



TRAFFIC
the wildlife trade monitoring network

Regional Co-operation for Biodiversity Conservation:

Lessons learnt from around the world and
the way forward for South Asia

Hannah Chisholm
TRAFFIC India
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Note on Authorship

This report emerges out of an international volunteership of WWF, as part of which the author was working with TRAFFIC India, under the supervision of Mr. Samir Sinha. All research components were conducted by Hannah Chisholm - a research intern on a WWF Youth Volunteer Programme - with the assistance of TRAFFIC staff and a range of other contributors.

Both questionnaires and field studies were completed by the author to obtain relevant information for this study and the views and ideas collated have been expressed through this report. Substantial additional information was also sourced by the author through literary and internet searches. These research components are detailed in the methodology section of the report.

This report benefits from many contributors, but authorship is credited to Hannah Chisholm working on behalf of TRAFFIC India. This is not a peer reviewed report and should not necessarily be seen to reflect the views of WWF India or TRAFFIC India.



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Hannah Chisholm
Research Intern
TRAFFIC India
New Delhi, India
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Table of Acronyms

ACB	ASEAN Centre for Biodiversity
ASA	Association of Southeast Asia
ASEAN	Association of Southeast Asian Nations
ASEAN-WEN	Association of Southeast Asian Nations' Wildlife Enforcement Network
BNAL	Bureau National de l'Accord de Lusaka
CAWT	Coalition Against Wildlife Trafficking
CBD	Convention on Biological Diversity
CEC	The Commission for Environmental Co-operation
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on Migratory Species
CoP	Conference of the Parties
DSWF	David Shepherd Wildlife Foundation
EC	European Commission
EEC	European Economic Community
EU	European Union
EWG	Enforcement Working Group
FFI	Fauna and Flora International
GPA	Global Programme of Action for the Protection of the Marine Environment from Land Based Activities
INTERPOL	International Police Organisation
IUCN	The International Union for the Conservation of Nature
JPAC	Regional public advisory committee
KWS	Kenya Wildlife Service
LATF	Lusaka Agreement Task Force
MA	Management Authority
MIKE	Monitoring of Illegal Killing of Elephants
MOU	Memorandum of Understanding
NAAEC	North American Agreement on Environmental Co-operation
NACAP	North American Conservation Action Plan
NAFEC	North American Fund for Environmental Co-operation
NAFTA	North American Free Trade Agreement
NAWEG	North American Wildlife Enforcement Group
NGO	Non-Governmental Organisation
OCFSA	Organisation for conservation of Wild Fauna
PCU	Program Coordination Unit

SA	Scientific Authority
SACEP	South Asia Cooperative Environment Programme
SAARC	South Asian Association for Regional Co-operation
SAWEN	South Asia Wildlife Enforcement Network
SAWTI	South Asian Wildlife Trade Initiative
SRG	Scientific Review Group
TRAFFIC	The Wildlife Trade Monitoring Network
TWD	Tanzania Wildlife Division
UNEP	The United Nations Environment Programme
US	The United States
USAID	United States Agency for International Development
USFWS	US Fish and Wildlife Service
UWA	Uganda Wildlife Authority
WCO	World Customs Organisation
WTO	World Trade Organisation
WWF	World Wide Fund for Nature
ZAWA	Zambia Wildlife Authority

Executive Summary

The aims of the research study “Regional Co-operation for Biodiversity Conservation: Lessons learnt from around the world and the way forward for South Asia” were to analyse the progress of wildlife enforcement networks around the world since their establishment, distinguish the key elements of their objectives and their impact had at policy level and field level, and to extract example situations, from which lessons can be learnt and used to guide the way forward for India and South Asia. Additionally the researcher tried to assess the present situation in South Asia, key outputs from current bi-lateral agreements already in place and what can be gained from progressing to regional co-operation.

The principal methods of research used were internet and literary searches, during which the researcher highlighted specific areas of interest and generated questionnaires based on these topics in order to gain additional, first hand information. Questionnaires were conducted both within India and internationally via email.

The key conclusions of the research can be summarised below:

- Regional wildlife enforcement networks can be effective and beneficial for biodiversity conservation proving that necessary efforts are put in by all member states in the region. A regional network for wildlife enforcement increases the possibility for illegal trade to be minimised, the amount of hunting and poaching to be reduced and therefore for levels of biodiversity in the region to be maintained.
- Each regional wildlife enforcement network operates differently so it is important to determine the operative methods most suitable and effective for use within the region in question and not to try to replicate the efforts of others.
- It is important to understand the motives behind illegal wildlife trade in the region and to determine the main source of the demand in order to understand how to address these issues.
- Communication and collaboration with neighbouring countries, such as Nepal, is important to India and continued efforts are being made to expand on the level of exchange.
- There are no formal agreements between India and Nepal at the lower level, only governmental treaties and policies. According to respondents the majority of the communication and co-operation over the border is unofficial and verbal agreements are regularly used to deal with local issues. Official meetings involving government and formal exchange of information are less frequent and may occur when the exchange of such information is no longer relevant to the action that needs to be taken.
- A wide variety of benefits to cross-border co-operation were detailed by respondents, and it is clear that there is much to be gained from cooperating with neighbouring countries to tackle common problems.
- Respondents were positive about the future establishment of a regional wildlife enforcement network in South Asia and expected the network to conduct activities such as; staff training, awareness raising, education programs, improving communication links, and conducting regular meetings between countries and region-wide.

- The majority of respondents stated that they expected the enforcement network to operate at both the governmental and local level, with good levels of communication between all countries and the various different line agencies involved.
- It was also stated that benefits would be gained from collaborating with other wildlife enforcement network in different regions of the world. Illegal wildlife trade is an international problem and therefore if we can communicate and address the problem internationally then this is very positive progress.

These findings suggest that there is great future potential for the development of a regional wildlife enforcement network in South Asia, and that lessons can be learnt from the positive work being done in other regions of the world. Each region has different priorities, different difficulties to overcome and different methods of working, however, illegal wildlife trade is a global problem and hence countries of the world must unite to tackle the issue together.

Introduction

1.0 Overview

Illegal wildlife trade is a growing problem throughout the world driven by an increasing demand for a huge variety of wildlife products including fashion items such as shoes, bags and coats; decorations and luxury items; bones, scales and other ingredients for traditional medicines; pets and zoo exhibits; collectors' trophies, timber (hardwoods and softwoods); as well as wild meat. This demand is so high that our rich biodiversity and natural resources are being used unsustainably and the rates of decline in some species has been so dramatic that many are now classified as endangered/critically endangered. CITES (The Convention of International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement between Governments which provides a world-wide legal framework for regulating international trade in wild animals and plants. It has now been recognised that the problem of illegal wildlife trade is not only domestic but it transcends national and administrative boundaries.

In a number of areas of the world wildlife enforcement networks or initiatives have been established to try to encourage regional co-operation as a step towards controlling this problem. Recognised examples include a collection of countries in Southeast Asia, North America, Europe and Eastern/Central Africa. Different nations are now beginning to join together to support one another and collaborate ideas and knowledge to achieve common goals.

South Asia and Regional Co-operation

The South Asia region is rich in biodiversity, being home to over 15% of the world's flora and 12% of its fauna, including some of the most endangered species on the planet. In addition to this the areas increasing affluence and accessible transport links has lead to it being recognised as one of the prime targets of international organised wildlife crime networks. Having already set in place a number of bi-lateral connections with neighbouring countries, India is now making steps towards establishing a regional co-operation network together with seven other South Asian countries including; Afghanistan, Bangladesh, Bhutan, the Maldives, Nepal, Pakistan and Sri Lanka.

A Memorandum of Understanding (MOU) was signed between South Asia Cooperative Environment Programme (SACEP) and TRAFFIC International¹ on 20th July 2007 to develop a South Asian Wildlife Trade Initiative (SAWTI). SAWTI's vision is to develop a regional initiative for providing mutual help through co-operation, co-ordination and communication for conservation, sustainable use, regulated wildlife trade and livelihoods of eco-dependent people as well as eliminating trade in wild fauna and flora and related products and derivatives. Under the MOU, both parties agreed to develop and implement a South Asia Regional Strategy for combating illegal trade in wild flora and fauna and to ensure that wildlife trade is maintained at sustainable levels in South Asia; establishment of a South Asia Wildlife Enforcement Network (SAWEN); and to hold consultations on these topics. Further from this a South Asia Regional Strategic Plan on Illegal Wildlife Trade (2008-2013) was created by senior officers of the member countries at the first Regional Workshop on the

¹ TRAFFIC is the world's largest wildlife trade monitoring network and a joint programme of WWF, the conservation organisation and IUCN, the International Union for Conservation of Nature.

South Asian Wildlife Trade Initiative in January 2008. These member countries hope that by working together they can build on their capacity to manage and control illegal wildlife trade and share relevant information.

1.1 Objectives of the present study

Given the current ongoing establishment of a South Asian Wildlife Enforcement Network (SAWEN) this project was designed to look at wildlife enforcement networks around the world and the lessons that can be learnt from their work so far. It will also try to assess the current situation in South Asia, and gather views of the benefits that may be gained from moving towards regional co-operation. It is hoped that the conclusions generated from the findings of this study can help the future progression of SAWEN.

The report has specified the following criteria for evaluation;

- Analyse the progress of wildlife enforcement networks around the world since their establishment
- Distinguish the key elements of their objectives and their impact had at policy level and field level
- Extract example situations, from which lessons can be learnt and used to guide the way forward for India and South Asia
- Assess the present situation in South Asia and key outputs from current bi-lateral agreements already in place and what can be gained from progressing to regional co-operation

1.2 Methodology

This report contains information about regional wildlife enforcement networks in Africa, North America, Europe and Southeast Asia. In addition to this information has been gathered regarding the recent progress of development of a South Asian wildlife enforcement network and the current situation regarding illegal wildlife trade in India. The report was produced based on the following sources of information:

Questionnaire on current situation in South Asia

A questionnaire was conducted with individuals living and working in a biologically diverse area of India near to the border of Nepal, namely Dudhwa Tiger Reserve and the surrounding area. Individuals targeted included the Field Director and Deputy Director of Dudhwa Tiger Reserve, the Park Warden and Ranger Officers, Field Officers and Officers working on border control, and individuals living in the villages adjacent to the Reserve area. Additionally the same questionnaire was sent to contacts in Nepal and Bhutan. The questionnaire included questions on current international relations regarding wildlife trade, the current status of wildlife trade in the area, their view on the establishment of a regional network and what aspects they consider to be highest priority for development. (Appendix 1)

Questionnaire on regional networks around the world

A questionnaire was sent to contacts working with, or aware of, regional networks in place around the world including Africa, North America, Europe and Southeast Asia. Questions included were regarding the role of the regional network, its recent progress, training conducted and challenges faced. It was intended that this information would provide a means for comparison between the various networks and as a method to draw out positive suggestions for development in South Asia. (Appendix 2)

Case Study to gather observatory data

Dudhwa Tiger Reserve and the surrounding area was identified as the target area for conducting questionnaires and gathering observatory data due to the high level of biodiversity and the close proximity to the border of Nepal. The researcher was able to gather first hand observations on the cross-border relations, attitude of the local people towards wildlife, and potential for development in the future. Further to this it was determined suitable to select a specific area in which to focus data collection as due to time constraints it was not possible to visit multiple sights on different borders. This border site was chosen to ensure that first hand views were taken from those whom the project is intended to benefit.

Additional sources of information

WWF TRAFFIC staff members have proven to be an invaluable source of information from their first hand experience of working within this field. Additionally, relevant information was sought through library facilities, other forms of literature and internet searches.

1.3 Outcomes

The outcomes of the research project are included in this document as follows;

Research

- **Section 2.0** – Overview of the current situation in international wildlife trade
- **Section 3.0** – Evaluation of wildlife enforcement networks across the world and their progress to date
- **Section 4.0** – Overview of the current situation in South Asia including bi-lateral agreements in place and the current progress of establishment of a regional network

Analysis

- **Section 5.0** – Comparative analysis of wildlife enforcement networks around the world and analysis of questionnaire results
- **Section 6.0** – Findings from case study visit to Dudhwa Tiger Reserve and analysis of questionnaire results relevant to the current situation in South Asia

Conclusions

- Conclusions drawn from analysis and extensive research

Research

2.0 International Wildlife Trade

The market for international wildlife trade is huge; concurrently sometimes the demand for wildlife and wildlife products is so high that it often surpasses what the legal market can provide. Furthermore it is sometimes the case that the illegal trade is in species and products that are banned from legal trade, often with very serious implications for the species (CEC 2005b). Even in the cases where the trade is entirely legitimate it can still put additional pressure on the species and greatly affect the ecosystems from which they are taken. The variety of wildlife products available is immense; commonly known items include animal parts for medicinal trade, live species for the pet trade, caviar for the gourmet food market, furs and wools for the apparel industry, ivory and bone for ornamental trade, wildlife parts for trophy hunters, and unusual plant species for the garden trade (CEC 2005b). A characteristic feature of the trade is its luxury orientation, reflecting consumption patterns often ranging from the nonessential to the perverse (Sand, P.H. 1980).

According to a report by (Wyler, L.S. & Sheikh, P.A. 2008) conducted in 2008 the global trade in illegal wildlife is a growing illicit economy, estimated to be worth at least \$5 billion and potentially in excess of \$20 billion annually. Wildlife species may be seen as a renewable natural resource but, like many other resources, they have a critical level below which damage to the species becomes virtually irreversible. The increasing globalisation of trade, ease of connection between markets and along trade route, and emergence of transnational businesses has increased the potential for illegal wildlife trade to move around the world. However, there is no single direct link between commercial exploitation for trade and the conservation status of a species, as this is not the only cause of wildlife depletion. Other risks to wild populations include destruction of natural habitat, introduction of alien species, and unsustainable utilization of resources (Sand, P.H. 1997).

Who?

Illicit wildlife trade networks can involve a wide array of individuals from different backgrounds throughout the various stages of the process. For example, a combination of any of the following may be involved: *village hunters, who trade small wildlife as a source of subsistence cash income or who kill some wildlife to protect their people and crops from attacks; wildlife experts; criminal entities, sometimes including terrorists, rebels, drug traffickers, and others, able to evade detection, and transport and secure the products, as well as launder the proceeds; legitimate businesses serving as a front for the trade; corrupt government officials to facilitate import and export; and consumers willing to pay for the contraband* (Wyler, L.S. & Sheikh, P.A. 2008). According to Wyler and & Sheikh (2008) the involvement of organised crime syndicates, while likely to be participating in the trade of certain, high-value wildlife commodities – including caviar, traditional Asian medicine, ivory, and reptile skins – are not necessarily operating in all segments of the illegal wildlife trade. Additionally there is a great deal of small scale illegal wildlife trade, much of which is from tourists either knowingly or unwittingly taking home illegal wildlife products as souvenirs.

How?

There are three major methods generally reported in the process of trafficking live specimens and wildlife products: *hidden in secret compartments of luggage, shipping containers, or clothing; mis-declared on customs forms and trade permits by fraudulently identifying look-alike, non-protected species, changing the declared number of items shipped, changing the declared value of items, or declaring wild species as captive-bred species; or trafficked using forged or stolen trade permits to give the false impression that the contents are being legitimately traded* (Cook, D., Roberts, M. & Lowther, J. 2002a). Additionally, live animals and wildlife products have also been found to be trafficked using common delivery services as well as discrete luggage not subject to scrutiny. Use of the Internet to expand this market has also been identified in some cases, wildlife traders are reportedly using chat rooms and auction websites to engage in illicit wildlife sales (Anon. 2005c).

Why?

There is a wide variety of reasons for why prohibited wildlife trade is highly evident around the world. The ideas discussed here include financial gain, lack of security and control, relatively low punishments, cultural beliefs, and lack of awareness, but this list is not exhaustive and each trader or consumer will make their own justification.

One of the primary motivations to engage in this illegal trade appears to be economic gain. Meeting the continued demand for specimens and products worldwide can be a lucrative business, and the poachers who collect the wildlife and the smugglers who transport it to market are largely in the business for the profits (Moyle, B. 1998). Unfortunately for conservation, some of the most profitable commodities are those which are most endangered in the wild including tiger parts, elephant ivory, rhino horn and other elusive desirables. As a certain species becomes more endangered and rare, consumers are willing to pay greater amounts, and thus the financial rewards for smugglers increases (Hayman, G. & Brack, D. 2002). In addition to the large international trade, there are also instances in developing countries where impoverished hunters and traders rely on income derived from wildlife poaching and trading to sustain their livelihoods. In cases such as this, an alternative to generate sufficient income must be provided before the trade can be abated.

Another factor is the perceived low risk of capture or penalties associated with wildlife trafficking. The threat of punishment does not appear comparable to the possible financial benefit to the poacher or trader, or to the conservation risk for the wildlife species involved. This perception of deficient control may be due to limited enforcement capabilities, lack of resources, funding, infrastructure or expertise, political corruption, porous border control, lack of awareness about the conservation threat, or lack of willingness to support the cause. It is widely believed that biologically rich countries, across the developing world, with weak governance and poor law enforcement capacity are especially vulnerable as sources for illegal wildlife trade (Cook, D., Roberts, M. & Lowther, J. 2002b). Additionally, the illegal wildlife trade may be considered less risky than other high-value back markets, such as the drug trade, as the penalties are often substantially less severe. There is also reason to believe these trades sometimes coincide and wildlife may be used to conceal illegal drugs. In one famous case, U.S. Customs Service inspectors in Miami recovered 86 pounds of cocaine-filled condoms from Colombia, which had been inserted into 225 boa constrictor snakes (Anon 2002a).

Beyond economic incentive, strong cultural and religious elements are also the driving force behind some illegal wildlife trade. One example of this includes the trade in traditional Asian medicine, which has used ingredients derived from wild plant and animal species for thousands of years. Another example is the consumption of bush meat in rural and urban areas of Africa. Other areas of the world see specific wildlife products as symbols of wealth, and some indigenous peoples may consider hunting a fundamental part of their way of life. Each of these factors has deep rooted traditional values and as such they are very complicated to address.

Another aspect worth highlighting is that of lack of awareness and understanding. In a number of tourist locations, exotic souvenirs made from body parts originating from animals or plants or live animals and plants may be offered for sale (TRAFFIC Europe 2006a). It is generally the case that details of where these specimens came from and how they were obtained is not provided and so individuals are often unaware of what they are purchasing. However, in contrast to this other reports believe that public and governmental awareness is increasing, which has in due course led to more investigations into wildlife crime (Brack, B. 2002).

Environmental Impacts

Both the export and import of wildlife species can be harmful to a region's ecosystem. Removing species from the wild leads to reduced biodiversity and an increased risk of that species becoming extinct. This can have a devastating effect on local people and other wildlife that depends on those species for survival. The actual extinction of a species as a result solely of trade is not common as the individuals become too difficult to find profitably, however, combined with other pressures, such as habitat loss, the risk is significant. One example of the devastating effects of trafficking is the case of the black rhino in Africa where the wild population reportedly declined from about 65,000 to only 2,200 between 1970 and 2000 (Lewis, R.S. 1995).

Additionally, when a wildlife species is imported into a new environment there is a risk that it may cause an imbalance in the ecosystem or spread disease into the local population. Diseases transmitted through wildlife may not only affect humans, but also threaten native wildlife and ecosystems (Kareesh, W.B. *et al.*, 2007). To control this threat animal health legislation is strictly applied to the movement of most animals; however these precautionary measures are unlikely to be carried out in illegal trade.

3.0 Wildlife enforcement networks from around the world

In order to combat the unsustainable wildlife trade a wide range of national and international laws have been developed that aim at conserving, protecting and enhancing wildlife. Wildlife movement and range is not limited by national or political borders and ensuring effective conservation requires maintaining representation of all major habitat types found in the region. Since major habitat types cut across national boundaries, the priority should be to promote complementary, integrated conservation efforts that span national, state/provincial, and local jurisdiction (CEC 2003). Applying wildlife laws requires the collaboration of government agencies, nongovernmental organisations and the general public to ensure that sustainable use and conservation replace irresponsible exploitation and destructions (Anon. 2000a).

A variety of networks that aim to control illegal wildlife trade have been established around the world with varying degrees of success. Many developing countries have difficulty enforcing laws against illegal trafficking of flora and fauna as they often lack the funds or resources and the problem is too overwhelming. In such instances it is essential for neighbouring countries to support one another and to share skills, intelligence information and to tackle enforcement issues together. Increasing enforcement is only one in a range of tools for protecting wildlife and other responsibilities include international capacity building, training and technical assistance among countries, establishment of contacts, research, and awareness raising working to lower the demand for illegal plant and animals products.

Examples of wildlife networks

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) – The Convention was agreed at a meeting of representatives of 80 countries in Washington, DC, in 1973 and entered into force on 1975. It was developed to safeguard species vulnerable to trade from overexploitation and now has 175 countries Party to the agreement. The species are grouped into Appendices according to how threatened they are by international trade and member states apply relevant levels of control.

The Convention on Wetlands (or 'Ramsar Convention') - Signed in Ramsar (Iran) in 1971, it is an intergovernmental treaty that provides a framework for national actions and international co-operation on the conservation and wise use of wetlands and their resources. There are 152 Contracting Parties to the Convention (July 2006), with 1 611 wetland sites, totalling 145 million hectares, included in the *Ramsar List of Wetlands of International Importance*. The Convention's mission is the conservation and wise use of all wetlands through local, regional and national actions and international co-operation (TRAFFIC Europe 2006b).

The Convention on the Conservation of European Wildlife and Habitats (or 'Bern Convention') – Adopted in 1979 and entered into force in 1982, the Convention has been ratified by 44 countries as well as the European Community (February 2006). The objective of this Convention is threefold: 1) to conserve wild flora and fauna and their natural habitats; 2) to promote co-operation between states; and 3) to give particular emphasis to endangered and vulnerable species, including migratory species (TRAFFIC Europe 2006b).

The Convention on Migratory Species (CMS) (or 'Bonn Convention') – Entered into force in 1983 and its membership has since grown to 97 Parties (May 2005). The Convention aims to conserve terrestrial, marine and avian migratory species throughout their range. Parties work together to conserve migratory species and their habitats by providing strict protection for the endangered migratory species, by concluding multilateral Agreements for the conservation and management of migratory species undertaking co-operative research activities (TRAFFIC Europe 2006b).

Convention on Biological Diversity (CBD) – Signed by over 150 countries and the European Community at the Earth Summit in Rio de Janeiro (Brazil) in 1992. This Convention is the first global instrument to take a comprehensive approach to the issues of conserving the world's biological diversity and to using its biological resources in a sustainable way. The Convention is a framework agreement and its provisions are mostly expressed as overall goals and policies, rather than as precise obligations (TRAFFIC Europe 2006b).

The Interpol Working Group on Wildlife Crime – Established in 1994 when wildlife crime investigators from all over the world gathered to improve Interpol's ability to fight wildlife trafficking. One of the working group's objectives is to exchange more information and intelligence regarding wildlife crime and the trafficking methods used by criminals. The Working Group also seeks to improve national, regional and international law enforcement in this area and develop training procedures to help investigators become better at combating wildlife crime (Global Classrooms 2005).

United Nations Global Programme of Action for the Protection of the Marine Environment from Land Based Activities (GPA) – Adopted by 109 nations in 1995, the GPA is intended to assist national actions and regional co-operation in the identification of problem areas and issues, the setting of priorities, and the development of measures to prevent, reduce and control the degradation of the marine environment. Under the GPA, regional and sub-regional co-operation is crucial, particularly when the marine area is a shared jurisdiction, such as enclosed or semi-enclosed seas (Pilot Project 1999).

World Customs Organization - Since July 1996, the World Customs Organization and the CITES Secretariat have maintained a legal framework for international co-operation to exchange information related to wildlife crime and promote awareness and training for customs and management authorities at the national level. 171 countries collaborate with WCO to tackle wildlife trafficking and other issues².

Coalition Against Wildlife Trafficking (CAWT) – Initiated in 2005 it is a voluntary public-private coalition of five governments (Australia, Canada, India, United Kingdom and United States of America) and thirteen organizations (including Conservation International, International Fund for Animal Welfare, The International Union for the Conservation of Nature (IUCN), Save The Tiger Fund, Smithsonian Institution, TRAFFIC International and WildAid). CAWT aims to focus public and political

² Documentation of Memorandum of Understanding between WCO and CITES accessed at <http://www.cites.org/eng/disc/sec/CITES-WCO.pdf> on 9th November 2009

attention and resources on ending the illegal trade in wildlife and wildlife products, with each partner acting where it can contribute most effectively³.

This list is not exhaustive and other examples of international collaboration also exist. In addition to these international organisations, there are also a number of examples of regional co-operation between neighbouring countries aimed at the direct conservation of the biodiversity within that region. Recognised examples include a collection of countries in Southeast Asia, North America, Europe and Eastern/Central Africa: further research into these efforts will be reviewed in full in this project.

³ Information gathered from CAWT website. Accessed at <http://www.cawtglobal.org/> on 9th November 2009

3.1 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is specifically focussed on regulating wildlife trade and provides a world-wide legal framework for regulating international trade in wild animals and plants, including parts and derivatives. Illegal trade is a key focus of this research project, and the examples of regional co-operation discussed within are working together to enhance and enforce the legislation of CITES.

Establishment of CITES

CITES grew out of a resolution adopted in 1963 at a meeting of members of the World Conservation Union (CEC 2005b). The text of the Convention was finally concluded at a meeting of representatives of 80 countries in Washington, DC, on March 3rd 1973, and it finally entered into force after the 10th ratification by a signatory country, on July 1st 1975. The number of Parties to the Convention currently stands at 175 (November 2009) and this number is continually growing as more members join. The original Convention was written in Chinese, English, French, Russian and Spanish, with each version being equally authentic.

The Convention was developed to safeguard species vulnerable to trade from overexploitation and currently offers protection to roughly 5,000 species of animals and 28,000 species of plants⁴. Many species in trade are not endangered, but the existence of an agreement to ensure the sustainability of trade is important in order to safeguard these resources for the future³. Species are classified according to the level of protection needed in a system of Appendices. In some cases this includes whole groups, such as primates, cetaceans, corals and cacti, in other cases only a subspecies or geographically separate population of a species is listed. Through these Appendices the Convention is able to cover all import, export, and re-export of species and ensure their authorisation through a system of permits and certificates. The framework created by the Convention has to be respected by each Party and each country must adopt domestic legislation to ensure that CITES is implemented at the national level.

The Appendices

The system of appendices has three levels of control; the most endangered species that are or may be affected by trade and risk extinction are listed in Appendix I. Trade in these specimens is permitted only in exceptional circumstances and is strictly controlled through import and export permits. Appendix II includes species not necessarily rare or endangered at present, but in which trade must be controlled in order to avoid exploitation beyond capacity. International trade in such specimens requires a CITES export permit from the exporting country. Species are also listed in Appendix II because they look like species already listed; inclusion of these species makes it easier for enforcement officials to control international trade (European Commission 2007). The final listing, Appendix III, contains species that are not necessarily threatened with extinction globally, but which require protection in at least one country, and for which the co-operation of other member countries is needed to control international trade. In all member countries trade in these species is

⁴ Information gathered from CITES Website, accessed at <http://www.cites.org/> on 4th November 2009

only permitted with an appropriate export permit and a certificate of origin. Additionally, species may be split-listed meaning some populations of a species are on one Appendix, while some are on another to allow trade in states with good management practises.

