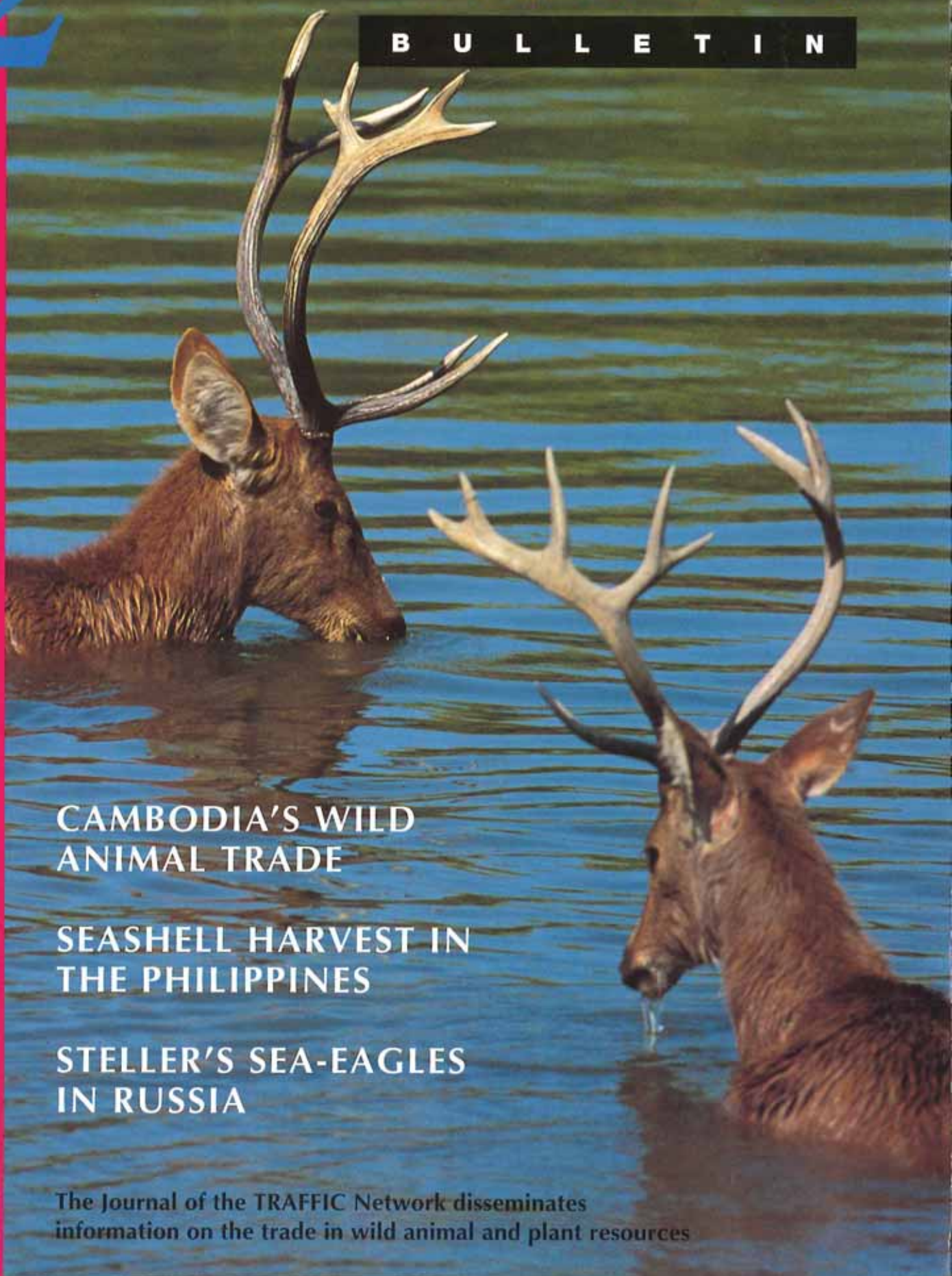


VOL. 16 NO. 2

2

# TRAFFIC

BULLETIN



**CAMBODIA'S WILD  
ANIMAL TRADE**

**SEASHELL HARVEST IN  
THE PHILIPPINES**

**STELLER'S SEA-EAGLES  
IN RUSSIA**

The Journal of the TRAFFIC Network disseminates  
information on the trade in wild animal and plant resources

AUGUST 1996



The sources of information from which the cases reported below are summarized, are cited at the end of each country section.

## EUROPE

### FRANCE

On 20 January 1996, Customs officials at Roissy airport seized 16 Radiated Tortoises *Geochelone radiata* (App. I), 9 Spider Tortoises *Pyxis arachnoides* (App. II) and 11 adult and several juvenile Madagascar Tree Boas *Sanzinia madagascariensis* (App. I), in transit from Madagascar to the Czech Republic. The seizure was made possible following a tip-off from German Customs officials. Two German nationals were arrested.

