

Report of the Asian Region

This report was prepared by China and Malaysia based on the information provided by Parties in the Asian Region and outlines the activities of Parties within the Asian Region in the period between the 49th meeting of the Standing Committee (22–25 April 2003) and the 50th meeting of the Standing Committee (15–19 March 2004). Currently there are 31 Parties to the Convention in the Asian Region.

1. National Legislation and Enforcement Activities

CHINA

The Regulation for the Management of Wildlife Import and Export of the People's Republic of China was drafted and submitted to the State Council for adoption by the CITES Management Authority of China in 2003. The Draft then was distributed to all related agencies and local governments for comments at the end of 2003. Comments from these agencies and local governments had been collected and now are being reviewed. It is expected that the Regulation could be enacted by the State Council by July of 2004, which would significantly improve the national legislation in China for implementation of CITES.

Pursuant to CITES Decision 12.40, a Training Workshop on Enforcement of Tibetan Antelope was convened by the China and the CITES Secretariat with financial supports provided by the CITES Management Authority of China, the CITES Secretariat and IFAW in August in Lhasa, China. Enforcement needs for Tibetan Antelope conservation was assessed and identified, and a Memorandum of Understanding was signed among four nature reserves that are major ranges for this species. A report was compiled by the CITES Secretariat based on the workshop, and will be implemented by China at national and local levels.

To improve the capacity buildings of customs, nine training workshops were organised by the CITES Management Authority and Customs of China both at national and local levels. Up to date, ten Memorandums of Understanding between the Branches of the management Authority and the local customs had been established, which provided the principles activities for cooperation between the management Authority and the customs.

MALAYSIA

The sharp increase of illegal trade between Vietnam and Malaysia in the first quarter of 2003 was called for the working trip to Vietnam which initiated by Malaysia CITES Management Authority (Department of Wildlife and National Parks, DWNP). The four days working trip from 8th to 11th November 2003 was considered a fruitful one. Meeting between two organizations responsible for the management of natural resources in both countries namely Forest Protection Department (Vietnam) and DWNP (Malaysia) was taken place. The outcomes were

Malaysia imposed stricter and shorter validity period for CITES Permit to Vietnam and Vietnam was advised to communicate with DWNP(Malaysia) before acceptance of any CITES Permit issued by Malaysia. Discussion in the problems faced by both nations in the implementation of CITES Convention and exchanged ideas in wildlife and natural resources management also one of the important agenda during the working trip. On 8th August 2003, Malaysia repatriated 515 heads of Indian Star Tortoises (*Geochelone elegans*), which were smuggled to Malaysia by Indian citizen to India.

PHILIPPINES

Formulated the implementing rules and regulations of Republic Act No. 9147 otherwise known as the “Wildlife Resources Conservation and Protection Act” with provisions on CITES implementation.

Confiscation of wildlife specimens illegally traded and imported including those from field offices all over the country:

- 1 pc. Hornbill skull
- 14 pcs. Orchids
- 1,425 hd. other animals

SINGAPORE

The Agri-Food and Veterinary Authority (AVA) is the management authority responsible for the implementation and enforcement of CITES in Singapore. AVA administers and enforces the Endangered Species (Import and Export) Act [ESA], which gives effect to CITES in Singapore. The Schedules to ESA list the CITES species. Under the Act, it is an offence to import and export any scheduled species without a CITES permit from AVA. The Act empowers AVA officers to investigate, take enforcement actions against offenders and seize illegal consignments of endangered species. Following the adoption of amendments to the CITES Appendices at COP13, Singapore updated the Schedules of the ESA and gazetted the Endangered Species (Import and Export) (Amendment of Schedules) Notification 2003, which came into effect on 13 February 2003. The Schedules were further amended to include the listing of *Isostichopus fuscus*, a sea cucumber species in Appendix III by Ecuador, which took effect on 16 October 2003.