Secretariat and Committees

The CITES Secretariat, which is located in Geneva, Switzerland, is administered by The United Nations Environment Programme (UNEP). It has a coordinating, advisory and servicing role in the working of the convention; assisting with communication; monitoring the implementation of the Convention; and providing assistance in enforcement, training and identification of specimens. The collective name for the Parties to CITES is the Conference of the Parties. Every two to three years, a meeting is convened to review the implementation of the Convention, consider proposals to amend the Appendices, and recommend measures to improve the effectiveness of the convention. These meetings are often referred to as 'CoPs', they last for about two weeks and are usually hosted by one of the Parties. The Conference of the Parties has also established a number of permanent committees to perform an active role in-between the triennial meetings. The Standing Committee, created in 1979, provides policy guidance to the Secretariat concerning the implementation, enforcement, and administration of the Convention and oversees the management of the Secretariat's budget. The members of the Standing Committee are Parties representing each of the six major geographic regions (Africa, Asia, Europe, North America, Central and South America and the Caribbean, and Oceania), with the number of representatives weighted according to the number of parties within the region³.

The Animal and Plant Committees were established at a meeting of the Conference of the Parties in 1987. Their role is to provide biological and other specialist knowledge regarding species of animals and plants that are, or might become, subject to CITES trade control, and to help to determine which species need protection. CITES provides lists of plants and animal products that cannot be bought or sold, and a list of plant and animal products that are subject to restrictions on import or export; these lists are maintained with help from the Animal and Plant Committees (Global Classrooms 2005). Members of the Animal and Plant Committees consist of individuals from the six major geographical regions, as well as one specialist on nomenclature on each of the two committees. In addition to these Committees, each Party to the Convention must designate one or more Management Authority and one or more Scientific Authority. Each Management Authority is in charge of administering the licensing system within their country and for issuing permits for trade according to the agreed restrictions. The role of the Scientific Authority is to advise the Management Authority on the effects of trade on the status of specific species in order to determine if a permit may be issued or if trade would be detrimental to the survival of that species in the wild. Following these regulations and controls it is then the job of national enforcement agencies, such as Customs officers and the Police, to check that shipments are traded with the required permits (European Commission 2007). Enforcement measures that can be taken by these agencies at the national level include; penalizing trade that violates the provisions of the Convention, confiscating illegally traded specimens, designating special ports of exit and entry points of wildlife, and maintaining records of exports and imports of specimens of the listed species (Mrema, E.M. 2005). In addition to this each Party to the Convention is required to submit annual reports to the Secretariat summarizing the

trade, and biennial reports detailing the implementation of CITES, in order to ensure co-operation and monitoring.

Funding and Support

In order to facilitate the costs of the Secretariat, the Conference of the Parties, and the permanent committees, a CITES Trust Fund has been established. This Trust Fund is replenished from contributions from the Parties to the Convention based on the United Nations scale of assessment. In addition to this some activities may be conducted that are funded from external sources, with contributions coming from non-governmental and inter-governmental organisation and companies as well as the Government donations. Besides financial support, CITES is also assisted by other organisations which are technically qualified in protection, conservation and management of wildlife on the projects that it conducts. Work is often contracted out to NGOs, particularly the World Conservation Union (IUCN), TRAFFIC (the wildlife trade monitoring network) and FFI (Fauna and Flora International) (Reeve, R. 2006). Co-operation with the TRAFFIC network has provided CITES with excellent operational information sources and has in some cases triggered actions leading to recommended suspensions of CITES trade (Reeve, R. 2002). TRAFFIC has also assisted in the promotion of continuous information exchange as reports of seizures and prosecutions are regularly publicised in the *TRAFFIC Bulletins*.

Progress of the Convention

Since its establishment in 1975 not one species protected by CITES, has become extinct in the wild as a result of trade. The Convention is among the largest conservation agreements in existence and its effectiveness can be related to the overall membership which continues to grow. Some consider CITES a very successful, effective treaty and believe that real progress has been made in improving the level of its enforcement (Mrema, E.M. 2005). However, others argue that few CITES countries have taken active steps to enforce the convention (Global Classrooms 2007).

CITES relies on member states to execute national legislation to make illegal wildlife trading a crime and to prescribe criminal penalties against violators. As such, CITES is limited in its ability to monitor illegal trade in wild fauna and flora without full compliance of all Parties. It is argued in a report by Mrema, E.M. (2005), that *Management and Scientific Authorities are mostly understaffed and with inadequately trained staff; communication between Management Authorities of different Parties and the Secretariat are still very poor; annual and biennial reports continue to be submitted long after the deadlines and, even when submitted, most of them are incomplete and inaccurate*. Furthermore, many countries find it difficult to effectively monitor the extensive list of species protected on the appendices, especially given that it is subject to change after each Conference of the Parties. In addition to this further complications often arise due to corruption, use of fraudulent documents, and movement of species without CITES documents.

It is also argued that there are too many exemptions under the Convention which allow trade in listed species without the issuance of usual permits. Some think that these exemptions, although valid in their reasoning, have created weak points in the enforcement of CITES (Mrema, E.M. 2005). Additionally, only species which have been evaluated are listed in the CITES appendices, which may lead to poorly known species from being inadvertently threatened by illegal trade. The structure of

CITES is designed to focus exclusively on wildlife trade and as such does not address any other threats to biodiversity, such as habitat loss or pollution. Additional biodiversity agreements are necessary in order to target these issues and to promote environmental use which is sustainable.

3.2 Lusaka Agreement

The Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora, signed in 1992, is a collaboration between several sub-Saharan African states with the aim to reduce and ultimately eliminate illegal trade in wild fauna and flora and to allow countries to cooperate in their law enforcement. Parties to the Agreement consist of the following states: Republic of the Congo (Brazzaville), Kenya, Lesotho, Tanzania, Uganda and Zambia.



Background of Africa

Africa is home to some of the most charismatic mega fauna in the world including the lion, leopard, cheetah, elephant, rhino, and hippopotamus. Unfortunately many of these wildlife populations have rapidly declined over recent years mostly due to human greed leading to poaching of animals and habitat destruction among other threats. The countries of Africa greatly depend on natural resources to sustain them, as the population and demand has increased so has the uncontrolled utilisation of the environment leading to unsustainable use and dwindling resources.

Africa is a major supplier of wildlife products around the world and as such has seen unprecedented destruction of its wild fauna and flora as a result of poaching, fuelled largely by the profits gained by wildlife traffickers. Traditional poaching has now given way to more sophisticated commercial poaching stretching the resources of wildlife enforcement agencies across Africa. Over the past few

decades there has been an extreme drop in the population of rhinoceros species and elephant populations due to uncontrolled trade in rhino horn and ivory. Other species are also suffering similar declines from trade in apparel items, bush meat, pet trade, trophy items and other ludicrous demands for commercial exploitation. The existence of these profitable markets and a demand beyond the capacity of the legal market has provided an incentive for escalation of illegal trade⁵.

Conflicting wildlife legislation in neighbouring countries is a hindrance to tackling the issue and often the penalties for illegal trade in wildlife are only a fraction of the rewards that poachers gain. Additionally many enforcement organisations lack the capacity and skills to effectively conduct their duties. The transboundary nature and threats created by cross-border illegal dealings has made several countries realise that individual efforts and the traditional enforcement methods are no longer capable of providing effective protection to the African species from illegal trade arranged by international organised crime syndicated (Mrema, E.M. 2005). Illegal trade cases are often witnessed along entry and exit points such as airports, seaports and border control points highlighting the need for cross-border co-operation. Understanding this increasingly international risk, a number of countries are beginning to feel there is a significant need for closer co-operation to build capacity and increase intelligence networks regionally. Countries need to realise, and some are beginning to do so, that their wildlife is an important asset that should be utilised for the benefit of the local people.

The need for a conservation network

It is now becoming more apparent that the conservation of wild flora and fauna is essential to the overall maintenance of Africa's biological diversity and that this diversity is essential to the sustainable development of Africa. The alarming rate of trafficking of wildlife resources has been highlighted and it has been understood that one aspect of the problem is a lack of co-operation between wildlife law enforcement agencies in different countries. Regional groups, especially in areas most affected by wildlife crime such as sub-Saharan Africa are trying to combine efforts to tackle the issue of illegal trafficking of flora and fauna. These countries have recognised that sharing of information, training, experience and expertise among States is vital for effective law enforcement and desire to establish a close collaboration in order to reduce and ultimately eliminate the trade. Illegal trade has now become more sophisticated through the use of superior technology in transboundary transactions and therefore needs to be tackled through corresponding national, regional and international measures⁶. Before the establishment of a regional co-operation network law enforcement operations directed at tackling trade across national boundaries were difficult to undertake and accomplish. The only procedure for which such matters could be handled was through Interpol-ICPO which was insufficient and too slow to catch the criminals (Mwale, C.L.P. 2004). Furthermore law enforcement agencies in neighbouring countries never exchanged intelligence information on criminals; therefore a regional approach is needed to tackle the issue.

⁵ As stated in the Lusaka Agreement Task Force Strategic Plan, July 2005 – Anon. 2005a Accessed at [www.lusakaagreement.org/.../9th_Lusaka_Agreement_Governing_Council_Proceedings_\(English\).pdf](http://www.lusakaagreement.org/.../9th_Lusaka_Agreement_Governing_Council_Proceedings_(English).pdf) on 15th October, 2009.

⁶ As stated in the Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Wild Fauna and Flora. Adopted at Lusaka on 8 September 1994 – Anon. 1994 Accessed at www.internationalwildlifelaw.org/lusaka.pdf on 13th October 2009.

Establishment of a wildlife protection network

In 1992 an agreement was negotiated between several sub-Saharan African states, this meeting took place in Lusaka, Zambia, and hence the collaboration became known as the Lusaka Agreement. This Agreement was established with the aim to reduce and ultimately eliminate illegal trade in wild fauna and flora and to allow the countries to cooperate in their law enforcement. Parties to the Agreement consist of the following states: Republic of Congo (Brazzaville), Kenya, Lesotho, Tanzania, Uganda and Zambia (Party States or Parties). Ethiopia, South Africa and Swaziland are signatories, and a number of other African states, which include Cameroon, D.R. Congo, Mozambique, Rwanda, Senegal, Somalia and Sudan, have expressed interest in the Agreement. As stated in (Mrema, E.M. 2005) the adoption of this alliance should be seen as a *'complementary effort to implement, enforce and strengthen CITES by adopting stricter enforcement measures at regional level to curb illegal trade in wildlife species'*. It is hoped that in addition to this it may also go part way to addressing some of the flaws identified in the CITES enforcement, in particular issues around cross border control. In contrast to CITES which has established a global framework listing wild animals and plants in specific appendices to control international trade, the Lusaka Agreement takes a more general approach and is not targeting any particular species but all flora and fauna that is traded illegally. The same national entities facilitate the implementation of both organisations and so it is anticipated they will work in harmony and one will strengthen the effectiveness of the other.

The Lusaka Agreement entered into force in September 1994 and now consists of a three-tier institutional mechanism comprising a regional permanent enforcement body known as the Lusaka Agreement Task Force; the implementing and enforcement body established or designated by each Party State called a National Bureau; and the Governing Council, which is a ministerial policy and decision-making body. The Governing Council elects its officers composed of the President, Vice-President and a Rapporteur, known as the Bureau of the Governing Council. This Bureau serves as an oversight committee of the Governing Council decisions and monitors the performance of the Task Force (Anon. 2005a).

The Task Force, referred to by many as the 'African Interpol for Wildlife' was designed to penetrate and crack international smuggling rings operating out of Eastern and Southern Africa and to bring criminals to justice. The structure is composed of a Director, Field Officers and an Intelligence Officer and such other staff as may be decided by the Governing Council. At least one Field Officer seconded by each Party and approved by the Governing Council shall be included, and these field officers shall also be the enforcement officers of their countries' National Bureaus. The dual role of these officers helps with efficient dissemination of information between countries and also ensures there are knowledgeable individuals to lead the Task Force in each country in the event of joint undercover and cross border operations. The functions of the Task Force include; facilitation of co-operative activities among the National Bureaus; investigation of violations of national laws pertaining to illegal trade; collection, processing and dissemination of information, including the establishment and maintenance of a database; and any other actions deemed suitable by the Governing Council. Each party shall co-operate with one another and with the Task Force to ensure effective implementation of this Agreement. Additionally each Party will provide the Task force with relevant information, scientific data and technical assistance relating to its operations (Anon. 1994). The Task Force shall not undertake, or be involved in any intervention, or activities of a political, military,

religious or racial character (Mrema, E.M. 2005) and so is therefore strictly limited to control of illegal wildlife trade issues.

In coordination with the Lusaka Agreement each Party is required to designate or establish a governmental entity as its National Bureau. The functions of the National Bureau are to coordinate with the Task Force on investigations that involve illegal trade and to ensure communication of all relevant information. Cooperative enforcement measures are needed between the National Bureaus and the Task Force to combat illegal trade in endangered species. This is achieved through coordinating joint operations, designing, planning and investigations. To ensure full capacity to complete these functions joint training programmes and inter-agency awareness programmes are conducted for continued capacity building. The National Bureaus to the Agreement are the Bureau National de l'Accord de Lusaka (BNAL, Congo), Kenya Wildlife Service (KWS), Tanzania Wildlife Division (TWD), Uganda Wildlife Authority (UWA) and Zambia Wildlife Authority (ZAWA).

Ultimately the Governing Council, known in full as the Governing Council for Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora, is the highest policy making organ. The Council comprises a Minister or alternate from each Party State that oversees the Task Force operations. Furthermore meetings of the Council shall be attended by a delegation from each country consisting of high ranking officials dealing with wildlife law enforcement affairs, officials whose normal duties are connected with the activities of the Task Force, and specialists in the subjects on the agenda. Each member Party is obliged to pay annually assessed contributions to the budget of the Task Force and any items confiscated in the course of illegal trade should be returned to the country of origin.

Projects and Examples

Since inception, the Lusaka Agreement and the efforts demonstrated through the Task Force has played a key role in co-operative enforcement operations aimed at minimising illegal trade in wild fauna and flora. The Task Force continues to gather intelligence information and conduct investigations and has recorded a number of success stories since its establishment, a small selection of which are detailed below.

In 2008 a coordinated swoop on illegal ivory traders and poachers across 5 African countries yielded one ton of poached ivory and 57 illegal dealers. The process, entitled Operation Baba, was coordinated by INTERPOL and involved the Lusaka Agreement Task Force (LATF), 300 local police officers, and the co-operation of various national customs, wildlife and intelligence agencies; it is described as one of the biggest crackdowns on illegal wildlife trade in the world⁷. Intensive intelligence work and planning took place in the 4 months prior to the event taking place to ensure success. The law enforcement agencies in the 5 countries involved decided to synchronise the operation in each country so that any suspect who tried to cross borders would be noticed and targeted at the airports or other crossing points, an approach which appears to have worked.

⁷ Wildlife Direct Online News 'Operation Baba Successfully Nabs a Ton of Illegal Ivory and 57 Traffickers' November 18th 2008. Accessed at <http://baraza.wildlifedirect.org/2008/11/18/operation-baba-successfully-nabs-a-ton-of-illegal-ivory-and-57-traffickers/> on 14th October 2009

Another well known operation, the Singapore Seizure, took place in June 2002 and is one of the biggest achievements to date of the LATF. The Task Force were conducting investigations on the ivory in the months prior to the seizure and were able to determine that the consignment had moved from Zambia, Malawi and South Africa⁸ before interception of the 6.5 tonne haul in Singapore. After analysing genes taken from the seized ivory they were able to compare them against a complex elephant DNA map and trace the origin to ensure its return. This is a remarkable example of regional co-operation as a number of countries collaborated to secure a seizure thousands of miles away in a different continent.

Further examples have been demonstrated this year including; coordination with Kenya Wildlife Service (KWS) to recover seven pieces of elephant tusk along the Kenya-Somalia border; working together with the Ugandan Wildlife Authority (UWA) in an effort to prevent an immediate threat to Uganda's White rhinos and the arrest and sentencing of one suspect in court; completion of a joint operation with the Zambia Wildlife Authority resulting in the seizure of 25kg of bush meat, two leopard tortoises, one genet and three crocodile skins⁹. Complementary to this LATF also deals with circumstances where the specimens have been seized at international airports outside of Africa and conducts investigations to determine the suspects who are implicated in the illegal shipments.

The Task Force has also been working to build the capacity of the member states to respond to instances of wildlife crime. Upon its creation, law enforcement officers from Kenya and South Africa offered to assist other countries by conducting training courses to ensure that all participating countries were ready and prepared to work together in undertaking, where necessary, joint and undercover cross border operations. Developing institutional and personal capacity is deemed important to ensure effective implementation of the Lusaka Agreement. The primary beneficiaries of the organised training programs include officers of the National Bureaus and Task Force as well as other Law Enforcement Agencies. In a recent example of such capacity building a training course was held in July/August 2009, the participants included sixty security staff from Kenya Wildlife Service and focused on aspects of Basic Intelligence and Investigation¹⁰.

Development of partnerships is another indicator of the achievements of the LATF, as good relations with other national, regional and international bodies are essential for effective implementation of operations. Of particular significance are negotiations resulting in Memoranda of Understanding (MOUs) between LATF and both WCO (World Customs Organisation) and Interpol. These agreements were inspired by the need to enhance strategic co-operation and create a framework for how they can work together to achieve common goals. Through these established links LATF will be able to benefit from increased exchange of information, support in implementation of projects, and mutual assistance on shared topics. It was further reported that the Task Force has also made

⁸ U.N.Wire 'Task Force Calls Singapore Seizure Its Biggest Achievement' July 10th 2002. Accessed at http://www.unwire.org/unwire/20020710/27545_story.asp on 15th October 2009

⁹ Lusaka Task Force Online News 2009 'Joint Operation between LATF and Zambia Wildlife Authority'. Accessed at <http://www.lusakaagreement.org/latfzawa.html> on 15th October 2009

¹⁰ Lusaka Task Force Online News 2009 'LATF Supports Kenya National Bureau in Conducting a Field Training Course in Basic Intelligence and Investigations'. Accessed at <http://www.lusakaagreement.org/knb.html> on 14th October 2009

links and worked in close collaboration with other law enforcement and related organisations outside Africa including Bangkok, Tokyo, Taipei, and Mombasa (Mrema, E.M. 2005).

Until 2005 the Task Force had no official Strategic Plan and its operations were simply guided by the overall objective of the Agreement and decisions of the Governing Council. However in order to progress and move forwards it was considered imperative to develop a Strategic Plan to outline all fundamental strategies to ensure that operations and functions are sustained and more focused over a defined period of time (Anon. 2005a).

Support

Each Party State is obligated to contribute an annually assessed amount towards the budget for the Lusaka Agreement Task Force. The Task Force has also received financial assistance from governmental organisations such as the US Fish and Wildlife Service, Corpo Forestale dello Stato of Italy and the Council of Agriculture of Taiwan among others. Furthermore, the Task Force receives financial assistance from NGOs such as the David Shepherd Wildlife Foundation (DSWF), International Fund for Animal Welfare, Defenders of Wildlife, and Humane Society of the USA as well as donations from individuals. The aims and objectives of the Task Force have encouraged co-operation and collaboration with a number of different institutions on matters of mutual interest, including those which are inter-governmental and international. Co-operative partnerships of note include the United Nations Environmental Programme (UNEP), the Convention of International Trade in Endangered Species of Wild Fauna and Flora (CITES) Secretariat, Interpol General Secretariat, Organisation for conservation of Wild Fauna (OCFSA) and the World Customs Organisation (WCO).

Challenges

Despite the various successes reported thus far, the Lusaka Agreement still faces numerous challenges. Not least of these is the stagnant membership with only six parties and three signatories there is a need to attract more African States to ensure comprehensive coverage, however there seems to be inadequate awareness on the role of the Lusaka Agreement in neighbouring non-party states. Challenges external to the Task Force include un-harmonised wild fauna and flora legislation in the various countries; continuous political instability in countries such as DRC, Burundi and Somalia which neighbour some of the Party States; persisting illegal trade which is often highly organised and sophisticated; corruption and the abuse of power and authority; and custom controls' inability to cope with the size and fluidity of the borders between many African countries. These are issues that it will take great time and determination for the Task Force to tackle. In addition to this, there are also a number of flaws within the Task Force which will gradually be alleviated and targets can be set for progress. These failings include insufficient financial and human resources capacity to effectively implement the adopted work plans and decisions of the Governing Council; inadequate planning and prioritisation of the Task Force operations; insufficient co-operation and sharing of information with other relevant initiatives/institutes; inadequate skills and knowledge to cope with challenges; and lack of own office premises denoting minimal room for expansion. In addition to this the financial difficulties caused by inability of most member parties to meet their budget obligations has a negative impact on donors' willingness to continue their support (Anon. 2005a).

3.3 Southern African Development Community (SADC)

Whilst looking at Africa it is worth also mentioning the Southern African Development Community (SADC). This organisation is the collaboration of 15 southern African states¹¹ with the primary goal of furthering socio-economic co-operation and integration as well as political and security co-operation. Also, of relevance to this research, SADC aims to protect wildlife and their habitats; promote development of transfrontier conservation and management programmes; and support community based natural resource management. The creation of Transfrontier Conservation Areas (TFCAs) has been recognised by SADC as an important tool in advancing the conservation of biodiversity and endangered ecosystems and encouraging regional co-operation. The concept facilitates dialogue between countries sharing common natural resources and can contribute to the improved welfare of local rural communities through the development of tourism and tourism related products. Through this co-operation harmonisation of wildlife laws and management policies will be encouraged and the countries will gain greater capacity to work together on law enforcement.

This agreement works in association with both CITES and CBD (The Convention on Biological Diversity) and can indeed be seen as a regional instrument for the implementation of their requirements. Consequently, member states have agreed to share information concerning wildlife management, utilisation and the enforcement of wildlife laws and to work together or independently to ensure enforcement of those laws. The Agreement has also supported the establishment of specific conservation projects including The SADC Regional Rhino Conservation Project which targets management of both Black and White Rhinos; and The SADC Regional Wetlands Conservation Project which promotes awareness of the role, value and appropriate uses of wetlands amongst the relevant persons, particularly where the land is shared between countries¹². Looking to the future SADC has a variety of additional projects that are in the planning or funding stages, those listed in the SADC Regional Indicative Strategic Development Plan (RISDP) 2003 included; Regional Wildlife Resources Inventory; the Satellite Tracking of Elephants Populations Crossing International Boundaries; and the Law Enforcement in Wildlife Management projects. Some countries, for example Tanzania, are members of both the SADC and the Lusaka Agreement so, hopefully, in the future these two establishments can work together to achieve their common goals.

¹¹ Member states include the following: Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia, Zimbabwe, Namibia, South Africa, Mauritius, Democratic Republic of the Congo, Seychelles, and Madagascar.

¹² SADC Wildlife Programme of Action. Southern African Development Community Website. Accessed at <http://www.sadc.int/fanr/naturalresources/wildlife/programme.php> on 16th October 2009. Additional resource including <http://www.rhino-sadc.org/> and <http://www.sadc-wetlands.org/>

3.4 North American Wildlife Enforcement Group (NAWEG)

The North American Wildlife Enforcement Group (NAWEG) was created in 1995 with the aim to improve the enforcement of the Convention on International Trade in Endangered Species of Fauna and Flora (CITES) in Canada, Mexico and the United States.



Background of North America

North America is a richly diverse area supporting a wide variety of habitats ranging from the dry deserts in the west, to the Great Plains and short grass prairies, and also including the temperate and tropical forests of Mexico. A vast array of wildlife makes a living within these ecosystems, many of which have ranges which transcend national boundaries throughout their lives. In addition to sharing many ecosystems and migratory species the countries of North America are also increasingly linked through economic, social and cultural exchange (Hanson, A.J., Agardy, T.S. & Salcido, R.P.G. 2000). These economic ties were strengthened in 1994 through the North American Free Trade Agreement (NAFTA) and the creation of the world's largest trading block.

North America is a fundamental participant in the international wildlife market as both a consumer and supplier of wildlife products. The trade of wildlife in Canada, Mexico and the United States is not only limited to direct cross-border commerce in endemic North American species, but also expands to encompass wildlife products from other regions and continents. The people of North America are buying and selling wildlife products ranging from tiger bone and bear gall bladder for medicinal

purposes, fur coats and leather bags for apparel, to live animals supplying the ever demanding pet trade. Mexico, with its rich diversity, represents a potential exporter of wildlife and genetic resources and as such is a target for smugglers in the trade. Many of the consumers of these illegal goods are in Canada and the United States demonstrating a clear requirement for these countries to coordinate closely if their efforts to stop illegal trafficking in wildlife are to be successful. In 1975 Canada and the United States joined the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Mexico later joined in 1991, and each country passed legislation to govern the domestic and international trade of wildlife and to implement the criteria of CITES.

The most highly trafficked species from Mexico are orchids, cacti, cicadas, tarantulas and songbirds and ornate birds. Mexico has the world's richest cactus breeding ground supporting 850 species many of which are extremely valuable. However, of these, 270 species are considered threatened or endangered, and it is illegal to remove them without a permit (Jordan, M. & Sullivan, K. 2003). Another example of wildlife products being exported from North America is the bear gallbladder trade from the Canadian province of British Columbia. Although the province prohibits both sale and trade of black bear gallbladders, it is believed that both continue, with items passing along a trade network to destinations such as Republic of Korea, Hong Kong (China), Taiwan and the United States (Williamson, D.F. 2002).

Over the past 200 years North America has experienced some dramatic landscape transformations. In the process of finding solutions to their transportation, settlement, energy and other material needs, remaining natural resources have been placed under enormous stress, and continue to be fragmented, polluted or damaged in other ways (Hanson, A.J., Agardy, T.S. & Salcido, R.P.G. 2000). There now exist a great number of protected areas, conservation groups and governmental commitments, but still more needs to be done in order to ensure conservation of the natural habitat for future generations. Migratory species and transboundary ecoregions across the continent are affected by actions in each of the three countries, therefore the greatest opportunity lies in developing a common understanding about the importance of biodiversity and the shared responsibility for protecting it.

The need for a conservation network

Wildlife movement and range is not limited by national or political borders, and so neither should be its conservation. Throughout the countries of Canada, Mexico and the United States there are a number of shared species, a variety which migrate from one country to the next, and others whose natural range crosses over state or national lines. Threats that affect these species or that originate in activities occurring on one country and yet affect biodiversity in another, are common problems that require coordinated or cooperative solutions. The increase in trade among the three countries since the establishment of the North American Free Trade Agreement (NAFTA) in 1994 necessitates enhanced cooperative efforts to both manage the legal wildlife trade and to combat the illegal trade. It is becoming clearer that if these ecosystems are to be maintained that regional and continental action is an essential approach. Extensive partnering and engaging with stakeholders and the public in all three countries is necessary to promote a sense of shared responsibility for the environment in this region.

Establishment of a wildlife protection network

When Canada, Mexico and the United States created the North American Free Trade Agreement (NAFTA) there were strong concerns among environmentalists and the public in general that the alliance would somehow weaken the capacity to protect the environment and increase risk of pollution and degradation. A reduction in the trade barriers commonly affects the environment by *'expanding the scale of economic activity, by altering the composition of economic activity, and by bringing about a change in the techniques of production'* (Grossman, G.M. & Krueger, A.B. (1991). These concerns lead to recognition of the need for cross border coordination and co-operation to handle common environmental issues in North America and the signing of a side accord, the North American Agreement on Environmental Co-operation (NAAEC). NAFTA was the first trade agreement to include environmental commitments and resulted in the foundation of a framework for tri-national co-operation to ensure that Canada, Mexico and the United States respect and enforce their environmental laws.

