

Interpretation and Implementation of the Convention
TRADE IN TIGER SPECIMENS

1. Background

Panthera tigris (the tiger), in spite of its inclusion in CITES Appendix I from the time CITES was concluded (except for subspecies *P. t. altaica* transferred to Appendix I in 1987), has been continuously declining in numbers due to the persistent poaching and smuggling to supply the illegal markets, mainly for traditional medicines. Today, the total number of tigers that exist in the world is estimated to be between 4,600 and 7,700. The figures, however, are derived largely from anecdotal reports and extrapolations, and the actual numbers could be only about half of the estimate.

2. Decisions of the CITES Standing Committee

The CITES Standing Committee first took up this issue during its 29th meeting, in Washington, D.C., United States of America, in March 1993. The Committee was gravely concerned by the plight of the species, and the decisions of the Committee made at this meeting were circulated to all Parties by Notification to the Parties No. 738 of 20 April 1993.

At its 30th meeting, held in Brussels, Belgium, in September 1993, the Standing Committee reviewed the report of the Chairman of the IUCN/SSC Cat Specialist Group and the measures taken by the countries concerned to halt the decline of the population of this species. The focus was on the actions taken by certain Asian countries in which a market for tiger specimens had been identified. The Standing Committee decided that a technical assistance delegation should be offered to the countries concerned by the end of November, to be followed by a high-level delegation to assess progress by the countries in meeting the criteria specified by the Committee for the adequate implementation of protection measures (Notification to the Parties no. 774 of 15 October 1993, see Annex 1 to Doc. 9.28).

At its 31st meeting, in Geneva, in March 1994, the Standing Committee again discussed the issue, together with the problem of continuing trade in specimens of rhinoceroses, on the basis of reports produced by the technical-assistance and high-level delegations. The Committee decided that the two issues should be discussed separately at the 9th meeting of the Conference of the Parties (see Annex 2 to Doc. 9.28).

3. Global Tiger Forum

The first meeting of tiger range States on the conservation of the tiger was held on 3 and 4 March 1994, in New Delhi, India, under the auspices of the

Government of India and the United Nations Environment Programme (UNEP). The meeting decided to set up an international framework for the conservation of the tiger, namely the "Global Tiger Forum". The Forum, at the same meeting, produced a mission statement (see Annex) calling for worldwide attention to and co-operation for the conservation of the species.

The interim secretariat of the Forum has been established within the Ministry of Environment and Forests of the Government of India.

4. Actions taken after the Standing Committee meeting in March 1994

a) By the Republic of Korea

On 11 April, the Ministerial Committee for the Global Environment reviewed the internal trade in tiger bone and decided to prohibit all the sales of tiger bone, from November 1994. A ban on sale of its derivatives, including drugs and other products, will follow in March 1995. Stocks of tiger bone were identified and registered in March 1994 and they will be marked by the Government.

Joint inspections were carried out by the Prosecutor's Office, the Police Administration and the Public Health Organization of the Republic of Korea from 15 March 1994 to 14 May 1994 in order to detect illegal trade in tiger bones. As a result, two persons were arrested on a charge of violating the Special Measures Act Relating to the Control of Health-related Crimes. They were the executive directors of pharmaceutical corporations, one of which possessed 86 % of the known tiger bone stocks held by pharmaceutical companies.

Tourists will be warned not to bring in any tiger products from overseas at Kimpo International Airport, by an exhibition booth, posters and handouts, which are to be distributed by the Customs service.

b) By the authorities in the province of Taiwan, China

(Summarized in document Doc. 9.28.)

c) By the authorities in Hong Kong

(Summarized in document Doc. 9.28.)

d) By other countries

No information is available.