The Radiated Tortoises are being housed at Mulhouse Zoo, and the Spider Tortoises and the boas are at London Zoo and other collections. Over 30 Madagascar Tree Boas have subsequently hatched from pregnant female boas included in the shipment.

In mid-June 1996, Customs officers at Roissy airport seized two Indigo (Lear's) Macaws *Anodorhynchus leari* (App. I) that had arrived on a flight from Chile, bound for Singapore. A CITES permit accompanied the shipment correctly identifying the birds but falsely claiming them to be captive-bred and listed in Appendix II. The birds had been shipped from Chile, via Brazil (their country of origin). The specimens will be returned to Brazil. The case is being investigated.

*Direction General des Douanes des Droits Indirects/WWF Press Release, 13 March 1996; TRAFFIC Europe; London Zoo, pers. comm., 31 July 1996*

### GERMANY

On 25 April 1996, Customs officers at Frankfurt airport confiscated 137 live juvenile reptiles and primates including 12 Matamoras Turtles *Chelus fimbriatus* and specimens of the following Appendix II-listed species: 15 Boa Constrictors *Boa constrictor*, 25 Green Iguanas *Iguana iguana*, 25 Spectacled Caimans *Caiman crocodilus*, 20 Dwarf Caimans *Paleosuchus palpebrosus*, 6 Rainbow Boas *Epicrates cenchria*, 17 Yellow-footed Tortoises *Geochelone denticulata*, 2 Pygmy Marmosets *Callithrix pygmaea*, 14 Saddle-back Tamarins *Saguinus fuscicollis* and 1 Moustached Tamarin *Saguinus mystax*. On inspection, it was clear that the animals had been collected from the wild.

Two Czech citizens had attempted to smuggle the animals in two suitcases from Peru, via Frankfurt, to the Czech Republic. Many of the specimens were in poor condition and at the time of writing half the number of tamarins have died. The surviving animals were placed in bona fide collections in Germany. The CITES Management Authority in the Czech Republic was informed of the incident and the case is being investigated by authorities in both countries.

*German CITES Management Authority*

### ITALY

In February 1996, Customs officers and members of the Forest Corps seized 19 parrots from a Russian ship docked at Genoa port during a routine search for drugs; the vessel was in transit from South America, bound for Russia. The birds included 1 Great Green Macaw *Ara ambiguus* and 2 Scarlet

Macaws *A. macao* (both App. I), 6 Blue-and-yellow Macaws *Ara ararauna* and 10 Red-and-green Macaws *A. chloropterus* (both App. II); they are being housed at a private zoo.

In early June 1996, at the criminal court in Salerno (Campania), Willem Plomp, a Dutch national, was convicted of illegal trade in specimens of species in the following genera: *Poicephalus*, *Ara*, *Neophema*, *Cacatua* and *Trichoglossus*. Most of the species had come from Southeast Asia and Africa. He was found to have collaborated with an Italian dealer, who was also arrested. Plomp was sentenced to 20 months' imprisonment under Italian law no. 150/92.

*TRAFFIC Europe*

### NETHERLANDS

On 25 May 1996, members of the police, General Inspection Service of the Ministry of Agriculture, and Customs, seized 445 CITES-listed orchids from the car of an inhabitant of Tilburg. The plants had been recently wild-collected. A subsequent search of the suspect's house uncovered order forms offering for sale a list of protected species; these lists had been disseminated at reptile exhibitions in Germany from where completed forms were faxed to the accused.

The botanical gardens *Hortus Botanicus* in Leiden identified the plants as belonging to the following orchid genera: *Aceras*, *Cephalanthera*, *Cypripedium*, *Dactyloctenium*, *Gymnadenia*, *Ophrys*, and *Orchis*. The suspect is in custody while the case is being investigated. The information which led to the seizure was provided by TRAFFIC/WWF.

*TRAFFIC Europe*

### RUSSIA

On 29 March 1996, at the City Court of Petropavlovsk-Kamchatsky, the captain of a South Korean fishing vessel was fined US\$100 000 and had 64 385 kg of crabs confiscated from his vessel after it was found on 11 March in the Sea of Okhotsk, in a region closed to fishing.

*TRAFFIC Europe*



The skull of a Philippine Eagle *Pitheophaga jefferyi* (App. I) (fewer than 200 of which are believed to survive in the wild) was among the haul of endangered wildlife recently seized in Wales, UK.

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### UK

On 9 May 1996, at Chester Crown Court, Nicolaas Peter Peters, a Dutch national residing in Wales, was gaoled for two years and ordered to pay £16 500 (US\$27 775) costs. The sentence follows the discovery by police of hundreds of specimens of protected species at the home of Peters, a taxidermist, in August 1995. The raid resulted from an investigation by police and Customs officials, assisted by TRAFFIC and the RSPB.

