

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

Forty-fifth meeting of the Standing Committee
Paris (France), 19-22 June 2001

Reports

CONSERVATION OF AND TRADE IN SPECIFIC SPECIES

1. This document has been prepared by the Secretariat.

Background

2. It has become an increasingly common practice of the Conference of the Parties to adopt resolutions and decisions that task the Standing Committee with monitoring the progress of Parties in relation to the conservation of specific species and reducing illegal trade in specimens of those species. In carrying out these tasks, the Standing Committee does, to a substantial extent, rely upon reports prepared by the Secretariat.
3. The Secretariat, in preparing such reports, obviously relies on the submission of information from Parties and organizations. Traditionally, the Secretariat has distributed separate Notifications to the Parties calling for such submissions. Responses to such Notifications have, however, tended to be poor and, in preparation for the 45th meeting of the Standing Committee, the Secretariat sent targeted requests to the main range and consumer States of the species in question. It also, wherever possible, specified in such requests the species that would be considered by the Committee. The Secretariat hopes this approach will be more productive than that used previously and believes it should also help by identifying specific matters to the appropriate Parties and prompt relevant responses.
4. This document addresses issues relating to bears, the tiger and the Tibetan antelope, which are the species to be considered by the Standing Committee at its 45th meeting.
5. At its 11th meeting, the Conference of the Parties adopted five Decisions relating to bears and 21 relating to the tiger. Additionally, Resolution Conf. 11.8 (Conservation of and control of trade in Tibetan antelope) directs the Standing Committee to review information from the Secretariat.
6. The Secretariat believes that it is impractical to address each Decision in turn and suggests that would be more practical to do that when the Committee prepares its report for the 12th meeting of the Conference of the Parties. Accordingly, it will only report here upon those Decisions that must be reviewed at the 45th meeting of the Committee. The Secretariat intends to summarize information it has received and, where appropriate, highlight progress or identify problems. Such an approach should also help the Committee to review progress through a targeted programme.
7. The Secretariat firmly believes that the CITES Tiger Missions Technical Team was correct when it pointed out that implementing effective measures to conserve tigers and combat

illicit trade in their parts and derivatives would have a beneficial impact for other CITES-listed species. Decision 11.46, relating to bears, also acknowledges this.

8. The Secretariat recognizes that certain species are clearly of greater conservation concern than others and that some may require targeted actions to safeguard their future and counter illegal trade. The Secretariat is concerned, however, that a proliferation of species-specific resolutions and decisions may result in duplication of effort, which is wasteful and inefficient. For example, the Resolutions relating to bears, the tiger and the Tibetan antelope each call for comprehensive legislation, increased enforcement, training and exchange of information. Yet, all of these are basic requirements for implementation of the Convention and it would not be logical or cost-effective or aid implementation of the Convention to arrange training workshops that concentrated solely on combating trade in tiger specimens.
9. Too narrow a focus also fails to take account of the important fact that wildlife trade, both legal and illegal, has been seen to change dramatically in response to market demands that can often be dictated by fashion. This is especially important with regard to illegal trade, where it is widely recognized that enforcement and crime prevention can have a displacement effect; in other words illicit dealers begin to trade in different species or smugglers change routes to countries where controls are less effective or absent. The increased use of leopard bone in some traditional medicine that would previously have had tiger bone as an ingredient appears to illustrate this. The basic principles of supply and demand may also explain, for instance, why trade in leopard skins appears to have grown as tigers become rarer.
10. The Secretariat suggests that a more coordinated approach, addressing basic elements essential for effective implementation, should be adopted and that a species-specific focus should be discarded unless it is truly warranted. It believes the following have been shown to be essential elements:
 - adequate national legislation to regulate trade in specimens of CITES-listed species;
 - adequate national legislation to protect species of conservation concern and regulate the harvest of such species;
 - adequate national legislation to enable enforcement and penalize offenders;
 - economic incentive policies, incorporated in legislation where necessary, to promote compliance;
 - sufficient provision and training of administrative and enforcement personnel (specialized wildlife enforcement units having been found to be especially effective);
 - provision of effective scientific advice for both administrative and enforcement personnel;
 - trade monitoring and analyses, combined with information management systems, to aid policy-making;
 - education and awareness-raising campaigns directed toward traders and the public;
 - the support of the judiciary in adequately responding to crimes and helping deter offenders; and

- inter-agency cooperation and exchange of information at national, regional and international levels.

11. If these elements can be put in place, the Convention can be implemented effectively, regardless of the species being traded legally or illegally.

12. The following sections summarize activities already carried out regarding the specific species to be reviewed by the Committee.

Bears

13. At the time of writing (mid-March 2001), the Secretariat had received reports from China, Denmark, Estonia, Hungary, New Zealand, the Russian Federation and Sweden in response to its request for information. Several other Parties had reported previously on their legislative provisions relating to trade in bears.

14. The Secretariat's database on illicit trade contains two records relating to seizures of bear skins in 2000, which appear in each case to have been hunting trophies carried across borders without CITES permits. The Secretariat has also been advised of the conclusion of a covert operation by law enforcement officers in Canada that targeted a poacher who was believed to be killing bears to obtain their gall bladders, which would subsequently be sold by a criminal network. The individual has been sentenced to 15 months' imprisonment.

15. The Secretariat understands that bear bile, which is produced legally in some countries in Asia, may be illegally entering international trade, but it has received no formal reports from enforcement agencies to confirm this. It encourages the submission of intelligence on such trade, so that it may provide targeting advice to Parties.