Doc. 9.29 Annex

Global Tiger Forum Mission Statement

In pursuance of the Delhi Declaration on Tiger Conservation, which stated, "that poaching, particularly for consumption of the species and its products has endangered the tiger, its habitat and its food chain" and made the recommendation "that countries should enter into proper conventions for conservation of the species and elimination of illegal trade"; and

- Aware that the tiger is endangered throughout its range and, in some States, is perilously close to extinction;

- Recognizing that the primary cause of this decline is the illegal killing of tigers to meet the escalating demand for tiger products, which fuels the illegal trade in tiger parts;
- Recognizing that many range States have devoted substantial human and financial resources to protect tigers in their natural habitat, but that these efforts are being frustrated by the continuing demand from the consuming countries throughout the world;

The representatives of 11 of the range States namely, Bangladesh, Bhutan, Cambodia, Indonesia, India, Malaysia, Myanmar, Nepal, the Russian Federation, Thailand and Viet Nam, do hereby make a public statement, to voice their concern and focus the attention of the world community on the urgent need of measures for the survival of this magnificent species and resolve to set up a Global Tiger Forum, the statutes of which have been agreed upon by consensus, with the following objectives:

- To promote a worldwide campaign to save the tiger, its prey and its habitat;
- To urge the international community to abandon use of tiger products and eliminate illegal trade in parts, products and derivatives of tiger;
- To increase the protected area network of habitats of tigers and the interlinking corridors in the range countries;
- To promote a comprehensive legal framework and provide necessary financial and infrastructural capabilities for effective conservation of the tiger;
- To implement programmes of eco-development with full participation of local communities living in and around protected areas;

- To promote appropriate programmes for training, scientific research, and awareness building and set up suitable mechanisms for the implementation of field programmes necessary to achieve effective conservation of the tiger;
- To elicit the support and help of the governments, inter-governmental and non-governmental organizations and individuals for the protection of the tiger, its prey and habitat, directed at a healthy build up of tiger populations throughout the range countries;
- To promote bilateral co-operation among range States for the conservation of the tiger and its habitats;

And in pursuance of these:

- Establish a participatory trust fund of a size sufficient to enable the programmes agreed to be implemented for the furtherance of the objectives of the Global Tiger Forum and particularly to secure new and additional finance from the international community; and
- Call upon all range States to urgently prepare National Action Plans for Tiger Conservation.

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ADDITIONAL INFORMATION FROM CHINA

The document which follows has been submitted by the delegation of China.

The protection of tigers is a very important issue of general concern in the international community. For a better understanding of China's efforts in tiger protection, I would like to brief you on what the Chinese Government has done to protect tigers and ban the trade in tiger bones.

As a range country, the Chinese Government has always attached great importance to the protection of tigers. As early as in the 1960s, the tiger was listed as a first grade protected wild animal at the national level, and hunting ban was clearly indicated. Nature reserves concentrating on the protection of tigers have also been established successively. In recent years, tiger-breeding centres have been set up to carry out research on breeding. In China's large zoos, there have been great successes in tiger breeding, which have promoted the expansion of tiger populations. To support the international community's efforts in tiger protection, the Chinese Government has adopted a series of measures:

1. In May last year, the State Council issued a "Circular Concerning the Ban on Trade in Rhinoceros Horns and Tiger Bones", banning trade in tiger bones, production and sale of the ready-made traditional Chinese medicine with tiger bone ingredient. On 16th of May, the State Council issued a "Circular for Intensifying Protection and Management of the Forest Resources". Subsequently, the Ministry of Forestry, the Ministry of Public Procuratorate also issued jointly corresponding documents, requesting all relevant authorities to firmly crack down on such illegal activities as poaching, fraudulent selling and smuggling of the rare and endangered species of wild fauna and flora as well as their products; to go on investigating and banning illegal production of and trade in tiger bones and products with such ingredients.
2. Through nationwide news agencies and various other forms of publicity, the Government continue to enhance public awareness of the significance of wildlife protection, and to gain the public understanding and support of the ban on trade in tiger bones.
3. Great efforts have been made to strengthen inspection of law enforcement. In the two environment-law-enforcement inspections organized this year and last year by the National People's Congress and the State Council, protection of wildlife and ban on trade in rhinoceros horns and tiger bones have been the major concerns. In last year's law enforcement inspections alone, over 40,000 person times were involved in the inspection of more than 33,000 free markets, stores and production enterprises; some 18,000 illegal cases were investigated, over 25,000 criminals penalized, and illegal trade activities demolished. The scale of law enforcement inspection this year is in no way smaller than that of last year. In the illegal cases cracked down throughout the country, the following are relatively serious ones:

In this January, a case was ferreted out in Harbin, Heilongjiang Province, concerning smuggling and fraudulent selling of 50 kg. of genuine and false tiger bones and rhinoceros horns, and over 100kg. of other endangered species products. All were burnt.

