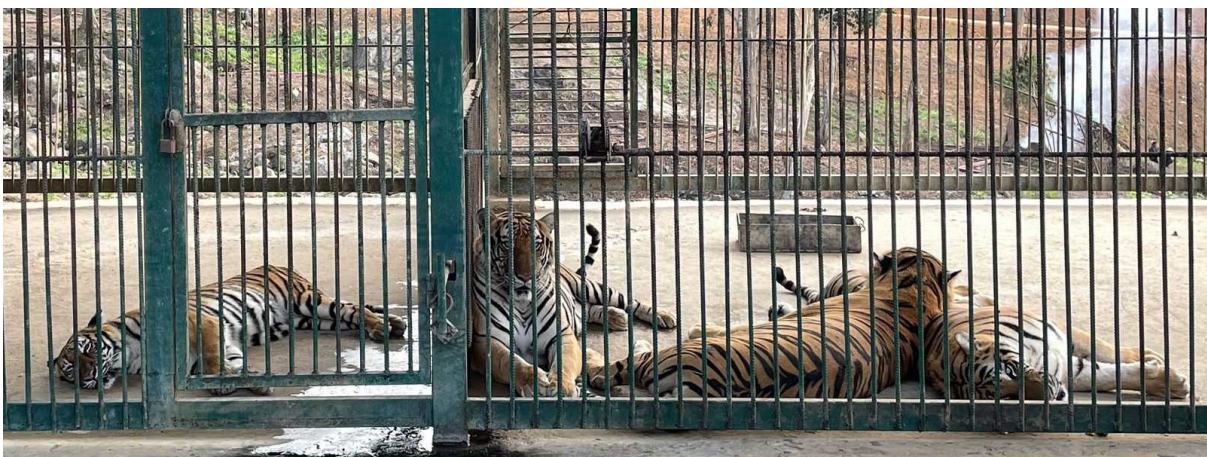


[CITES SC77 EIA Briefing on Documents relating to Asian Big Cats](#)

Key EIA Recommendations on Asian big cats (ABCs)

- EIA supports the recommendation to suspend commercial trade in CITES-listed species with Lao PDR.
- EIA supports implementation of the outcomes of the CITES Big Cats Task Force meeting but does not support consideration of a common resolution for all big cats as it is premature at this stage.
- EIA supports the collection of information on the conservation and illegal trade of leopards and urges China to close its legal commercial market for leopard products.
- EIA supports the country-specific recommendations to control and phase-out captive tiger facilities of concern in SC77. Doc. 41.2.
- EIA encourages China to welcome a mission from the Secretariat in fulfillment of Decision 18.102 (Rev. CoP19).

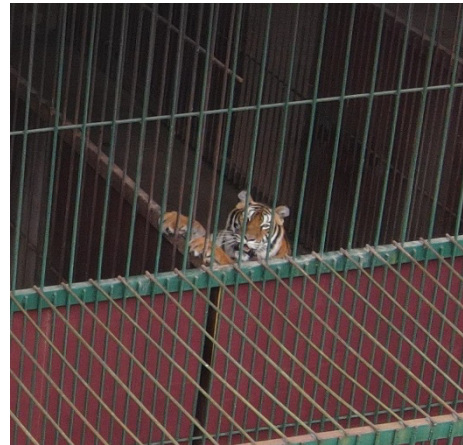


According to the CITES Secretariat most of the tigers kept in facilities in Lao PDR, Vietnam and Thailand do not seem to have any intrinsic conservation value.

SC77 Doc. 33.10 (Application of Article XIII in the Lao People's Democratic Republic)

Key Highlights and Observations

The Secretariat highlights significant gaps and inconsistencies in Lao PDR's national legislation in paragraph 17 of the document including the absence of a requirement for legal acquisition findings and incorrect implementation of the conditions for trade of CITES-listed species. EIA's review of Lao PDR's legislation noted other basic issues including the lack of provisions relating to introduction from the sea, no requirement to register facilities with the CITES Secretariat to commercially trade in Appendix I species, and a failure to regulate or define "specimens" as required by CITES.



Criminal enterprises are linked to the Lao PDR tiger farms

Regarding tiger farms, SC77 Doc 41.2 reveals that the Secretariat's mission to Lao PDR was denied access to one of the captive tiger facilities it was scheduled to visit as well as a significant area in another facility. The Secretariat remarks that this raises serious concerns about the Lao PDR authorities' power to conduct inspections of tiger facilities. Despite an announcement at CoP17 in 2016 by Lao PDR that it would be closing the tiger farms and converting them into zoos, seven years later, only two of the facilities have been opened to the public. EIA has documented the owner of one of these publicly accessible tiger facilities offering to supply dead tigers sourced from Thailand for trade as recently in November 2022. Criminal enterprises have been linked to the operation of the tiger farms in Lao PDR.¹ For this reason, we do not think that it is appropriate for these facilities to be tasked with any conservation breeding of tigers.