AVA works closely with CITES Secretariat, other CITES parties, Customs, NGOs and members of the public and act on any information or tip-offs on illegal trade in endangered species. In 2003, AVA investigated about 54 enforcement cases, of which there were 5 prosecution cases and penalties of fines ranging \$600 to 5000 plus 2 months jail were imposed.

In November, AVA worked jointly with the Indian wildlife authorities and the Singapore Zoological Gardens to repatriate 495 heads of Indian star tortoises to Chennai, India. The tortoises were confiscated by AVA from an Indian national who attempted to smuggle the tortoises into Singapore through the Changi Airport in September. Since their return, the tortoises have been re-homed at the Vandalur Zoo.

AVA is also cooperating with the Lusaka Agreement Task Force (LATF) to transfer 6 tonnes of ivory that Singapore confiscated in June 2002, to LATF in Nairobi for further investigation and analysis. The person, who made the arrangements to facilitate the shipping of the ivory from Zambia through Singapore, was prosecuted. He pleaded guilty and was fined a maximum of SG\$5,000.

VIETNAM

Promulgation of the Circular No. 123/2003/TT-BNN of 14 November 2003 by the Minister of Agriculture and Rural Development on the Implementation of Decree No. 11/2002/ND-CP of 22 January 2002 by the Government of Viet Nam on the management of export, import and transit of wild fauna and flora species.

Project “Strengthening Capacity in CITES Implementation” financed by Danida and TRAFFIC Indochina as co-partner. Project activities implemented in 2003 included:

- Conducted three CITES training courses for 120 officers from wildlife enforcement agencies and other institutions, including Forest Protection Departments at national and provincial levels, the Police, Customs, Market Administration, Viet Nam Airlines;
- Initiated the preparation of a National Action Plan on strengthening control of illegal wildlife trade;

2. National Administrative Measures

CHINA

To prevent any potential spread of SARS caused by animals and to protect the resources in the wild, since the end of March of 2003, any import and export of live and dead animals for commercial purposes had temporarily suspended by China, this measure had been implemented until July 2003. Since then any export for commercial purposes of live and dead animals from the wild had been continually stopped. Currently, only trades for commercial purposes in specimens of 54 designated species are allowed by China.

In 2003, to promote the conservation of musk deer, China carried out examination and registration on all stockpiles of the musk throughout the country. Currently, hunting of musk deer, production and trades of musk originated from the wild are banned by China. Only trades in specimens made from registered musk stockpiles are allowed to be exported. All sub-species of musk deer occurred in China had been upgraded to Category I of the National Protected Species, which implied that any commercial consumption of such species from the wild would be forbidden by the legislation in China.

To overcome the difficulty for customs in inspecting the specimens in trades, since September of 2003, specimens of all sub-species, including those none CITES-listed sub-species in the Genus of *Taxus* had been subject to CITES and none CITES documents control in China.

PHILIPPINES

The Management Authority of the Philippines conducted monitoring/inspection of all captive-breeding operations in the Philippines.

3. Capacity Building at regional and sub-regional levels

TRAFFIC Southeast Asia, working with trainers from the CITES Secretariat's Capacity Building Unit, facilitated two sub-regional workshops in Southeast Asia during 2003. The first, held in Kota Kinabalu (hosted by Malaysia) in May, was attended by more than 50 delegates representing Brunei Darussalam, Indonesia, Malaysia, Philippines and Thailand. The second, held in Phnom Penh (hosted by Cambodia) in November, was attended by 42 delegates representing Cambodia, China, Lao PDR, Myanmar, Singapore, Thailand and Viet Nam. The workshops addressed the functions performed by national CITES Management and Scientific Authorities, with theme of "Science in CITES" and how conservation and sustainable use of wildlife can have a lasting benefit when built on a solid platform of science-based management. Workshop participants were given practical examples focusing on the need to set precautionary limits on the legal exploitation of CITES Appendix II listed species and how to develop appropriate monitoring mechanisms to manage trade, such as non-detriment finding checklists and annual quota setting. Trainers from the CITES Secretariat set tasks for the participants to conduct 'risk assessments' of harvest/trade regimes as diverse as Asian pangolins, corals, snakes, butterflies and freshwater turtles. The importance of bi-lateral and regional co-operation was also discussed regarding managing species common to more than one country; and the participation of China and Singapore emphasized the value of dialogue between source, re-exporter and consumer states on how increased collaboration on management and law enforcement are essential in building capacity to implement systems for sustainable harvest and trade. All participating delegations identified national and regional priorities for follow-up activities, with the responses being compiled by TRAFFIC Southeast Asia to guide future project development for CITES capacity building in the sub-region.