The NAAEC entered into force on 1 January 1994 and committed the parties to building regional co-operation aimed towards protecting, enhancing and conserving the environment. In addition the countries of North America agreed to ensure effective enforcement of their respective environmental laws, including those protecting wild flora and fauna. In 2003, this mandate was strengthened as the three countries of North American launched the *Strategic Plan for North American Co-operation in the Conservation of Biodiversity*.

In order to facilitate this co-operation the NAAEC established The Commission for Environmental Co-operation (CEC) to help to promote effective law enforcement and prevent prospective environmental conflicts. The CEC is headed by a Council of environment ministers from the three countries, responsible for overseeing the execution of the agreement, and which meets at least once a year. In addition to this the CEC requires the appointment of a regional public advisory committee (JPAC), a group consisting of five citizens from each country, with the option of additional national public and government advisory committees (Duncan, L.F. 1998). Each Party must conduct annual public reporting to ensure commitment to transparency and information sharing. Furthermore the organisation incorporates a Secretariat, based in Montreal, staffed with environmental experts from Canada, Mexico and the United States.

As stated in Hanson *et al.*, (2000) the CEC Council is to consider protection of endangered and threatened species; exotic species; the conservation of wild flora and fauna and their habitat. Responding to these commitments, the CEC established the North American Working Group on Environmental Enforcement and Compliance Co-operation (Enforcement Working Group of EWG) to provide a forum for regional co-operation on these issues. The EWG is a network of senior level environment enforcement officials from Canada, Mexico and the United States who work to strengthen environmental enforcement and compliance co-operation across North America¹³. The role of the Working Group is to identify for the Council areas of emerging interest or opportunities for biodiversity conservation, as well as program implementation and creation of public/private

¹³ Definition taken from the Environmental Working Group (EWG) website. Accessed at <http://www.cec.org/ewg/about2.cfm?varlan=english> on 19th October 2009.

partnerships. Under the sponsorship of the CEC the EWG meets twice annually to review regional enforcement priorities and to advise in the development and delivery of future programs.

The North American Working Group on Wildlife Enforcement (NAWEG) created in 1995 is a member of the EWG, whose primary focus is aimed at improving enforcement of the Convention on International Trade in Endangered Species of Fauna and Flora (CITES). The NAWEG is a network of senior wildlife enforcement officials from Canada, Mexico and the United States which works in close collaboration with the CEC, the Trilateral Committee for Wildlife Ecosystem Conservation and Management (Trilateral) and the Interpol Subgroup on Wildlife Enforcement (Anon. 2002c). The three priority areas for NAWEG consist of; supporting a network of wildlife enforcement officers, building capacity, and creating a regional forensic network¹⁴. Enforcement efforts that are in place include; inspection of permit holders and compliance at borders; overt and undercover investigations; and outreach and public information efforts. In addition to this the Working Group endeavours to provide an effectual voice for North America in the global enforcement network and to strengthen participation within international alliances such as Interpol, CITES and the World Customs Organisation (CEC 2005b). Support from NAWEG has also assisted the formation of other networks including an assemblage of North American wildlife inspectors and an emerging network of wildlife forensics experts. The actions of the NAWEG have been restricted to those concerns which are international or transboundary in nature or which involved illegal activities by residents of the Parties¹⁵.

Projects and Examples

Considering the close association between NAWEG, EWG and CEC some projects are run independently by NAWEG, while others are conducted by CEC with collaboration for the working group where applicable.

One area of specific interest to the NAWEG is that of DNA and Forensic analysis. These aspects are expected to play an ever increasing role in the investigations and prosecution of wildlife crimes and provide further opportunities for the three nations to collaborate and share information. Leaflets detailing brief introductions to each have been created by NAWEG with the hope that it will contribute to controlling wildlife crime¹⁶. International seminars allow wildlife forensic experts and enforcement program managers from the three countries to share valuable information and these efforts have led to the establishment of a register of forensic laboratories.

Another priority, identified as capacity building, has lead to joint training and sponsored workshops ensuring enforcement officers are able to share expertise in wildlife inspection, investigation, and identification techniques. One such workshop allowed wildlife officials to study the illegal practices surrounding big game hunting, game farming, orchid and cacti and coral reefs. A further four

¹⁴ As stated in to following information brochure 'NAWEG: Making a difference for wildlife' Accessed at http://www.cec.org/programs_projects/law_policy/regional_enforce_forum/naweg/naweg.pdf on 13th October 2009.

¹⁵ As stated in the following information brochure 'NAWEG – Strategic Plan' Accessed at http://www.cec.org/files/PDF/ECONOMY/NAWEG-Strat-Plan_en.pdf on 13th October 2009.

¹⁶ Information bulletin from NAWEG 'DNA Analysis in Wildlife Forensics' March 2000 and 'Forensic Analysis of Wildlife Crimes' May 2000. Accessed at www.cec.org/NAWEG/ on 19th October 2009

workshops have been held targeting trade in fur-bearing species, wild birds, reptiles and corals and marine invertebrates. In February 2003 NAWEG organised an enforcement workshop on the trade and illegal harvest of protected plant species attended by over 50 enforcement officers from the three countries. In yet another example the group held a seminar on the Use and Sharing of Intelligence in Wildlife Enforcement in Ottawa in February 2004. This seminar brought together intelligence officers, analysts, investigators, and high-level managers from the three countries and demonstrated the value and accomplishments of an integrated intelligence unit within a wildlife enforcement service (CEC 2005b). Efforts have focussed on capability to detect and enforce CITES violations by developing skills for inspectors, investigators and forensic laboratories. The regional nature of this training has succeeded not only in enhancing knowledge and skills, but also in developing transborder working relationships.

The CEC is involved in a wide range of projects each targeting a specific need or gap in regional conservation. For example, the project 'Strengthening Wildlife Enforcement' works in co-ordination with NAWEG to stop illegal shipments of protected species and wildlife and to improve enforcement capacity¹⁷. 'Conserving Species and Spaces and Common Concern' aims to strengthen co-operation, enhance local capabilities and gain better understanding of underlying pressures on key habitats. The six North American Conservation Action Plans (NACAPs) have been identified to target species that are migratory or transboundary in their lifecycle or range distribution, and so require trilateral action to ensure their conservation (CEC 2005a). One such animal is the Monarch Butterfly which draws particular fascination due to its spectacular migration, during which a single individual can traverse Canada, the US and Mexico. The project to protect this species has focussed on habitat preservation and restoration, researching, monitoring, environmental education, and public outreach. A trilingual document detailing the action plan exists to ensure standardised protocol and a great deal of awareness has been raised (CEC 2008). These projects are part of an effort promoted by Canada, Mexico and the United States to assist in conservation and regional co-operation for environmental sustainability.

In addition to these ventures limited to North America, the CEC also has links with global projects including the United Nations Global Programme of Action for the Protection of the Marine Environment from Land Based Activities (GPA). In 1996 the CEC launched two initiatives to put into practice the GPA in a transboundary framework. One was in the Gulf of Maine, which is shared by Canada and the United States; the other in the Bight of the Californias, a coastal region shared by Mexico and the United States¹⁸. These pilot projects were designed to demonstrate the viability of implementing the GPA in North America and has witnessed measurable achievement (CEC 2000). Trilateral co-operation is also in place in the form of The North American Marine Protected Areas Network, coordinated by the CEC, aiming to create functional linkages and information exchange.

¹⁷ Project information acquired from CEC Website. Accessed at http://www.cec.org/programs_projects/project/index.cfm?varlan=english&projectID=186&programId=4 on 20th October 2009

¹⁸ Information from document entitled 'Implementing the Global Programme of Action in North America: Lessons learned from two pilot projects'. A report on progress in implementing the Global Programme of Action in the Gulf of Maine and the Bight of the Californias.

Collaborative enforcement instances also exist, for example in 1999 co-operation between Environment Canada, the Canadian Wildlife Services, the US Fish and Wildlife Service (USFWS) and other agencies resulted in the conviction of a major supplier of exotic birds, namely the owners of Flikkema Aviaries. In another example of co-operation between the United States and Canada, a large network of trade in black bear gallbladders was dismantled in November 2002 when the USFWS alerted Canadian officials that bear gallbladders were being sold via Internet from Ontario and Quebec (CEC 2005b). Official investigations have also lead to the arrest of two Americans in 1999 for smuggling 21,000 Mexican ocotillo cactus plants into Texas (Jordan, M. & Sullivan, K. 2003).

Support

NAWEG's efforts to address illegal wildlife trade and enforcement issues have received invaluable support and participation from numerous private conservation groups, the business sector, and the academic community across the continent. Groups as diverse as the *Asociación de Zoológicos, Criaderos y Acuarios* from Puebla, the *Instituto de Ecología de Xalapa, A.C.*, the North American Fur Auction House, the Northwest Association of Forensic Scientists and TRAFFIC North America have taken part in NAWEG workshops and other activities. Federal and state/provincial agencies in all three countries have also supported NAWEG's mission by offering scientific and technical support. Support is also given to the NAWEG to participate in the meetings of the Trilateral Committee for Wildlife, Plant and Ecosystem Conservation and Management, enabling a merging of scientific and legal enforcement perspectives for implementing CITES in North America. Many of CEC conservation efforts are supported through the North American Fund for Environmental Co-operation (NAFEC). Between 1996 and 2000, NAFEC made 127 grants totalling USD 4.8 million to community-based environmental projects (Hanson, A.J., Agardy, T.S. & Salcido, R.P.G. 2000).

Challenges

Levels of illegal wildlife trade in general have risen in recent decades, indicating that the markets for wildlife and wildlife products are continuing to grow, both globally and in North America. In a statement from the NAWEG tri-national conference in March 2002¹⁹, it was stated that the following were existing gaps in wildlife legislation; invasive species; organised crime; impacts caused by illegal immigration in remote areas; inconsistencies between sub national laws; commercialisation of wildlife and the resulting increased scale of activities; protection of CITES Annex 1 species; coastal pollution; fisheries; and timber and non-timber forests products. CEC reported in April 2009 that economic losses and the environmental impact caused by invasive species exceed \$100 billion dollars annually in the United States alone²⁰. The existing strategies that are in place will find it difficult to cope with the impacts caused by ever-increasing levels of development and the relatively new problems of climate change. Maintaining sufficient levels of funding is also problematic; however experience has shown that the regional networks can assist by joint funding and shared expertise.

¹⁹ Summary Report of the Tri-National Conference on Wildlife Enforcement Activities "In Search of Better Avenues for Public Participation". 28th February – 1st March 2002, Washington, DC, USA. Sponsored by the North American Wildlife Enforcement Group (NAWEG) and the North American Commission for Environmental Co-operation (CEC) – Anon. 2002c

²⁰ News Report from CEC Website. 'North America works to halt invasive species – CEC issues a scientific report to asses the risks of aquatic invasive species that, once established, could cause significant harm'. Montreal, 23/04/2009. Accessed at <http://www.cec.org/news/details/index.cfm?id=2823> on 20th October 2009.

3.5 European Commission Wildlife Trade Regulations

The European Commission (EC) Wildlife Trade Regulations are applied in all European Union (EU) Member States²¹. The first Community legislation entered into force in 1984 and the provisions have been developed and expanded since this date. These Regulations deal with the protection of species of wild fauna and flora by controlling trade in these species.



Background of Europe

The European Union (EU) has one the largest and most diverse consumer markets of wild animals and plants, their parts and derivatives. The enlargement of the EU from 15 to 25 Member States in May 2004 and then to 27 in January 2007 further increased the size of the EU's single market (Kecse-Nagy, K., Papp, D. And Knapp, A. 2009). Millions of live animals and plants are imported every year from multiple different destinations and a huge variety of wildlife products are in demand including apparel items, souvenirs, timber products, medicines and trophy articles. To get a sense of the sheer

²¹ Member states include the following: Austria, Belgium, Bulgaria, Cyprus, The Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and The United Kingdom.

scale of this vast market a report conducted by TRAFFIC estimates that from 2000-2005, *3.4 million lizard, 2.9 million crocodile, and 3.4 million snake skins, all species listed under CITES, were imported into the EU, along with 300,000 live snakes for the pet trade plus 424 tonnes of sturgeon caviar—more than half of all global imports—and, in 2004 alone, more than 10 million cubic meters of tropical timber from Africa, South America and Asia, worth €1.2 billion* (TRAFFIC 2007).

Many of the species being traded are CITES listed, however the demand varies considerably among EU Member States. In several, demand for live animals, in particular for exotic birds and reptiles, is strong: these include Belgium, the Czech Republic, Germany, the Netherlands, the United Kingdom and several others. France, Italy and Spain are major importers of reptile skins for the production of luxury leather goods. Italy is also prominent importer of tropical timber, including CITES-listed timber, for furniture manufacture (Milieu Ltd 2006). Further from the large import trade, the EU is also an important exporter of CITES specimens, including live animals bred in captivity, artificially propagated plants and products such as leather goods. Interestingly the majority of seizures that actually take place relating to wildlife are as a result of tourists bringing home wildlife without permits, putting themselves at risk of fines, penal prosecution or even imprisonment (TRAFFIC Europe 2006a).

Given the magnitude of wildlife trade crossing the borders of the European Union, both legal and illegal, these countries accept that they must take special responsibility ensuring that this trade is sustainable and does not lead to species concerned becoming endangered. Regulation of wildlife trade at Community level has been one of the priorities of the EU nature conservation policy for over 25 years (Ó Críodáin, C. 2007). Since 1984, the European Union has been implementing the provisions of CITES through the European Community (EC) Wildlife Trade Regulation. Nonetheless further efforts are still needed to control the levels, in a study conducted by Milieu Ltd (2006) just over half of respondents (Member States) thought that the level of illegal wildlife traffic had increased since 2000, whereas only 9% thought that it had fallen.

The need for a conservation network

A treaty establishing the European Economic Community (EEC), signed in Rome in 1957 brought together countries to achieve integration via trade and economic expansion²². The Treaty entered into force in 1958 and gradually led to the absence of systematic border controls within the European Union. To fit with the European Community policy on environmental protection, it was decided the provisions of CITES would be implemented in a uniform way in all 25 EU Member States. This was done through the adoption of the EC Wildlife Trade Regulations which regulate international as well as EU-internal wildlife trade. While all EU Member States are Parties to the CITES Convention, before the EU can be introduced as a Party in its own right, the Gaborone Amendment²³ has to be ratified by a sufficient number of CITES Parties (54 in total) (TRAFFIC Europe 2006b).

²² Report from the European Union Wildlife Trade Enforcement Co-ordination Workshop, held in October 2005. Accessed at www.traffic.org/general-reports/traffic_pub_trade6.pdf on 2nd November 2009. – Anon. 2005b

²³ The Gaborone Amendment is a proposed alteration to the text of the CITES Convention that would allow the EU to be introduced as a Part in its own right. In accordance with Article XVII, paragraph 3, of the Convention, the Gaborone

The EC Wildlife Trade Regulations are directly applicable in all EU Member States. To implement such regulations the necessary enforcement provisions must be transferred into national legislations and national laws, and each Member State take responsibility to ensure that violations are punished appropriately. Although each Member State has their own undertaking, to be successful as a united entity requires international co-operation, and only through working together can the objectives of CITES be attained. Well-regulated and legal trade can bring benefits to local people, local economies and conservation and should be encouraged.

Establishment of a wildlife protection network

The implementation of the European Community Wildlife Trade Regulations is overseen by the European Commission. One of the Commission's main roles is to ensure that the legislation is adequate at EC level to effectively regulate wildlife trade; this is achieved through periodic review of the EU Regulations. Due to the official status of the European Community as a non-Party, its legislation implementing CITES is self-imposed and it is not bound to the Convention. Where there is need CITES must officially address themselves to individual Member States who have transferred their proficiency to the European Community (European Commission 2007).

The first Community legislation to give effect to the basic provisions of CITES, *Council Regulation (EEC) No. 3626/82*, entered into force in 1984. At this point in time, not all of the member States were Parties to the CITES Convention and considerable discretion was left to each Member State to decide how they would implement the details of the Regulation. A more comprehensive Regulation came into force in 1997 when all Member States were Parties to CITES, and hence its provisions could be implemented using an equal approach across the Community (Ó Críodáin, C. 2007).

At this time *Council Regulation (EC) No. 338/97* deals with the protection of species of wild fauna and flora by regulating the trade in these species. It lays down the provisions for import, export and re-exports as well as internal EU trade in specimens of species listed in its four Annexes. It provides for procedures and documents required for such trade and it regulates the movement of live species. It also sets out specific requirements for Member States to ensure compliance with the Regulation and to impose adequate sanctions for infringements. Also, there is a provision under which the Commission can restrict the introduction of certain species into the European Union (known as the *Suspensions Regulation*). The Council Regulation also establishes a number of bodies at EU level, i.e. the Committee on Trade in Wild Fauna and Flora (Management Authority), the Scientific Review Group (Scientific Authority) and the Enforcement Group, all of which consist of representatives of the Member States and are convened and chaired by the European Commission²⁴.

The rules for the implementation of Council Regulation (EC) No. 338/97 are laid out in *Commission Regulation (EC) No. 885/2006*. This second Regulation addresses the practical aspects of execution and deals with the interpretation and implementation of CITES provisions. It provides standard

amendment shall enter into force 60 days after 54 of the 80 States that were party to CITES on 30 April 1983 (i.e. two-thirds of them) have deposited their instruments of acceptance.

²⁴ Regulation details acquired from document on European Commission website entitled Wildlife Trade Legislation. Accessed at http://ec.europa.eu/environment/cites/legis_wildlife_en.htm on 5th October 2009

model forms that must be used for permits, certificates, notifications and applications for these documents as well as labels for scientific specimens to ensure uniformity across the Community. In addition to this core legislation, *Commission Recommendation No. 2007/425/EC* sets out a series of measures that Member States should implement in order to enhance their efforts to combat illegal trade. These include adopting national action plans for enforcement, imposing sufficiently high penalties for illegal wildlife trade offences and using risk and intelligence assessments to detect illegal and smuggled wildlife products. This recommendation also addresses the need for increased public awareness about the negative impacts of illegal wildlife trade and for greater co-operation and exchange of information within and between Member States as well as with third countries and relevant international organisations¹⁷.

Both CITES and the EC Wildlife Trade Regulations specify that each Member State have at least one Management Authority (MA) and one Scientific Authority (SA). The role of the MA is to co-ordinate and oversee the implementation of the Regulation including the issuance of CITES permits and certificates. These MAs must also consult with the SAs in order to verify that conservation provisions are observed and that the level of trade is not putting any species at risk. The structure of MAs varies considerably throughout the Member States. For example in Estonia, France and the UK, the MA is located in the national environmental ministry; in other countries such as Spain and the Netherlands it is located in other ministries; whereas in other Member States, the MA is not in a ministry but a separate body, such as Latvia's Nature Protection Board. Across all Member States, the Management Authorities are involved in enforcement, but their role varies considerably. In several Member States the MA helps to develop overall goals and participates in enforcement discussions; in others the MA is directly involved in enforcement work including providing training and advice, identifying specimens from customs, or visiting border points. This direct role can provide expertise, but may strain the MA's capacity (Milieu Ltd 2006). To encourage regional co-operation a Management Committee was established which consists of representatives of Member States' Management Authorities and is chaired by a representative of the European Commission. The Committee meets approximately three times a year in Brussels and decides on measures to improve the implementation of the EC Wildlife Trade Regulations (TRAFFIC Europe 2006b).

The roles of the Scientific Authorities also differ from country to country, depending on their structure and capacity. Some SAs are large public institutions, including the National Museum of Natural History in France and the Royal Botanical Gardens in the UK. In these cases, the SAs have greater capacity to provide direct assistance for enforcement, usually by identifying difficult to determine specimens and, in some Member States, providing temporary care for seized specimens. In several other Member States, such as Poland, the SAs are committees of experts; in some Member States, they are unpaid. In Poland, SA members assist enforcement services with difficult identification cases, often using digital photographs sent via email. In other Member States, however, the SA members are called less frequently for such assistance (Milieu Ltd 2006). In coordination with the Management Committee a Scientific Review Group (SRG) was established that consists of representatives of each Member States' Scientific Authority and is chaired by a representative of the European Commission. The SRG normally meets three times a year in Brussels and examines all scientific questions related to the application of the EC Wildlife Trade Regulations, including whether trade has a harmful effect on the conservation status of a species. In cases where

the SRG believes trade might have a negative impact, imports from the country of origin under question may be temporarily suspended (European Commission 2007).

The Council Regulation also establishes an Enforcement Group that consists of representatives of Member States' authorities in charge of illegal wildlife trade controls (e.g. customs and police services) and is chaired by a representative of the European Commission. The Enforcement Group meets twice a year in Brussels and examines technical questions relating to the enforcement of the EU Wildlife Trade Regulations and to exchange information. In nearly all Member States, Customs authorities undertake enforcement at border points. For in-country enforcement, the situation can be more complex, as several services, including Police, wildlife agencies, environmental inspectors, or veterinary inspectors can be involved. Enforcement work at border points includes checks of required permits and certificates for CITES shipments, as well as the detection of illegal shipments. In a number of Member States, Customs services have set up units specifically for CITES enforcement. In a few Member States, services other than Customs also play an important role at border points. In Spain and Portugal, a national police service provides frontline enforcement at border points (*Guardia Civil* and *Guarda Civil*, respectively). Police play a central role in the in-country CITES enforcement in many Member States; in several, Police have national networks focusing on either wildlife crime or environmental crime more generally. In nearly all Member States, enforcement services have operations at national as well as regional and local levels, creating a need for coordination, especially in larger Member States (Milieu Ltd 2006).

To facilitate communication among the Member States, the Belgian Government and TRAFFIC, in collaboration with the European Commission established the EU Trade in Wildlife Information eXchange (EU TWIX). EU TWIX provides a database of seizures in the EU as well as a library of rescue centres, forensic laboratories, etc., and a real-time list-server enabling online communication between EU enforcement personnel where they can post alerts and ask questions regarding enforcement. EU TWIX is secured access only, and only accessible to enforcement personnel (but managed by TRAFFIC). It is an extremely useful tool for detecting emerging trends and providing assistance and communication between EU Member States. Another useful tool which helps facilitate the sharing of information and expertise is CIRCA (Communication & Information Resource Centre Administrator). This is an extranet tool run by the European Commission, enabling a given community (e.g. committee, working group, project group etc.) that is geographically spread across Europe (and beyond) to maintain a private space on the Internet where they can share information, documents, participate in discussion and benefit from various other functionalities.

The structure of the EC Wildlife Trade Regulations consists of four Annexes (A, B, C and D). Annexes A, B and C largely correspond to Appendices I, II and III of CITES, but also contain some non CITES-listed species that are protected under EU internal legislation. Annex D, for which there is no equivalent in CITES, is often referred to as the "monitoring list". It contains species for which import levels are monitored to determine the level of trade and potential threat to the species caused by the trade. The EC Wildlife Trade Regulations have stricter import conditions than those imposed by CITES. Import permits are not only required for species listed in Annex A but also for species listed in Annex B. Import notifications are required for Annexes C and D. Some species that are listed in

Appendix II of CITES are listed in Annex A of the EC Wildlife Trade Regulations and consequently such specimens have very strict requirements for trade (TRAFFIC Europe 2006c).

Although the EC Wildlife Trade Regulations are directly applicable in all EU Member States, a number of the sanctions in place leave it to individual Member States to define the level of implementation they consider appropriate. The result of this is that the penalties applied to illegal wildlife trade offences vary widely throughout the EU: for example in some countries that maximum fine can be just over EUR1200 and in others up to EUR450 000, whereas other Member States have no upper limit to their fines. Maximum prison sentences range from six months to eight years and there is also significant differences between EU Member States regarding powers of seizure and confiscation of specimens, funds and equipment involved in illegal wildlife trade (Garstecki, T 2006).

The provisions regarding the housing conditions and transport requirement for live species are also stricter than those defined by CITES. Regular checks take place on traders and holders, and facilities are made available for the temporary care of seized or confiscated live specimens. These conditions are designed mainly to provide for the welfare of animals, but are also based on conservation considerations, contributing to the long-term survival of life animals and plants in captivity, thereby reducing demand for and pressure on wild specimens (TRAFFIC Europe 2006d). Also, there is added complexity in that the Regulations – unlike the Convention – aim to regulate the import of invasive alien species as well as endangered or vulnerable species (Ó Críodáin, C. 2007).

Projects and Examples

The progress and achievements of the EC Wildlife Trade Regulation depend on the level of co-operation amongst the various Member States, the amount of information shared and the level at which they support one another to accomplish tasks. A study conducted by Fröhlich *et al*, in 2003 for the European Commission of environmental crime found that over two-thirds of cases involved activities in more than one Member State. In one such example in 2004 several Member States were called in to help officials at Brussels Zaventem airport when they discovered and seized a large number of frogs, which in order to be cared for were placed in centres in several different countries. A study on the enforcement of the EU Wildlife Trade Regulations in the EU-25 (Milieu Ltd 2006), revealed a more detailed view of the level of contact which specific department and Member States have with each other. It was shown that forestry and wildlife inspectors and the Management authorities have the most frequent communication with CITES authorities and services in other countries, whereas customs and police service inter-country contact was much lower. The results also showed that many Member States have strong contacts with their immediate neighbours, and several used Germany and then United Kingdom as a strong point of contact.

In addition to communication with other authoritarian bodies, several information resources have been created for public viewing to inform people what documents are required if trading in wildlife or bringing home wildlife souvenirs legally. Further documents have also been created detailing; specifications for marking and labelling; captive breeding and artificial propagation regulations; aspects of welfare, invasive species and health issues related to exotic animals and plants; guidelines for household effects and hunting trophies; and a background to permits, certificates and notifications. It has also been suggested that both the public and the relevant authorities are

entitled to more transparency as regards to the details used by the Scientific Research Group to reach their decisions about trade levels.

The European Community also actively contributes to various projects supporting the implementation of CITES. One such programme entitled MIKE (Monitoring of Illegal Killing of Elephants) supports institutional capacity building in countries with elephant populations in order to ensure effective management of the species and law enforcement. The system is now operational in 38 African and Asian countries and is supported by the European Commission with a total of 9.8 million Euros for the period 2006-2010 (European Commission 2007). Also supported are national authorities in a range of South American, African and Asian countries in the implementation of CITES for timber species. This project assists the relevant countries in meeting the scientific, administrative and legal requirements for management and trade in this timber, ensuring that international trade in these species is sustainable. The EC contribution for this project is 2.5 million Euros for the period of 2007-2010, with co-funding from other partners (European Commission 2007). In addition to the financial and technical contributions made by the EC it is also involved in the development of CITES training material for enforcement officers and capacity-building workshops.

Projects are also conducted within Europe including the Habitats Directive (*Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna*), which aims to preserve fauna, flora and natural habitats of EU importance included in Annexes of the Directive. The fundamental purpose of this directive is to establish a network of protected areas throughout the EU, called NATURA 2000, which is designed to maintain the distribution and the abundance of threatened species and habitats, both terrestrial and marine. The Birds Directive (*Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds*) also imposes strict legal obligations on EU Member States to maintain populations of naturally occurring wild birds at levels corresponding to ecological requirements, to regulate trade in birds, to limit hunting to species able to sustain exploitation, and to prohibit certain methods of capture and killing (TRAFFIC Europe 2006b).