¹ The Asia Pacific Group on Money Laundering states that particularly significant risks of wildlife crime are noted in Lao PDR from the farming of tigers and other exotic animals, the trafficking of exotic animal parts and animal products, and the acknowledgement that Lao PDR citizens receive high amounts of proceeds - APG 2023, Anti-money laundering and counter-terrorist financing measures – Lao PDR, Third Round Mutual Evaluation Report, p. 34, APG, Sydney, available at <https://apqml.org/members-and-observers/members/member-documents.aspx?m=a6c4a803-0e15-4a43-b03a-700b2a211d2e>; EIA, 2015, Sin City: Illegal wildlife trade in Laos' Golden Triangle Special Economic Zone, available at <https://eia-international.org/wp-content/uploads/EIA-Sin-City-FINAL-med-res.pdf>; Amanda Gore, Tracking Blood Money: Financial investigations into wildlife crime in East Africa, 2021, Global Initiative Against Transnational Organized Crime, available at <https://globalinitiative.net/wp-content/uploads/2021/08/GITOC-ESA-Obs-Tracking-blood-money-Financial-investigations-into-wildlife-crime-in-East-Africa.pdf>; <https://www.theguardian.com/environment/2016/sep/27/revealed-how-senior-laos-officials-cut-deals-with-animal-traffickers>; <http://www.monitor.co.ug/News/National/Foreigners-sent-for-trial-over-ivory/688334-4011216-ijtwsnz/index.html>; <https://web.archive.org/web/20170412022354/http://vtc.vn/phong-su-kham-pha/tham-nhap-duong-day-buon-ban-ho-tu-lao-ve-viet-nam-d314759.html>; <https://nongnghiep.vn/khoan-xuong-ho-bom-nuoc-va-manh-loi-tuon-chua-son-lam-vao-viet-nam-d259139.html>; https://www.washingtonpost.com/graphics/2019/investigations/tiger-farms-poaching-laos/?utm_term=.ce9702fdda69; <https://vir.com.vn/man-receives-six-year-jail-term-for-transnational-wildlife-trading-73268.html>; <https://e.vnexpress.net/news/news/three-jailed-for-trafficking-tiger-carcasses-from-laos-4042953.html>; <https://home.treasury.gov/news/press-releases/sm0272>



EIA has repeatedly documented tiger parts and products, including tiger bone wine, available for sale in Lao PDR

There has been a history of non-compliance with the SC's recommendations by Lao PDR and the Secretariat has highlighted that very limited efforts are being taken to combat illegal wildlife trade despite significant support being provided to the country. EIA recently documented a tiger bone wine brewery and shop in the capital Vientiane mainly exporting their products, including pangolin scales, to China and shared this information with Lao PDR and Chinese authorities, the CITES Secretariat, INTERPOL and UNDOC. This is the fifth time that EIA has provided actionable information on tiger and other illegal wildlife trade in Lao PDR directly and via inter-governmental organizations to Lao PDR since 2015. There is little evidence of effective enforcement action or co-operation with neighbouring countries to address transnational wildlife crime.²

EIA Recommendations

EIA recommends that the SC adopts the recommendation to suspend commercial trade in CITES-listed species with Lao PDR and the other recommendations in paragraph 38 of the document, with the following amendments:

- That paragraph 38.h) is amended as follows: “identify any pure specimens of the sub-species *Panthera tigris corbetti* and ~~encourage facilities to engage in coordinated conservation breeding of such animals~~ cooperate with the WAZA studbook keeper for the sub-species to arrange for the transfer of these specimens to appropriate *ex-situ* conservation breeding sites, if identified,”
- That paragraph 38.i) i) is amended as follows: “restricting the breeding of tigers in captivity (sterilizing, separating male and female specimens), except for specimens of *Panthera tigris corbetti* if identified and transferred to appropriate *ex-situ* conservation breeding sites in accordance with paragraph 38.h);”

