



## EIA BRIEFING DOCUMENT ON ASIAN BIG CATS FOR THE 65TH MEETING OF THE CITES STANDING COMMITTEE (GENEVA, JULY 7-11, 2014)

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Please find below the comments of the Environmental Investigation Agency (EIA) on the provisional agenda items for the 65th meeting of the CITES Standing Committee (SC65). In addition to the comments enclosed herein, EIA as a member of the Species Survival Network (SSN) also supports and associates itself with the comments submitted by SSN. EIA's comments on SC65 regarding Asian Big Cats are as follows:

### SC65 Doc. 38 and Annexes, Asian Big Cats

At CoP16 Parties adopted Decision 16.70(c) which initiated a review of implementation of CITES requirements in relation to Asian big cats undertaken by IUCN and TRAFFIC. EIA notes that this is the most comprehensive assessment on the status of Asian big cat trade since Res. Conf. 12.5 was adopted, and that the proactive effort to collate available information has proven an effective means in generating an initial assessment. The report makes significant findings on the Asian big cat trade such as:

- Asian big cats continue to be threatened by illegal trade particularly in skins (p.9);
- **Illegal trade in tigers has increased since 2000** as confirmed by seizures in tiger range states where **tiger skins are the most commonly seized** items (pp. 2, 23);
- Since 2000, several thousands of seizures of tiger derivatives have been made in the EU and the United States sourced from China and Vietnam with an increase in derivatives seized in the United States originating from China for both leopards and tigers in recent years in comparison to 10 years ago (p.15);
- **Illegal trade in specimens sourced from captive tigers has increased** in recent years based on several seizures of live tigers and frozen tiger bodies where such seizures have taken place primarily in Thailand and Vietnam as well as in China and Lao PDR (pp. 24, 54-55);
- In relation to URGES (g) under Res. Conf. 12.5, identifying the source and legality of captive-origin tiger specimens poses a continuing challenge and Parties implicated in this regard are **Lao PDR, Thailand, Vietnam, Indonesia and China** based on numerous seizures in South East Asia, recent increase in seizures in Indonesia and sale of wine produced from using captive tiger parts in China (pp. 4, 54-55);
- **China has issued government permits to approved enterprises to trade in tiger skins** similar to permits issued for legal internal commercial ivory trade in China and the permits issued do not appear to restrict to non-commercial purposes (pp.3, 35);
- **China's oversight of privately held stocks of tiger specimens in captive tiger facilities may not be sufficient to guarantee the security of such stocks** particularly since several sources including from as recently as February 2014 have found that personnel in such facilities are marketing wines and other products as being made from tigers (pp.4, 60);
- Asian big cat parts and derivatives command high prices where **"wealth not health" is driving the demand for tiger trade** and new uses and trends are emerging (for example promoting use of tiger parts as an aphrodisiac and for consumption of tiger meat at exotic banquets) (pp. 4, 41, 48, 50); and
- Trafficking across national borders still poses significant enforcement challenges particularly along China's border but also other countries in South East Asia (pp. 40-41).

In its report, the Secretariat has made recommendations based on submissions of 9 Parties and the consultant. **However EIA is concerned that several challenges and recommendations identified by the consultant have not been addressed in the Secretariat's report, particularly China's role in the trade in captive tiger specimens and implementation of Decision 14.69** (Res. Conf. 12.5 instructs the Secretariat to report to the Standing Committee on measures taken to comply with the Resolution and related Decisions). Thus EIA supports the recommendations of the Secretariat but urges the Standing Committee to incorporate critical additions and amendments as proposed below, in order to strengthen the recommendations of the Secretariat. Further, EIA notes with concern that Decision 14.69 is now listed on the CITES website under *"Decisions of the Conference of the Parties to CITES superseded after its 16th meeting (Bangkok, 2013), but not deleted"* – this Decision remains valid and should be listed accordingly. The trade in captive tiger specimens involves serious and organised criminality, fosters corruption and

stimulates demand for tiger parts and products, threatening precarious tiger populations in the wild.

