



PARTY TO CITES (1975) | UNTOC (2011) | UNCAC (2011) MEMBER OF INTERPOL | WORLD CUSTOMS ORGANISATION | SOUTH ASIA WILDLIFE ENFORCEMENT NETWORK (SAWEN)

TRANSIT
 AT LEAST
15 RHINO HORNS
 SEIZED SINCE 2010
RHINO



SOURCE • TRANSIT
 AT LEAST
108 TIGER SKINS
 SEIZED SINCE 2000
TIGER



TRANSIT
335 kg PANGOLIN
SCALES AND
6 LIVE PANGOLINS
 SEIZED SINCE 2010
PANGOLIN



DNA ANALYSIS
OF TIGER SKINS
15 TIGER SKINS
 SEIZED 2015-16
 IN NEPAL
6 ORIGINATED
 IN NEPAL



NEPAL
 INDIA CHINA
KEY TRANSIT COUNTRY
 TIGER • LEOPARD • PANGOLIN • RHINO



327 LEOPARD
 SKINS SEIZED
 2003-2013
LEOPARDS STILL NOT GIVEN HIGHEST
 LEVEL OF PROTECTION IN NEPAL



NEPAL | INVESTING IN ENFORCEMENT

KEY INDICATORS¹

INTERPOL National Central Bureau has officer(s) dedicated to investigating wildlife crime

Multi-agency enforcement mechanism established to investigate wildlife crime

Financial intelligence unit includes wildlife crime on their portfolios

Assets and proceeds of crime seized in relation to wildlife crime cases since 2014

DNA analysis used in wildlife crime investigations since 2014

Government monitoring of online wildlife trade

Part of bilateral or multilateral agreements that specifically tackle transnational wildlife crime²

Participated in INTERPOL operations on wildlife crime since 2014

Participated in regional/international enforcement operations on wildlife crime since 2014³

Applied or declared intention to apply ICCWC Wildlife and Forest Crime Analytic Toolkit

- Nepal's INTERPOL National Central Bureau (NCB) is established within the Nepal Police. The international cooperation afforded under INTERPOL helped Nepal track and extradite a notorious Nepalese rhino poacher and trafficker from Malaysia.
- The Central Investigation Bureau (CIB) is a specialised investigation entity established within the Nepal Police which includes a unit dealing with wildlife crime.
- To facilitate national inter-agency co-operation, the Wildlife Crime Control Bureau (WCCB) has been established, headed by the Director General of the Department of National Parks and Wildlife Conservation and represented by enforcement agencies such as the Nepal Police, Nepal Customs and the National Intelligence Department. As of February 2015, the WCCB has 16 units in 18 districts, although not all district-level units are represented by key enforcement agencies.
- With funding from USAID, Nepal's Centre for Molecular Dynamics has genetically profiled known wild tigers in Nepal. Of the 15 tiger skins seized in 2016, six were proven to have originated in Nepal. However, use of forensics in investigations is limited due to lack of capacity among frontline law enforcement personnel.

- According to a 2015 study, the number of different wildlife species seized specifically within the Kathmandu valley has increased from four species (2003) to over 30 different species (2013), with the number of arrests increasing for the same period due to improved inter-agency cooperation (B.R. Dangol, 2015).
- The Statute of the SAWEN was ratified by Nepal in July 2016. The recent endorsement of the SAWEN Statute by five of the eight member countries is a significant development as it legitimised the network.

CHALLENGE

A number of different agencies are mandated to tackle illegal wildlife trade but lack the necessary equipment, personnel, training and overall capacity to tackle wildlife crime. There are concerns about inadequate interagency collaboration on wildlife crime. For example, Customs officers lack basic equipment and capacity to detect illegal wildlife trade and are trained in the Revenue Administration Centre where wildlife crime is not part of the curriculum. Due to these factors, it would appear that Nepal Customs plays a limited role in ongoing efforts to combat wildlife trafficking, a significant missed opportunity to stop wildlife trafficking through major entry and exit points in the country.

CASE FILES

Between 1 January 2015 to 6 June 2016 more than 60 individuals were arrested for trade in tiger, leopard, rhino parts and products, ivory, pangolin scales, live pangolins and red sandalwood.

Four individuals were sentenced to 14-15 years imprisonment and fined for rhino poaching in Sep 2014.

MAIN OBSERVATIONS

- Achieved zero poaching of rhinos for two consecutive years (May 2014-May 2016) but one rhino was killed in late 2016 in southern Nepal. During the same period, poaching and trafficking incidents of other wildlife species and their products have been recorded, including tiger skins and bones, rhino horn, leopard skins, pangolin scales and red panda skins.
- MoUs with India and China have been adopted which address illegal wildlife trade. While there appears to be good enforcement co-operation between Indian and Nepalese enforcement authorities, resulting in seizures, arrests and prosecution of suspected wildlife criminals, Nepal does not appear to receive the same level of enforcement co-operation from China.