² The Asia Pacific Group on Money Laundering notes that Lao PDR has not demonstrated through case studies and statistics that its cooperation with foreign counterparts to combat illegal wildlife trafficking, including combatting illegal tiger farms is consistent with Lao PDR's risk profile for these transnational offences - Lao PDR, Third Round Mutual Evaluation Report, p. 126, APG, Sydney, available at <https://apgml.org/members-and-observers/members/member-documents.aspx?m=a6c4a803-0e15-4a43-b03a-700b2a211d2e>; <https://bkktribune.com/ill-fated-tigers-at-the-mekongs-crossroads/>;

SC77 Doc 39.3 (CITES Big Cats Task Force)

Key Highlights and Observations

The Annex to the document contains the outcomes of the CITES Big Cats Task Force meeting held in Entebbe from 24 to 28 April 2023. EIA participated in the task force meeting and found that it was a useful forum for range States and other affected Parties to come together to discuss issues relating to the big cat trade. The outcome document contains a number of strategies, measures and activities agreed by the participants to combat the illegal big cat trade. EIA notes that there was no consensus among the participants of the task force meeting regarding a draft proposal to revise RC 12.5 (Rev. CoP19) to be applicable to all Appendix 1 big cats. The task force thus invited the CITES Secretariat to consider the merits of a common resolution on illegal trade in all big cats and include this in its report to the SC but the document does not discuss the merits of such a resolution.

It remains unclear what the benefits would be of a single resolution for all big cats and the specifics of trade in different big cats justify specific provisions. Another concern is that RC 12.5 (Rev. CoP19) currently applies to only Appendix I species and contains recommendations on subjects such as domestic markets, stockpiles, and eliminating use of parts and derivatives in traditional medicine. It is not clear how these recommendations will apply to an Appendix II species such as lions, and whether a common resolution will result in dilution of these recommendations.

A common resolution for big cats would necessarily first involve agreement on what recommendations are appropriate for jaguars, cheetahs and lions given that none of these species have specific resolutions applicable to them. Discussion of a common resolution for all big cats therefore seems premature at this stage.



A clouded leopard skin advertised for sale on social media in South-East Asia

In relation to the outcome at paragraph 1.2d) of the Annex, EIA is of the view that beyond information on seizures, collation and reporting on data relating to prosecutions is also vital to evaluate the impact of enforcement actions. In relation to the outcome at paragraph 1.2e) of the document, EIA notes that it may not be feasible for Parties to analyze data in the CITES Illegal Trade Database as the overall data may

not be accessible to them, and that some other appropriate body would be best tasked with this.

EIA Recommendations

EIA recommends that the SC:

- Reject the proposal of a common resolution on illegal trade in all big cats at this stage but recommend to CoP20, subject to external funding, that the CITES Big Cats Task Force continue to meet to discuss the implementation of the agreed outcomes in the Annex and consider the merits of a resolution on illegal trade in big cats; and
- Adopt the recommendation in paragraph 10.b) of the document.

SC77 Doc. 41.1. (Report of the Secretariat on ABCs)

Key Highlights and Observations

This document reports on the implementation of RC 12.5 (Rev. CoP19) and Decisions 18.100, 18.101, 18.103, 18.105, 18.106, 18.107, 18.109 (all revised at CoP19) and 19.109. Only 9 Parties including 5 Asian big cat range States responded to the Secretariat's notification seeking information on implementation of these decisions. EIA is of the opinion that the responses provided do not offer sufficient information for SC to review the implementation of Decisions 18.100, 18.101, 18.105 and 18.106 which were adopted to address specific issues, particularly relating to illegal trade and enforcement, highlighted in CoP18 Doc. 71.1.



South Africa-branded tiger bone glue advertised by a Vietnamese trader

The document also does not include other readily available information which appears to contradict some of the responses submitted by Parties. For example:

- South Africa's stated requirement for facilities to be registered with the CITES Secretariat to internationally trade Appendix I species for commercial purposes is contradicted by records in the CITES Trade Database (2010-2020) showing the export of tiger specimens (live animals, skulls, bodies, trophies and skins) from South Africa for commercial purposes (purpose code 'T') from non-registered facilities.