Support

Throughout its implementation the EC Wildlife Trade Regulations have grown in strength due to the increased support offered between Member States. Innovative ideas and materials are being produced and it is vitally important that once certified these should be employed by all Member States, saving time and resources. TRAFFIC – the wildlife trade monitoring network – has assisted governments and enforcement agencies in improving wildlife trade regulations and law enforcement activities since 1980, when it established its first European national office (TRAFFIC 2007). In addition to this the Bern Convention of European Wildlife and the 1992 Convention on Biological Diversity (CBD) share many of the same goals as the EC Regulations and the organisations compliment one another in their actions.

Challenges

To ensure continued co-operation there is a need to address any obstacles to cross-border co-operation including contact mechanisms, logistical problems and cost-sharing. There should be in place a set of standard procedures for contact and regular monitoring to identify any gaps in the

system. One factor disrupting these communication links is the varying interpretations of the Regulations among the Member States leading to different opinions and methods for conducting activities, which can lead to problems when specimens move from one Member State to another. There is also disagreement within the EU as to whether the provisions set in place are sufficient or not, with some Member States being of the opinion that the Regulations are too complex, whereas others requesting more certification and marking of species (Ó Críodáin, C. 2007). Some feel that the Community legislation should be modelled more closely on the CITES Convention as although this would mean a possible loss of the stricter measures that are currently in place, it would also mean less confusion about policy and suitable level of implementation.

A study on the effectiveness of the EC Wildlife Trade Regulations conducted in 2007 (Ó Críodáin, C. 2007) revealed that traders, in general, understood the aims of the Regulations and in most Member States they were satisfied with implementation. The review showed that a number of the difficulties that arose were due to the variation in policy and implementation between each Member State which lead to complications and frustrations. Some Member States complained about the number of licenses required for specimens of species that are commonly in trade; claiming that the paper burden associated with one species over another is not always indicative of the real conservation status of those species. Furthermore they felt that the current level of regulation of internal trade in Annex A species is burdensome and want to reduce the certificate requirements for those species that are common in captive breeding.

Another hindrance stated in the report by Garstecki, T (2006), is lack of adequate law enforcement. This study claims that due to the relative rarity of wildlife crime compared to other types of offences there is a lack of experience in dealing with the relevant situations. This problem is aggravated further if prosecutors and judges do not fully understand the severity of the damage caused by illegal wildlife trade to the species in the wild. Enforcement agencies have also reported difficulties in returning live specimens to the country of origin as determining the exact location can be difficult, and it is dependant on good working relations with officials in the relevant country to ensure the specimen will be properly released.

3.6 Association of Southeast Asian Nations' Wildlife Enforcement Network (ASEAN-WEN)

The Association of Southeast Asian Nations' Wildlife Enforcement Network (ASEAN-WEN) is a wildlife enforcement network that involves police, customs and environment agencies with the aim of protecting bio-diversity and improving the implementation of CITES. The 10 ASEAN member countries include: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar (Burma), the Philippines, Singapore, Vietnam and Thailand.



Background of Southeast Asia

The Southeast Asia region is extremely rich in biodiversity with three of these countries, Indonesia, Malaysia and the Philippines, being classified as among the seventeen mega diversity countries in the world (Koh, K-L. 2007). Vast arrays of species, many of which are endemic, are supported in the numerous jungles, rivers, lakes, seas and mountains. Common land and water borders have allowed the countries of Southeast Asia to share many species that are biologically diverse from the rest of the world, making this area significant to global diversity. This rich natural heritage is an important source of food, livelihood and shelter to over 500 million people in the region. Beyond the environmental benefits such as providing fuel, food, medicines, and protection, biodiversity also

contributes significantly to the economy, supporting industries like agriculture, pharmaceuticals, eco-tourism and recreation.

Unfortunately this rich biodiversity is becoming increasingly endangered from threats such as deforestation, illegal wildlife trade, pressure from growing populations, urbanisation, pollution and climate change. Out of the 64,800 known species in the region, it is estimated that around 2% or about 1,300 species are now endangered, with greater numbers also being vulnerable or at risk of becoming so (ASEAN Biodiversity 2009). Furthermore loss of many of these regional populations is likely to result in global extinctions because of the high proportion of endemic species (Sodhi, N.S. *et al.*, 2004). Much of this environmental damage has resulted from the substantial economic development of recent years, which originally aimed at raising the standard of living of the people, and consequently now threatens many of the regions vital resources.

Southeast Asia is a global hotspot for the poaching, trafficking, and consumption of illegal wildlife parts and products. The region's high biodiversity, well-developed transport infrastructure, increasing affluence and weak wildlife enforcement have left the region vulnerable to exploitation²⁵. Humans have been hunting wildlife in Southeast Asia for thousands of years, this pressure has increased dramatically with the increasing human population and declining forest areas, and according to Sodhi, N.S. *et al.*, (2004) wildlife is now being extracted from tropical forests at more than six times the sustainable rate. One trend of particular relevance, due to its close locality, is the trade in animal and plant parts used in traditional Chinese medicine which have a negative impact on many species in Southeast Asia, including tigers, bears, rhinos, turtle, snakes, pangolins, and monkeys. Furthermore, figures detailed in the report by Sodhi, N.S. *et al.*, (2004) state that in 2000, the net legal export of lizard and snake skins from Indonesia were 29.4% and 28.2% of global exports, respectively. This number is likely to be a dramatic underestimation of the actual volume of trade as illegal and unrecorded wildlife traffic is not accounted for. A significant proportion of the trade being exported from Southeast Asia is purchased by wealthy consumers in countries such as China, Europe and the United states. In addition to this a wide variety of wildlife specimens and products are also imported into Asia, for example, African tortoises, paws and bladders from North American bears, and sea horses from the Pacific (Schaedla, W.H. 2007).

The need for a conservation network

Illegal wildlife traffickers operate both within and between Southeast Asian countries through well-organised, cross-border networks. This illicit and uncontrolled trade presents risks to livelihoods, bio security and human health, in addition to exploiting local communities. A report by Schaedla, W.H. (2007) states that, until recently, the task of investigating and confronting the region's wildlife offenders fell largely to environmental agencies. Such agencies typically lacked the authority and capacity to stop professional criminals and cross-border syndicates.

Illegal wildlife trade is a significant transnational problem which must be addressed which equivalent transnational efforts. Such problems are very difficult for countries to tackle individually, despite their efforts wild tigers and many other endangered species are still gradually disappearing from the

²⁵ Information stated by USAID-ASIA leaflet entitled 'Environmental Co-operation-Asia (ECO-Asia) – ASEAN Wildlife Enforcement Network' accessed at www.usaid.gov/rdma/.../ECO-Asia_WEN_FINAL_20061030_508.pdf on 4th October 2009

Asian landscape. To save these species and to control the legal trade requires a concerted multinational level with support from police, customs and environmental management agencies to form national, regional and international networks (USAID 2008). It is also important that the work of biodiversity conservation links with areas such as agriculture, forestry, fisheries, urban development, industry and tourism²⁶, to ensure a balance is met and resources can be shared and used sustainably.

Establishment of a wildlife protection network

The first regional network between the countries of Southeast Asia was formed in 1961 and was an alliance consisting of the Philippines, Malaysia and Thailand, called the Association of Southeast Asia (ASA). This collaboration expanded in 1967 to include Indonesia and Thailand, and hence forth became know as The Association of Southeast Asian Nations (ASEAN). Since its establishment membership has expanded to include Brunei, Burma (Myanmar), Cambodia, Laos, and Vietnam. The aims of this partnership are to increase economic growth, social progress, and to encourage peace and stability in the region. The organisation holds meetings, known as the ASEAN Summit, where heads of government from each member state meet to discuss and resolved regional issues. Additionally meetings are conducted with other countries and regions to promote external relations, and ASEAN has concluded free trade agreements with China, Korea, Japan, Australia, New Zealand and India.

Within the documentation of the ASEAN Agreement it details the desire of the signatories to undertake individual and joint action for the conservation and management of their living resources; Article 2(3) of the agreement envisages that the contracting parties may have to take appropriate action to manage the resources of two or several contracting parties. It is also identified that there is a need for co-operation in dealing with illegal wildlife trade; Article 5 (1)(a) of the ASEAN Agreement calls upon contracting parties to regulate trade in endangered species listed in Appendix 1 of the Agreement (Koh, K.L. 2003).

In recognition of the urgent need to address these issues, ASEAN approved the conception of the ASEAN Regional Action Plan on Trade in Wild Fauna and Flora (2005-2010). This document addresses common issues of enhanced law enforcement networking, inter-agency co-operation, strengthened national legislation and increasing the availability of scientific information to guide wildlife trade management by CITES authorities. More specifically the second objective is stated to 'Promote networking amongst relevant law enforcement authorities in ASEAN countries to curb illegal trade in wild fauna and flora'²⁷. An initiative to implement key components of this Action Plan was instigated in October 2004 with Thailand proposing the creation of a regional wildlife law enforcement network at the 13th Conference of the Parties to CITES. The official launch of this network, called the

²⁶ Quoted from a speech made by Ms Grace Fu, Senior Minister for National Development and Education, at the Opening of the ASEAN Conference on Biodiversity 2009. News article from ASEAN-WEN website entitled 'ASEAN member countries encouraged to jointly tackle the challenges of biodiversity conservation' accessed at http://www.aseanwen.org/index.php?option=com_content&view=section&layout=blog&id=5&Itemid=60 on 10th November 2009

²⁷ Information taken from documentation of ASEAN Regional Action Plan on Trade in Wild Fauna and Flora, 2005-2010. Adopted at a special meeting AEG-CITES. Accessed at www.aseansec.org/17753.pdf on 4th October 2009.

ASEAN Wildlife Enforcement Network (ASEAN-WEN), occurred on 1st December 2005 at a meeting between Senior Officers held in Bangkok. The organisation is an integrated network among law enforcement agencies and membership of the network is open to officials from CITES authorities, customs, the police, prosecutors, specialised governmental wildlife-law enforcement organisations and other relevant law enforcement agencies²⁸. The formation of ASEAN-WEN will encourage better intelligence-sharing between national counterparts, increased collaboration, and cross-border co-operation.

The network operates on two levels: national and regional. On the national level, each country operates an inter-agency task force comprised of police, customs, and environmental officers. These individual task forces then work together to form the core of the regional network, the aim being to increase law enforcement capacity, information sharing and support for trans-national investigations. ASEAN-WEN also aims to encourage more prosecutions, promote updated laws and appropriate sentencing, and increase public awareness of wildlife crime and its impacts to reduce consumer demand²⁹. The Secretariat of the network is called the Program Coordination Unit (PCU) and is based in Bangkok, Thailand. The PCU helps coordinate trainings and workshops, organizes annual meetings, facilitates communication, and builds high-level support³⁰.

The first official ASEAN-WEN meeting took place in Bangkok in 2006 and was attended by senior Southeast Asian Police and Customs and Environmental officials (Schaedla, W.H. 2007). Over the course of this meeting the Terms of Reference were agreed upon and National Focal Points were identified. Since this date ASEAN-WEN meetings have occurred annually with the most recent being conducted in Malaysia (2009). These meetings provide an opportunity for member countries to present updates on their efforts to tackle illegal wildlife trade, and present a forum for discussion about future regional developments. During the second regional ASEAN-WEN meeting Specialised Working Groups were established including: Special Investigations, Fundraising, and Capacity Building. The Special Investigation Group is currently focussed on Pangolins and Big Cats, and in 2009 a workshop specific to this field was conducted through partnership between ASEAN-WEN, INTERPOL, the International Law Enforcement Academy, and the Royal Thai Police. The workshop included police from ASEAN member countries, along with police from China and the United States, who came together to exchange information on the illegal trade in pangolins and big cats and associated criminal networks³¹. This workshop endeavoured to increase collaborative cross-border investigations and enforcement actions with the ultimate aim of taking down major criminal syndicates involved in trafficking these, and other, protected species.

²⁸ As stated in the ASEAN Statement on Launching of the ASEAN Wildlife Law Enforcement Network (ASEAN-WEN). Released at The Special Meeting of the ASEAN Ministers Responsible for the Implementation of CITES, Bangkok 2005.

²⁹ Information from Wildlife Trade Factsheet accessed from ASEAN-WEN website entitled Illegal Wildlife Trade in Southeast Asia. Accessed at http://www.asean-wen.org/index.php?option=com_docman&task=doc_details&gid=5&Itemid=80 on 4th November 2009

³⁰ Details taken from ASEAN-WEN website – ‘Frequently asked questions’, Who is the Secretariat of ASEAN-WEN. Accessed at http://www.asean-wen.org/index.php?option=com_content&view=article&id=48&Itemid=56 on 11th November 2009

³¹ Details given ASEAN-WEN Newsletter article entitled ‘Special Investigation Group Tackles Pangolin and Big Cat Traffickers’. Volume 1: Issue 4: 2009. Accessed at http://www.asean-wen.org/index.php?option=com_acajoom&act=mailing&task=view&listid=1&mailingid=4&Itemid=90 on 11th November 2009.

Projects and Examples

To support the investigation of wildlife crime and the seizure of illegal specimens a wide variety of trainings and workshops have been conducted by ASEAN-WEN, often in coordination with external bodies. Joint training courses between countries have been an important step in sharing expertise but also help to foster good working relationships. Training of rangers in the field and customs officers dealing with these issues on a daily basis are one of the focus areas. In 2009, an intensive two-week training course was given to 40 forest rangers from the Mekong regions, 20 from Thailand and 20 from Lao, designed to boost their capacity to protect the forest reserves (Ratchasima, N. 2009). Another example, taking place in the same year, involved 90 participants working in customs control. The Wildlife Trade Regulation Courses were held at the Malaysian Airports Training Centre, and at the Kuala Lumpur International Airport and covered basic skills for the implementation of CITES regulations and national legislation governing wildlife trade (ASEAN-WEN Newsletter 2009).

In addition to training individuals involved in seizure, it is also considered important to ensure that prosecution is conducted fairly and efficiently to discourage further trade. As such, a number of judiciary workshops have been conducted on 'Wildlife Crime and Prosecution' involving members from various ASEAN-WEN member countries and including regionally important topics such as mutual legal assistance. The most recent of these workshops took place in Kuala Lumpur in March 2009. A training course was also conducted on wildlife crime forensics facilitated by the US Wildlife Crime Forensics Exchange, which was attended by five forensic experts representing ASEAN-WEN. The scientists from Indonesia, Malaysia and Thailand were trained on crime scene investigation; DNA extraction and analysis; ivory, fur and leather identification; blood and bile analysis; and cause of death determination. This collaboration between the United States and ASEAN-WEN also aimed increase information exchange to control East-West wildlife crime³².

Furthermore, as mentioned previously, ASEAN-WEN facilitates a Specialist Investigation Group. In 2009 a workshop was conducted by the Investigation Group on Trafficking in Big Cats and Pangolins which involved police investigators from Cambodia, Indonesia, Laos, Malaysia, Thailand, Vietnam, China and the United States. Facilitated by the Royal Thai Police and INTERPOL, the workshop focused on ways to improve cross-border intelligence sharing and boost collaborative investigations to locate, gather evidence against and arrest the criminal ring leaders behind the illegal wildlife trade³³. A number of international agencies, including INTERPOL, and the U.S. Fish and Wildlife Service also gave presentations detailing the support available and encouraging good international relations. ASEAN member states also consider it important priority to efficiently control the introduction of invasive alien species. A workshop was conducted in 2008, in coordination between the ASEAN Centre for Biodiversity and Viet Nam's Ministry of Natural Resources and Environment, with the aim of increasing capacity of member states to protect the environment against invasive alien species. International collaboration plays an important role in managing these risks, and

³² Article entitled Trainings Equip ASEAN Law Enforcement Officers and Foster Co-operation. Accessed at [http://61.47.40.15/\\$sitepreview/asean-wen.org/uplodimg/new/actu/Jul08%20newsletter.html](http://61.47.40.15/$sitepreview/asean-wen.org/uplodimg/new/actu/Jul08%20newsletter.html) on 11th November 2009.

³³ Information from a press release entitled 'International Police Group Tackle Trafficking Syndicates' published in Bangkok, January 9th 2009. Accessed at [http://61.47.40.15/\\$sitepreview/asean-wen.org/newscenter_typepopup.php?newsID=43](http://61.47.40.15/$sitepreview/asean-wen.org/newscenter_typepopup.php?newsID=43) on 10th November 2009.

region-wide involvement in early warning systems, detection of invaders, risk assessments, and monitoring and control are invaluable tools to help prevent the spread and establishment of potentially invasive species (ASEAN Biodiversity 2009).

A great number of investigations and seizures are being conducted both independently within individual countries, and regionally using cross-border connections. As an indication of the scale of the trade being dealt with, the following details have been reported in Action Update leaflets produced by ASEAN-WEN³⁴. Between January and March 2009 15 major wildlife law enforcement actions were reported. This included more than 5,410 live and deceased animals, animal parts and derivatives, over 14.8 tons; plus 200 tons of suspected illegal timber. The estimated black market value of the seized contraband (excluding the timber) was US\$30 million, and 38 arrests were made across five countries. In the period of April to June 2009 22 major or model wildlife law enforcement actions were reported. This included more than 5,296 live animals and 4,827 dead animals, animal parts and derivatives - over 20 tons of wildlife and rare wood. These seizures were estimated to be worth at least US\$3.6 million on the black market and in these months 30 arrests and 30 separate convictions were conducted across five countries.

Since establishment ASEAN-WEN has also been working towards improving and enhancing international relations with other regions and continents. Established external links have now been made with enforcement agencies in China, USA, the European Union and Australia and with the Secretariats of ASEAN and CITES, INTERPOL and the World Customs Organisation (WCO). Through attending meetings or workshops facilitated by other organisations or regions, ASEAN-WEN is able to share information and gather new knowledge while improving international relations. One such workshop, conducted in 2009, included experts and representatives from 21 countries, 12 intergovernmental organisations and agreements, and 29 non-governmental organisations. The theme of this workshop specifically addressed 'Arresting Wildlife Depletion in Asia through Strengthened Regional Co-operation and Effective Partnerships' and those in attendance concluded that wildlife crime poses a serious threat to Asia³⁵. International connections further assist ASEAN-WEN through the structure of a Support Program, which offers both technical expertise and material support and is administered via cooperative partnership between Wildlife Alliance and the United States Agency for International Development (USAID). The Support Program is expected to act for five years, during the initial stages of ASEAN-WEN, and activities are conducted by WildAid Foundation Thailand and TRAFFIC Southeast Asia. Tasks conducted include the facilitation of meetings and events, raising public awareness of wildlife crime related issues, and supporting successful prosecution and sentencing of wildlife crime (Schaedla, W.H. 2007).

³⁴ ASEAN-WEN Action Updates on wildlife law enforcement and seizures for the periods January-March 2009 and April-June 2009. Accessed at http://www.asean-wen.org/index.php?option=com_docman&Itemid=96 on 4th November 2009.

³⁵ Details of Pattaya Workshop, conducted in April 2009, found in Manifesto on Combating Wildlife Crime in Asia accessed at http://www.asean-wen.org/index.php?option=com_docman&task=doc_download&gid=9&Itemid=80 on 4th November 2009.

Support

ASEAN-WEN has received a great deal of financial and technical support, particularly from its implementing partners which include; Government of Thailand, Wildlife Alliance, Peunpa, TRAFFIC, FREELAND Foundation, ASEAN, U.S. State Department, U.S. Fish and Wildlife Service, U.S. Justice Department, U.S. Forest Service, and CITES Secretariat. In addition to this ASEAN-WEN has also been provided with support from INTERPOL, the United Nations Office on Drugs and Crime, the World Bank, the World Customs Organisation, and the Coalition Against Wildlife Trafficking (CAWT) among others.

The collaboration of these various organisations with ASEAN-WEN has assisted in providing capacity building for national wildlife crime task forces, regional co-operation and interaction among task forces, and collaboration with the global law enforcement community³⁶. Having such international support also helps in generating political will and increasing public awareness. ASEAN-WEN also supports the aims of other organisations in these partnerships, for example the ASEAN Centre for Biodiversity (ACB) which aims to contribute to the reduction of the current rate of loss of biological diversity by enhancing regional co-operation, capacitating stakeholders, and promoting awareness for biodiversity conservation (ASEAN Biodiversity 2009).

Challenges

The region of Southeast Asia still faces many difficulties in tackling the issue of illegal wildlife trade and ASEAN-WEN is not yet performing to its full capacity owing to several social, scientific and logistical challenges faced by the countries involved. One such problem is the inefficient level of skills and expertise among the task force members and those working to control illegal wildlife trade. According to a report by Schaedla, W.H. (2007) unpublished assessments undertaken by WildAid Foundation, Thailand and TRAFFIC, Southeast Asia indicate a general lack of skills necessary to effectively identify and handle wildlife crime. The report further states that specific problems include deficiencies in understanding of national wildlife laws, international conventions, and procedures relevant to wildlife cases. In addition to this some countries still do not have sufficient legislation to allow for CITES implementation to be effective, or the penalties for environmental crimes are too weak, meaning that the profitability of illegal wildlife trade continues to motivate the culprits. The demand for exotic pets, apparel items, traditional medicines and exotic dishes remains high and much more needs to be done to raise awareness about the consequences of such actions to the public and specifically to the consumers. Further set backs have occurred due to political turmoil and corruption within ASEAN countries which has had a profound effect on scheduled ASEAN-WEN activities.

Additionally there are significant gaps in scientific research and large areas of Southeast Asia have yet to be surveyed by professional biologists. This lack of knowledge is a serious impediment to conservation as accurate biological studies are needed to prioritise conservation areas and habitat, and to model sustainable use of the resources (Sodhi, N.S. *et al.*, 2004). Issues such as population growth, poverty and shortage of resources are also negatively affecting the progress of ASEAN-WEN.

³⁶ Overview information on ASEAN Wildlife Enforcement Network given on the Encyclopaedia of Earth website. Accessed at http://www.eoearth.org/article/ASEAN_Wildlife_Enforcement_Network on 11th November 2009.

In 1983 at the 6th meeting of the ASEAN Expert Group on the Environment, a draft Agreement on the conservation of nature and natural resources was created. It was signed two years later by the then six member countries – Brunei, Indonesia, Malaysia, Philippines, Singapore and Thailand. However, to date only three of the six signatory member states are ratified it; therefore it is not yet in force (Koh, K-L. 2007). The main objective of the agreement is the conservation of wild floras, fauna and renewable resources and one of the requirements includes completing an inventory of all flora and fauna. It may be that currently these demands are too high, but the fact that this Agreement has still not been rectified is another hindrance to the progress of biodiversity conservation in Southeast Asia.

4.0 Current situation in South Asia

4.1 South Asia Background



Countries and Landscape

The South Asia Region covers eight countries – Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka with an area of approximately 42,916,000 km². This region is one of the most diverse areas in the world with rich terrestrial, freshwater and marine resources. It covers almost one twentieth of the earth's surface and provides a home for about one fifth of the world population³⁷. All possible biomes are hosted within this region with the sole exception of the vast grasslands that are found across Africa, Americas and Europe. The habitats found range from the mangrove rich coasts of Bangladesh, India and Pakistan through to the wet and dry forests of the uplands of central and South India; the evergreen alpine of the Hindu Kush range in Pakistan and the Himalayas of India, Nepal and Bhutan; the warm deserts of Thar and Sindh to the cold deserts of Ladakh and the trans Himalayan region; the rain forests of north east and South western India to the swampy Rann of Kutch in Gujarat; the evergreens of Andaman and Nicobar Islands to the evergreens

³⁷ Information gathered from SACEP (South Asia Co-operative Environment Programme) website. Accessed at <http://www.sacep.org/> on 8th October 2009

of Sri Lanka (Misra, M.K. 2004). This region is also home to many endangered and threatened species like Asiatic Lion, Tiger, Snow Leopard, Asian elephant, One-horned rhinoceros, Red Panda, and several plant species.

In addition to shared habitats and ecosystems the countries of South Asia also share strong commonalities between cultures. A huge diversity of languages, religions and outlooks exist, yet the nations are linked by common environmental problems, stemming from poverty and its consequences on natural resources. Agricultural expansion and uncontrolled grazing are some of the unsustainable practices that have taken a toll on the land. Global Climate change is affecting the Himalayas as well, with devastating changes in freshwater flows that affect all of South Asia. However, illegal trade poses the greatest threat to biodiversity, causing already shrinking species populations to decline even more rapidly (Miceler, J. 2008).

Wildlife Trade Overview

Due to its rich biodiversity the South Asia region is recognized as one of the prime targets of international organized wildlife crime networks. The variety of rare and prized species such as tigers, elephants and rhinoceroses greatly increases this threat, as there is consumer demand for parts and products from these animals. The illegal wildlife trade is a multibillion dollar business and organized criminal networks operate across this region, aided by corruption, poverty and weak laws. Items commonly found in the trade include timber, ivory, musk, bear bile, rhino horn, medicinal and aromatic plants, pelts, reptile skins, birds and marine products. In addition to the demand for apparel items, specimens for the pet trade, and ornamental items the use of wildlife and its derivatives as ingredients in traditional medicine is also increasing. More than 1500 animal species have been recorded for medicinal use, of which 968 are vertebrates (United Nations Development Programme 1998). The demand is so great that live animals and animal parts are not only traded within Asia but also imported from Africa and North America as well. Accurate data for the actual level of trade is difficult to come by, and such uncertainty makes it difficult for governmental and nongovernmental organization to allocate their resources efficiently or develop effective conservation strategies. To encourage the availability of accurate data it is important to eliminate common sources of reporting discrepancies through training, compliance assistance, and automated record keeping (Blundell, A.G. and Mascia, M.B. 2005). To give an example of the extent of the trade a report by (WWF, 2008), details that poaching has reduced Nepal's Rhino population by more than 30 percent. The article further stated that in one of the largest ever seizures of big cat skins in India, enforcement authorities in 2000 seized 4 tiger skins, 70 leopard skins, 221 blackbuck skins, 18,000 leopard claws, 150 kgs of leopard and tiger bone, 132 tiger claws, 2 leopard teeth and one dried leopard penis from poachers in Khaga in the North Indian State of Uttar Pradesh.

4.2 India

Country Information

India covers a geographical area of 3,287,263 sq.Km (Source: World Bank 2003) and has a population of more than 1 billion people (1,139,964,932 Source: World Bank 2008). The country is divided into four relatively well defined regions - the Himalayan Mountains, the Gangetic river plains, the southern (Deccan) plateau, and the islands of Lakshadweep, Andaman and Nicobar. The Himalayas

in the far north include some of the highest peaks in the world (Misra, M.K. 2004). Within this one country there is a vast range of altitude, rainfall and geological conditions which have given rise to and enormous diversity of ecosystems: forests, wetlands, coasts, grasslands, seas and deserts (Tiwari, G.S. 2006). India is a rapidly developing and advancing country; however this modernisation process is steadily transforming nature. The drive is causing large scale deforestation and transformation to agricultural and grazing land. It is imperative that conservation of natural resources is integrated into national development plans in order to sustain the countries assets for years to come (Tiwari, G.S. 2006).

National Laws to protect wildlife

India has in place a number of different laws and acts that have been established in response to the need for biodiversity conservation. The Indian Constitution states that: *“The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.”* The document also says that, it shall be the duty of every citizen of India *“to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures”* (Misra, M.K. 2004). India became the 25th party to CITES on 18th October 1976 and hosted the 3rd COP (Conference of the Parties) of CITES in New Delhi in 1981. Furthermore India increased its involvement by chairing the Standing Committee for three consecutive terms between 1981 and 1989.