NEPAL | ENSURING EFFECTIVE LEGAL DETERRENTS

KEY INDICATORS¹

Legislation treats wildlife crime as a 'serious crime' as per UNTOC, ie, the maximum sanction applicable is not less than 4 years

Sentencing guidelines for wildlife crime have been disseminated

Known convictions for wildlife crime since 2014

Charges brought under ancillary legislation such as anti-money laundering laws in wildlife crime cases since 2014

Has anti-corruption unit

Known convictions for corruption related to illegal wildlife trade cases since 2014

27/100 TI Corruption Perceptions Index 2015

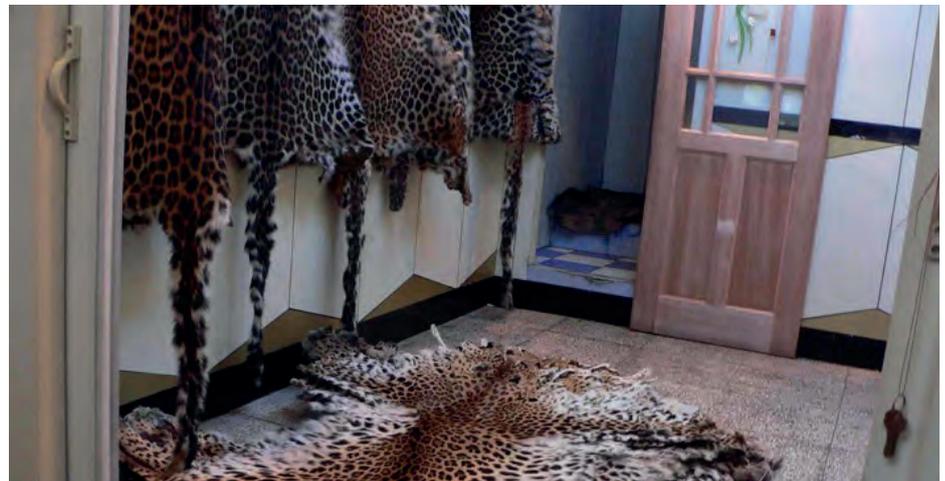
- The Government has proposed **new national legislation** for the implementation of CITES.
- Several **legislative amendments** have been proposed which have an impact on enforcement efforts related to wildlife crime. Under the existing law, the concerned Chief Warden and the Chief of District Forest Office have the mandate to adjudicate wildlife crime cases. However, proposed amendments seek to shift this mandate to judicial courts. If these amendments are adopted it is crucial to ensure that prosecutors and judiciary are sensitised to wildlife crime because they may currently lack a comprehensive awareness of the impact of such crimes. The amendments do not seek to up-list and provide increased protection for species such as leopards, one of the most frequently seized wildlife species in Nepal.

- Despite Nepal's opposition to tiger farming expressed at the CITES Conference of the Parties in 2016, the Government has **proposed legal amendments to authorise commercial breeding and farming** of certain wildlife species, representing a major policy change. There are serious concerns as to whether this might open the door for farming of tigers and other species severely threatened by trade and create a major loophole for laundering wild specimens. Although Nepal has prohibited the use of wildlife as diplomatic gifts since 2008, the proposed amendments seek to change this policy by specifically allowing export of wildlife as diplomatic gifts—raising concerns about the end-destination of such exports.

BELOW: LEOPARD SKINS SOURCED FROM NEPAL OR INDIA ARE TRAFFICKED THROUGH TO CHINA FOR USE IN LUXURY HOME DECOR © EIA

MAIN OBSERVATIONS

- **Priority species** offered the greatest protection in Nepal include tiger, elephant, clouded leopard, gaur and rhino. Penalties for illegal trade in these species include imprisonment between 5-15 years and/or a fine equivalent to US\$500–1,000.
- A majority of penalties imposed in wildlife crime case appear to be **limited to fines without imprisonment**. For example, the conviction rate in wildlife crime cases in the Kathmandu Valley is relatively high (46.6%), although the penalties imposed in a majority of such cases were fines (B.R. Dangol, 2015).



NEPAL | ERADICATING DEMAND

KEY INDICATORS¹

Prohibits trade in elephant ivory

Prohibits trade in parts/products of Asian big cats

Stockpiled ivory has been inventoried

Destroyed ivory stockpile since 2014

Destroyed other wildlife stockpiles since 2014

No known incidents of thefts of government-owned wildlife stocks

Government-led initiatives to reduce demand for wildlife products implemented since 2014

MAIN OBSERVATIONS

- Sample collection and **bar-coding** of seized wildlife parts in Chitwan district has taken place.
- Nepal is a country of **limited demand** for wildlife parts and products, acting mainly as a source or transit country for a number of species. Wildlife specimens seized in Nepal (sourced either from Nepal or neighbouring countries such as India) are typically destined for use in China or South-East Asia and China.

CHALLENGE

Seized wildlife products are not securely stored in a centralised location, with reports indicating that Asian big cat parts and red sandalwood are stored in various locations across the country. While decentralised stocks may be maintained for local enforcement purposes, dispersed stockpiles raise concerns about potential leakage into illegal trade.

For example, it has been alleged that seized pangolin scales were reported missing in 2011 from Sindhupalchowk. The Government has expressed interest in developing a process to centralise all stockpiles of seized wildlife and to subsequently destroy them; it has formed a team to conduct an inventory of seized wildlife and has recommended destroying these items.