Peters pleaded guilty to eight of 10 charges relating to illegal importation and exportation and evasion of duty. Among the 500 items recovered from Peters' premises were the skulls of: an Amur Tiger *Panthera tigris altaica*, a Babyrousa *Babyrousa babyrousa*, a Ring-tailed Lemur *Lemur catta*, a Philippine Eagle *Pitheophaga jefferyi* (all App. I); skulls of a Slow Loris *Nycticebus coucang*, 5 Common Squirrel Monkeys *Saimiri sciureus*, 5 Rhesus Macaques *Macaca mulatta*, 1 Lesser Galago *Galago senegalensis*, 5 Common Marmosets *Callithrix jacchus* (all App. II); plus the following specimens: 1 Allen's Swamp



Young Ring-tailed Lemur *Lemur catta* (App. I) on mother's back, Madagascar.

© WWF/Martin Harvey





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Springbok *Antidorcas marsupialis*.

Monkey *Allenopithecus nigroviridis*, 1 Stump-tailed Macaque *Macaca arctoides*, 2 Crab-eating Macaques *M. fascicularis*, and skins of 15 species of Philippine birds, at least 42 specimens of which are listed in CITES App. II. Peters pleaded not guilty to the export of the skull of a Gorilla *Gorilla gorilla* (App. I) and 3 chameleons *Chamaeleo* (App. II).

In his summing up the judge said that it was clear that Peters was aware of the relevant regulations and had been at pains to avoid detection. In view of the gravity of the offences, only a custodial sentence would be appropriate.

On 28 February 1996, 208 orchids (App. II) from Japan were seized upon importation into the UK at Heathrow airport, as the shipment was not covered by a CITES import certificate. The importer is a commercial nursery business in London which specializes in orchids. The plants have been identified by the Royal Botanic Gardens, Kew, as being rhizomes of 200 *Calanthe tricarinata*, 2 *C. bicolor* and 6 *Cypripedium japonicum*; the plants remain at Kew.

TRAFFIC International; H.M. Customs & Excise CITES Enforcement Team, Heathrow airport

© Royal Botanic Gardens, Kew



Consignment of orchid rhizomes from Japan, seized at Heathrow airport.

## AFRICA

### SOUTH AFRICA

On 7 March 1996, authorities seized 3 Radiated Tortoises *Geochelone radiata* and 1 Ring-tailed Lemur *Lemur catta* (both App. I) from a yacht that had sailed from Madagascar where the animals originated and from where they were purchased from locals. Four South Africans and one Malagasy were involved in the illegal import. The animals had been intended for sale in South Africa. The case is under investigation.

On 21 May 1996, KwaZulu-Natal Nature Conservation officials led police to a building in Durban that was reportedly being used to process animal skins. Inside they found the skins of Leopard *Panthera pardus* (App. I), Zebra *Equus*, Nyala *Tragelaphus angasi*, Springbok *Antidorcas marsupialis*, Reedbuck *Redunca*, Impala *Aepyceros melampus*, Dulker *Sylvicapra grimmia*, jackal *Canis* and python *Python*, as well as 25 Leopard paws with claws, 34 loose Leopard claws, 7 jackal heads and tails, 9 skins and 12 tails of Bushbaby *Galago*, 59 Genet *Genetta* heads and the wings and leathers of 11 Purple-crested Turacos *Musophaga porphyreolopha*. Most of the skins had already been cut into small pieces and are believed to have been destined both for traditional medicinal trade, or 'muti', markets in Durban, and for the manufacture of traditional clothing items. Three men were arrested. Up to 30 Leopard skins were seized during a raid on the same building last year.

TRAFFIC East/Southern Africa

## ASIA

### HONG KONG

On 15 March 1996, officers at Kai Tak airport seized 500 skin 'plates' which contained skin samples of an estimated 3145 Leopard Cats *Prionailurus bengalensis* (App. II). The shipment, destined for Japan, had arrived

from Beijing, China, with a valid export permit and the plates were individually tagged. However, as specimens of CITES-listed species also require import permits to enter the territory in accordance with Hong Kong's *Animals and Plants Protection Ordinance*, the shipment was returned to China. No charges were laid in Hong Kong as there was no evidence to suggest that the local consignee was involved in the shipping arrangement.

In early April 1996, two herbalists were each fined HK\$150 000 and HK\$250 000 (US\$18 500 and US\$31 000), respectively, for possession of medicinals purporting to contain Tiger *Panthera tigris* (App. I) and rhino (App. I) ingredients. The products were seized in October 1995 during raids of traditional medicine shops by Agriculture and Fisheries Department (AFD) officials: 27 packets of medicines were found in a dispensary in Aberdeen, and 76 packets of similar items were seized from a shop in Sham Shui Po.