16. The Secretariat has nothing to add to the document (Doc. 11.29) prepared for the 11th meeting of the Conference of the Parties and believes the observations and suggestions contained therein remain relevant.

Tiger

17. The Secretariat received reports from China, Japan, New Zealand and the Russian Federation in response to its request for information. Of the States visited by the CITES Tiger Missions Technical Team, Myanmar is the only Party that has not reported to the Secretariat on its response to the Team's recommendations (see Decision 11.47).

18. The Secretariat has received no information to indicate that Japan's legislative changes relating to trade in tiger parts and derivatives have not been effective (see Decision 11.142). Japan engaged in an extensive public awareness campaign regarding the changes.

19. The only range State to have reported on ways in which local communities might be encouraged to play a part in, and benefit from, the conservation of tigers and their habitat is the Russian Federation. It 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 accidental encounters between humans and tigers can prove highly dangerous (see Decision 11.55). The Secretariat is aware, however, that compensation schemes introduced for farmers in the Russian Federation who suffer from tigers' attacks on livestock appear to be achieving considerable success and have promoted a greater support for tiger conservation among such communities. It understands that the national and international non-governmental organizations that have promoted the schemes intend to expand their coverage.

20. The CITES Secretariat, during November 2000, provided briefings on its work relating to tigers to some of the Permanent Missions to the United Nations and other international organizations at Geneva and to the fourth Interpol International Environmental Crime Conference in Lyon, France. Illicit trade in tiger specimens has also been brought to the attention of the World Customs Organization. In Notification to the Parties No. 2000/017 (Significant wildlife crime incidents in India) the Secretariat brought to the attention of Parties the resurgence of trade in large cat skins.
21. The Secretariat is aware that China and India have conducted successful enforcement operations against poaching of tigers and illegal trade in tiger specimens.
22. The Secretariat wishes to record its thanks to the CITES Management Authority and Foreign and Commonwealth Office of the United Kingdom, which provided funds to enable the establishment of the CITES Tiger Enforcement Task Force. The first meeting of the Task Force was held in India in April 2001. Cambodia, Canada, China, India, Indonesia, Nepal and the Netherlands have nominated individuals to be members of the Task Force. If desired, the Secretariat will be able to report orally to the Committee on the outcomes of the first meeting.

Tibetan antelope

23. The Secretariat is aware that illegal trade in parts and derivatives of Tibetan antelope, primarily its wool (commonly known as shahtoosh), has received considerable attention from the media and has been the subject of public awareness campaigns by a number of governmental and non-governmental organizations, including the Metropolitan Police of the United Kingdom, TRAFFIC, the International Fund for Animal Welfare and the World Wide Fund for Nature. It has also noted enforcement action taken against traders by India, Spain and the United States of America.
24. In the United States of America, for example, the authorities investigated and successfully prosecuted an Indian company, a Hong Kong resident and a United States citizen who had acted together to import shahtoosh shawls illegally over a lengthy period. In court, the prosecution referred to a charity event in New York where USD 100,000 worth of shawls were sold. This case illustrated excellent cooperation between the U.S. Fish and Wildlife Service, U.S. Customs, French Customs and the CITES Management Authority of Hong Kong.
25. Resolution Conf. 11.8 directs the Secretariat to provide technical assistance to assist anti-poaching efforts and to prevent trade. In September 2000, the Secretariat noted that the journal of the Forensic Science Society included a paper on identification techniques for the wool of Tibetan antelope and provided information on this to the main consumer States and to ICPO-Interpol and the World Customs Organization.
26. Historically, it appears that much of the Tibetan antelope wool that has been smuggled from its main range State of China has been moved to the State of Jammu and Kashmir in India, to be spun and woven into shawls. Jammu and Kashmir is entitled, under India's constitution, to enact its own legislation. Whilst trade in the wool of Tibetan antelope was technically illegal in Jammu and Kashmir, enforcement of the legislation was absent. The Central Government of India and non-governmental organizations, especially the Wildlife Protection Society of India (WPSI), had lobbied for many years the State Government to take action against shahtoosh traders.
27. In 2000, the courts of Jammu and Kashmir, in response to a legal action by WPSI, ruled that the trade was illegal and that the authorities should enforce a ban on trade and

manufacture. In October 2000, the Secretariat provided technical comments to WPSI and the CITES Management Authority of India to assist their efforts to ensure the effectiveness of the ban.

28. At the same time, the Secretariat received information suggesting that illegal bases for the manufacture of shahtoosh shawls had been established elsewhere in Asia and it passed details to the country where these were alleged to be and also to ICPO-Interpol and the World Customs Organization.
29. Recent surveys and intelligence from the main consumer States indicate that shahtoosh is increasingly difficult to find on open sale but that it is still available on the black market. Public awareness campaigns, together with enforcement action, have clearly driven sales of shahtoosh underground and this has made the detection of illegal trading increasingly difficult.
30. The Secretariat believes that a first step toward assisting anti-poaching efforts in China would be a needs assessment in Tibetan antelope habitat to identify ways in which enforcement authorities can be best assisted in their work. It does not, however, have any budget to enable such work to be conducted and will rely on external funding. At present, a source of such funding has yet to be identified. The Secretariat has, however, already considered whether satellite technology could assist in both anti-poaching and population census work and has discussed this with the United Nations Environment Programme Global Resources Information Database. It is also hoped that lessons may be learned from the work of the CITES Tiger Enforcement Task Force, to benefit Tibetan antelope conservation and to help combat illegal trade in its products.