Wildlife Crime Investigation Course was held in Bangkok Thailand from 8th to 19th September 2003. During the two weeks time in Bangkok, active discussion in illegal trade among countries such as Thailand, Vietnam, Cambodia, Malaysia, China, the Philippines and Singapore were taken place. The participants involved learned lots of new information and skill not only from the instructors but also from their counter part from Asian Countries. This not only deepen their knowledge in tackling wildlife crime but also expand the net working in undertakes it.

4. Communication and Collaboration between Parties

From December 10 to 13 2003, Meeting on Cooperation on Wildlife Trade Management and CITES Implementation between China and Vietnam was held in Nanning, China. This meeting was hosted by the Management Authority of China with financial supports provided by the Foreign and Commonwealth Office of UK and TRAFFIC East Asia. Up to 45 participants from Management Authorities, Scientific Authorities, Customs, Fisheries Departments of China (including Hongkong and Macau SARs) and Vietnam attended the meeting. Challenges for

control of wildlife trades cross the borderlines between the two countries was discussed and information of legislation and policies in both countries was introduced. Actions for future cooperation were identified and a Minute of the meeting was signed by representatives from the two countries.

The Philippines Collaborated with Malaysian Government on the conservation and protection of the marine turtles, and coordinated with the Indonesian CITES Management Authority regarding law enforcement on trade of endangered wildlife from Indonesia to Philippines via backdoor.

5. Other Matters

SINGAPORE

ASEAN and the SE Asian Fisheries Development Center (SEAFDEC) conducted a survey on shark fisheries. The objective of the study is to document the nature of the shark industry, including documentation of the species in trade, quantities, prices, trade flows and trends so as to better manage shark resources. The effort is part of a 5-year ASEAN-SEAFDEC collaborative project on “Management of Shark Fisheries & Utilization of Sharks in the SE Asian Region”, funded by the Japanese Trust Fund.

Country Report of JAPAN (CITES Activities in 2003)

General Information

1. Participation in CITES meetings;

(1) CITES Standing Committee

The Japanese delegation participated in the 49th meeting of the CITES Standing Committee which was held in Geneva, Switzerland, from 22 to 25 April 2003, as an observer.

(2) CITES Animals Committee

Dr. Ishii has contributed to the Animals Committee as its alternate member of Asia. The Japanese delegation participated in the 19th meeting of the CITES Animals Committee which was held in Geneva, Switzerland, from 18 to 21 August 2003, as an observer.

2. Financial Cooperation;

(1) MIKE project in Asia

Ministry of Foreign Affairs, as the Government of Japan, made financial contribution in amount of US\$50,000 towards the MIKE project in Asia.

(2) The Publication of The Evolution of CITES

Ministry of Foreign Affairs, as the Government of Japan, earmarked in amount of CHF 12,000 for the publication of 7th edition of The Evolution of CITES (English version).

3. Cooperation with the Parties;

(1) The working group on Technical Implementation Issues

As agreed by the 49th Standing Committee, Japan participated in the WG chaired by US through electronic mail as a member of the WG. The report of the WG will be submitted to the SC.