On 27 May 1996, at the Eastern Magistracy, herbalist Ki Chor-on, was fined HK\$425 000 (US\$52 840) for possession of medicines claiming to contain ingredients of rhinos, Tigers and other species that are protected. AFD officials raided two branches of a medicine shop in Wan Chai last September. They found 1.17 kg pangolin *Manis scales*, some musk *Moschus* grain, bear gall-bladder powder and sea turtle shell. Some 85 packets of medicines said to contain Tiger bone and rhino horn were also seized.

Ki, who opened his first medicine shop in 1964, claimed he had bought some of the stock in question more than 10 years earlier at a time when the sale of these medicinals was not illegal. He admitted that he did not apply for a licence when legislation outlawing possession of such substances was introduced, in view of the small quantities that he kept. The court heard that it was unlikely that Ki would have been granted a licence. Ki pleaded guilty after being issued with eight summonses by the AFD. He was fined HK\$25 000 on each of the five summonses which accused him of possessing endangered animal parts. He also was ordered to pay a total of HK\$300 000 on three other summonses concerning the controlled medicines.

TRAFFIC International, World Wildlife Fund, and the Department of Environment and Heritage, Singapore, are pleased to announce the launch of the 'TRAFFIC' (Trade in Rare and Endangered Fauna and Flora) project. This project is a joint initiative of the Department of Environment and Heritage, Singapore, and the Department of Environment and Heritage, Singapore. The project is a joint initiative of the Department of Environment and Heritage, Singapore, and the Department of Environment and Heritage, Singapore. The project is a joint initiative of the Department of Environment and Heritage, Singapore, and the Department of Environment and Heritage, Singapore.

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On 5 June 1996, a large number of orchid plants, which included Appendix I-listed species, and a shipment of live Asian Bonytongues *Sclerophages formosus* (App. I) were seized by the AFD and Customs and Excise Department officials in two separate operations.

The orchids, which numbered some 3000 as yet unidentified specimens, were seized at a flower shop in Mong Kok by AFD who were acting on information. In the second incident, Customs officials intercepted a shipment of 183 Asian Bonytongues that had been imported from Thailand without a licence. The keeping of Asian Bonytongues is believed to bring good luck and prosperity to the owner. The fish have been handed over to AFD and both cases are under investigation.

On 11 June 1996, at Western Magistrate, a traditional Chinese medicine shop operator was charged under the *Animals and Plants (Protection of Endangered Species) Ordinance* with illegal possession of musk *Moschus* (App. II) grain and pods. The items were discovered during a raid on a shop in Sai Ying Pun, in November 1995, following a tip-off. The 115 kg of musk grain and pods that were seized represents the largest single seizure of musk the department has made (*TRAFFIC Bulletin*, 16(1):30). The defendant pleaded guilty to the charges and was fined HK\$150 000 (US\$18 500).

On 14 June 1996, at North Kowloon Magistrate, a man was sentenced to 15 months' imprisonment for the illegal sale of wildlife. The sentence follows a raid on a shop in Mong Kok, Kowloon, in December 1995, where authorities seized 2 Asiatic Black Bear *Ursus thibetanus* (App. I) paws, 3 live giant salamanders *Andrias* (App. I) and carcasses of 2 pangolins *Manis* (*TRAFFIC Bulletin*, 16(1):30).

This case is the first in which a defendant has been gaoled immediately following conviction for violation of the *Animals and Plants (Protection of Endangered Species) Ordinance*.

*Agriculture and Fisheries Department Press Releases*, 26 April; 29 May; 6/11/14 June 1996; *TRAFFIC East Asia*; *South China Morning Post (Hong Kong)*, 28 May 1996

## INDIA

A large number of skins of Tigers *Panthera tigris* and Leopards *Panthera pardus* (both App. I), as well as other species and related products, have been seized in India since the beginning of the year. These are summarized below.

9 January: 1 Leopard skin in Golbolji village, near Dudhwa National Park (Uttar Pradesh). Three arrests.  
15-20 January: 2 Leopards found with paws chopped off, 1 in Powai and the other near Thane (Maharashtra).  
17 January: 3 Leopard skins (2 with bullet marks) near Rao Tularam Marg (New Delhi). Two arrests.  
21 January: Skins of 1 Tiger/6 Leopards in Chandrapur, near Nagpur, (Maharashtra). Eight arrests.  
22 January: 3 m long Leopard skin with bullet marks in Ramnagar, Nainital (Uttar Pradesh). Two arrests.  
28 January: 1 Leopard skin in Noida (Uttar Pradesh). Three arrests.  
29 January: Skins of 1 Tiger/20 Leopards at New Japaiguri railway station (West Bengal). Believed to have originated in Assam, destined for Calcutta.  
14 February: Skins of 3 Leopards, 1 Leopard Cat *Prionailurus bengalensis* (App. II) and 1 Masked Palm Civet *Paguma larvata* (App. III) near Manali (Himachal

Pradesh). Believed to be the first case related to illegal wildlife trade in the State.