EIA would highlight the following significant challenges of the Asian big cat trade that warrant further scrutiny:

**Lack of regular and meaningful reporting on enforcement responses:** There is insufficient information available from Parties to evaluate the efficacy of range states' criminal justice responses to Asian big cat crime. Whilst there is some information available on seizures of big cat specimens there is no meaningful information on the status of follow-up actions to seizures such as arrests and post-conviction penalties imposed for Asian big cat trade or incidence of dedicated, proactive intelligence-led operations. For example, China has reported that from the beginning of 2012 to the end of October 2013 authorities have investigated and dealt with 11,836 cases of destruction of wildlife and 14,279 criminals. Without further clarification, it is impossible to assess the proportion of these cases that are related to Asian big cat trade and whether the activities have led to measurable and long-term disruption of criminal activity and networks.

Further, China has reported that poaching and illegal trade in tiger and leopard has been "completely curbed" in Ningxia, Gansu, Qinghai, Tibet Autonomous Region (TAR) and other provinces; however no evidence is offered for this claim. There is no information provided on any law enforcement action in known trade hubs of Linxia (Gansu Province), Lhasa (TAR), Nagchu and Shigatse (TAR) or Xining (Qinghai Province), yet there is continued poaching and trafficking Asian big cats in neighbouring India and Nepal destined for these hubs. While the trade in China is not as open as it was up until 2005-2006 it has certainly not been curbed and investigators have been offered skins and other big cat body parts under the counter.<sup>1</sup>

**Non-reporting and in some cases inaccurate reporting on tiger breeding facilities and captive tiger trade:** There has been a history of no reporting or in some cases inadequate or inaccurate/misleading reporting by range and consumer States in response to calls for information on compliance with Res. Conf. 12.5 and Decision 14.69 in relation to tiger breeding facilities and captive tiger trade. This includes information requested for the current review as well as under Notifications Nos. 2008/059, 2009/029 and 2012/054.

The subjects for which information has been requested but not received include in particular: a) steps taken to comply with Decision 14.69 which states that tigers should not be bred for trade in their parts and derivatives; b) information on stockpiles of captive-bred or confiscated tiger body parts and derivatives; and c) actions proposed to deal with tiger and other Asian big cat stockpiles. At its 62<sup>nd</sup> meeting, the Standing Committee stressed the need for information on compliance with Decision 14.69 and requested the Secretariat to issue a notification requesting "*a) All Parties with intensive operations breeding tigers on a commercial scale to fully implement Decision 14.69 in respect of the number of breeding operations and also for the total number of tigers; and b) All Parties to declare stockpiles of captive-bred or confiscated tiger body parts and derivatives along with actions proposed to deal with the stockpiles*"<sup>2</sup> The Secretariat accordingly issued Notification No. 2012/054. By CoP16, the Secretariat had received a report from just three range states, and with insufficient information to demonstrate compliance with Decision 14.69.

For the current CITES review on Asian big cats the concerned Parties were requested to report on several issues related to captive big cat trade including internal trade prohibitions, measures adopted to ensure that specimens from captive breeding facilities do not enter illegal trade, and actions taken to deal with Asian big cat stockpiles. Those Parties that have reported have provided inadequate information for the Standing Committee to effectively assess these issues. Reports submitted by Thailand, Vietnam and China do not establish whether these Parties have adopted measures to fully comply with Res. Conf. 12.5 and Decision 14.69. Meanwhile the limited information available indicates captive tiger populations as well as illegal trade are on the rise. Independent analysis suggests increase in illegal trade in suspected captive tiger specimens (see Table 1 below).

The consultant's report describes the legal internal trade in tiger skins sourced from captive animals in China. China's report however, in SC65 Doc 38 Annex 3, fails to mention this legal trade in captive origin tiger skins and merely states that tiger breeders are required to "label" tiger skins. This provides the impression that there is no licensed trade in skins from captive tigers in China and is misleading. The failure to provide accurate information to Parties is a matter of serious concern also because there have been several reportedly legal exports to China from other CITES Parties of specimens sourced from captive tigers, including carcasses as well as live tigers (based on information from the CITES Trade Database).<sup>3</sup> **It is unclear whether these captive tiger specimens have entered into the legal commercial domestic trade in China, which would clearly violate CITES requirements.**