According to a CITES report from 2018, almost half the world's captive tigers (6057) were in China. Carcasses have been documented in freezers as well as the licensed trade in skins from captive tigers. Yet China has claimed that there are no commercial breeding facilities in the country. Image top left © Belinda Wright /WPSI

- China's stated prohibition on the use of tiger bone for medicine is contradicted by a 2018 State Council Order which permits authorization of tiger bones from captive-bred sources for medical research and clinical treatment of critical, acute or complex illnesses.³ Yet, EIA has documented the online display of at least 3 medicinal products stated to contain tiger bone showing National Medical Products Administration of China (NMPA) permit numbers.⁴



Contrary to China's claims, EIA has documented at least three products stated to contain tiger showing NMPA numbers

- China's statement that there are no commercial breeding facilities for tigers in the country is contradicted by various sources of information. In December 2013, China reported to CITES that there were over 5000 captive tigers in the country, mainly held in two facilities.⁵ As recently as 2018, Species 360, commissioned by the Secretariat, estimated that 6057 captive tigers, amounting to almost half (48%) of the global captive tiger population were in China⁶, on the basis of which the Secretariat identified 36 captive tiger facilities in the country which may be of concern.⁷



Products stated to contain leopard displayed online: How are the leopard parts for these being sourced legally?

EIA has also documented the online display of at least 38 medicinal products stated to contain leopard showing NMPA permit numbers.⁸ Given that leopards are not known to be bred in captivity at scale, the small population of leopards within China and the CITES ban on international commercial trade in leopards since 1975, it is unclear how continued procurement for these products is being met. China remains one of the major destinations for the illegal leopard trade and RC 12.5 (Rev. CoP19) recommends

³ The State Council of the People's Republic of China, 2018, Notice on the operation and utilisation of rhinos, tigers and their products. Available at: http://www.gov.cn/zhengce/content/2018-10/29/content_5335423.htm (Unofficial translation - <https://eia-international.org/wp-content/uploads/State-Council-Notification-regarding-strict-control-of-management-and-utilisation-of-rhinoceroses-tigers-and-the-products-thereof.pdf>).

⁴ EIA, 2023, Investing in Extinction: How the global financial sector profits from traditional medicine firms using threatened species, available at <https://eia-international.org/report/investing-in-extinction-how-the-global-financial-sector-profits-from-traditional-medicine-firms-using-threatened-species/>.

⁵ SC65 Doc. 38 Annex 3, available at <https://cites.org/sites/default/files/eng/com/sc/65/EF5-SC65-38-A03.pdf>.

⁶ SC70 Doc. 51 Annex 2 (Rev. 1) available at <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-51-A2-R1.pdf>.

⁷ SC70 Doc. 51 available at <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-51.pdf>.

⁸ *Supra* note 4.

the closure of domestic markets for ABCs which are contributing towards poaching or illegal trade.

The lack of reporting and accurate information has been a consistent problem for many years for Asian big cats, and EIA is of the view that there is a need to explore constructive solutions to this.

EIA Recommendations

EIA recommends that the SC adopt the recommendations in paragraph 91 of the document and:

- Direct the Secretariat to seek further information on the implementation of Decisions 18.100, 18.101, 18.105 and 18.106 and report to SC78; and
- In order to improve the information on ABCs available to Parties, consider recommending to CoP20 a process similar to the one in place for rhinos whereby, subject to external funding, prior to each CoP the IUCN/SSC Cat Specialist Group and TRAFFIC or other appropriate body submits a report to the Secretariat on the implementation of RC 12.5 (Rev. CoP19) and associated decisions.

On Doc 41.2. (Asian big cats in captivity)

Key Highlights and Observations

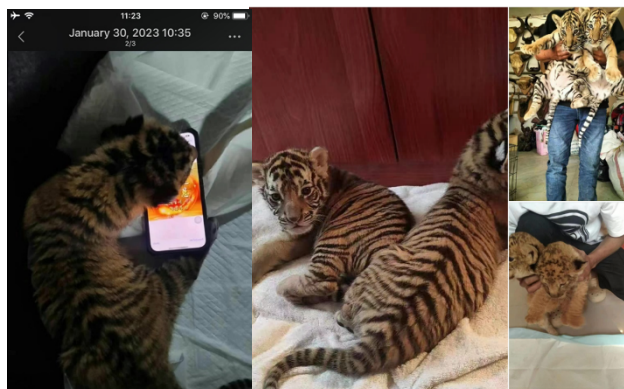
This document reports on the implementation of Decisions 14.69, 18.102, 18.108, and 18.109 and the results of the Secretariat's missions to the Czech Republic, Lao PDR, Thailand, Vietnam and South Africa which had been identified as having captive tiger facilities which may be of concern. The Secretariat also reports that a mission to the USA will be conducted in the last quarter of 2023 but that no invitation has been issued as yet to the Secretariat from China. A few key points mentioned in this document are that:

- There is serious concern about the ability of Lao PDR authorities to conduct inspections of facilities;
- There is a risk of specimens entering illegal trade from facilities with large numbers of tigers and no sustainable income; and
- most of the tigers kept in facilities in Lao PDR, Vietnam and Thailand do not seem to have any intrinsic conservation value.