29 February: Skins of 1 Tiger, 1 Leopard, 2.5 kg of Ivory and 6 antlers in Lakhimpur-Kheri (Uttar Pradesh). Six arrests.

1 March: 4 Leopard skins in Kotwali, Haldwani (Uttar Pradesh). Three arrests.

15 March: 1 large Tiger skin and 12.5 kg Ivory near Pilibhit (Uttar Pradesh). Four arrests.

30 March: Skins of 3 Tigers/3 Leopards at Bahraich (Uttar Pradesh). Four arrests.

5 April: 1 Leopard skin in Muzaffarnagar (Uttar Pradesh). One arrest.

8 April: 12+ fake Tiger skins in Muzaffarnagar and Meerut. There have been reports of large numbers of fake Tiger skins entering the market in Uttar Pradesh.

16 April: 6 Tiger skins in Usmanpur, Delhi. One arrest.

29 April: Skins of 1 Tiger/20 Leopards near Bhubaneswar (Orissa). Three arrests.

## Wildlife Protection Society of India

On 16 February 1996, following information provided by TRAFFIC, 700 birds were seized from five retail outlets in Crawford Market, in Mumbai, Bombay. The birds included Northern Pintail *Anas acuta*, Common Teal *Anas crecca*, Alexandrine Parakeet *Psittacula eupatria* (App. II), Black-headed Munia *Lonchura malacca*, Red Avadavat *Amandava amandava*, Baya Weaver *Ploceus philippinus* and Hill Myna *Gracula religiosa* (all App. II/III and protected in India under the *Wildlife Protection Act, 1972*, and their collection and export banned). The birds were sent to Jija Mata Udyan Zoo. Fines of up to Rs.2000 (US\$65) were imposed on the vendors.

On 17 April 1996, the Union Ministry of Environment and Forests, acting on information from TRAFFIC, seized some 230 Alexandrine Parakeet *Psittacula eupatria* chicks during a raid on a house in Ludhiana, Punjab. The owner, reported to be a major dealer in Alexandrine Parakeets, was arrested. Collection and export of Alexandrine Parakeets is banned in India. Chhatbir Zoo is providing a temporary home for the birds.

## TRAFFIC India

## JAPAN

On 27 September 1995, Gou Kawai and Tadashi Ishiwata were charged with the illegal sale of Asian Bonytongues *Sclerophages formosus* (App. I). Kawai had sold 12 specimens to Ishiwata without the requisite permit after having smuggled the fish from Singapore in June 1995. Ishiwata bought the Asian Bonytongues in the knowledge that they had been smuggled. They were each sentenced to eight months' and six months', respectively, and ordered to pay ¥400 000 (US\$4000).

On 27 January 1996, at Narita airport, Customs officers and Chiba prefecture police arrested a man as he attempted to smuggle 39 rare tortoises into the country from Bangkok, Thailand. The animals were concealed in a large bag and included 20 Indian Star Tortoises *Geochelone elegans* and 19 Aldabra Giant Tortoises *G. gigantea* (both App. II). The suspect reportedly intended to sell the reptiles to pet shops. Police are investigating whether this person was involved in similar smuggling activities following the discovery of 26 previous journeys between Thailand and Japan by him over the past two years.

In February 1996, a policeman in Osaka arrested a person on suspicion of having illegally imported 5.5 l of Bryde's Whale *Balaenoptera edeni* (App. I) meat from South Korea in December 1995. The meat was discovered being loaded onto a truck in Osaka port.

On 8 February 1996, Kanagawa prefecture police arrested a pet shop dealer on suspicion of importing Indian Roofed Turtles *Kachuga tecta tecta* (App. I). He had attempted to import some 400 turtles from Bangladesh in December 1995: 319 Indian Flapshell Turtles *Lissemys punctata* (App. II) which had been voluntarily abandoned, 80 Indian Roofed Turtles, the latter declared as *Kachuga tentoria* (not listed in CITES) and several Burmese Eyed Turtles *Moreria ocellata* (App. I), declared as Peter's Peacock Turtles *Moreria petersi* (non-CITES). Because the Customs officer was unable to identify which species was which, the dealer was only charged with the illegal importation of Indian Roofed Turtles.

On 1 April 1996, Customs officers at Narita airport seized 54 Pancake Tortoises *Malacochersus tornieri* (App. II) from a man arriving from Bangkok, Thailand. He claimed to be carrying them for an acquaintance who, on 7 June, was also arrested by Chiba prefecture police. This man had allegedly purchased them in Karachi, Pakistan. The case is under investigation.