**TABLE 1: Key facts and figures on captive tiger trade:**

Tiger Range State	Vietnam	Lao PDR	China	Thailand
<b>Wild Tiger Population Estimate</b> <sup>4</sup>	10	<20	40-50	200
<b>Captive Tiger Population</b>	77 (2010) <sup>5</sup> 107 (2012) <sup>6</sup> 127 (2013) <sup>7</sup>	254 (2010) <sup>8</sup> approx. 400 at just one licensed facility (2014) <sup>9</sup>	3000 (2005) <sup>10</sup> > 5,000 breeding 800 cubs / year (2006) <sup>11</sup> 6,000 (2010) <sup>12</sup> >5,000 (2012) <sup>13</sup> >5,000 (2014) <sup>14</sup>	786 (2010) <sup>15</sup> >952 (2011) <sup>16</sup> 1,174 tigers and leopards (2013) <sup>17</sup>
<b>Breeding rate</b>	Information not available	Information not available	200/year (1999) <sup>18</sup> 800/year (2007) <sup>19</sup> 100 expected for 2014 Siberian Tiger Park in Harbin <sup>20</sup>	Information not available
<b>Number of Facilities</b>	3 (2010) <sup>21</sup> 10 (2012) <sup>22</sup>	At least 3 <sup>23</sup>	>200 (2010) <sup>24</sup>	24 (2011) <sup>25</sup> 22 (2010) <sup>26</sup>
<b>Suspected Captive Tigers Seized since 2000</b>	48 <sup>27</sup>	11	20	133
<b>Volume of Stockpiles (confiscated and / or captive-bred)</b>	Information not available	Information not available	625kg tiger bone sealed between 1993-94 <sup>28</sup> approx. 150 carcasses in freezer at Hengdao River facility in Harbin (2006) <sup>29</sup> under 200 carcasses in Xionsen Bear and Tiger Village in (2006) <sup>30</sup>	Information not available
<b>Disposal of parts of captive tigers</b>	Disposed according to regulations <sup>31</sup> . No further information provided	Information not available	Skins of captive tigers 'labelled' and licensed for domestic trade <sup>32</sup> Stocks of tiger bone 'sealed' and kept on premises of private breeders, with several sources suggesting use in tiger bone wine. <sup>33</sup> Unspecified amount of stock held in two facilities destroyed "several" times <sup>34</sup> . No report on status of stocks for other facilities.	Government stocks from seizures are not destroyed and are instead kept in government facilities. <sup>35</sup> For private stocks, carcasses to be destroyed, or 'marked' if to be kept by the registered owner. <sup>36</sup>
<b>DNA / Stripe pattern database with profiles of individual captive tigers</b>	DNA profile database undertaken by CITES SA of VN and TRACE <sup>37</sup>	Information not available	Unspecified number of captive tiger DNA profiles held in database <sup>38</sup> .	DNA profile database status unknown. Stripe pattern database in development. <sup>39</sup>

EIA *recommends* that the Standing Committee adopt the recommendations of the Secretariat in paragraph 31 of its report incorporating the following amendments to strengthen the recommendations of the Secretariat:

#### Recommendation (a) of the Secretariat

- include review of implementation of Decision 14.69 and implementation in China under recommendation (a) and (a)(i);
- include review of implementation of paragraph (b) under URGES of Res. Conf. 12.5 and Decision 14.69 for China and any other Parties with inadequate legislation, specifically to prohibit internal trade in parts and derivatives of captive tiger specimens as a matter of urgency;

#### Recommendation (b) of the Secretariat

- request China, Nepal and India to improve communication and cross-border co-operation to stop the trans-Himalayan illegal trade in Asian big cat specimens and detect, arrest and prosecute key individuals of the criminal networks responsible for trafficking tiger and other Asian big cat specimens between the three countries;

In addition, EIA *recommends* that the Standing Committee:

- request China to provide a verbal report at SC65 on the number of tiger skins and other parts processed under the licensing system enabling internal trade;
- suggest that the message sent through China mobile phone companies to Chinese travellers (SC65 Doc. 38 Annex 3) specifically include tiger skins, bones, meat and other parts;
- urge all Parties to audit stockpiles of Asian big cat specimens to determine source of origin for law enforcement purposes and thereafter consolidate and destroy such stockpiles, and report to the Secretariat on volume of the stockpiles destroyed;
- urge China to undertake intelligence-led enforcement efforts in established trade hubs including Lhasa, Shigatse, Nagchu, Linxia and Xining;
- With regard to implementation of Decision 14.69:
  - (a) urge Thailand, Lao PDR, Vietnam and China to ensure that there is no expansion of existing commercial captive tiger breeding operations by adopting urgent measures such as the segregation of sexes to prevent further breeding (as recommended in Notification 2008/059);
  - (b) direct the Parties above to submit a strategic plan to SC66 on compliance with Decision 14.69, incorporating deadlines for the phasing-out of intensive operations breeding tigers on a commercial scale;
  - (c) direct the Parties noted above to report on a facility by facility basis the number of tigers (and other Asian big cats), the process for proactive monitoring of births, deaths and transfers, confirmation of existing or proposed DNA and stripe pattern profile databases, confirmation that the databases are being used for law enforcement as well as monitoring purposes, and to report on the existing or proposed process for disposal of captive specimens; and
- propose that the text of Decision 14.69 be incorporated into Res. Conf. 12.5 (Rev CoP16), at CoP17;
- establish an Asian big cat inter-sessional working group to further examine issues of non-compliance by the concerned Parties and report its findings and recommendations to SC66, including where appropriate measures under Res. Conf. 14.3.

**Point of Information:** SC65 Doc38 Annex 1 refers to EIA information submitted for the review as primarily sourced from government announcements of interdictions reported in the media. EIA collates and grades information on Asian big cat trade from the following sources: (i) Official Government submissions to CITES and Global Tiger Initiative; (ii) Published information from national Police and Customs; (iii) Published information from intergovernmental bodies ICPO-INTERPOL, ASEAN-WEN and SA-WEN; (iv) EIA investigations; (v) Pers communications to EIA; (vi) Published reports, briefings, bulletins and press releases from NGOs and specialist groups; and (vii) Journalistic sources.

#### References:

<sup>1</sup> EIA (2014), In Cold Blood at p.18, <http://eia-international.org/in-cold-blood-combating-organised-wildlife-crime>; EIA (2013) *Hidden in Plain Sight: China's Clandestine Tiger Trade*, <http://eia-international.org/hidden-in-plain-sight-chinas-clandestine-tiger-trade>; EIA (2011), *Key features of the Asian Big Cat (ABC) skin and bone trade in China in 2005-2011*, <http://eia-international.org/key-features-of-asian-big-cat-skin-and-bone-trade-in-china-in-2005-2011>; EIA (2009), *A Deadly Game Of Cat And Mouse*, <http://eia-international.org/a-deadly-game-of-cat-and-mouse>; EIA (2008), *Skin Deep*, <http://eia-international.org/skin-deep>; EIA (2006), *Skinning The Cat*, <http://eia-international.org/skinning-the-cat>; EIA (2004), *The Tiger Skin Trail*, <http://eia-international.org/the-tiger-skin-trail-report>.

<sup>2</sup> CITES SC62 Executive Summary (2012), SC62 Sum. 9 (Rev. 1).