In this September, people in Nanning, Guangxi Province, ferreted out an illegal transport of 577 containers of tiger-bone-musk-paint-killer worth RMB some hundred thousand Yuan. All were burnt.

Also in this September, two cases concerning tiger-bone smuggling were cracked down in Heilongjiang Province. Eight tiger skeletons were confiscated and 11 criminals arrested according to law.

In China, this kind of high level nationwide law enforcement inspection concerning wildlife protection is unprecedented.

4. As a member of CITES, the Chinese Government has been very serious and strict in carrying out the resolution of the 30th Standing Committee of CITES, to support the global efforts in species protection.
 - a) After sorting out, registering, identifying and centralized sealing up of the tiger bones in time, specified regulations have been made this year to strengthen supervision and control.
 - b) This year, the Chinese Government has put into effect "Establishment Criteria for the Criminal Cases Concerning Terrestrial Wildlife". Related laws and measures have been improved, which have provided a sound legal framework for ferreting out related cases.
 - c) In the process of institutional reforms, the Government has recruited new staff into the Administrative Office for Import and Export of Endangered Species and its branch officer. Now the working capacity is grater and management institution is strengthened.
5. In order to promote tiger protection in the Asian region, China is now actively engaged in the discussions with India for signing an agreement on co-operative tiger protection; working together with Russian on plans to conduct resource survey and scientific research concerning the Manchurian tiger.
6. China is still going on with its work in breeding and wild adaptation trials of the Manchurian tiger. Meanwhile, the South China Tiger Rescue Programme has been initiated and nature reserves have been established in major tiger ranges.
7. To speed up the research on substitutes of products containing medicinal ingredient of wildlife such as tiger bones, related research programmes have been included as key scientific items in the State's Ninth Five-Year-Plan and also in "China Agenda 21 Action Plan".

The above shows that the Chinese Government has always been serious and active in fulfilling its obligations and responsibilities under CITE, and in the protection the world's endangered species. It is, however, necessary to note that China is a developing country with a vast territory and a large population. Its economy is developing rapidly along with expanding scope of the open-door policy. Constraints of economic, cultural and scientific nature still exit in the country and century-long utilization of wild fauna and flora in Chinese medicine making is a typical example. In this connection, protection of wildlife species is a long-term arduous task for the Chinese people, with many difficulties and problems waiting to be dealt with. We hope that the international community would have a thorough understanding of China's determination, great efforts, achievements, existing difficulties and problems concerning the protection of wild fauna and flora. The Chinese Government will be, as it has always been, persistent in co-operation with relevant countries and in its unremitting efforts for the protection and development of the tiger resource.

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CONSERVATION OF AND TRADE IN TIGERS

The attached draft resolution has been prepared by a group of delegates and observers and is submitted by the

delegations of China, India, Indonesia, Japan, Malaysia, Nepal, the Republic of Korea, Singapore and Thailand.

Doc. 9.29.3 Annex

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Conservation of and Trade in Tigers

AWARE that three subspecies of tiger, *Panthera tigris*, have become extinct within the last 50 years and that the surviving populations of the species have declined sharply;

NOTING that wild populations of tigers are threatened by the combined effects of poaching and of habitat loss caused by disturbance, fragmentation and destruction;

AWARE also that the tiger is listed on Appendix I and international commerce in the species is prohibited;

NOTING that, despite the species inclusion in Appendix I, illegal trade in tiger specimens has escalated, and could lead to extinction in the wild;

NOTING further 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 tiger and tiger parts and derivatives;