On 13 April 1996, at Narita airport, Customs officers and police seized 115 kg of tortoiseshell from the luggage of a person arriving from Singapore. During the summer of 1995, Customs officers at Osaka port seized 3000 kg of shell of Hawksbill Turtle *Eretmochelys imbricata* (App. I), contained in a shipment of coconut shells from Indonesia. The latter case is to be considered an administrative rather than a criminal offence. Both cases are under investigation. In 1994, Japan withdrew its reservation on the CITES Appendix I-listing of Hawksbill Turtle.

On 28 May 1996, at Yokohama port, police officers from Kanagawa prefecture arrested a dealer who had concealed 320 skins of Leopard Cat *Prionailurus bengalensis bengalensis* (App. II) in a consignment of Chinese rabbit skins. The man is reported to have bought the Leopard Cat skins in China and was intending to sell them in Japan.

*TRAFFIC East Asia; Nikkei (Japan)*, 3 February 1996

## TAIWAN

On 25 April 1996, after a lengthy surveillance operation, police seized over 1107 kg of ivory products from a warehouse in Chungho, Taipei. Two men were arrested. The ivory consisted of 51 whole elephant tusks (270 kg) and processed ivory in the form of round chops (20 kg), square chops (43 kg), semi-finished products (773 kg) and Buddhist statues (4 pieces). The case is under investigation.

*TRAFFIC East Asia; National Police Administration Press Release*, 26 April 1996



## OCEANIA

## AUSTRALIA

On 31 January 1996, at Fremantle Magistrates' Court, Peter Stoldt, a German biology student, pleaded guilty to possession and attempting to export native fauna without permits, in breach of the *Wildlife Protection (Regulation of Exports & Imports) Act 1982*. Stoldt had been apprehended on 23 January at Perth domestic airport as he boarded a flight to Alice Springs. In his luggage were live lizards and snakes: 1 Spiny-tailed Gecko *Diplodactylus ciliaris aberrans*, 2 Fat-tailed *Diplodactylus D. conspicillatus*, 1 *D. jeanae*, 3 *D. pulcher*, 1 *D. squarrosus*, 1 *D. stenodactylus*, 4 *D. strophurus*, 1 *D. wellingtonae*, 5 *D. wombeyi*, 7 *Nephrurus levis occidentalis*, *N. wheeleri cinctus*, 1 Beaked Gecko *Rhynchoedura ornata*, 1 Bynoe's Gecko *Heteronotia binoei*, 1 Pilbara Dhole *Gehyra pilbara*; a death adder *Acanthophis*, a Stimson's Python *Liasis stimsoni stimsoni* and two Pygmy Pythons *Morelia perthensis* (App. II). Some of the species are extremely rare and only occur in Western Australia.

Stoldt reportedly told Customs officers that he was collecting the reptiles for research purposes. He was fined AU\$10 000 (US\$7600) and a further AU\$5500 for breach of the *Wildlife Conservation Act 1950* (possession of the reptiles without appropriate permits). The seizures followed a major investigation by Customs in Pilbara (Port Hedland), Dampier and Fremantle, along with staff from the Department of Conservation and Land Management, and Western Australia police.

On 28 March 1996, at Brisbane Magistrates' Court, Ivo Skliba, of the Czech Republic, was charged with attempting to export Australian native wildlife without a permit, contrary to the *Wildlife Protection (Regulation of Exports and Imports) Act 1982*. Specimens confiscated from Skliba's luggage as he was leaving Australia from Brisbane airport, for the Czech Republic, included 4 Naked Tree Frogs *Lithonia*, 1 Spotted Grass Frog *Limnodynastes tasmaniensis*, 2 Green Tree Frogs *Litoria caerulea*, 8 Southern Spotted Velvet Geckos *Oedura iryni*, 4 Shingle-Back Lizards *Trachydosaurus rugosus*, 2 Gilbert Dragons *Lophognathus gilberti*, 1 blue-tongued lizard *Tiliqua*, 1 Carpet Python *Morelia spilota* and 10 orchids *Dendrobium*.

Skliba was fined AU\$1000 (US\$760), and ordered to serve 200 hours community service.

TRAFFIC Oceania; Australian Customs Service Media Alert, 23 January

## AMERICAS

## CANADA

On 26 January 1996, Alman Adel, of Calgary, was charged with illegally importing African Elephant *Loxodonta africana* (App. I) Ivory into Canada. On returning to the country on a flight from Amsterdam, Netherlands, in March 1995, Adel had failed to declare two ivory carvings that he had received as a wedding gift from a relative in the Lebanon.

Adel, the second person ever to be convicted for smuggling ivory into Canada, pleaded guilty to violating a section of the *Export and Import Permits Act*. He was fined C\$4000 (US\$2956), to be paid within one year, or faces six months in jail.