One of the primary policies regulating wildlife trade and protecting biodiversity is the *Wildlife (Protection) Act, 1972*. This Act is intended to provide for the protection of wild animals, birds and plants and for all connected matters and related incidents (Wildlife (Protection) Act, 1972). In 1986 the wildlife act was amended to implement the CITES provisions and to prohibit trade or commerce in trophies, animals articles, etc. derived from listed animals. The Act was then amended further in 1991 to include a section on protection of listed plants. Unfortunately soon after the original amendments were made, the traders challenged the new provisions in the Court, and succeeded in getting a stay order. It was only in 1992 when WWF-India intervened and succeeded in getting the stay vacated, that the policy changes could actually come into operation (United Nations Development Programme 1998). Subsequently the Wildlife (Protection) Act was amended again in 2003, providing for the creation of two new types of reserves; Conservation Reserves and Community Reserves. A Conservation Reserve is defined as an area owned by the State Government adjacent to National Parks and Sanctuaries for protecting the landscape, seascape and habitat of flora and fauna. Community Reserve is an area which the State Government may notify after the agreement with the members of that community where the area is located for the protection of flora and fauna found in that area. Furthermore punishment and penalty for offences under that Act were made more stringent, and a National Board for Wild Life and a State Board for Wild Life were created. The most recent amendment to the Wildlife (Protection) Act occurred in 2006. This amendment resulted in the insertion of a chapter entitled ‘National Tiger Conservation Authority’, following which the state government were asked to identify the peripheral area critical to the tiger habitat, designate it as buffer zone and prepare a tiger conservation plan (TCP) for both core and buffer zones.

In addition to this wildlife trade is also regulated in India by the Indian Forest Act, 1927, Customs Act 1962, EXIM Policy 1992, and the Biodiversity Act 2002. Furthermore there other policies exist to support biodiversity conservation including; The National Wildlife Action Plan 1982, The National Forest Policy 1998, The National Conservation Strategy and Policy Statement on Environment and Sustainable Development 1992, The Environmental Action Plan 1993, and The National Action Plan on Biodiversity 1997 (Tiwari, G.S. 2006).

Indian Forest Act 1927 - Wild animals & their products and plants are categorised as forest produce. Their collection from reserved forests and protected forests without permission of the competent forest authorities is prohibited. Transport of forest produce is permitted only with transit pass issued by competent forest authorities (Misra, M.K. 2004).

Customs Act, 1962 - Presently it is the Custom department (Ministry of Finance) using the Customs Act, 1962 that actually implement the CITES in India. Resultantly they become the real frontline organisation in case of importation and exportation of CITES goods at various customs points (Misra, M.K. 2004).

Export – Import (EXIM) Policy under the Foreign Trade (Development and Regulation) Act, 1992 - It is the EXIM Policy that actually provides the basis for implementation of CITES in the country. Trade is regulated through a system of licences or is completely banned in some items (Wildlife (Protection) Act, 1972).

Biodiversity Act 2002 - Any foreigner, non-residential Indian or a foreign entity is prohibited from obtaining any biological resource occurring in India for research or for commercial utilisation, or for bio-survey or bio-utilisation without prior approval of the national biodiversity authority. Indian citizens and Indian entities, other than local people and local communities and practitioners of indigenous medicine, are also prohibited from obtaining any biological resource for commercial utilisation, or bio-survey or bio-utilisation except after giving prior intimation to the concerned state biodiversity board (Misra, M.K. 2004).

The National Wildlife Action Plan 1982 - Identifies broad goals of establishing a network of representative protected areas (Pas), developing appropriate management systems for them with due regard for the needs of local people or the ecosystems so as to ensure their support and involvement, and also extend conservation efforts beyond Pas (Tiwari, G.S. 2006).

The National Forest Policy 1998 - Stresses the sustainable use of forests, and the need for greater attention to ecologically fragile, but biologically rich mountain and island ecosystems (Tiwari, G.S. 2006).

The National Conservation Strategy and Policy Statement on Environment and Sustainable Development 1992 - Outlines policies and action plans to provide greater attention to conservation of biodiversity (Tiwari, G.S. 2006).

The Environmental Action Plan 1993 - Identifies conservation and sustainable utilisation of biodiversity in selected ecosystems as one of the top seven priorities for future action (Tiwari, G.S. 2006).

The National Action Plan on Biodiversity 1997 - Epitomises fundamental principles of biodiversity conservation, reviews various action plans, and suggests future directions and strategies, both socio-economic as well as legal (Tiwari, G.S. 2006).

Unfortunately despite these efforts illegal wildlife trade still continues due to lax enforcement, legal loopholes, corruption and lack of awareness. Available data suggests the India is fast becoming a major centre for the supply of wild species (Tiwari, G.S. 2006). India's CITES Annual Report (2002) cites 113 cases of violation of national regulations at the custom point during Exports and 7 cases of violation at custom point during Imports. The report covers the period of 1 year (January – December, 2002) and these figures are probably a vast underestimation of the actual number of non recorded violations (Misra, M.K. 2004).

Bilateral Agreements

India's relations with its neighbouring countries and with the world are continually evolving and developing. In a period of rapid and continuing change, India must be capable of responding optimally to new challenges and opportunities. Regionally India is a prominent power due to its size, its population, and its growing military strength. However, relations with its neighbours are mixed, and although in some cases strong links exist, there are other instances that are fraught with tension and conflict. India has also forged relationships with developing countries, especially South Africa, Brazil, and Mexico. These countries often represent the interests of the developing countries through economic forums such as the G8+5, IBSA and WTO³⁸.

South Asia

Afghanistan – Bilateral relations between India and Afghanistan have been traditionally strong and friendly.

Bangladesh – Both states have had a long common cultural, economic and political history and the people of the two countries are indistinguishable to most outsiders.

Bhutan – Historically, ties with India have been close and the two countries signed a Friendship treaty in 1949. On February 8th, 2007, the Indo-Bhutan Friendship Treaty was substantially revised to strengthen Bhutan's status as an independent and sovereign nation.

Maldives – India enjoys a considerable influence over the Maldives' foreign policy and provides extensive security co-operation.

³⁸ Most information on the foreign relations of India gathered from http://en.wikipedia.org/wiki/Foreign_relations_of_India on 30th November 2009

Pakistan – Despite historical and cultural links, relations between India and Pakistan have been inconsistent and the two countries have been to war three times. A peace process, initiated in 2003, has led to improved relations in more recent years and bilateral trade is gradually increasing.

Sri Lanka – Bilateral relations between Sri Lanka and India have been generally friendly, but have been effected by prolonged civil unrest in Sri Lanka. India is the only neighbour of Sri Lanka, separated by the Palk Strait and both nations occupy a strategic position in South Asia.

Nepal – Relations between India and Nepal are close due to their historical, cultural, ethnic, social and family links. Yet their association is not without its difficulties which stem from geography, economics, the problems inherent in big power-small power relations, and common ethnic and linguistic identities that overlap the two countries' borders. The India-Nepal Treaty of Peace and Friendship was signed in 1950 and established the framework for the unique ties between the two countries. Among other things this created a formal trade relation between the two countries which became rather crucial to Nepal particularly due to her landlocked geographic characteristics and allowed an increase in external trade. This Treaty was modified and renewed in 1961 and 1971, and India signed a further two treaties on trade and transit with Nepal in 1996 and 1999 respectively (Shrestha, G.R. 2003). Within these Treaties it was explicitly expressed that the purpose is to promote mutual trade between the two countries for the benefits of mutual sharing of scientific and technical knowledge and experience.

It is also noted that there are over 265 approved Indian joint ventures in Nepal of which over 100 are operational, with a cumulative total Indian investment lying in between 36% and 40% of the total foreign direct investment in Nepal. These joint ventures are associated with different sectors that include tourism, infrastructure, consumer durables and non-durables and export-orientated industries (Shrestha, G.R. 2003). Bi-lateral discussions have begun between the government of India and Nepal on protecting areas along their common border, and the enforcement of laws regarding illegal wildlife trade. Both countries are members of CITES, with shared responsibilities to control illegal trade in wildlife species and their parts. The government of Nepal has long felt the need for collaboration with India to control illegal cross-border trade and to conserve endangered wildlife species that are vulnerable to human actions.

The first transboundary consultative meeting on Biodiversity conservation between Nepal and India was organised from 3-7 January, 1997 in Kathmandu with the aim of examining problems in cross-border wildlife conservation and illegal trade in wildlife species (United Nations Development Programme 1998). The meeting resulted in the formation of a resolution signed by the two countries to deal with the various challenges through exchanging information, improving coordination between authorities, co-operation in resolving the human pressure and illegal encroachment, monitoring, census and enumeration of priority species and increased vigilance on cross border illegal trade along with a resolution to meet at regular intervals in future.

The second meeting was held in Surajkund near Delhi from 28th February – 1st March 1999 to discuss issues related to wildlife conservation and illicit felling of trees along the Indo-Nepal border. Both governments resolved to synchronise enumeration efforts, establish and maintain linkages between

protected areas on both sides of the border, take up eco-development initiatives along the border, extension of cattle ex-gratia schemes, training in forensic identification, implementation of respective legislations and co-operation in research proposals. Keeping this resolution as a basis, an action plan was developed to achieve the objectives discussed in the meeting.

Third Nepal-India consultative meeting on trans-border biodiversity conservation was held in Budhanilkantha, Kathmandu, Nepal from 13th-15th September 2002. They resolved to set up a joint Trans-border Consultative Committee to monitor the progress on issues related to conservation of TAL (Terai Arc Landscape) through restoration of critical corridors, tackle the problem of human wildlife conflict and facilitate coordination between field staff across national borders. Other resolutions include building a database and information sharing, capacity building of frontline staff, implement research programmes, identify migratory routes used by wild animals, establish in-country mechanism for mitigation of human pressure and illegal encroachment, vigilant monitoring of the border for trade and illicit tree telling and finally to meet every two years by holding national level consultative meetings to review the progress made and evolve future strategies.

WWF-India organised a meeting on 'Trans-border collaboration for wildlife conservation' on 19th July 2008, in Lucknow, Uttar Pradesh where expert conservationists and senior officials from Nepal and India were invited to discuss issues related to conservation and wildlife crime in TAL. The various agencies that participated included officials from state Forest Departments of UP and Uttarakhand, Special Task Force (STF), UP police, representatives from WWF Nepal, WWF International, TRAFFIC India and the Wildlife Institute of India.

Southeast Asia

Myanmar – For many years, Indo-Burmese relations were strong due to cultural links, flourishing commerce, common interests in regional affairs and the presence of a significant Indian community in Burma. However, the overthrow of the democratic government by the Military of Burma led to strains in ties. In 1993, due to geo-political concerns, India revived its relations and recognised the new name of Myanmar. Relations between the two have since remained close which was evident in the aftermath of Cyclone Nargis, when India was one of the few countries whose relief and rescue aid proposals were accepted by Myanmar's ruling junta.

Singapore – India and Singapore share long-standing cultural, commercial and strategic relations. More than 300,000 people of Indian origin live in Singapore and the country has always been an important strategic trading post, giving India trade access to Maritime Southeast Asia and the Far East. India's main exports to Singapore in 2005 included petroleum, gemstones, jewellery, machinery and its imports from Singapore included electronic goods, organic chemicals and metals.

Thailand – India's Look East policy (which began development in 1991), saw India grow relations with ASEAN countries including Thailand, and Thailand's Look West policy (1997), also saw it grow relations with India. Through Buddhism, India has culturally influenced Thailand and Indian epics, such as Mahabharata and Ramayana, are popular and are widely taught in schools as part of the curriculums in Thailand.

Vietnam – India and Vietnam signed a bilateral trade agreement in 1978 and the Bilateral Investment Promotion and Protection Agreement (BIPPA) on March 8, 1997. Bilateral trade has increased rapidly since the liberalisation of the economies of both Vietnam and India. Indian and Vietnam have also built strategic partnerships, including extensive co-operation on developing nuclear power, enhancing regional security and fighting terrorism, transnational crime and drug trafficking.

International

China – Sino-Indian relations have a long and complex history dating back to ancient times. Trade relations via the Silk Road acted as economic contact between the two regions. However, since the early 1950s, their relationship has been characterised by border disputes. Both countries are now emerging giants in the global economy and have in recent years successfully attempted to reignite diplomatic and economic ties. In 2007, Sino-Indian trade reached US\$36 billion, making China the single largest trading partner of India. The increasing economic reliance between India and China has also brought the two nations closer politically. Additionally there is in place a protocol between India and China on tiger conservation. During the 14th meeting of the Conference of Parties to CITES which was held from 3rd to 15th July, 2007, India introduced a resolution along with China, Nepal and Russian federation, with directions to parties with operations breeding tigers on a commercial scale, for restricting such captive populations to a level supporting only to conserving wild tigers.

European Union – The European Union is among India's biggest trade partners, with the first bilateral agreement being signed in 1973. The most recent co-operation agreement was signed in 1994 and an action plan was signed in 2005. As of April 2007 the European Commission is perusing a free trade agreement with India.

United States of America – India and the U.S. currently share an extensive cultural, strategic, military and economic relationship. In recent years, relations between India and the United States have blossomed primarily over common concerns regarding growing terrorism, energy security and climate change. In recent years India has conducted joint military exercises with the U.S. in the Indian Ocean and the two countries work together on common interests including defeating terrorism, preventing the spread of weapons of mass destruction and protecting the free flow of commerce. Additionally trade relations between the two countries are good and in 2007, the United States exported \$17.24 billion worth of goods to India and imported \$24.02 billion worth of Indian goods.

United Nations – As a founder member of the United Nations, India has been a firm supporter of the Purposes and Principles of the United Nations, and has made significant contribution to its various programs.

4.3 Regional Co-operation in South Asia

Many countries within the region of South Asia have taken actions for the protection and management of the environment and are now working to support transboundary co-operation. It is recommended in the CITES resolution Conf. 10.3 that: “Neighbouring parties consider sharing their resources by supporting scientific institutions to provide the scientific findings required under the convention” (Misra, M.K. 2004). Detailed below is the progress to date in the establishment of a regional wildlife enforcement network for South Asia.

The need for a conservation network

The South Asia region is biological diverse and has a rich supply of terrestrial, freshwater and marine resources. As a result, illegal trade and overexploitation of wild animals and plants poses a major challenge to the conservation and sustainable use of biodiversity in South Asia. On 6th January 2004, an Agreement on the South Asian Free Trade Area was reached at the 12th SAARC (South Asian Association for Regional Co-operation³⁹) summit at Islamabad, Pakistan. This Agreement creates a framework for the establishment of a free trade area covering India, Pakistan, Nepal, Sri Lanka, Bangladesh, Bhutan and the Maldives, resulting in free movement of trade and hence a need to work together to monitor illegal activities. Common issues such as poaching, uncontrolled harvesting and illegal trade in valuable medicinal plants and endangered wildlife species transcend political boundaries, and require joint action to control the illegal practice. From a biological perspective, the joining of a protected area of one country with the protected area of another expands the size of the habitat in the same ecological zone. The larger the size of the protected area, the greater the chance of preserving the ecosystem in its totality, and therefore it is possible to provide adequate habitat for widely-ranging species. Transboundary co-operation can also improve cultural relations and links between neighbouring countries across borders (United Nations Development Programme 1998).

Initiation of a wildlife protection network

South Asia Cooperative Environment Programme (SACEP)

Established in 1982, the South Asia Cooperative Environment Programme (SACEP) is an intergovernmental organisation for promoting regional co-operation in South Asia in the field of environment. The eight member countries include Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Since its creation, SACEP has implemented a number of projects and programmes in the areas of environment education, environment legislation, biodiversity, air pollution, and the protection and management of the coastal environment⁴⁰. The organisation was created to fulfil a vision based on the following three assumptions:

³⁹ The South Asian Association for Regional Co-operation (SAARC) was established on December 8, 1985 by the Heads of State or Government of Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. SAARC is an economic and political organisation that provides a platform for the peoples of South Asia to work together in a spirit of friendship, trust and understanding. Information sourced from <http://www.saarc-sec.org/main.php> on 19th November 2009

⁴⁰ Information obtained from SACEP website. Accessed at www.sacep.org/ on 8th October 2009

- 1) Recognition of environmental degradation caused by factors like poverty, over population, over consumption and wasteful production threatening economic development and human survival,
- 2) Integration of environment and development as essential prerequisites to Sustainable Development,
- 3) Importance of co-operative action in the South Asian region where many ecological and development problems transcend national and administrative boundaries.

The Mission of SACEP is to *'promote regional co-operation in South Asia in the field of environment, both natural and human in the context of sustainable development and on issues of economic and social development which also impinge on the environment and vice versa; to support conservation and management of natural resources of the region and to work closely with all national, regional, and international institutions, governmental and non governmental, as well as experts and groups engaged in such co-operation and conservation efforts.'*

Recognising the challenge of controlling illegal wildlife trade in the region, Ministers at the Tenth Meeting of the Governing Council of SACEP, on 25th January 2007, urged for the development of a work programme to combat illegal trade in wild species and their products, and help strengthen enforcement of CITES in the region⁴¹. Following this on 20th July 2007 SACEP entered into a Memorandum of Understanding (MOU) with TRAFFIC International to develop a South Asia Wildlife Trade Initiative (SAWTI). Under the MOU both parties agreed to develop and implement a South Asia Regional Strategy for combating illegal trade in wild flora and fauna; to ensure that wildlife trade is maintained at a sustainable level in South Asia; to establish a South Asia Wildlife Trade Initiative; to hold consultations on these topics; and to strengthen partnerships, alliances and other cooperative mechanisms to progress at the national and regional level (SACEP Sri Lanka 2007). Subsequently a workshop was conducted in Kathmandu, Nepal, from 31st January – 1st February 2008 including participants from all eight South Asian countries, and calling upon the international community to support action in South Asia by providing financial and technical assistance. The workshop was organised by the Government of Nepal, SACEP, WWF Nepal and TRAFFIC and was made possible thanks to funding from the US Department of State, SACEP and WWF.

Jaipur Declaration

Countries in the region showed their support for the development of a South Asia regional strategic plan on illegal wildlife trade and the establishment of a South Asia Wildlife Trade Initiative (SAWTI) through a Ministerial statement, known as the 'Jaipur Declaration' in May 2008 (Appendix 3). The Declaration followed the Eleventh Meeting of the Governing Council of SACEP, where Environment Ministers from Afghanistan, Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka, issued a Statement stressing the importance of mutual networking and technical support to address

⁴¹ Information obtained from press release entitled 'South Asia commits to regional co-operation in controlling wildlife trade'. Accessed at www.sacep.org/pdf/sawti_press1.pdf on 23rd November 2009.

the needs of the region in combating illegal wildlife trade. “Regional co-operation can provide the best solution for regional problems,” the Ministers said⁴².

South Asia Wildlife Trade Initiative (SAWTI)

In accordance with the agreement between SACEP and TRAFFIC International preparations have begun for the establishment of a South Asia Wildlife Trade Initiative (SAWTI). The vision of SAWTI is to: *“develop a regional initiative for providing mutual help through co-operation, co-ordination and communication for conservation, sustainable use, regulated wildlife trade and livelihoods of eco-dependent people as well as eliminating trade in wild flora and fauna and related products and derivatives”* (SACEP Sri Lanka 2007). It is hoped that through its work the network will encourage exchange of information and expertise, human resource development, capacity building, and elimination of illegal trade in wildlife in the region.

A series of joint actions have been agreed upon by those participating countries including the establishment of a South Asia Experts Group on Wildlife Trade and the development of a South Asia Regional Strategic Plan on Wildlife Trade (2008-2013). The focus of South Asia Regional Strategic Plan on Wildlife Trade includes; co-operation and co-ordination, effective legislation, policies and law enforcement, sharing knowledge and effective dissemination of information, sustainability of legal trade and livelihoods security, intelligence networks and early warning systems, capacity building (SACEP Sri Lanka 2007). This document is an attempt to develop practical ways to support governments, non government organisations and civil society in ensuring the effective implementation of national laws, policies and programmes to combat illegal wildlife trade.

It was identified during the 2008 workshop that there is a need for greater communication between countries and coordination and sharing of experience is vital. Additionally it was noted that many countries in the region have recently suffered some form of natural disaster or civil unrest, and that such circumstances make it even more difficult for national governments to bear the burden of safeguarding their natural resources.

Furthermore, in October 2009, there occurred a meeting in Delhi between environmental ministers of SAARC (South Asian Association for Regional Co-operation) countries. Following this meeting a draft treaty has been circulated which includes, amongst others, a reference to regional collaboration to address wildlife enforcement and environmental issues. This further emphasises that countries within the South Asia region are willing to try to support one another to tackle this international issue.

⁴² Information obtained from press release entitled ‘South Asia Wildlife Enforcement Network to be established’. Accessed at <http://www.traffic.org/home/2008/5/31/south-asian-ministers-pledge-regional-co-operation-in-tackli.html> on 4th October 2009.

Analysis

5.0 Comparative analysis of wildlife enforcement networks around the world

5.1 Carrying out research

In depth internet and literature studies were conducted to gather information on the wildlife enforcement networks in place around the world. These analysis studies included; background of the region, the need for a wildlife enforcement network, operative methods of such a network, and the progress, support and challenges faced to date. From these findings the researcher highlighted specific areas of interest and generated a questionnaire based on these topics in order to gain additional, first hand information.

In accordance with the methodology, this questionnaire was targeted towards individuals with knowledge of wildlife enforcement networks that are established in different regions of the world including Africa, North America, Europe and Southeast Asia. It was desired to generate feedback from individuals living and working in those regions to be used in conjunction with the researchers own findings. Through implementation of this questionnaire it was hoped to gather individual's views on the current progress of such networks, difficulties that are being faced and benefits of co-operation. Participants for this section of the research study were sent the questionnaire via email after their contacts had been found in relevant research documents and websites.

The questionnaire sought to identify:

- Awareness of individuals about wildlife enforcement networks working in their area
- Role of the regional network
- Progress of the regional network
- Difficulties faced by the regional network
- Benefits gained from the regional network
- Sustainability of the work being conducted
- Improvements that could be made for future progress

It was hoped that the research through questionnaires would create a more in depth analysis of the current progress of other regional wildlife enforcement networks to be used in addition to the researchers own findings. As a result, a comparison can be made between the progress and operative methods of the various networks in order to extract recommendations for implementation in South Asia.

5.2 Analysis of findings and comparison of operative methods

Within this section the researcher has used both questionnaire feedback and information obtained from internet and literature searches to compile a summary of each network to allow clear comparison between their progress, difficulties faced, operative methods and future prospects. Those regional networks under consideration include; The Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora (LATF); North American

Wildlife Enforcement Group (NAWEG); European Commission Wildlife Trade Regulations; and the Association of Southeast Asian Nations' Wildlife Enforcement Network (ASEAN-WEN).

The role of these regional networks is fundamentally the same, although their operative methods differ considerably. The primary objective for each is to work towards reducing and eventually eliminating illegal wildlife trade within their region through which ever means are most applicable. This process includes a combination of cross-border collaboration, enforcement, dissemination of information, communication between countries, training and awareness raising projects. The future hope for such ventures is that if well regulated then wildlife trade can be sustainable, endangered species can be protected, and biodiversity can be conserved. Furthermore it is also understood that in order to address this global issue, there is a need for inter-region co-operation, and for both the supply and the demand to be controlled.

The level of supply and demand varies not only between regions but also from country to country. Additionally, the driving forces behind the trade also vary. In both South Asia, Southeast Asia and Africa the major driving forces were defined as; financial profit linked to a lack of alternative income for local people, and international demand. It was interesting to note that local demand was generally regarded as a nominal issue. However in North America and Europe there are found fewer wildlife products that are desired on the global market and a larger proportion of the trade is local demand for the import of wildlife products from other regions. Furthermore due to these regions consisting of 'developed' nations, the issue of lacking alternative income is less of an issue. Additional driving forces that were noted by respondents to the questionnaire include; tradition and culture, expanding population, local demand, status symbols, and religious beliefs.

Operative Methods

Each region has different working methods which vary according to needs of the participating countries;

The Lusaka Agreement which consists of six African countries, namely Republic of Congo (Brazzaville), Kenya, Lesotho, Tanzania, Uganda and Zambia, operates via a three-tier institutional mechanism. This mechanism comprises of a regional permanent enforcement body known as the Lusaka Agreement Task Force; the implementing and enforcement body established or designated by each Party State called a National Bureau; and the Governing Council, which is a ministerial policy and decision-making body.

The North American Wildlife Enforcement Group (NAWEG), comprising of Canada, Mexico and the United States, focuses on the enforcement of CITES and acts as a member of the Enforcement Working Group which was established by The Commission for Environmental Co-operation (CEC). The NAWEG is a network of senior wildlife enforcement officials from Canada, Mexico and the United States which works in close collaboration with the CEC, the Trilateral Committee for Wildlife Ecosystem Conservation and Management (Trilateral) and the Interpol Subgroup on Wildlife Enforcement.

The European Commission (EC) Wildlife Trade Regulations are applied in the 27 European Union (EU) Member States which consist of; Austria, Belgium, Bulgaria, Cyprus, The Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and The United Kingdom. These Regulations deal with the protection of species of wild fauna and flora by controlling trade in these species, and the implementation of these Regulations is overseen by the European Commission. Management Authorities within each Member State are responsible for coordinating this implementation within their own countries including the issuance of CITES permits and certificates. Furthermore, The European Union Enforcement Group exists to examine any technical questions relating to the enforcement of this Regulation raised by the chairman, either on his own initiative or at the request of the members of the group or the committee.

The Association of Southeast Asian Nations' Wildlife Enforcement Network (ASEAN-WEN) consists of the 10 ASEAN member countries including; Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar (Burma), the Philippines, Singapore, Vietnam and Thailand. The organisation is an integrated network among law enforcement agencies and membership of the network is open to officials from CITES authorities, customs, the police, prosecutors, specialised governmental wildlife-law enforcement organisations and other relevant law enforcement agencies. The network operates on two levels: national and regional. On the national level, each country operates an inter-agency task force comprised of police, customs, and environmental officers. These individual task forces then work together to form the core of the regional network, the aim being to increase law enforcement capacity, information sharing and support for trans-national investigations.

Progress

Given the varying nature of the operative methods and the vast differences in supply and demand in each region no direct comparison can be made as to their level of progress since establishment. Whereas one region may have focussed on enforcement, another may have put greater efforts into training and education, and there is no measure to define which topic is 'better progress'. The researcher has attempted to define some key areas which can be compared, but is aware that this is not a full measure of their progress. Those areas to be examined are trainings conducted with the past three years and seizures made within the last year; information has been gathered from questionnaire responses where possible.

Lusaka Agreement - Trainings have been conducted in the following fields; law enforcement, crime and prosecution, undercover investigations, customs inspections, and public awareness campaigns. According to respondents, up to 10 training sessions have been conducted within the past three years with a number of those benefiting more than one country. The primary beneficiaries of the organised training programmes included officers of the National Bureaus and Task Force as well as other Law Enforcement Agencies. Furthermore up to 10 notable seizures have occurred within the past year, four of which were defined as large, meaning 'numerous species of high value'. The most significant of these seizures was entitled Operation Baba, and was a coordinated swoop on illegal traders and poachers across 5 African countries yielding one ton of poached ivory and exposing 57 illegal dealers. The researcher was further informed that where possible, live specimens claimed in seizures are sent back to the country of origin or released to the wild if from the same country.