RECOGNIZING that strengthened technical co-operation between range and non-range States, and financial support, would contribute to more effective tiger protection;

RECOGNIZING also that long-term solutions to the protection and conservation of the tiger and its habitat require the adoption of bold and unprecedented actions;

ACKNOWLEDGING that increased political will, financial resources and expertise in some range and consumer States will significantly improve the control of the illegal killing of tigers, trade in their parts and products, and protection of their habitat;

APPRECIATING the recent positive actions taken by some consumer States to address the illegal trade in tiger parts and products;

COMMENDING the recent initiatives by some range Parties to facilitate co-operation in tiger conservation, including:

- a) India, which, with co-sponsorship from the United Nations Environment Programme (UNEP), convened the first meeting of tiger range States in March 1994 to establish a Global Tiger Forum; and
- b) Thailand, which convened a workshop in October 1994 to map distribution of tigers and the status of their forest habitat in a Geographic Information System, and to initiate regional co-operative action;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES

- a) those Parties and non-Parties, especially tiger range and consumer States, which currently lack legislation to properly control illegal killing of tigers and/or the trade in tiger and its parts and derivatives, to adopt such measures as a matter of urgency, and that such measures should address Convention requirements and include penalties adequate to deter illegal trade;

- b) the Secretariat, where possible, to assist those Parties seeking to improve their legislation by providing technical advice and relevant information;

- c) all Parties seeking to adopt or improve their legislation controlling the trade in tiger and its parts and derivatives to consider introducing national measures to aid CITES implementation, such as voluntarily prohibiting internal trade of tiger and its parts and derivatives and prohibiting the sale of illegally-traded tiger parts and derivatives;

- d) all Parties to treat any product claiming to contain tiger as a readily-recognizable tiger derivative and therefore subject to Appendix-I provisions, as provided for in Resolution Conf. 5.9;

- e) those Parties and non-Parties in whose countries stocks of tiger parts and products exist to consolidate and ensure adequate control of such stocks;

- f) all range States and consumer States which are not a Party to CITES to accede to the Convention at the earliest possible date; and

- g) tiger range and non-range States to support and participate in international tiger conservation programmes;

RECOMMENDS that the governments of tiger range States, and, where appropriate, non-range States, establish co-operative bilateral and multilateral protocols for:

- a) the management of shared wildlife species and protected habitats with common boundaries in order to achieve more effective control of illegal transborder movement of tiger and its parts and products; and

- b) that all range and consumer States strengthen communication and sharing of information by designating at least one contact person in order to establish a regional network to assist in the control of the illegal trade in tiger parts and products;

REQUESTS countries with the relevant expertise to assist range and consumer States in the establishment of forensic facilities and to provide other technical assistance to aid the detection and accurate identification of tiger parts and derived manufactured products;

REQUESTS further that, given that biological and distribution data are essential for the implementation of the Convention, donor nations assist in funding the infrastructure and expertise in development of computer databases and mapping, as well as any other necessary conservation management and enforcement techniques;

RECOMMENDS that the governments of tiger consumer States

- a) work with traditional medicine communities and industries to develop strategies for reducing the use and consumption of tiger parts and derivatives;

- b) carry out appropriate education and awareness campaigns, making use of indigenous knowledge and traditional wisdom, directed at appropriate rural and urban communities and other targeted groups in range States on the ecological importance of the tiger, its prey and its habitat; and
- c) introduce programmes to educate industry and user groups in consumer States in order to eliminate the use of tiger-derived substances and promote the adoption of alternatives;

DIRECTS the Standing Committee to continue its review of tiger trade issues in range and consumer States and to

report to the Parties on progress made, with a view towards identifying additional legislative and enforcement measures which may be necessary to stop the illegal trade of tiger and its parts and derivatives; and

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 the illegal trade of tiger and its parts and derivatives and ensure the survival of the tiger in the wild.

**Interpretation and Implementation of the Convention
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ENFORCEMENT OF THE CONVENTION IN HONG KONG**

The report which follows has been submitted by the delegation of the United Kingdom of Great Britain and Northern Ireland.