TRAFFIC USA Newsletter 15(2), April 1996

## ECUADOR

Fishers demanding the release of eight fishers, gaoled for illegally collecting sea cucumbers, took over Galápagos National Park offices on the island of Isabela in January 1996; this is the second revolt relating to the issue of sea cucumber fishing in four months, and one year on from a similar invasion in January 1995 (TRAFFIC Bulletin 15(2):58). In this latest incident, Galápagos Congressman Eduardo Veliz reportedly was responsible for rallying the support of fishers who, armed with machetes, threatened to destroy the building unless their gaoled colleagues were released; when they learned that the majority of their colleagues had escaped, the siege was brought to an end after 12 hours. National Parks staff were not harmed.

The incident was sparked by the seizure and subsequent incineration of 80 000 sea cucumbers by officials. Eight of a group of some 30 fishermen were arrested; the rest fled.

On 12 June 1996, over 30 000 sea cucumbers, and 32 shark fins, were seized in various islands of the archipelago during an operation jointly undertaken by the navy and the Galápagos National Park Service; six people were detained and four boats and diving equipment seized. The sea cucumbers were incinerated.

Galápagos National Parks Press Release, February 1996; Charles Darwin Foundation, Inc., in litt., 7 February 1996; El Universo (Ecuador), 22 June 1996; Hoy (Ecuador), 20 June 1996

## USA

On 31 January 1996, Dutch citizen Hendrikus Lommerse was arrested at Baltimore-Washington International airport following attempts to smuggle over 7000 Venus Flytrap *Dionaea muscipula* seedlings (App. II) to the Netherlands. All are believed to have been wild-collected. False documents accompanied the shipment, which was not declared. The suspect had reportedly bought the plants in North Carolina.

The Venus Flytrap is endemic to a 320-km strip of coastal plain in southeastern North Carolina and northeastern South Carolina. State law requires that permission must be received from landowners before wild Venus Flytraps may be dug up. In addition, in order to distribute, sell or offer for sale Venus Flytraps in North Carolina, either a Nursery Dealer's Certificate, a Plant Inspection Certificate, or a Nursery Registration Certificate must be held.

The defendant was twice notified by the US Customs Service at Baltimore International airport that plants or wildlife being exported may require a shipper's export declaration, export licence, permit, or registration, and that a US Customs Service official was available to advise passengers at the check-in counter prior to departure.

All the seized plants, which are in excellent condition, have been placed with a co-operating government agency for care and maintenance before their proposed repatriation in the wild.

On 1 February, the Dutchman was released on US\$50 000 bond.

On 9 February 1996, Winfred Patrick and Gregory Harmon, both from Florida, were charged with violating the *Endangered Species Act*. The men had been arrested after a Palm Beach police officer had stopped their vehicle following a traffic offence and noticed a large bag containing eggs in the car. It transpired that the pair had removed 372 Loggerhead Turtle *Caretta caretta* (App. I) eggs from nests on a private beach; their plan had been to sell them to local taverns as a delicacy.

Patrick was sentenced to two years' imprisonment and Harmon to 15 months'. A third defendant awaits sentencing.

On 1 April 1996, in Los Angeles, California, Theodora Swanson, of Memphis, Tennessee, was found guilty of involvement in the smuggling of over 400 cockatoo eggs from Australia over an eight-year period (TRAFFIC Bulletin, 15(1):40;15(3):119). The verdict concludes a nationwide investigation and prosecution by the US Justice Department that resulted in convictions and sentences for 15 individuals.

Swanson was sentenced to 37 months' imprisonment but remains free pending an appeal hearing. In December 1995, William Wegner and Brian Bradley were sentenced to 5 years' and 41 months' imprisonment, respectively, for masterminding the smuggling ring (TRAFFIC Bulletin, 15(1):32). The case was investigated by the USFWS.

USFWS, Office of Management Authority, 20 March 1996; TRAFFIC USA; Washington Post (USA), 2 February 1996; US Department of Justice Press Release, 2 April 1996



Green Tree Frogs *Litoria caerulea* were among a consignment of reptiles recently seized in Australia.

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VOL. 16 NO. 1

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# TRAFFIC

BULLETIN

CHINA AND VIETNAM –  
CROSS-BORDER TRADE

MOROCCO'S SALE OF  
TORTOISE SHELLS

QUEEN CONCH FISHERY  
IN THE CARIBBEAN

MARCH 1996

The Journal of the TRAFFIC Network disseminates information  
on the trade in wild animal and plant resources



## EUROPE

## BELGIUM

The vast number of wildlife specimens seized from the UK residence of a Dutch taxidermist, in August 1995 (*TRAFFIC Bulletin*, 15(3):116), prompted Belgian authorities 10 days later to seize a further stockpile of dead animals - skins, skulls and stuffed specimens - from his property in Dessel. Investigators compiled a preliminary list, including 300 to 500 skins; 700 to 900 skulls, over 100 deep frozen animals, and a number of other specimens. Species represented in the collection included Gorilla *Gorilla gorilla*, Chimpanzee *Pan troglodytes*, Bonobo *Pan paniscus*, Orang-utan *Pongo pygmaeus*, Snow Leopard *Uncia uncia*, Tiger *Panthera tigris*, Ocelot *Leopardus pardalis*, rhino species, and Hyacinth Macaw *Anodorhynchus hyacinthinus* (all App. I).