However, when asked how regularly cross-border operations occur there was a wide variation in responses from 'Frequently' to 'Very Rarely', implying lack of awareness in the level of collaboration in some line agencies.

North America Wildlife Enforcement Group (NAWEG) – Trainings have been conducted in DNA and forensic analysis, wildlife inspection, investigation and identification techniques, the illegal harvest of protected plant species, and wildlife enforcement. These efforts have been focussed on the capability to detect and enforce CITES violations by developing skills for inspectors, investigators and forensic laboratories. In addition to the training sessions workshops and seminars have also been conducted, and information leaflets have been produced. A number of the training sessions carried out have brought together officers from the three countries in order to develop transborder working relationships. The development of the six North American Conservation Action Plans (NACAPs) have also lead to increased habitat preservation and restoration, researching, monitoring, environmental education, and public outreach, jointly conducted by the Canada, North America and Mexico. However, the researcher was unable to acquire any responses detailing the recent number of wildlife seizures so this topic has not been included for comparison.

European Commission (EC) Wildlife Trade Regulations – Trainings have been conducted in the following fields; law enforcement, DNA forensics, species identification, crime and prosecution, customs inspection, environmental education and public awareness campaigns. According to information obtained from a recent study (Kecse-Nagy, K., Papp, D. And Knapp, A. 2009), in 2007-2008, 7524 people were trained at a total of 280 training events, with over 600 days spent on training in the 20 Member States for which information was obtained. For comparison, based on the previous version of the report, a total of 207 training events were organised in 1998-2006 in the EU and Candidate countries which highlights the significant increase in the number of trainings. The extent of the training varied considerably between countries with Poland organising over 100 training events (130 events), whereas Luxemburg only organised one training event, indicating disparity between improvement efforts made by each country. Furthermore the ten new Member States (that acceded to the EU in 2004 and thereafter) reported a total of 186 training events, equivalent to approximately 66% of all reported training events in 2007-2008, representing the superior efforts being made to match the standards of the other Member States. Respondents also stated that wildlife seizures and trade is dealt with frequently within the EU, and that cross-border operations occur often. However, it was unclear how many seizures occur as a direct result of regional co-operation.

Association of Southeast Asian Nations' Wildlife Enforcement Network (ASEAN-WEN) – Trainings have been conducted in the following fields; law enforcement, species identification, crime and prosecution, undercover investigations, customs inspection, crime scene investigation, environmental education, public awareness campaigns, wildlife trade regulation and DNA forensics training is due to commence in 2010. According to respondents, 50-100 various training sessions have been conducted with approximately half of those involving people from more than one country, and in total over 100 people have benefited – one respondent stated that more than 2,000 enforcement rangers have received training. In addition to this an Investigation Group on Trafficking in Big Cats and Pangolins has been established to address ways to improve cross-border intelligence

sharing and boost collaborative investigations to locate, gather evidence against and arrest the criminal ring leaders behind the illegal wildlife trade. Furthermore the researcher was informed that within the past year 20-50 seizures have occurred as a result of regional co-operation. Of those mentioned 4 were defined as very large (variety of high value species and numerous people involved), 5 as large (numerous species of high value), 5 as medium (numerous species of medium value or few species of high value), and many as small (numerous specimen of low value or few specimens of medium value) or very small (few specimens of low value). To further demonstrate this trade, the Action Update leaflets⁴³ produced by ASEAN-WEN detail that, in the period of April to June 2009 22 major or model wildlife law enforcement actions were reported. This included more than 5,296 live animals and 4,827 dead animals, animal parts and derivatives - over 20 tons of wildlife and rare wood. These seizures were estimated to be worth at least US\$3.6 million on the black market and in these months 30 arrests and 30 separate convictions were conducted across five countries. Additionally it was revealed that it has sometimes been problematic to release live seizures back into the wild, if the animal is injured, too young or unable to live in the wild, they will be taken to the national rescue centre. Animals that are dead, meat or other specimens are photographed and documented, and then burned. Respondents in this region stated that cross-border operations occurred frequently or often.

This information suggests great progress is being made and that regional co-operation is having worthwhile benefits in the areas where regional wildlife enforcement networks are already established. It can be seen that the level of training and the number of seizures conducted varies between regions, but as this is not the only work conducted by the wildlife network then progress can not be defined by these parameters alone. To further extend this comparison it would also be interesting to look at; projects conducted in addition to enforcement e.g. environmental education campaigns, level of awareness of the work of the network within the region, level of information shared at regional meetings, socio-economic improvements to local people resulting from network projects, variations in levels of supply and demand since establishment.

Difficulties Faced

In the previous research section the challenges faced by each regional network were discussed in depth. In addition to this the researcher asked respondents what they believed were the limiting factors preventing the regional network from controlling illegal wildlife trade, and what difficulties were faced in working over such a wide ranging area; the following responses were made;

Lusaka Agreement – Limiting factors preventing the control of illegal wildlife trade detailed by respondents included; funding, insufficient staff, lack of knowledge, increase of illegal wildlife trade, limited intelligence network, and limited control over the National Bureaus. In addition to this it was noted that there exists a number of potential Parties to the Agreement in the region that have not acceded to it and membership has remained stagnant which is preventing some further development potential. It was also revealed that difficulties faced in working over such a large area include; lack of knowledge at local level about illegal wildlife trade, insufficient funding, and inadequate personnel capabilities and equipment. Difficulties also arise from the continuous political

⁴³ ASEAN-WEN Action Updates on wildlife law enforcement and seizures for the periods January-March 2009 and April-June 2009. Accessed at http://www.asean-wen.org/index.php?option=com_docman&Itemid=96 on 4th November 2009

instability in countries such as DRC, Burundi and Somalia which neighbour some of the Party States. In addition to the apparent lack of sufficient funding, most member parties have been unable to meet their budget obligations, which has a negative impact on donors' willingness to continue their support

North America Wildlife Enforcement Group (NAWEG) – For this section no questionnaire responses were received and hence this summary had to be solely based on independent research. One major factor preventing the control of illegal wildlife trade in this region is the issue that the demand for illegal wildlife trade is not sufficiently addressed, and so has not been reduced in recent years. This therefore means that a wide range of wildlife products are still imported to supply to great level of demand. Difficulties have also been faced in ensuring protection of CITES Annex 1 species, commercialisation of wildlife, and inconsistencies between sub national laws. This region also highlights that maintaining sufficient levels of funding can be problematic, however the issue is not as intense as in regions consisting of developing nations.

European Commission (EC) Wildlife Trade Regulations – One factor causing difficulties in cross-border co-operation is the varying interpretations of the Regulations among the Member States leading to different opinions and methods for conducting activities (for example marking of specimens), which can lead to problems when specimens move from one Member State to another. Additionally some Member States have complained about the number of licenses required for specimens of species that are commonly in trade; claiming that the paper burden associated with one species over another is not always indicative of the real conservation status of those species. It has also been stated that the level of law enforcement is not currently adequate, due to the relative rarity of wildlife crime compared to other types of offences there is a lack of experience in dealing with the relevant situations. Furthermore questionnaire responses stated that in some Member States there is a lack of political support which equates to insufficient funding and staff. Areas that could be improved upon were highlighted as; participants of Enforcement Group meetings making greater efforts to share information from the meetings amongst all relevant enforcement personnel at the national level; initiation of focussed sessions on specific species and issues of particular concern with the creation of concrete actions set with time limited responses; and increase of training over a variety of topics.

Association of Southeast Asian Nations' Wildlife Enforcement Network (ASEAN-WEN) – Limiting factors preventing the control of illegal wildlife trade detailed by respondents included; lack of knowledge, lack of enforcement, lack of high level governmental interest and support, and lack of capacity for enforcement teams on the ground. It was also noted from research papers that there is an apparently inefficient level of skill and expertise among task force members and those working to control illegal wildlife trade. Additionally it was revealed that difficulties faced in working over such a large area include; communication issues, reliability issues and mutual trust, working with different sovereign nations that don't always want to work together, each country using different systems and different methods of communicating information, and the low priority of illegal wildlife trade in some countries compared to development issues. Furthermore some countries still do not have sufficient legislation to allow for CITES implementation to be effective the penalties for environmental crimes are too weak, meaning that the profitability of illegal wildlife trade continues

to motivate the culprits. Set backs to progress have also occurred due to political turmoil and corruption within ASEAN countries which has had a profound effect on scheduled ASEAN-WEN activities.

Benefits gained

As a generalisation the benefits gained from a regional wildlife enforcement network being in place should be the increase in control over the level of illegal wildlife trade. In addition to this respondents have noted some region specific benefits which have been detailed below;

Lusaka Agreement – A variety of benefits were listed by respondents in relevance to the Lusaka Agreement including the following; exchange of information on illegalities against wildlife, exchange of literature on wildlife, increased training opportunities, participating countries able to get back-up operational support, Task Force (LATF) members being free to enter any of the Party States and apprehend offenders. Furthermore these respondents also stated that these cross-border and regional efforts have helped ‘a lot/quite a lot’ in supporting the control of illegal wildlife trade. Respondents informed the researcher that the areas in which this regional wildlife enforcement network is working well and making progress are; building law enforcement capabilities through training and provision of law enforcement equipment, involving key stakeholders to make decisions and deliberate on wildlife issues, and in the sharing of intelligence and physically participating in law enforcement or confiscating illegally traded wildlife from or in member states. To ensure that this progress continues, sustainable funding mechanisms are being sought and other countries within the region are being encouraged to become members so they can also be listed as Party States.

North America Wildlife Enforcement Group (NAWEG) – For this section no questionnaire responses were received and hence this summary had to be solely based on independent research. Benefits have been gained in the North American region through; sharing of information related to technical advances, for example, DNA and Forensic analysis, capacity building and training of enforcement officers, creation of species specific and area specific projects to concentrate conservation efforts, and through generation of strong links with global projects to work together towards common goals. These developments have supported the work of NAWEG in controlling the illegal trade in wildlife species and have encouraged the countries of Canada, United States and Mexico to collaborate their efforts.

European Commission (EC) Wildlife Trade Regulations – Given that in Europe there is in place the European Union, with an open market between all Member States, it is considered that regional co-operation is imperative. The EU Enforcement Group is regarded as an extremely important forum, enabling contacts to be established, information exchanged, priorities to be set, review of best practises and also review of implementation of the Regulations. Respondents stated that such cross-border and regional efforts are greatly helping to support progress in controlling illegal wildlife trade. The following areas were detailed as important in this development; exchanging information about seizures which attract the interest of authorities in other parts of the region, the establishment of EU Trade in Wildlife Information eXchange (EU TWIX)⁴⁴, and the use of CIRCA

⁴⁴ EU TWIX was established by the Belgian Government and TRAFFIC, in collaboration with the European Commission. It provides a database of seizures in the EU as well as a library of rescue centres, forensic laboratories, etc., and a real-time

(Communication and Information Resource Centre Administrator)⁴⁵. In order to ensure that this progress is sustainable continuous monitoring occurs in addition to biannual meetings of the Enforcement Group. Furthermore, TRAFFIC is assisting in the development of harmonised training tools, carrying out workshops to familiarise people with EU TWIX and emerging enforcement issues, as well as other capacity building workshops for enforcement. It is considered important that the enforcement efforts are legally and administratively built into the ordinary work of customs, police and wildlife inspectors as this will ensure its continuation as long as the EU framework legislation is in place.

Association of Southeast Asian Nations' Wildlife Enforcement Network (ASEAN-WEN) – Benefits highlighted by respondents to the questionnaire specific to the Southeast Asian region include; increased intelligent information sharing among member countries, peer pressure between countries for each government to fulfil the criteria, prosecution of criminals who may not have otherwise been caught, capability to peruse criminals that cross borders and use variation in country jurisdictions to their advantage. These respondents also stated that these cross-border and regional efforts have helped 'quite a lot' in supporting the control of illegal wildlife trade. Key areas where good progress is being made include; capacity building, trust building, information sharing, communication across borders, awareness raising on the issues, and on the job training for national law enforcement officers. In order to ensure that these efforts are sustainable, ASEAN-WEN is working towards building government's ownership of the network. In addition to this, projects to maintain sustainability are in progress, and fundraising is being conducted.

Lessons learnt

In order to continue the progress that is being made in controlling illegal wildlife trade sustained efforts must be made to ensure positive development. Based on interaction with respondents and independent research, the following have been determined as important issues to be considered by any regional wildlife enforcement network;

- Develop a good system for information dissemination between member states and officers of the various line agencies,
- Ensure sufficient number of meetings between key stakeholder, and governments from each of the member countries,
- Increase membership and thus provide enhanced collaboration in the execution of co-operative measures against wildlife crime in the region (unless whole region is already participating),
- Develop inter-regional relations to share information and enable tracking of criminals,
- Full documentation of operations both successful and non successful,

list-server enabling online communication between EU enforcement personnel where they can post alerts and ask questions regarding enforcement. It is an extremely useful tool for detecting emerging trends and providing assistance and communication between EU Member States.

⁴⁵ CIRCA is an extranet tool run by the European Commission, enabling a given community (e.g. committee, working group, project group etc.) that is geographically spread across Europe to maintain a private space on the internet where they can share information, documents, participate in discussion and benefit from various other functions.

- Detailed research conducted within the region in order to determine priority areas and issues of most concern,
- Using research determine actions to achieve targets and time frames for completion,
- Ensure fast notification to all member states about any amendments to procedures or changes in regulation or legislation,
- Work towards reducing demand in addition to enforcement control.

6.0 Case Study - Dudhwa Tiger Reserve

6.1 Site information / Observations

Dudhwa Tiger Reserve was classified as a wildlife sanctuary in 1958, a national park in 1977, and then as a tiger reserve in 1988. The site is located on the India-Nepal border in the foothills of the Himalaya and the plains of the 'terai' in the Lakhimpur-Kheri district in Uttar Pradesh. The Mohana River flowing along the Indo-Nepal border constitutes the northern boundary of the Park whilst the Southern boundary is formed by the river Suheli. The protected region covers a total area of approximately 1,250 km² including; 614 km² which is the core area of Dudhwa National Park, 400 km² at Katarnighat Sanctuary and 227 km² at Kishanpur Sanctuary which are classified together as Dudhwa Tiger Reserve. A rich biodiversity of flora and fauna exist within this range including mega fauna such as tiger, leopard, elephant, and rhino (following a successful re-introduction program), 5 species of deer (the only park in the world the do so), over 350 species of birds, 77 species of grass and endangered Gharial and river dolphins within the Katarnighat site.

Dudhwa Tiger Reserve, and the surrounding area, was chosen as the site for a case study due to its close proximity to the international border. Cross-border relations with Nepal are imperative here as the wildlife in this area understand no political boundaries. There exists a habitat continuum for species such as tigers and rhinos at several points and their migration from one country to the next is not uncommon. The connectivity of such critical corridors across the two countries needs regular and sustained attention. Additionally the illegal trade in wildlife across the border between India and Nepal is a constant matter of concern and it was important to gain information about the current enforcement methods in place. As a protected Tiger Reserve, Dudhwa experiences increased pressure in monitoring and enforcement in comparison to other reserves within India due to the increased threat of illegal cross-border operations. The Protected Area managers as well as the law enforcement personnel of both India and Nepal face common problems while combating illegal trade, poaching and managing and protecting the terrestrial and aquatic species residing or moving in the area.

Another notable feature of the Dudhwa National Park is the successful re-introduction of the highly endangered greater one-horned Rhinoceros (*Rhinoceros unicornis*). In the 1980s areas of Dudhwa National Park were found to be the most suitable for establishing a new population of rhino. On completion of necessary ground work, five rhino (two male and three female) were translocated from Assam to Dudhwa in 1984. However, due to stress and strains of transportation, two females died and thus only two males and one female survived, and these could not be considered a viable population. The seed population was supplemented by four female rhinos from Nepal in 1985 obtained in exchange for 16 elephants. The numbers of rhino are now increasing and totalled 29 at the time of the site visit in 2009.

Although classified as a Tiger Reserve, Dudhwa is more importantly one of the last remnants of Terai ecosystem, and as such one of the only remaining natural habitats to support the Swamp Deer or the Barasingha, called thus because of their magnificent antlers (bara-twelve; singha-antler). At one time herds comprising of thousands of Swamp Deer could be seen galloping through the

Grasslands or splashing through huge water bodies. Today numbers are much reduced but strong efforts are being made to support their survival.

The area around Dudhwa Tiger Reserve is well populated with over 100 small villages and settlements established on the periphery. Many of these people have agricultural land bordering the reserve, graze their cattle within the buffer area, or still survive on the forest for certain resources. In addition to this the close proximity to the border of Nepal and therefore constant passage of goods and people leads to increasing pressures on the protection of the reserve. A variety of initiatives have been instigated to support conservation of biodiversity in the area and protection of the wildlife including; eco-development in the villages (including Eco-Development Committees), Village Forest Protection Committees, protection squads/patrolling, eco-awareness camps to increase education and awareness in the area, and the preparation of a Tiger Conservation Plan.

Unfortunately, despite continuing efforts to support the people, human-wildlife conflict instances still occur and such conflicts need to be managed with the best interests of both the wildlife and the people which is often complicated. One such example occurred on 7th December 2009 when a nine-year-old boy at Sathiana Range's Azadnagar village in the Dudhwa Reserve became prey to a tiger. Speaking out on this issue Field Director Mr. Sailesh Prasad said: "We have devised a multi-pronged strategy to contain the big cats in their habitat"⁴⁶. Human wildlife conflict is also on occasion due to animals migrating across the international border into human habitations which can sometimes lead to loss of human life and property. Such situations need to be handled carefully as conflict situations can lead the local people to resent the wildlife and therefore be more vulnerable to becoming involved in illegal wildlife trade. It is considered very important to maintain the trust and co-operation of the local people as their support is vital for the future conservation of biodiversity in the area.

6.2 Case study methodology

In accordance with the methodology, a questionnaire was devised with the aim of gathering information about the current situation in India and ideas for the development of a regional network. It was desired to generate a view representative of individuals living and working in a border area where illegal wildlife trade between countries may be an issue. Through implementation of this questionnaire it was hoped to raise awareness about current issues in illegal wildlife trade, views on the relations between India and Nepal, and recommendations for the way forward.

Participants for this section of the research study were interviewed during a site visit to Dudhwa Tiger Reserve (DTR) and the surrounding area. The following range of participants was included:

- Field Director DTR
- Deputy Director DTR
- Warden DTR
- Range Officers DTR
- Field Staff DTR
- Park Guide DTR

⁴⁶ Information taken from Indian Express news report, accessed at <http://www.indianexpress.com/news/big-cats-stray-into-human-settlements-in-kheri-dudhwa/555798/> on 19th December 2009.

- DFO North Kheri
- DFO South Kheri
- Range Officer Katarnighat
- Range Officer Kishenpur
- Senior Journalist
- Border Control Staff
- Foresters
- NGO worker from Nepal
- Village motivator
- Villagers living in close proximity to reserve
- WWF Field Officers

Questionnaires were conducted by the researcher either directly or through translation English-Hindi assisted by a WWF Field Officer. In addition to this questionnaire, the researcher gathered information from first hand observations and informal conversations conducted during the site visit. Furthermore the questionnaire was also sent to contacts in Nepal and Bhutan to gather information from a full range of views for analysis. A total of 20 persons were communicated with.

The questionnaire sought to identify:

- Present level of engagement with neighbouring countries;
- Benefits gained from cross-border co-operation;
- Views on current status of illegal wildlife trade;
- Role that should be played by a regional wildlife enforcement network;
- Activities expected from a regional network;
- Benefits gained from a regional network.

It was hoped that the research through questionnaires would create a detailed picture of the current situation in the area around Dudhwa Tiger Reserve, looking particularly at the prospect of progressing to a regional wildlife network. As a result, a conclusion could be drawn about the issues that need to be addressed and the suggestions that individuals have for future progress. This information can then be collated together with knowledge about wildlife networks that are already established, and recommendations for advancement can be made.

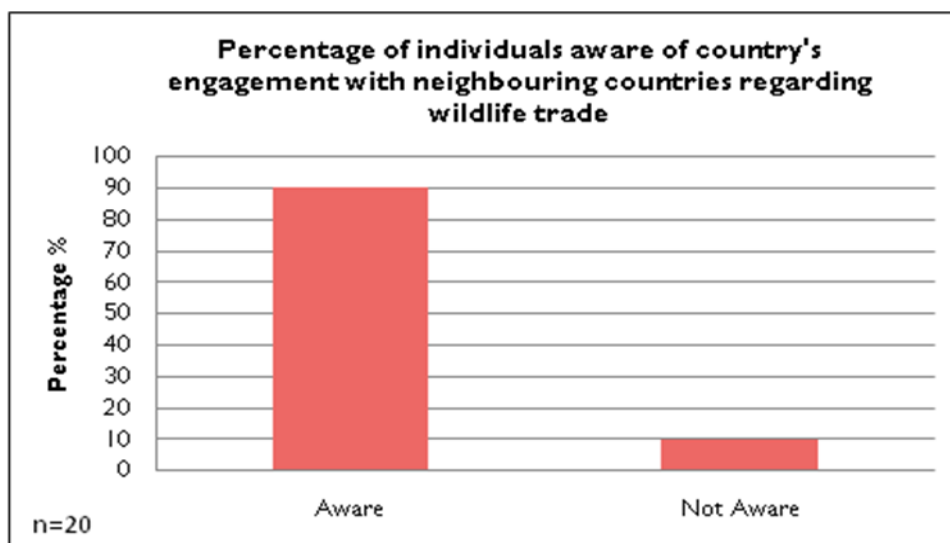
6.3 Analysis of findings

The analysis of the results can be split into five categories:

1. Engagement with neighbouring countries
2. Benefits gained from cross-border co-operation
3. Current status of illegal wildlife trade in the area
4. Establishment of regional wildlife enforcement network
5. Additional comments of note from interviewees

I. Engagement with neighbouring countries

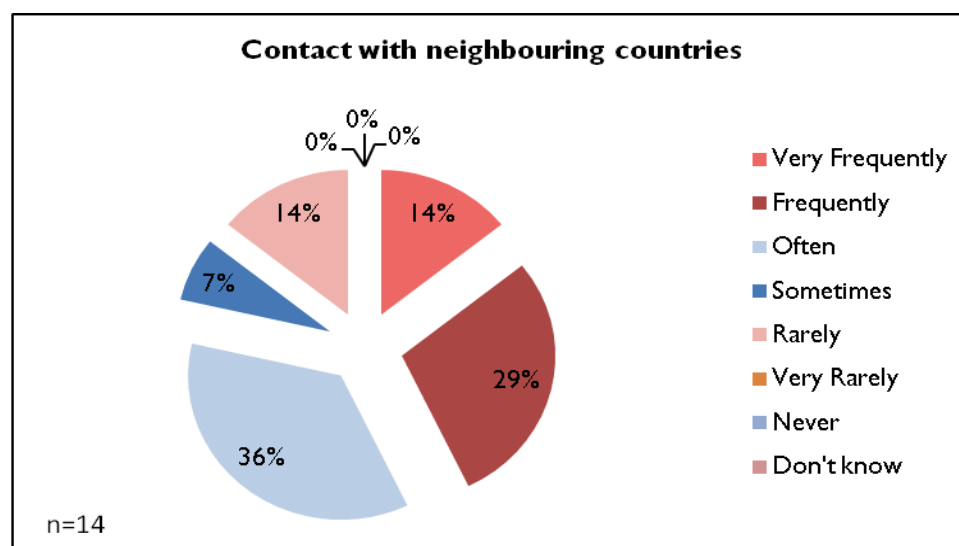
Respondents completing the questionnaire were initially asked if they were aware of the country's (relevant to the country in which they live or work) engagement with neighbouring countries in relation to illegal wildlife trade. The response to this question was positive with only 10% stating that they were not aware. It is relevant to note that individuals in a wide range of positions were addressed in conjunction with this study and those who responded that they were not aware of the level of engagement were staff members in low level positions or villagers living in close proximity to the reserve.



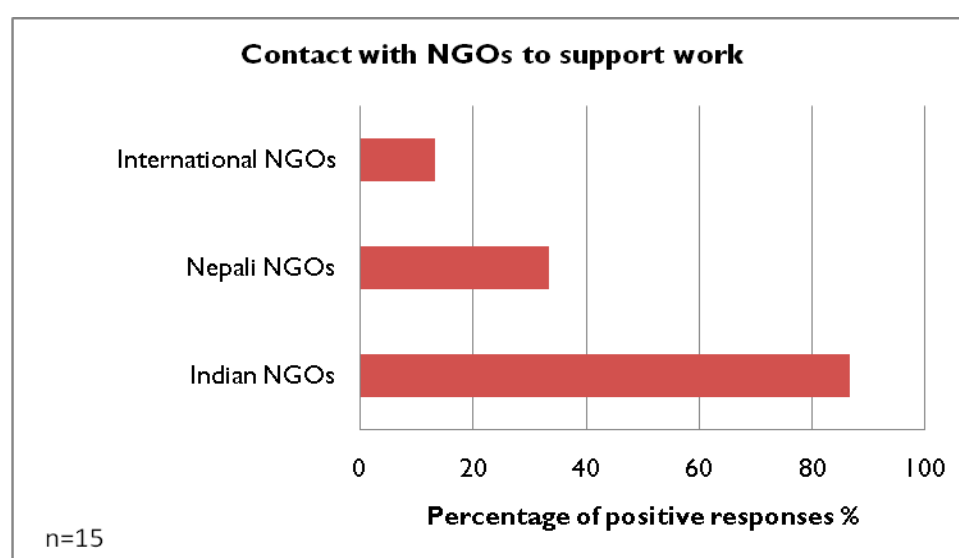
When asked to give details about this relationship and the present level of engagement a variety of responses were received. Many individuals stated that communication between India and Nepal is good and that this collaboration occurs on a number of levels. It was also noted that the two countries are culturally very similar and share aspects of religion, lifestyle and family relations. Since the establishment of the India-Nepal Friendship Treaty in 1950 there has been free movement of people and goods and it was recognised by respondents that a high level of trade moves over the border. It was also noted that the border is extremely porous and not all exchange occurs at border points or is registered. Additionally it was also identified that there are no formal agreements between the two countries at the lower level, only governmental treaties and policies. According to respondents the majority of the communication and co-operation over the border is unofficial and verbal agreements are regularly used to deal with local issues. Feedback also revealed that meetings occurring between forest officials, administration, and field staff when information is shared officially and common issues are discussed are very infrequent. It was noted by staff of Dudhwa Tiger Reserve that animals from the protected area will sometimes pass over the border and so there is a need for regular contact to be aware of and monitor such instances. In the case of India and Bhutan the respondent stated that annual bilateral border talks occur between the government of India and Bhutan, organised by Royal Governments' Ministry of Home and Cultural Affairs.

An analysis of the level of contact with similar wildlife protection establishments in neighbouring countries showed that almost 50% (43%) of responses stated that contact with Nepal occurs 'very

frequently/frequently' and is considered important. A further 43% stated that contact does occur but that it happens 'often/sometimes'. It was noted from further communication that front line staff were said to be in more regular contact, whereas official meetings between directors or government are less frequent.