- <sup>3</sup> CITES Trade Database (accessed June 16, 2014).
- <sup>4</sup> Global Tiger Initiative website, <http://globaltigerinitiative.org/> (accessed 29 May 2014).
- <sup>5</sup> CITES Management Authority of Vietnam (2010), *Conservation of and trade in tigers and other Appendix-1 Asian big cat species*, CoP15 Inf. 7 Annex.
- <sup>6</sup> CITES Management Authority of Vietnam (2014) SC65 Doc 38 Annex 9.
- <sup>7</sup> Education for Nature - Vietnam (ENV) Wildlife Crime Incident Database.
- <sup>8</sup> <http://www.globaltigerforum.com/country/laopdr.pdf>
- <sup>9</sup> Karl Ammann, *Inside Tiger Farming: A Long Chain of Profiteers*, 15 April 2014).
- <sup>10</sup> CITES SC53 Summary Record (2005), SC53 Summ. Rec. (Rev. 1) at 12.
- <sup>11</sup> CITES Management Authority of China (2007), CoP14 Doc 52 Annex 1.
- <sup>12</sup> China CITES Management Authority (2010), *Tigers Conservation in China* (brochure distributed by China's CITES Management Authority at CITES CoP15).
- <sup>13</sup> CITES Management Authority of China (2012), CoP16 Doc. 50 (Rev 1), Annex 3b.
- <sup>14</sup> CITES Management Authority of China (2014) SC65 Doc 38 Annex 3,
- <sup>15</sup> CoP15 Inf. 4.
- <sup>16</sup> CITES Management Authority of Thailand (2011), *Conservation of and trade in tigers and other Appendix-1 Asian big cat species*, SC61 Doc 41 Annex 3.
- <sup>17</sup> CITES Management Authority of Thailand (2012), CoP16 Doc. 50 (Rev. 1) Annex 3 a.
- <sup>18</sup> CITES Report of the Tiger Technical Missions (1999), Doc. SC.42.10.4 at 38.
- <sup>19</sup> CITES Management Authority of China (2012), *Report on Implementing Resolution Conf. 12.5 of CITES*, CoP14 Doc. 52 Annex 1, p.4.
- <sup>20</sup> Shanghai Daily (March 2014), *Breeding center expects 100 more Siberian tigers*, [http://www.shanghaidaily.com/article/article\\_xinhua.aspx?id=206593](http://www.shanghaidaily.com/article/article_xinhua.aspx?id=206593).
- <sup>21</sup> CITES Management Authority of Vietnam (2010), *Conservation of and trade in tigers and other Appendix-1 Asian big cat species*, CoP15 Inf. 7 Annex.
- <sup>22</sup> CITES Management Authority of Vietnam (2014) SC65 Doc 38 Annex 9
- <sup>23</sup> TRAFFIC (2013), *Reduced to Skin and Bones Revisited*, [www.traffic.org/species-reports/traffic\\_species\\_mammals73.pdf](http://www.traffic.org/species-reports/traffic_species_mammals73.pdf) (two facilities referenced); New York Times (Nov 2013), *U.S. Offers Reward in Wildlife-Trade Fight*, <http://www.nytimes.com/2013/11/14/world/asia/us-to-offer-reward-in-wildlife-trafficking-fight.html> (third facility recorded).
- <sup>24</sup> CITES Management Authority of China (2010), Comments on CoP14 Doc. 43.2 (brochure).
- <sup>25</sup> CITES Management Authority of Thailand (2011), *Conservation of and trade in tigers and other Appendix-1 Asian big cat species*, SC61 Doc 41 Annex 3.
- <sup>26</sup> CoP15 Inf. 4 (2010).
- <sup>27</sup> Carcasses and live tigers only, source Education for Nature Vietnam, except for two live tigers reported seized in June 2014
- <sup>28</sup> TRAFFIC (2007), *Taming the Tiger Trade*, [www.traffic.org/species-reports/traffic\\_species\\_mammals16.pdf](http://www.traffic.org/species-reports/traffic_species_mammals16.pdf).
- <sup>29</sup> *Id.*
- <sup>30</sup> *Id.*
- <sup>31</sup> CITES Management Authority of Vietnam (2014) SC65 Doc 38 Annex 9.
- <sup>32</sup> CITES Management Authority of China (2012), CoP16 Doc. 50 (Rev 1), Annex 3b; EIA (2013), *Hidden in Plain Sight*.
- <sup>33</sup> <http://news.qq.com/a/20140527/019257.htm>; EIA (2013) *Briefing on the manufacture of tiger bone wine*, various exposes quoted in EIA (2013) *Hidden in Plain Sight: China's Clandestine Tiger Trade*, (p13).
- <sup>34</sup> CITES Management Authority of China (2014) SC65 Doc38 Annex 3.
- <sup>35</sup> CITES Management Authority of Thailand (2014), SC65 Doc. 38 Annex 7.
- <sup>36</sup> Report of the CITES Tiger Mission Technical Team (2002), CoP12 Doc33 Annex.
- <sup>37</sup> ENV Pers. Comms. (July 25, 2014).
- <sup>38</sup> CITES Management Authority of China (2014) SC65 Doc38 Annex 3.
- <sup>39</sup> CITES Management Authority of Thailand (2014) SC65 Doc38 Annex 7



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