearly that input is valued and acted upon. Intelligence can also be disseminated through formal and informal email networks or made available through secure websites. Potential recipients of analyses might include such as CITES Management Authorities, all national enforcement agencies, the CITES Secretariat, ICPO-Interpol and the World Customs Organization. Ensuring as wide a distribution as possible and relevant should help promote feedback, inter-agency cooperation and the submission of more intelligence.

Careful consideration should be given to what information can be made public and what ought to remain confidential. The level of confidentiality may also require to be defined and dissemination adjusted accordingly.

The Task Force recommended that the following fields or subjects should be examined when studying data that have been collected:

Patterns

To identify geographical, time of day, day of week, seasonal similarities, etc.

Suspects

To identify repeat offenders and common descriptions

Suspect profiling

To identify likely offenders

Networks

To identify poachers, traders, dealers, smugglers, financiers, buyers, defence lawyers (especially those incompatible with the accused's resources), etc. that may be operating together or whose activities are linked

Modus operandi

To identify common or linked methods of committing crime and engaging in illegal trade, etc.

Trends

To identify increased or decreased attention to particular species by criminals, locations, methods of crime and smuggling, etc.

Evidence

To identify common or linked physical and documentary findings, such as repeated use of same calibre weapons, poison, forged documents, etc.

Target species

To identify the most vulnerable, illegally hunted, smuggled and traded species

Forensic science results

To identify links between crime or illicit trade cases that can be demonstrated through such methods as ballistic, fingerprint or hand-writing comparisons, etc.

Target criminals

To identify offenders who are most active and those committing most serious offences, and to deploy resources, surveillance and intelligence gathering against them

Motives

To identify what is prompting offenders to engage in illegal hunting and trading

Routes

To identify access and exit routes used by poachers and routes used by smugglers to transport specimens. Also to identify methods of transport.

Markets

To identify places and countries where illegal specimens are sold in either transit locations or final destinations, including profiles of likely buyers

Prices

To identify value of specimens at different points in the supply chain, i.e. financial gain by poacher, smuggler, traders and price paid by final customer, etc.

Financing

To identify persons or companies that may be funding poaching or illegal trade or to identify whether profits from wildlife crime are funding other activities

Links with other crimes

To identify any links with other crimes or illegal trades, such as narcotics, weapons, illegal immigrants, etc.

Annex 3

Guidance for specialized wildlife law enforcement units

The role of specialized units in addressing issues relating to wildlife crime and illicit trade in CITES-listed species has been identified by the Conference of the Parties on a number of occasions. The CITES Tiger Missions Technical Team found specialized units to be very successful, wherever it encountered them. Resolution Conf. 11.3 (Rev. CoP15) encourages Parties to consider the establishment of such units.

The following are regarded as important elements to be considered by any country planning the establishment, or further development, of one or several specialized units to tackle wildlife crime and illegal trade. They are not listed in order of importance. Some elements will be of greater significance than others, depending upon the country circumstances.

The structure and composition of specialized units will also be dictated by whether they are created at national, provincial or local level or a combination of these.

Government support/political will

This element is absolutely essential. To be truly effective, the unit must have the backing of central and state/provincial governments as well as all other enforcement agencies.

Authority

Another absolutely essential element. The unit must be properly empowered to carry out its duties. Inclusion of multi-agency personnel will usually ensure that the unit has staff that is legally authorized to conduct effective operations. Alternatively, although it should not be necessary ordinarily, legislative measures should be enacted to empower the unit. This element is also closely linked with *Parity*.

It is also important that the unit leader should be authorized, to as acceptable a degree as possible, to act on his or her own initiative to direct operations without having to constantly refer matters to a higher authority.

It may be very desirable for the unit to be empowered to include in its tasks anti-corruption work related to wildlife crime. If that is the case, it is essential that the unit, or some of its personnel, should be empowered under relevant legislation or policies to investigate/arrest government officials.

Good management

Clear, appropriate and experienced leadership is needed, particularly in the unit at operational level but this also applies to strategic management. Careful consideration should be given to which agency is given responsibility for overall management and strategic direction of the unit; a committee of relevant agencies may be preferable.

Clearly structured

There should be no doubt as to the lines of command and responsibilities of the unit and its staff.

Tasks

The duties of the unit should be clearly defined and understood by its staff and all agencies with which it will interact. These might include intelligence gathering and dissemination, investigation, coordination and prosecution, as appropriate.

An appropriate degree of flexibility should, however, be incorporated so that the unit leader can respond quickly to developing situations and allocate resources in an effective manner. A degree of mobility will also require to be taken into account so that staff can go where they are needed.

Targeted

Linked to *Tasks*, it is essential that the unit's work be properly focused so that resources are utilized in a meaningful, efficient and effective manner. It is also important, to achieve support from the public and other agencies, that the unit concentrates on priority and serious crime issues and does not become involved in 'technical' violations of national law or CITES.

Dedicated

This refers not only to the commitment expected of unit personnel but also to the manner in which the unit must be allowed to concentrate solely upon its tasks. It should not be allowed to be diverted to other duties.

Full time

Depending upon local circumstances, a 'core' number of unit personnel should be deployed on a full-time basis. Additional staff can be used to supplement and support activities as and when necessary.

Parity

The unit and its personnel should enjoy equal status with other official enforcement agencies, such as the police and Customs.

Volunteers

All unit personnel should be volunteers. However, selection procedures should be carefully designed to identify the most suitably qualified and appropriate staff, whilst remembering that appropriate training can compensate for any lack of previous experience. The unit must not be regarded as somewhere to which poorly performing staff can be consigned. Whilst staff should be encouraged to serve voluntarily in the unit, this should not be taken to mean their service will be unpaid.