(2) The informal working group on reporting

As agreed by the 49th Standing Committee, Japan participated in the WG chaired by the Netherlands through electronic mail as the representative of Asian parties. The report of the WG will be submitted to the SC.

(3) JICA seminar

The government of Japan made lectures on CITES and its implementation in Japan, to build the capacity for wildlife conservation and management in developing countries at four JICA (Japan International Cooperation Agency) seminars.

Legislative, Regulatory, and Administrative measures;

1. Meetings within Government;

(1) Meeting for CITES implementation

The Government of Japan established the national ministries and government offices meeting for CITES to exchange information and seeking cooperation. The member officers from 10 ministries and government offices held the several meetings after SC 49.

(2) Meeting for enforcement

The Government of Japan also holds the meeting on the enforcement of CITES to prevent illegal international and internal trade of CITES species. The meeting consists of the Management Authority (Ministry of Economy, Trade and Industry), Ministry of Finance (Customs Office), National Police Agency and Ministry of the Environment.

2. CITES Administration and Enforcement by each Ministry;

(1) Ministry of Economy, Trade and Industry (METI)

– As the CITES Management Authority of Japan, METI issued the CITES permits in accordance with CITES and Japan's regulation, in some cases the MA of Japan exchanged relevant information and cooperated with the Secretariat and related Parties to make a appropriate decision of CITES.

– METI promoted publication activities on CITES, emphasized on souvenirs of Japanese tourists from abroad, at their departure from Japan. METI also made lectures on CITES for regional officers of METI, Customs officers and Police officers in order to understand and implement the CITES administration and enforcement.

– METI took care of live animals and plants which were confiscated as illegal import of CITES by the customs and the police authorities, at rescue center (mainly zoos and botanic gardens) in Japan.

(2) Ministry of the Environment (MoE)

– As the CITES Scientific Authority of Japan for terrestrial animals and fresh water turtles species, MoE submitted scientific advices required in accordance with the Law for the Conservation of Endangered Species of Wild Fauna and Flora (LCES) to the CITES Management Authorities of Japan.

– In accordance with LCES, MoE controlled the internal transfer of International Endangered Species (IES) listed on Appendix I in CITES. MoE inspected pet shops and relevant traders to monitor the illegal internal transfer of IES. A manual for the inquiry and inspection of the illegal internal transfer of IES was revised to strengthen its inspection system.

– MoE conducted the investigation into the actual conditions of internal trading of organs or processed from bears (Asian black bear, Brown bear). MoE will proceed the investigation to promote the implementation of CITES and the LCES.

(3) Ministry of Agriculture, Forestry and Fisheries (MAFF)

- As the CITES Management Authority of Japan for Introduction from the Sea, Fisheries Agency in MAFF issued the CITES certificates in accordance with CITES and Japan's regulations.
- As the CITES Scientific Authority of Japan for marine, herbal and timber species, Fisheries Agency, Agricultural Production Bureau and Forestry Agency in MAFF submitted scientific advices required in accordance with CITES regulations to the CITES Management Authorities of Japan.

(4) Ministry of Finance (The Custom Office)

- In order to ensure the effectiveness of law enforcement at the borders regulating items under CITES. Customs is only authorizing the main offices of various customs offices, such as those at major airports and international post offices, to clear these articles. These offices have 60 specialized officials, and through consolidating materials required to identify these articles, a system has been established that can promptly and appropriately clear Customs.
- The total cases of import suspension by the customs of articles regulated under the CITES and the Japanese law numbered estimated about 1,400 cases in 2003. The items whose imports were denied included mainly medicines and leather goods as souvenirs.
- The Customs found out several smugglings of criminal prosecution of CITES, and implemented joint investigation with the police authorities.

(5) National Police Agency

By joint criminal investigation with the customhouse authorities, the Japanese police arrested several incidents on charges of the violation of the Customs Law for the smuggling, and the Law for the Conservation of Endangered Species of Wild Fauna and Flora (LCES) for illegal internal trade of CITES species.