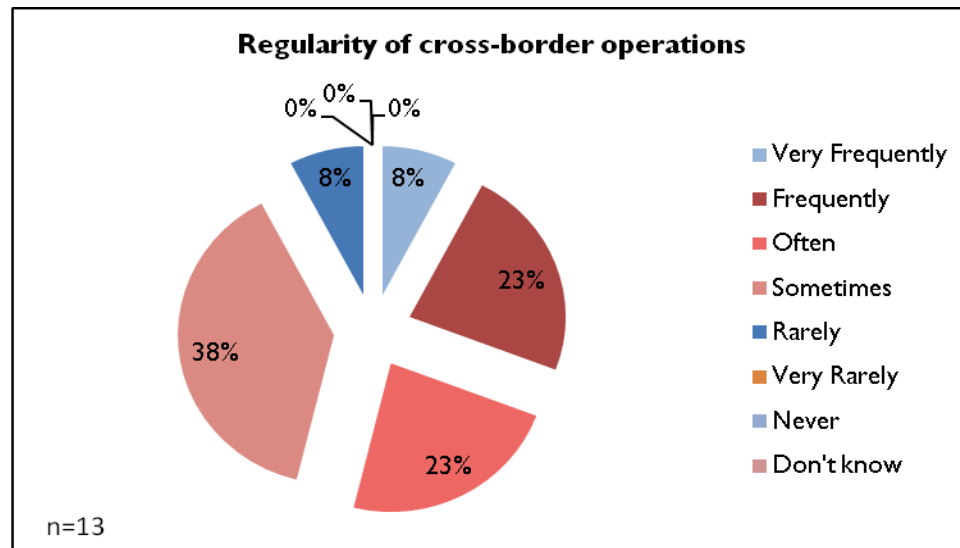


Furthermore respondents were asked what form of NGOs their organisation (or themselves personally) were in contact with to support their work. 87% of responses were positive in stating they had contact with Indian NGOs, whereas only 33% respondents stated that they had contact with NGOs in Nepal. Very few individuals (13%) stated that they had contact with International NGOs in order to support their work. Although a number of respondents stated WWF as one of the NGOs they are in contact with they only have communication with Indian or Nepali offices and so do not consider this an international connection.

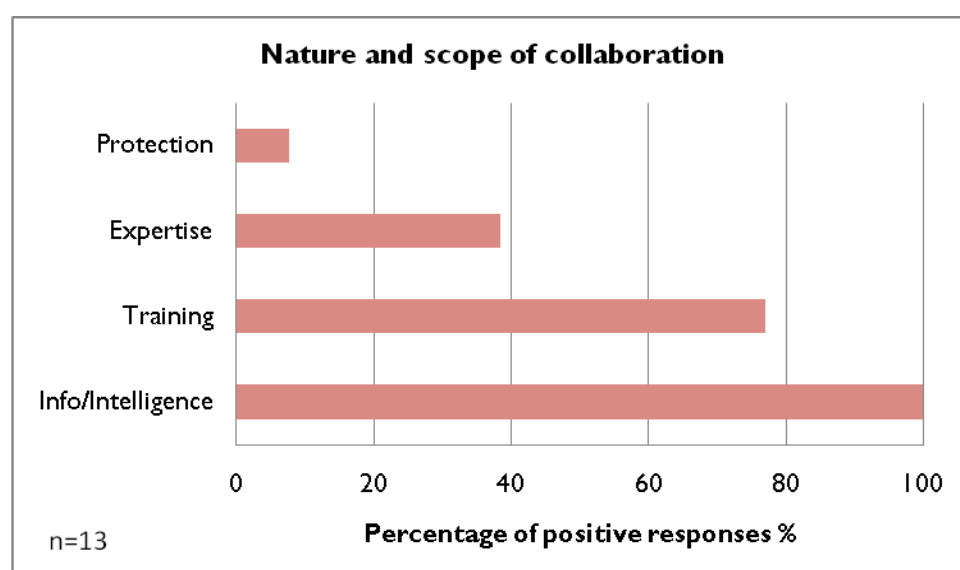


Individuals completing the questionnaire were also asked how regularly cross-border operations occurred, such examples including joint tackling of criminal offences, meetings and trainings. The majority of respondents (71%) stated that such occurrences took place often (approx 3 times a year)

or sometimes (approx once or twice a year). However a further 31% stated that in their experience cross-border operations took place very frequently or frequently. Very few individuals were of the opinion that such instances happen rarely or never, although some did state that the only examples of such cross-border operations are meetings or sharing of information, but no practical implementation of enforcement involving both countries.



Once established that some form of cross-border collaboration is in place the researcher then intended to identify the nature and scope of the collaboration. It was determined that 100% of respondents (13) who stated that cross-border co-operation did occur stated that information/intelligence was shared, and 77% of these individuals also stated that joint training was conducted. Under the option of expertise, respondents mentioned the sharing of skills related to land management and community development. Given the option of 'other' one respondent stated that protection was shared. Others also noted that the two countries share common interests and goals and so only positive benefits will come from a further increase in co-operation.



2. Benefits gained from cross-border collaboration

A number of positive benefits were said to have been gained from the cross-border collaboration that is in place including;

- Increase in confidence that if any problems were to occur that the two countries would cooperate, share information and act together;
- Exchange of information leads to greater knowledge about the motives and actions of poachers, thus improving the enforcement capabilities and limiting the possibilities for criminal activity;
- Enhanced knowledge about illegal wildlife trade in the region and the current situation in the neighbouring country regarding related issues;
- Increased support and capability for dual action if necessary;
- Improved communication to inform each other about illegal trade so that enforcement can be increased in the area or culprits traced over the border;
- Contacts can provide guides, protection, and support for individuals of higher authority travelling into the neighbouring country on business;

However it was also stated by one respondent that although a number of meetings occur there is no follow through to use the information at the ground level and the current situation is not satisfactory. Close cultural relations between the two countries and common religious backgrounds mean that individuals may marry across the border and free movement allows relations to see each other. The strong connections that are created when these families are joined together, help to strengthen the benefits of cross-border collaboration.

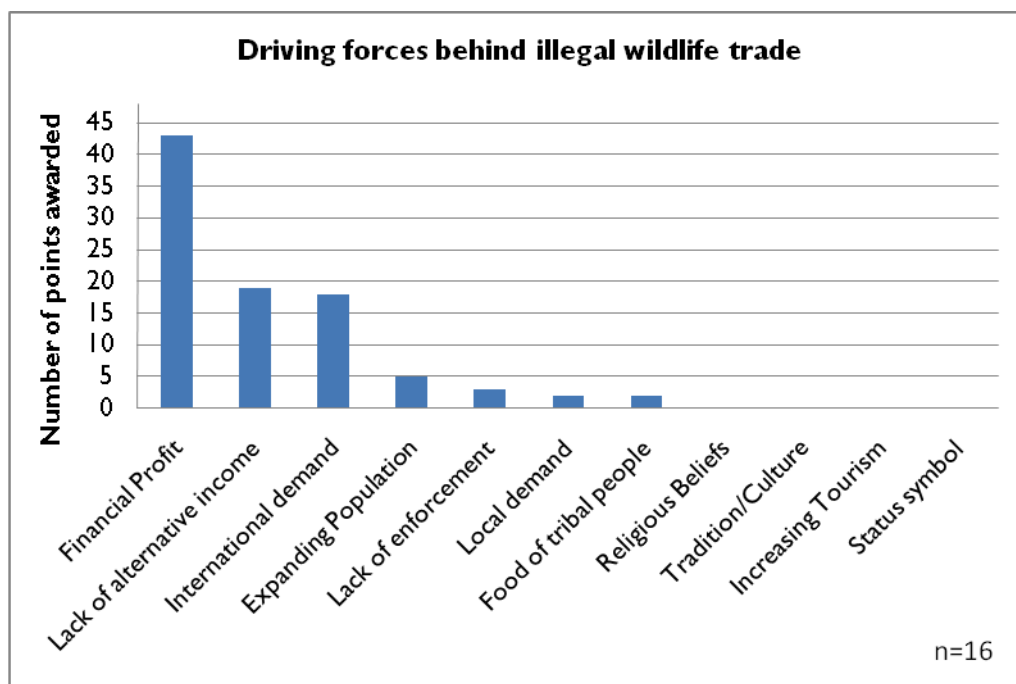
3. Current status of illegal wildlife trade in the area

Respondents (16) were asked to identify the main driving forces behind illegal wildlife trade in the area. Each individual stated the top three reasons and ranked their responses in order of priority. The answer given the highest priority was given the number 3, the second 2 and the third 1. These numbers were then totalled and are compared below, with the highest possible point number being 48. Using this method gave a higher representation of those driving forces that are considered of most significance. As shown in the graph the driving force considered most significant in the area is that of financial profit – this factor was ranked highest/second highest priority by all but one respondent. From communication with individuals it was established that many of the villages around the protected area and over the border in Nepal are very poor and have underprivileged living conditions. The individuals living in these situations therefore need a regular source of livelihood and if they have no alternative income then they will allow themselves to become involved in illegal wildlife trade. This is further exemplified in the graph as lack of alternative income ranks as the second most significant driving force behind illegal wildlife trade in the area. In order to tackle this situation there is a need not only to increase enforcement and information sharing, but also address the problem at the grass roots level. If individuals living in such conditions are given alternative options for income, have their standards of living increased and receive better levels of education and awareness then they will not depend on the illegal trade to survive.

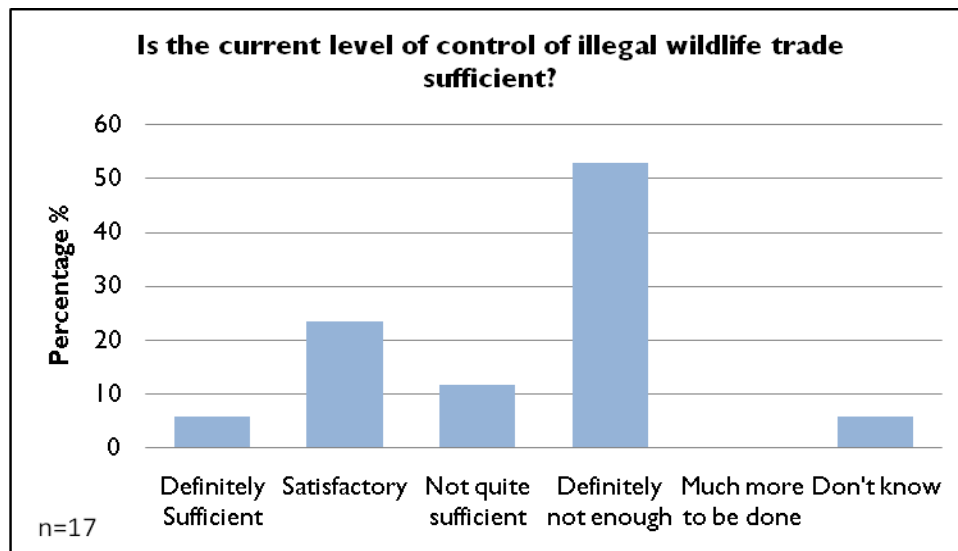
Following this, the third most significant factor was recognised as international demand which is considered much greater than local demand. The driving force at the local level, i.e. financial profit, is in itself driven by external demand from those who desire the trade products who supply the funding for the illegal operation to occur. Dudhwa Tiger Reserve and the surrounding area may be a target area for this trade due to an abundance of diverse wildlife, and close proximity to the border and therefore international trade routes.

Expanding human population is also recognised by some as a driving force behind illegal wildlife trade. This is due to the knowledge that an increase in population results in an increase in the demands on the surrounding environment. This includes food sources, shelter, employment etc., and if there are not enough resources to support everyone legally then some may be susceptible to conducting illegal wildlife trade to supply their income.

No respondents considered religious beliefs, tradition/culture, increasing tourism, or desire for status symbols to be significant driving forces of illegal wildlife trade in the area.



When asked if the current level of control of illegal wildlife trade in the area is sufficient, over 50% (53%) of respondents stated that there was 'definitely not enough' being done. Many went on to say that good efforts are being made and hard work is being conducted, but that it is clear that there is potential for much higher levels of control and community co-operation. 30% of respondents gave the response that the level of control was 'definitely sufficient' or 'satisfactory', however they then went on to add that this was the restricted view of their department (forest department) or particular location and that they were aware that in other departments or areas there is still a great potential for improvement.



4. Establishment of regional wildlife enforcement network

After establishing the current situation at the field site in terms of cross-border co-operation and illegal wildlife trade the researcher then went on to ask questions about the potential for future development of a regional wildlife enforcement network. Individuals were initially asked if they believed that the establishment of a regional co-operation network would help to improve the control of illegal wildlife trade and 95% of responses were positive with only one individual stating that the timing is not currently right due to political instability within some countries in the region who would therefore not be able to support the development sustainably. Hence this individual was of the understanding that this situation must first be stabilised before a network would be effectively supported. This point was important to note as India has mixed relations with its neighbouring countries and good levels of trust and co-operation are necessary to support the network region wide.

Those who believed that regional wildlife enforcement network could help to improve control suggested that it could help in the following ways;

- Through sharing information it will increase capabilities to catch poachers that move over the border;
- One central store of information with details of all offences will ensure that culprits can be tracked and caught throughout the region;
- Keeping an eye on all endangered species, their status and current threats throughout the region as a whole, will allow for collaborative plans for how to secure their conservation and control poaching;
- Through awareness and education the network can reach out to the local people who are involved in the criminal offences to make them aware of the issues;
- Linking organisations and people throughout the region will encourage sharing of knowledge and expertise to heighten progress for all;
- Increased communication will ensure that all line agencies are aware of the issues, including how to identify and tackle them at the field level;

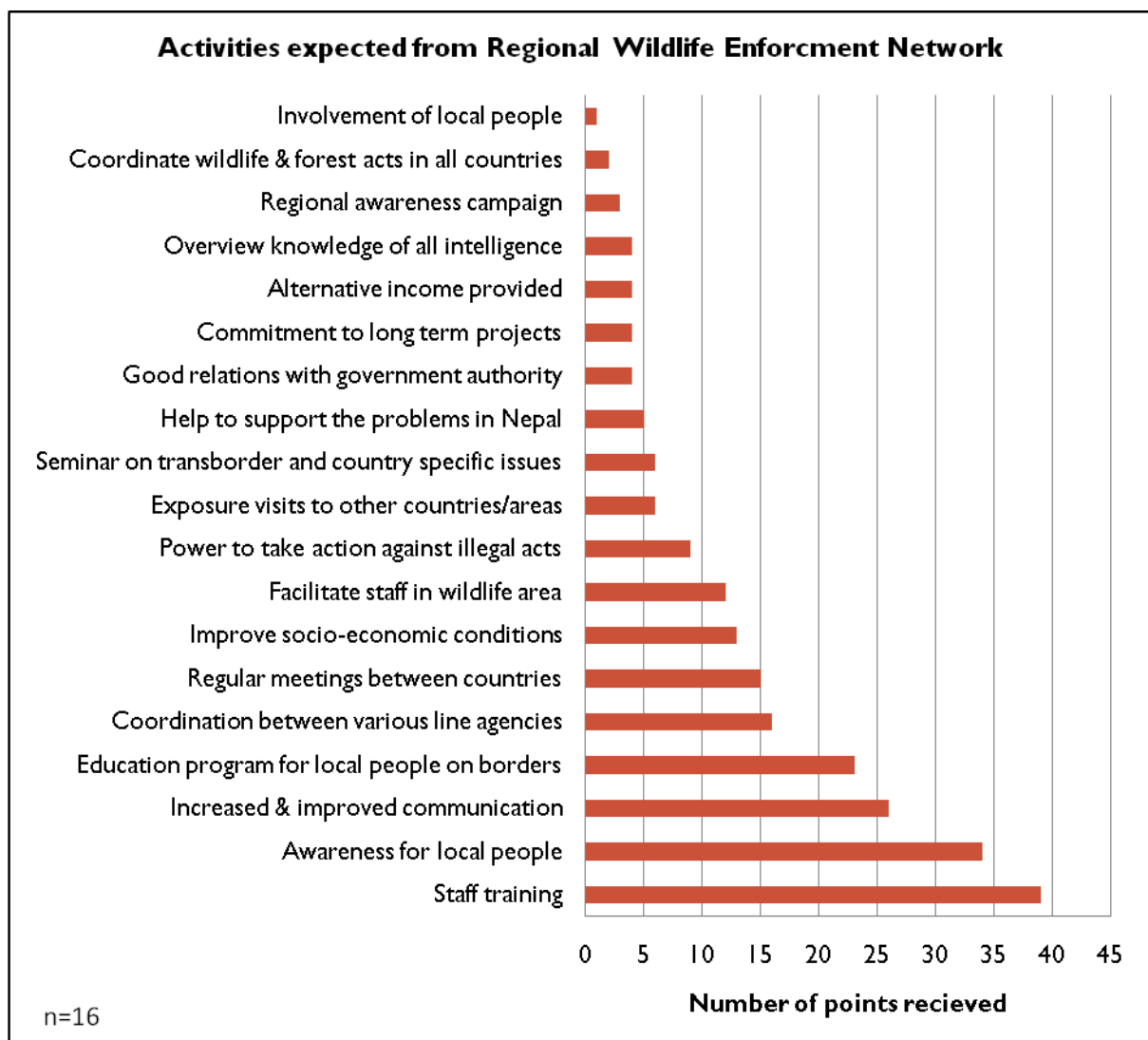
- Each country has specific local problems but many of these are shared at a regional or cross-border level and so if tackled together progress should increase;
- Awareness of the need to biodiversity conservation will be increased throughout the region;
- Formal links between India and Nepal will strengthen already good relations and hopefully help to improve the level of control in Nepal;
- Through support and co-operation the regional wildlife enforcement network should help to improve cross-border relations in areas that are currently un-settled or hostile.

The researcher also wanted to establish what was the expected role that the enforcement network would play once established and the majority were of the opinion that it should operate at both the governmental and local level. Respondents noted that it would be important to have a good level of communication between all countries with one central office to control operations. Of significance was the information that respondents considered it important for all line agencies to be involved and for the views of local people to be taken into consideration. Some respondents suggested there should be field officers working in each country to implement the program and to conduct the communication to higher level authorities. Additionally, it is vital that a strong infrastructure exists, so that the right countries and organisations are informed of relevant information at the correct time. It was also believed that the regional network should take on the role of overseeing the international trade in wildlife and to have good knowledge of the current situation in each country. The most important role of the network is to bring the various countries of the region together to create good links and to work towards common goals.

When asked to consider what activities the respondents (16) would expect the network to conduct they were again asked to rank them in order of priority. The suggestions were graded on a point system with 5 being the highest priority and 1 the lowest, these were then totalled and have been compared on the graph below (maximum score = 80). This method has given greater significance to those activities that are considered most important to the individuals that were interviewed. As can be seen in the graph (following page) the activity most highly expected is staff training, including issues such as; wildlife conservation, identifying processed wildlife products, punishment and conviction, and improving communication links. Following this many individuals also expected the network to conduct awareness raising programs and education programs for local people living in and around protected areas and border points to increase their knowledge of the relevant issues and to make them conscious of the great importance of biodiversity conservation to their own livelihoods. As it has been noted previously one of the main driving forces behind illegal wildlife trade in the area is that of financial profit, and so if people are aware of the negative effects of the illegal actions of wildlife trade they may more likely to seek out an alternative. Also determined as important activities were the needs for increased and improved communication, between all line agencies and the achievement of regular meetings between countries and also region-wide. Respondents were aware that a successful network would not be achieved without high levels of communication and co-operation, which are necessary to determine common goals and act together to achieve desired results as a region.

Another issue raised by a number of individuals are the poor conditions of living in the villages surrounding the protected area. In addition to supporting local people in terms of awareness and

education it is also imperative to improve their socio-economic position and to offer alternative methods of income to allow the people to reduce dependence of the forest and its products, although the resolution of such difficult circumstances is generally not within the working parameters of wildlife enforcement officers. Additionally many wildlife enforcement officers working in the reserves and sanctuaries live in difficult situations, away from their families for long periods, which may affect their ability to conduct their work efficiently if they are not provided for. The staff members working in these areas require better facilitation in terms of equipment and also support for their families whom they often live far apart from. Additional suggestions of less priority include; the network must have the power to take action against illegal acts, exposure visits to other countries for field staff, seminars on transborder issues, support for countries in less developed position, establishment of good relations with government authority, a strong commitment to long term projects, provision of alternative incomes for village people, overview perspective of all intelligence, and involvement of local people. One respondent also noted how in their view it was imperative for the wildlife and forest acts in all the countries involved in the network to be coordinated in order that enforcement and punishment is equal throughout.



Those respondents completing the questionnaire were also asked what benefits they (either personally or within their organisation or country) would gain from the regional wildlife enforcement network being established and the following responses were noted;

- If good wildlife is surviving in the area then tourism can increase which will be good for business and the local economy (stated by a park tour guide);
- Increased knowledge in the trade and the actions of poachers will keep enforcement activities one step ahead of the criminals and will reduce the levels of crime;
- Increased communication and coordination between countries will raise awareness of issues within each country and make it easier to track cross-border criminals;
- Sharing of information will ensure systematic and accurate monitoring of illegal trade throughout the region;
- Level of support, training and facilitation for staff will increase, improving capabilities and incentives to conduct work efficiently;
- Working together to address common problems will improve progress and expertise can be gathered from a wide range of sources;

Overall it was generally noted that a regional network for wildlife enforcement increases the possibility for illegal trade to be minimised, the amount of hunting and poaching to be reduced and for the rich levels of biodiversity in the region to be maintained. A number also stated that it was necessary for local people to be involved and for them to support the project as they may be directly affected. One individual stated very positively that there would be numerous benefits gained from establishment of such a network, with no loss or negative effects implicated.

Finally respondents were asked if they thought that benefits would be gained from collaborating with other wildlife enforcement networks in different regions of the world such as Europe, Africa and Southeast Asia. All persons responded positively stating that yes it would support the progress of the South Asia network to communicate with other wildlife networks for support and information sharing opportunities. Significantly almost all persons stated that illegal wildlife trade is an international problem and therefore if we can communicate and address the problem internationally then this is very positive progress. The criminals have good global connections so it is important that enforcement networks have equally good connections in order to challenge their actions. This aspect is also important as criminals may move between regions and so in order to track them it is important to establish good relations between countries. Communication between regions will also support the sharing of views, expertise, intelligence and ideas and countries can learn from each other and adapt and develop together. Such international support will also help to raise awareness about issues globally and hopefully increase the level of support from donors and implementing organisations. However, it was also noted by some that it is important to ensure that local action is taken first and the regional network of South Asia is well established in itself before complex efforts are made for inter-region co-operation or else the progress will not be sustainable.

5. Additional comments of note from interviewees

In addition to the questionnaire the researcher also obtained additional information through discussion, informal conversations and personal observations. Those topics that are important in relevance to the research have been detailed below;

Cross-border co-operation

Individuals recognised that both India and Nepal have important contributions to offer one another in terms of sharing information for mutual benefits. According to information obtained, organisations working around Dudhwa National Park have good knowledge of organic farming, whereas Nepal are more advanced in community forests, and in bio fuels (and hence fuel wood reduction), therefore co-operation between the two countries can support the exchange of such expertise. Indeed individuals from Nepal are currently working in some of the villages around Dudhwa National Park in order to share this knowledge with the local people there. In addition to this, respondents stated that India also supports Nepal in providing information about composting and bamboo plantation, a practise which works as a good soil binder, a source of income from its products, and also reduces pressure on the forest for fuel wood. Within the past 3 years 7-8 trainings have been conducted by India, many of which have benefited Nepali people as well, on the topic of Bamboo plantation (benefiting 25 people per training), a further 3 trainings within the same period on organic farming, and 5 more trainings covering issues of fuel efficiency.

However, it was noted that Nepal has only recently changed from a Kingdom to a Republic (2008) and as such the country is still 'settling'. Some respondents had concerns that Nepal needed to take time to control the situation in their own country before the country would be able to efficiently participate in a regional network. Nevertheless, the support from India is helping to benefit Nepal and encourage its continued development and awareness of conservation issues, according to one individual "Nepali people realised the importance of forest conservation through seeing the good work being done in India and have since tried to make improvements within their own country".

Level of agreements

It is significant to recognise that many respondents highlighted the fact that although formal agreements do exist between India and Nepal at the governmental level, there are no such official agreements at local, state or forestry level. Individuals informed the researcher that the sharing of information, training and technical support between India and Nepal is often conducted unofficially as the official procedure which involves communication via Delhi and Kathmandu takes too long. As a result simple cross-border operations and tracking of illegal wildlife trade via sharing information all occurs unofficially, as does the majority of regular communication between the two countries. Currently no problems were highlighted with this system as both countries support the unofficial communication, but in future it may be the cause of difficulties and hence it was advised that a procedure should be put into place so that state areas can inform government about issues quickly and easily. Additionally, many considered the future development of official agreements between India and Nepal at the local, state, and forestry level to be beneficial. It was also revealed that the level of awareness about the cross-border relations varied distinctly between different line agencies and level of staff position. Those individuals of higher level and governmental based positions were generally aware of existing policies and agreements, whereas individuals of lower level and field based positions tended to have a reduced level of awareness. This issue is significant as it is these field staff members that are most commonly conducting the communication and cross-border operations and so have the most direct contact with members from the neighbouring country. This

highlights that official agreements do not exist at this level and it was considered of importance to develop such agreements and increase awareness for these staff members.

Meetings occurring between India and Nepal

The researcher was informed of a variety of meetings at different levels which occur between India and Nepal. It was noted that the official meetings involving government and formal exchange of information were less frequent and may often occur when the exchange of such information is no longer relevant to the action that needed to be taken. However, smaller unofficial meetings occur more regularly, and it appeared that such meetings could be organised at short notice if any situation occurred which required cross-border co-operation in order to address the issue. It was also significant to learn that the majority of meeting are conducted in India or on the border, rather than in Nepal, as it is easier for Nepali staff and officials to move into India than vice versa as Indian staff and officials must obtain permission from government.

Illegal Wildlife trade in and around Dudhwa Tiger Reserve

According to opinions gathered through various communications the researcher concluded, that the people living and working in and around Dudhwa Tiger Reserve believe that the occurrence of illegal wildlife trade in the area is not very common. Individuals stated that the habitat and geography is difficult for the poachers to work in, and that there is a good level of enforcement in the area such that there is no safe trade route for illegal traders. However, it was not clear as further research was not conducted, whether these views are accurate or whether the illegal trade occurs but remains hidden. Information also indicated that Dudhwa Tiger Reserve and the surrounding area is prone to flooding and during this time enforcement becomes very difficult, hence the occurrence of illegal wildlife trade or poaching may increase. It was admitted by some that illegal trade may well pass through the border un-noticed as the staff based at border control are not well equipped to check all vehicles, and they may be unable to identify processed wildlife products. In addition to this those officials responsible for border control such as SSB may not give wildlife protection the same level of priority as the forestry department as their primary concern is to protect the border. From observations the researcher also noted that individuals pass freely over the border with no checks or controls, therefore low level trade could be easily concealed. During communication some individuals stated that in order to control the level of illegal trade the movement of people and goods over the border needs to be efficiently restricted.

Lifestyle changes

Another issue of relevance to the research is the socio-economic position of individuals living around Dudhwa Tiger Reserve. The researcher was made aware that life around the forest is very difficult and the people in these villages often have very poor standards of living. Given such a finding, it was made more apparent that these individuals need to survive and generate an income, and therefore rely on the forest for many necessities such as fuel, food and shelter. In view of the fact that the human population is increasing, the pressure on local biodiversity is also increasing. In many instances the dependence on the forest has changed from personal consumption to commercial trade to generate income due to limited alternatives. It was suggested that local people living in these villages may be more vulnerable the temptation to conduct illegal activities as they know the area well and are in need of the money, without an alternative income these individuals may be

more susceptible. In order to shift away from this highly forest dependant lifestyle it is important to first offer an alternative, therefore options of income generating activities need to be offered to the village people. Such actions could be defined as addressing the source of the problem, where trade occurs on the ground, but in addition to this there is further need to address the sink of the problem (source-sink relations) and to tackle the issue of international demand.