Multi-agency

It is important that the unit should include personnel from each of the national agencies that regularly engage in wildlife law enforcement, such as Forest and Wildlife Departments, the police and Customs. It should also, have ready access to the resources of those agencies that participate on an irregular basis. The involvement of personnel from a variety of agencies can also be an effective measure against corrupt practices.

Properly funded

The unit must have a budget commensurate with its activities and its leader should not be too constrained in its use. A degree of flexibility should be incorporated to allow for an appropriate response to operational requirements. The use of external funding from supporting donors should be permitted, where necessary, as long as control remains with the proper national authorities and potential donors are not allowed to dictate the unit's activities.

Size

Whilst this will be dictated by country circumstances, having the right people with the right support will probably be more important than the numbers of staff in the unit. Quality should be the focus, rather than quantity.

Technical support

The unit should be properly equipped to enable it to carry out its duties. Equipment of a general and routine nature might include, for example, uniforms, vehicles, communications, firearms, surveillance gear, computers and associated software. Provision should be made for ready access to more specialized support, such as forensic science services, scenes of crime examination officers, and species identification experts.

Training

All unit personnel should be adequately trained in relevant specialized fields and this should be an ongoing process. Training should be regarded as a priority investment activity for the unit's staff. After gaining suitable experience, unit personnel should be utilized for the training of others.

Strategies

The unit should be provided with sufficient time and resources to consider and identify strategic issues, aside from its operational commitments, or should be supported by an infrastructure that will consider these issues.

Long term

Unless there are very good reasons to suggest otherwise, the unit should be regarded as a long-term or permanent structure within the country's enforcement institutional and policy framework. This will provide for continuity, the acquisition of specialized experience and demonstrate to other enforcement agencies and the public governmental commitment to combating wildlife crime.

Recognition

Steps should be taken to ensure that the purpose and tasks of the unit are publicized among all enforcement agencies and the general public. The latter aspect can have a deterrent effect for offenders and also encourage the public to supply information.

Local support

Every effort should be made to facilitate and encourage support to the unit from local communities, both in a formal and informal fashion. The unit should be encouraged to liaise with local community leaders and enlist their assistance in convincing citizens of the worth of its aims.

Incentives

This issue is linked with *Parity* and consideration may have to be given to achieving parity of salary among unit staff, regardless of the agency in which they would usually be employed. Bonus or 'top-up' salary payments are worthy of consideration to recognize the specialized duties that will be undertaken, as are allowances for field operations, etc. These should also take account of the hazardous duties that the unit may engage in. Salaries commensurate with the work undertaken ought to also encourage resistance to corruption. Adequate insurance for staff should be regarded as essential.

Discipline

The unit should be expected to maintain the highest standards of discipline. If a multi-agency approach is employed, the personal and professional conduct standards that are the most stringent should be adopted as the 'norm'. Any deviance from the standards should result in a rigorous response, with expulsion of the offender from the unit being encouraged in serious cases.

Secondments

Aside from the 'core' members of the unit, the concept of short- and mid-term secondments from as wide a variety of enforcement agencies as possible should be encouraged to promote inter-agency cooperation, supplement numbers in the unit and spread knowledge and experience. Secondments to the unit can provide excellent training opportunities for personnel from various agencies and also provide useful insights for unit members to the work of others.

Informant network

The unit should be encouraged to develop a network of informants as a priority task and this can be facilitated by means of reward schemes and confidential information 'hotlines' to allow the supply of information.

Cooperation and coordination

The unit should, ideally, act as a central repository of intelligence regarding wildlife crime and illicit trade. Every effort should be made to avoid duplication of effort among enforcement agencies and eliminate opportunities for informants to supply, and be rewarded for, the same intelligence to a variety of agencies.

If the unit itself does not investigate cases from beginning to prosecution, it should have a role to maintain an overview of serious cases of wildlife crime and provide assistance and guidance whenever appropriate.

The unit should be responsible for liaison on wildlife matters with appropriate regional and international law enforcement agencies and other relevant organizations, such as ICPO-Interpol, the World Customs Organization and the CITES Secretariat. This should include the preparation and submission of ECOMESSAGES at the international level.

Any information received by the unit that relates to activities outside its remit, e.g. narcotics, trafficking in firearms, illegal immigration, etc., should be passed to the relevant agency as soon as possible and without hesitation. Such action should encourage reciprocal approaches.

Prosecution

Where a prosecutor is not included in the unit, every effort should be made to establish the closest working relationship possible with prosecution authorities. Raising of awareness in such authorities should be given priority and their support to the unit should be established. The unit may well be able to provide training for prosecutors. Case reporting and evidential requirement standards should be established. Prosecutors can also assist in identifying priorities and targets for the unit.

Judiciary

Whilst the relationship between the unit and a country's judiciary should be maintained at an appropriate distance, it is very important that the unit raises awareness among the judiciary of wildlife crime and promotes their participation in appropriate sentencing and deterrent responses. The unit should also seek information and feedback from the judiciary on relevant decisions and issues that have arisen in civil and criminal cases and any problems with evidence or the manner in which investigations have been conducted.

NGO assistance

Taking into account the comments above with regard to funding, the unit should be encouraged to establish close but appropriate links with national and international non-governmental organizations (NGOs). Their importance as sources of information and expert advice and assistance must be recognized. It is essential, however, that their role should be restricted to support of the unit and that NGOs should not be allowed to engage in any operational activity without the agreement of the unit and prosecution authorities.

NGOs ought not to be allowed to undertake activities that rest more properly with government agencies, i.e. covert operations or the maintenance of databases on crime and criminals.

NGOs should be encouraged to discuss with the unit any research or trade surveys that might involve a covert element; if for no other reason than this will prevent NGOs accidentally intruding into the unit's own 'undercover' activities.