Traders post videos of tigers being butchered to show authenticity

According to TRAFFIC, 81% and 67% of the tiger seizures in Thailand and Vietnam respectively from January 2000 to June 2022 involved captive-sourced tigers.⁹ Over the last two years EIA has continued to observe a large number of Asian big cat specimens in illegal trade in South-East Asia including dead tigers and tiger cubs. Other Asian big cats observed in trade include leopards and golden cats.



There is a thriving illegal trade in tiger cubs in S-E Asia



A variety of specimens are advertised on social media

Specimens are often advertised online on social media platforms with a significant number of traders appearing to have access to Asian big cat specimens and offering them for sale. Many of the tiger specimens in trade appear to be captive sourced though traders also offer specimens claimed to be wild sourced. Thailand still appears to be a source of the captive tigers in trade with Lao PDR also playing a significant role as a transit and source country for captive specimens. African lions, which are not offered the same level of protection, are also extensively observed in trade and are also being bred in South-East Asia. Their parts are often marketed as tiger parts.

In some cases, confiscations have been made from licensed facilities by enforcement authorities.¹⁰ The Wildlife Friends Foundation Thailand have also documented a product advertised as tiger bone glue being sold primarily to Vietnamese tourist groups from the premises of a licensed captive tiger facility in Thailand. This product, as well as two other products advertised as containing tiger, are displayed online on a Vietnamese website¹¹ and stated to be manufactured in Thailand and only sold to tourists through tours. The products also appear to have registration numbers issued by the Food and Drug Administration in Thailand. EIA has documented one of these products being sold in Thailand as far back as 2001.¹² Information about these

⁹ Wong, R., and Krishnasamy, K., Skin and Bones: Tiger Trafficking Analysis from January 2000 to June 2022, TRAFFIC, 2022 available at https://www.traffic.org/site/assets/files/19714/skin_and_bones_tiger_trafficking_analysis_from_january_2000_to_june_2022_r7.pdf.

¹⁰ See for example: <https://www.theguardian.com/world/2016/jun/07/tiger-temple-investigators-find-suspected-slaughterhouse-thailand>; <https://www.nationthailand.com/in-focus/30403497>.

¹¹ See <https://hangthaichinhhang.net/>; and <https://www.thenationalnews.com/world/asia/unlicensed-tigers-found-in-raid-on-private-zoo-1.431539>.

¹² EIA, 2020, On The Butchers Block: The Mekong Tiger Trade Trail. p. 12. Available at <https://eia-international.org/wp-content/uploads/On-the-Butchers-Block-Tigers-Mekong-Report-2020-SCREEN-SINGLE-PAGES.pdf>

products has been provided to the Thai authorities as well as the CITES Secretariat. EIA notes that though the Secretariat visited licensed facilities in Vietnam, there is a serious concern with illegal facilities keeping and breeding tigers in Nghe An province.¹³

EIA also notes that according to the CITES Trade database from 2015-2022, South Africa's gross exports totaled 325 live tigers including significant exports to Vietnam and Thailand, countries in respect of which the CITES Secretariat has remarked that most of the captive tigers do not seem to have any intrinsic conservation value. From 2010-2020, tiger specimens (live animals, skulls, bodies, trophies and skins) were also exported from South Africa for commercial purposes (purpose code 'T') from facilities not registered with the Secretariat.



All parts including scraps of skin are marketed

EIA Recommendations

EIA Recommends that the SC:

- Adopt the recommendations in paragraph 92 of the document with the following amendment to the text in paragraph 92.b.i): "identification of facilities ~~specimens~~ keeping ~~tigers~~ of genetic and conservation value and engagement of these facilities ~~specimens~~ in coordinated conservation breeding ~~for such animals~~ through established, science-based population management programs, such as those following IUCN Guidelines on the Use of Ex-Situ Management for Species Conservation,"
- Regarding South Africa, request the Secretariat to inquire regarding the commercial or non-commercial nature of the exports of live tigers, as well as the export of tiger specimens for commercial purposes (purpose code 'T') from facilities not registered with the CITES Secretariat;
- Encourage China to welcome a mission from the Secretariat in implementation of Decision 18.102 (Rev. CoP19); and
- Instruct the Secretariat to report to SC78 on the implementation of the recommendations in paragraphs 92.e) to 92.g) of the document.

¹³ <https://env4wildlife.org/2021/08/17/a-major-breakthrough-in-combatting-illegal-tiger-trafficking-in-nghe-an/>.