Target audience for awareness activities

Given the low education and awareness levels of local people from the villages surrounding the parks and reserves, these people are often not aware of the adverse affects of over consumption of forest products or illegal wildlife trade. Respondents believed that if illegal trade occurs it will not pass along the main road but through the villages and hence it is important to target such individuals to ensure that they are aware of the problems and to gain their support in controlling the trade. One individual stated that: "Trade can not take place without local people involved so there is a need to address the issues with the local people and to improve their livelihood as a priority".

Human-Wildlife conflict

The researcher was informed that last year (2008) 29 persons were killed, 29 persons were injured and 95 animals were killed by wildlife conflict. These figures highlight the evident problem resulting from the close proximity of people to the protected area and common land shared by both humans and wildlife. Human wildlife conflict is also on occasion due to animals migrating across the international border into human habitations which can sometimes lead to loss of human live and property. Such situations need to be handled carefully as conflict situations can lead the local people to resent the wildlife and therefore be more vulnerable to becoming involved in illegal wildlife trade.

Wildlife found in areas not classified as within Dudhwa Tiger Reserve may not receive as much protection as those within the reserve and are more likely to encounter conflict with humans. If there is not enough natural food for such animals then they may resort to killing livestock or people. However, it is not possible to relocate these animals as there is no suitable site for re-release so instead their movement must be monitored and the level of conflict controlled. Individuals who suffer due to wildlife conflict expect compensation but this process often takes months or even years to complete and is quite complex. Given such a situation it is important to ensure that future developments for biodiversity conservation also benefit the local people to ensure that they have an incentive to protect the wildlife they come into contact with. Support of the local people is imperative for biodiversity conservation and therefore it is vital that they gain from conservation efforts and that their standards of living are increased. This will help to ensure that they are not susceptible to resorting to illegal wildlife trade to generate income, or poisoning wildlife to protect their own crops and livestock.

Conclusions

According to the initial objectives of this research, and the analysis that has been conducted as a result, the following conclusions can be made.

Global examples

Regional Wildlife Enforcement Networks from around the world

It is obvious from the examples that have been discussed, that regional wildlife enforcement networks can be effective and beneficial for biodiversity conservation proving that necessary efforts are put in by all member states in the region. A regional network for wildlife enforcement increases the possibility for illegal trade to be minimised, the amount of hunting and poaching to be reduced and therefore for levels of biodiversity in the region to be maintained.

- Before commencement it is necessary to define the role of the organisation and set objectives for what it is hoped to achieve, complete with time frames in order to monitor progress.
- It is important to understand the motives behind illegal wildlife trade in the region and to determine the main source of the demand in order to understand how to address these issues.
- Conduct research to acquire accurate information on the current status of wildlife and habitats in order to determine priority areas and species most at risk from illegal wildlife trade.
- Define the operative methods that would be most suitable and effective for use within the region.
- Carry out training sessions and workshops relevant to the priority needs in the area – which can be determined through research.
- Develop a good system for information dissemination between member states and officers of the various line agencies.
- Ensure fast notification to all member states about any amendments to procedures or changes in regulation or legislation
- Detail all operations, both successful and not, in order to monitor progress and to learn from mistakes.
- Conduct regular reviews to determine the difficulties that are been faced and to discuss how they can be addressed.
- Ensure sufficient number of meetings occur between key stakeholders, and governments from each of the member countries.
- Publicise all benefits of the regional wildlife enforcement network for wildlife, people and communities in order to increase support.
- Work towards reducing demand in addition to enforcement control.

South Asia

Engagement with neighbouring countries

Analysis has shown that communication and collaboration with neighbouring countries, such as Nepal, is important to India and that continued efforts are being made to expand on the level of exchange.

- The majority of respondents conducting the questionnaire were aware of India's engagement with neighbouring countries in relation to illegal wildlife trade indicating a good level of awareness amongst people living in close proximity to the border. Almost 50% of respondents stated that they or their organisation had frequent contact with establishments in Nepal and that communication occurs on a number of levels.
- It was also noted that the two countries are culturally very similar and share aspects of religion, lifestyle and family relations.
- Since the establishment of the India-Nepal Friendship Treaty in 1950 there has been free movement of people and goods and it was recognised by respondents that a high level of trade moves over the border. It was also noted that the border is extremely porous and not all exchange occurs at border points or is registered.
- The respondents were aware that cross-border operations do occur, with the majority stating that they occur often or sometimes, and a third stating that they take place frequently or even very frequently.
- It was identified that there are no formal agreements between the two countries at the lower level, only governmental treaties and policies. According to respondents the majority of the communication and co-operation over the border is unofficial and verbal agreements are regularly used to deal with local issues.
- Official meetings involving government and formal exchange of information were less frequent and may occur when the exchange of such information is no longer relevant to the action that needed to be taken.
- It was advised that a procedure should be put into place so that state areas can inform government about issues quickly and easily. Additionally, many considered the future development of official agreements between India and Nepal at the local, state, and forestry level to be beneficial.
- It was also revealed that the level of awareness about the cross-border relations varied distinctly between different line agencies and level of staff position. Those individuals of higher level and governmental based positions were generally aware of existing policies and agreements, whereas individuals of lower level and field based positions tended to have a reduced level of awareness.
- It was recognised that both India and Nepal have important contributions to offer one another in terms of sharing information for mutual benefits. Joint trainings have been conducted in organic farming, bio fuels, composting, and bamboo plantation to support the local people.
- It was established that the nature of the collaboration between India and Nepal is most frequently to share information/intelligence or to conduct joint training.

Benefits gained from cross-border co-operation

A wide variety of benefits were detailed by respondents, and it is clear that there is much to be gained from cooperating with neighbouring countries to tackle common problems.

- Increase in confidence that if any problems were to occur that the two countries would cooperate, share information and act together.
- Exchange of information leads to greater knowledge about the motives and actions of poachers, thus improving the enforcement capabilities and limiting the possibilities for criminal activity.
- Enhanced knowledge about illegal wildlife trade in the region and the current situation in the neighbouring country regarding related issues.
- Increased support and capability for dual action if necessary.
- Improved communication to inform each other about illegal trade so that enforcement can be increased in the area or culprits traced over the border.
- Contacts can provide guides, protection, and support for individuals of higher authority travelling into the neighbouring country on business.

Current status of illegal wildlife trade in the area

The case study was conducted in and around Dudhwa Tiger Reserve which is situated on the border to Nepal. Although respondents stated that illegal trade levels in the area are not very high it is unclear how much trade occurs that is undetected. Its positioning on an international border puts the area at greater risk from poachers crossing in between countries and direct links to trade routes through Nepal.

- In the area in and around Dudhwa Tiger Reserve the most significant driving force behind illegal wildlife trade is considered to be financial profit followed by lack of alternative income. Additionally international demand is stated to be much greater than local demand.
- The majority of respondents thought that more could be done to help to control illegal wildlife trade in this area, although good efforts are being made there is always potential for improvement.
- It was admitted by some that illegal trade may well pass through the border un-noticed as the staff based at border control are not well equipped to check all vehicles, and they may be unable to identify processed wildlife products. In addition to this those officials responsible for border control such as SSB may not give wildlife protection the same level of priority as the forestry department as their primary concern is to protect the border.
- Some individuals stated that in order to control the level of illegal trade the movement of people and goods over the border needs to be efficiently restricted.
- In view of the fact that the human population is increasing, the pressure on local biodiversity is also increasing. In many instances the dependence on the forest has changed from personal consumption to commercial trade to generate income due to limited alternatives. It was suggested that local people living in these villages may be more vulnerable the temptation to conduct illegal activities as they know the area well and are in need of the money, without an alternative income these individuals may be more susceptible.

- In order to shift away from this highly forest dependant lifestyle it is important to first offer an alternative, therefore options of income generating activities need to be offered to the village people.
- Respondents believed that if illegal trade occurs it will not pass along the main road but through the villages and hence it is important to target such individuals to ensure that they are aware of the problems and to gain their support in controlling the trade.
- Human wildlife conflict occasionally occurs and may sometimes lead to loss of human live and property. Such situations need to be handled carefully as conflict situations can lead the local people to resent the wildlife and therefore be more vulnerable to becoming involved in illegal wildlife trade.

Establishment of a regional wildlife enforcement network

Regulating trade in wildlife provides a mean of monitoring the trade to ensure that it is conducted at a sustainable level. Once properly managed and regulated trade can provide an important income source for poor communities in many parts of the world and in doing so it serves as an incentive to conserve biodiversity. Such sustainable trade can itself contribute to the survival of a species by providing value and therefore economic incentives to local people and governments to ensure its continued existence. However, illegal trade is unsustainable and as such countries must make a continued effort to control such activities to ensure the conservation of flora and fauna.

- Respondents were positive about the future establishment of a regional wildlife enforcement network and suggested that it could help in the following ways;
 - Through sharing information it will increase capabilities to catch poachers that move over the border;
 - One central store of information with details of all offences will ensure that culprits can be tracked and caught throughout the region;
 - Keeping an eye on all endangered species, their status and current threats throughout the region as a whole, will allow for collaborative plans for how to secure their conservation and control poaching;
 - Through awareness and education the network can reach out to the local people who are involved in the criminal offences to make them aware of the issues;
 - Linking organisations and people throughout the region will encourage sharing of knowledge and expertise to heighten progress for all;
 - Increased communication will ensure that all line agencies are aware of the issues, including how to identify and tackle them at the field level;
 - Each country has specific local problems but many of these are shared at a regional or cross-border level and so if tackled together progress should increase;
 - Awareness of the need to biodiversity conservation will be increased throughout the region;
 - Formal links between India and Nepal will strengthen already good relations and hopefully help to improve the level of control in Nepal;
 - Through support and co-operation the regional wildlife enforcement network should help to improve cross-border relations in areas that are currently un-settled or hostile.

- The majority of respondents stated that they expected the enforcement network to operate at both the governmental and local level, with good levels of communication between all countries and the various different line agencies involved.
- It was also considered important for the views of the local people whom the regional wildlife enforcement network will directly affect to be taken into consideration.
- It was believed that the regional network should take on the role of overseeing the international trade in wildlife and to have good knowledge of the current situation in each country.
- The activity most highly expected by a regional wildlife enforcement network is staff training covering issues such as; wildlife conservation, identifying processed wildlife products, punishment and conviction, and improving communication links. Following this many individuals also expected the network to conduct awareness raising programs and education programs for local people living in and around protected areas and border points to increase their knowledge of the relevant issues and to make them conscious of the great importance of biodiversity conservation to their own livelihoods. Also determined as important activities were the needs for increased and improved communication, between all line agencies and the achievement of regular meetings between countries and also region-wide.
- The benefits of a regional wildlife enforcement network were determined as;
 - If good wildlife is surviving in the area then tourism can increase which will be good for business and the local economy (stated by a park tour guide);
 - Increased knowledge in the trade and the actions of poachers will keep enforcement activities one step ahead of the criminals and will reduce the levels of crime;
 - Increased communication and coordination between countries will raise awareness of issues within each country and make it easier to track cross-border criminals;
 - Sharing of information will ensure systematic and accurate monitoring of illegal trade throughout the region;
 - Level of support, training and facilitation for staff will increase, improving capabilities and incentives to conduct work efficiently;
 - Working together to address common problems will improve progress and expertise can be gathered from a wide range of sources;
- Respondents also stated that benefits would be gained from collaborating with other wildlife enforcement network in different regions of the world. Illegal Wildlife trade is an international problem and therefore if we can communicate and address the problem internationally then this is very positive progress.

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Appendix

Appendix 1 –

Questionnaire submitted to wildlife park directors and staff working within India and key officials to gather information on the current situation and future prospects



Regional Co-operation for Biodiversity Conservation:

Lessons learnt from around the world and the way forward for South Asia

This research project is supported by WWF India, TRAFFIC department (the wildlife trade monitoring network). This questionnaire aims to assess the current situation in Asia in terms of cross-border collaboration and bilateral agreements that are in place to control illegal wildlife trade. Information gathered will be considered in the context of supporting biodiversity conservation and the development of regional co-operation in South Asia.

Thank you for taking the time to read this questionnaire. Please tick/highlight the appropriate boxes below and fill in the details as necessary. Full contact details listed at the end of the document.

1. Are you aware of this country's engagement with neighbouring countries in relation to wildlife trade?

☐ Yes

☐ No

If No please progress to question 9

If Yes please answer the following questions

2. What is the present level of engagement from India with other countries in the region?

.....
.....

3. In your opinion how regularly is your organisation in contact with similar establishments in neighbouring countries?

☐ Very frequently

☐ Frequently

☐ Often

☐ Sometimes

☐ Rarely

☐ Very rarely

☐ Never

☐ Don't know

4. In your opinion how regularly is your organisation in contact with other organisations/parks within India?

☐ Very frequently

☐ Frequently

☐ Often

☐ Sometimes

☐ Rarely

☐ Very rarely

☐ Never

☐ Don't know

5. In your opinion how regularly do cross-border operations occur?

- | | | |
|--|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> Very frequently | <input type="checkbox"/> Frequently | <input type="checkbox"/> Often |
| <input type="checkbox"/> Sometimes | <input type="checkbox"/> Rarely | <input type="checkbox"/> Very rarely |
| <input type="checkbox"/> Never | <input type="checkbox"/> Don't know | |

6. If cross-border operations occur then what do you share with your neighbouring countries?

- | | | |
|------------------------------------|---|------------------------------------|
| <input type="checkbox"/> Resources | <input type="checkbox"/> Information/Intelligence | <input type="checkbox"/> Expertise |
| <input type="checkbox"/> Training | <input type="checkbox"/> Funding | <input type="checkbox"/> Staff |
| Other..... | | |

7. If you are aware of any bi-lateral agreements in place, then in your opinion what are the benefits gained from this collaboration?

.....
.....

8. Do you think that the current level of control of illegal wildlife trade is sufficient or could more be done to help?

- | | | |
|--|---|---|
| <input type="checkbox"/> Definitely sufficient | <input type="checkbox"/> Satisfactory | <input type="checkbox"/> Not quite sufficient |
| <input type="checkbox"/> Definitely not enough | <input type="checkbox"/> Much more needs to be done | <input type="checkbox"/> Don't know |

9. What are the main driving forces behind illegal wildlife trade in this area? (Please rank top three)

- | | | |
|---|---|---|
| <input type="checkbox"/> Financial profit | <input type="checkbox"/> Religious beliefs | <input type="checkbox"/> Tradition/Culture |
| <input type="checkbox"/> Expanding population | <input type="checkbox"/> Increasing tourism | <input type="checkbox"/> Lack of alternative income |
| <input type="checkbox"/> Local demand | <input type="checkbox"/> International demand | <input type="checkbox"/> Status symbols |
| Other..... | | |

10. Does your organisation have contact with any of the following to support you in your work?

- | | | |
|--|---|---|
| <input type="checkbox"/> Indian NGOs | <input type="checkbox"/> NGO's in neighbouring countries | <input type="checkbox"/> International NGOs |
| <input type="checkbox"/> Wildlife parks in India | <input type="checkbox"/> Wildlife parks in neighbouring countries | <input type="checkbox"/> Prefer not to say |

11. Do you think that regional co-operation would help to improve the control of illegal wildlife trade?

- ☐ Yes ☐ No

If yes then in what way?

.....
.....

If no then why not?

.....
.....

12. If a regional network were in place what role should it play?

.....
.....

13.What are the top five activities that you would expect this regional network to conduct?

- 1-.....
- 2-
- 3 -.....
- 4-
- 5-

14.What benefits would you gain from a regional wildlife network being established?

.....
.....

15.Do you think it would be good to collaborate with the efforts of other wildlife networks?

☐ Yes

☐ No

☐ Don't know

Any additional information

.....
.....

Thank you for taking the time to fill in this questionnaire.

Contact details of research coordinator –

Please return completed questionnaires to the following address or email contact.

Hannah Chisholm
Research Intern
WWF-India, TRAFFIC Department
Pirojsha Godrej Building
172-B Lodi Road
New Delhi 110 003
INDIA

Office: +91 11 41504786

Email: chisholm.h.t@googlemail.com

Appendix 2–

Questionnaire submitted to officials from wildlife networks from around the world to gather data for comparison



Regional Co-operation for Biodiversity Conservation:

Lessons learnt from around the world and the way forward for South Asia

This research project is supported by WWF India, TRAFFIC department (the wildlife trade monitoring network). It aims to look at wildlife enforcement networks around the world and the lessons that can be learnt from their work so far. Information gathered will be considered in the context of supporting the development of regional co-operation in South Asia.

Thank you for taking the time to read this questionnaire. Please tick/highlight the appropriate boxes below and fill in the details as necessary. Full contact details listed at the end of the document.

1.Are you aware of any wildlife enforcement networks working in your region?

☐ Yes

☐ No

If Yes please move to question 3

If No please answer question 2 only

2. Do you think that there is a need for one?

☐ Yes

☐ No

If yes then why?

.....
.....

3.What is the name of this regional network?

.....

4.What is the role of this regional network?

.....

5.How were you made aware of this regional network?

.....

6.What are the main driving forces behind illegal wildlife trade in this area? (Please rank top three)

☐ Financial profit

☐ Religious beliefs

☐ Tradition/Culture

☐ Expanding population

☐ Increasing tourism

☐ Lack of alternative income

☐ Local demand

☐ International demand

☐ Status symbols

Other.....

7. Are you aware of any training sessions that have been conducted by this regional network in the following fields?

- | | | |
|--|--|---|
| <input type="checkbox"/> Law Enforcement | <input type="checkbox"/> DNA Forensics | <input type="checkbox"/> Species Identification |
| <input type="checkbox"/> Crime and prosecution | <input type="checkbox"/> Undercover investigations | <input type="checkbox"/> Customs inspection |
| <input type="checkbox"/> Community development | <input type="checkbox"/> Environmental education | <input type="checkbox"/> Public awareness campaigns |
| <input type="checkbox"/> Don't know | <input type="checkbox"/> Other..... | |

8. Within the past 3 years how many training sessions has this regional network conducted?

- | | | |
|---------------------------------|---------------------------------|-------------------------------------|
| <input type="checkbox"/> 0-10 | <input type="checkbox"/> 10- 20 | <input type="checkbox"/> 20-50 |
| <input type="checkbox"/> 50-100 | <input type="checkbox"/> 100+ | <input type="checkbox"/> Don't know |

9. Within the past 3 years how many individuals have benefited from training?

- | | | |
|---------------------------------|---------------------------------|-------------------------------------|
| <input type="checkbox"/> 0-10 | <input type="checkbox"/> 10- 20 | <input type="checkbox"/> 20-50 |
| <input type="checkbox"/> 50-100 | <input type="checkbox"/> 100+ | <input type="checkbox"/> Don't know |

10. How many of these training sessions have benefited more than one country?

- | | | |
|---------------------------------|---------------------------------|-------------------------------------|
| <input type="checkbox"/> 0-10 | <input type="checkbox"/> 10- 20 | <input type="checkbox"/> 20-50 |
| <input type="checkbox"/> 50-100 | <input type="checkbox"/> 100+ | <input type="checkbox"/> Don't know |

11. In your opinion how regularly does this regional network deal with wildlife seizures?

- | | | |
|--|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> Very frequently | <input type="checkbox"/> Frequently | <input type="checkbox"/> Often |
| <input type="checkbox"/> Sometimes | <input type="checkbox"/> Rarely | <input type="checkbox"/> Very rarely |
| <input type="checkbox"/> Never | <input type="checkbox"/> Don't know | |

12. Within the past year how many seizures have occurred as a result of regional co-operation?

- | | | |
|---------------------------------|---------------------------------|-------------------------------------|
| <input type="checkbox"/> 0-10 | <input type="checkbox"/> 10- 20 | <input type="checkbox"/> 20-50 |
| <input type="checkbox"/> 50-100 | <input type="checkbox"/> 100+ | <input type="checkbox"/> Don't know |

13. If you are aware, please indicate to what scale these seizures were. (Number of seizures of that size on the dotted line)

- Very large _____ (variety of high value species and numerous people involved)
- Large _____ (numerous species of high value)
- Medium _____ (numerous species of medium value or few species of high value)
- Small _____ (numerous specimen of low value or few specimens of medium value)
- Very small _____ (few specimens of low value)

14. What happens to the specimens after they are seized?

.....

.....

15. What are the limiting factors preventing this regional network from controlling illegal wildlife trade? (Please rank top two)

- | | |
|--|---|
| <input type="checkbox"/> Funding | <input type="checkbox"/> Insufficient staff |
| <input type="checkbox"/> Lack of knowledge | <input type="checkbox"/> Lack of support |
| <input type="checkbox"/> Lack of enforcement | <input type="checkbox"/> Increase in wildlife trade |
| <input type="checkbox"/> Don't know | <input type="checkbox"/> Other..... |

16.Does this regional network have contact with any of the following to support their work?

- | | | |
|---|---|--|
| <input type="checkbox"/> Government | <input type="checkbox"/> Wildlife establishments in this region | <input type="checkbox"/> Local NGOs |
| <input type="checkbox"/> International NGOs | <input type="checkbox"/> Wildlife establishments in other regions | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Don't know | <input type="checkbox"/> Other..... | |

17. In your opinion how regularly do cross-border operations occur?

- | | | |
|--|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> Very frequently | <input type="checkbox"/> Frequently | <input type="checkbox"/> Often |
| <input type="checkbox"/> Sometimes | <input type="checkbox"/> Rarely | <input type="checkbox"/> Very rarely |
| <input type="checkbox"/> Never | <input type="checkbox"/> Don't know | |

18.How regularly is this regional network in contact with other organisations within the region?

- | | | |
|--|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> Very frequently | <input type="checkbox"/> Frequently | <input type="checkbox"/> Often |
| <input type="checkbox"/> Sometimes | <input type="checkbox"/> Rarely | <input type="checkbox"/> Very rarely |
| <input type="checkbox"/> Never | <input type="checkbox"/> Don't know | |

19.How regularly is this regional network in contact with similar establishments in other regions?

- | | | |
|--|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> Very frequently | <input type="checkbox"/> Frequently | <input type="checkbox"/> Often |
| <input type="checkbox"/> Sometimes | <input type="checkbox"/> Rarely | <input type="checkbox"/> Very rarely |
| <input type="checkbox"/> Never | <input type="checkbox"/> Don't know | |

20.In your opinion what benefits do the countries gain from regional agreements that are in place?

.....

.....

.....

21.Have cross-border and regional operations supported progress in controlling illegal wildlife trade?

- | | | |
|-----------------------------------|--|--------------------------------------|
| <input type="checkbox"/> Greatly | <input type="checkbox"/> A lot | <input type="checkbox"/> Quite a lot |
| <input type="checkbox"/> A little | <input type="checkbox"/> Not very much | <input type="checkbox"/> Not at all |

22.What is this regional network doing that you think is good and helping to make progress in controlling illegal wildlife trade?

.....

.....

23.What efforts are being made to ensure that the progress is sustainable?

.....

.....

24.What is this regional network doing that you think could be improved or done differently?

.....

.....

25.What are the key difficulties faced in working over such a wide ranging area?

.....

.....

26.What are the main objectives of trying to regulate illegal wildlife trade within this region?

.....
.....

27.What advice would you give to other regions wishing to start regional co-operation networks?

.....
.....

28.Where can I find out more information about this regional network other than the main website?

.....
.....

Any additional comments

.....
.....

Thank you for taking the time to fill in this questionnaire.

Contact details of research coordinator –

Please return completed questionnaires to the following address or email contact.

Hannah Chisholm
Research Intern
WWF-India, TRAFFIC Department
Pirojsha Godrej Building
172-B Lodi Road
New Delhi 110 003
INDIA

Office: +91 11 41504786
Email: Chisholm.h.t@googlemail.com

Appendix 3 –

Copy of 'The Jaipur Declaration' made at the 11th Meeting of the Governing Council of SACEP in Jaipur, India on 22nd May 2008

Annex XVII
GC 11.SACEP

'THE JAIPUR DECLARATION'

**11th Meeting of the Governing Council of SACEP
Jaipur, India
22 May 2008**

**Declaration on
South Asia Initiative for Combating Illegal Trade in Wildlife**

Aware that the countries in the South Asia region are very rich in terrestrial and marine natural resources which are storehouse of unique biodiversity as well as many endangered species and that there is rapid growing demand both locally and globally for wildlife products.

Acknowledging that while legal trade can be monitored and managed, illegal trade in wild animals and plants poses a major challenge to the conservation and sustainable use of biodiversity in South Asia.

Recalling that all the countries in the region are presently having various laws and regulations to prevent illegal trade but still are subject to large scale illegal trade in wildlife and it's derivatives by a well organized local and international illegal trade network.

Realizing that despite concerns of overexploitation of wildlife by the civil society and efforts of the enforcement agencies it is unlikely that the on going trend of increased illegal trade by the strong international illegal wildlife crime nexus can be tackled without new enforcement strategies and through regional cooperation and networking.

Recognizing that countries in the region have committed for wildlife conservation and to regulate illegal trade under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) through its various resolutions, or implement related National Laws and Policies.

Recalling the South Asia Wildlife Trade Diagnostic Workshop held in Kathmandu in April 2004, and the priorities identified for improved regional co-operation to address Illegal wildlife trade challenges in South Asia.

Recalling the decision taken in the Tenth Governing Council Meeting of SACEP on 25th January 2007 to incorporate a Work Programme (2007-2008) for Combating Illegal Trade in Wildlife products and to help strengthening of enforcement of CITES in the region.

Aware of CITES Resolution 11.3 'Compliance and Enforcement' revised at the 14th Meeting of the Conference of the Parties to CITES in July 2007 urging parties to consider formulating regional action plans, incorporating timetables, targets and provisions for funding, designed to enhance enforcement of CITES, achieve compliance with its provisions, and support wildlife-law enforcement agencies;

Acknowledging the Memorandum of Understanding signed by SACEP and TRAFFIC International on 20/07/07 to jointly take forward the initiative of regional co-operation for Combating Illegal Trade and the joint efforts initiated by them.

Recalling the endorsement of the South Asia Regional Strategic Plan on Illegal Wildlife Trade (2008-2013) by the Senior Officers of the Member Countries at the First Regional Workshop on the South Asia Wildlife Trade Initiative in Kathmandu from 31st January and 1st February 2008.

Stressing the importance of mutual networking and technical support as well as financial and technical support from the international community for building expertise, resources, and capacity to address the needs of the region for combating the illegal wildlife trade; and

Believing that regional cooperation can provide the best solution for regional problems;

We the Environment Ministers constituting the 11th Meeting of the Governing Council of SACEP,

Support the South Asia Initiative for Combating Illegal Trade in Wildlife and Regional Action Plan and the Formation of South Asia Wildlife Enforcement Network (SAWEN)

Urge to establish the South Asia Experts Group on Illegal Wildlife Trade, consisting of relevant technical representatives from the eight member countries, which would meet periodically to provide a forum for the development of regional programmes through networking, sharing and effective dissemination of knowledge and information;

Mandate the expert group to develop a detailed work programme for implementing the South Asia Regional Strategic Plan on Illegal Wildlife Trade with the assistance of SACEP and other relevant partners; and

Request Countries, donors and other organizations to provide financial and technical support to assist in the implementation of the approved Work Programme.