The suspect awaits trial. The investigation was conducted by the Belgian Ministry of Agriculture, Customs and Excise and TRAFFIC.

*TRAFFIC Europe; WWF International News Release, 28 August 1995*



Female Orang-utan *Pongo pygmaeus* (App. I) with infant.

## CZECH REPUBLIC

On 18 October 1995, Customs officers at Prague airport seized 2 Palm Cockatoos *Probosciger aterrimus* (App. I) which had been transported from Bangkok, Thailand, by a private Czech firm. The birds had been declared as chickens and no CITES export permits had been issued, nor were there any covering veterinary certificates. They had been packed in cartons that did not conform to IATA regulations. The case is being investigated by the Czech Inspection for the Environment, Prague Zoo is caring for the birds.

*IUCN Czech Project Co-ordination Unit*

## GERMANY

In late 1995, German Customs authorities carried out raids on traditional Chinese medicine (TCM) outlets in eight cities to search for ingredients comprising illegal wildlife; information leading to the raids was based on research undertaken by WWF-Germany and TRAFFIC.

On 15 November, 12 shops in Bad Reichenhain, Cologne, Düsseldorf, Hamburg and Munich were visited, and more than 5000 products which claimed, illegally, to contain parts of CITES-listed species were seized. Apart from not being covered by the requisite CITES permits (in the case of Appendix II-listed species), the products had not been registered with the Ministry of Health, according to stipulations for imported pharmaceuticals. Forensic examination of the products is currently underway in the USA.

Information seized at this time on the identity of major importers of these products led to further raids of TCM outlets in Chemnitz, Dresden and Hanover. The objective of these searches was to obtain data on trade and commercial contacts. No items were seized.

On 20 November 1995, Customs officers seized 34 hummingbirds Trochilidae (App. II) from the home of a German citizen who had reportedly acquired the birds in Brazil, French Guiana and Jamaica. Videos and photographs of the collecting trips, recording methods of capture, smuggling and the names of the intended recipients of the birds in Germany, were also found.

The hummingbirds are in the care of a zoological garden and are in good condition. The case is being investigated.

On 27 November 1995, Customs officers at Passau, on the Czech border, confiscated 109 juvenile snakes (2 D'Alberts Pythons *Morelia albertisii*, 2 Rock Pythons *M. amethistinus*, 1 Water Python *M. mackloti*, 101 Green Tree Pythons *M. viridis* and 3 Timor Pythons *Python timoriensis*), and 25 juvenile monitor lizards (8 Pacific Monitors *Varanus indicus*, 6 Sepik Monitors *V. jobiensis*, 2 Papuan Monitors *V. salvadorii* and 9 Timor Tree Monitors *V. timorensis*). All the reptiles, which are listed in Appendix II, had been wild-collected. They had been smuggled from Indonesia and transported from Prague, Czech Republic, concealed in the seats and bodywork of a car. Three German citizens have been charged with the offence. The animals are being housed at a zoological collection in Germany and the case is under investigation.

*TRAFFIC Europe; CITES Management Authority, Germany*

## ITALY

Illegal shipments of a large number of African Grey Parrots *Psittacus erithacus* (and other birds) have been uncovered in recent months at Fiumicino airport, in transit from Nigeria.

On 5 August 1995, the Forest Corps and Customs officials seized 40 Grey Parrots in a shipment containing 373 live birds which also included 23 Red-headed Lovebirds *Agapornis pullarius*, 10

Senegal Parrots *Poicephalus senegalus* (all App. II), as well as birds listed in Appendix III by Ghana and therefore requiring country of origin certificates: Yellow-fronted Canaries *Serinus mozambicus*, Red-billed Fire-finches *Lagonosticta senegala*, Red Bishops *Euplectes orix*, Red-cheeked Cordonbleus *Uraeginthus bengalus* and Village Indigobirds *Vidua chalybeata*. No permits covered the shipment, which was destined for Kuwait. The birds are being housed at Rome Zoo.

On 16 November 1995, a further consignment of 49 Grey Parrots, not covered by a permit, 15 Rose-ringed Parakeets *Psittacula krameri* and 60 Yellow-fronted Canaries, was seized. These birds, which were also bound for Kuwait, are being cared for by a private zoo.

On 17 December 1995, 32 Grey Parrots contained in the luggage of two Nigerian women, in transit from Lagos to Bombay, India, were seized. The birds are in the care of a private zoo.

All cases are under investigation.

*TRAFFIC Europe*

## UK

A number of people have been prosecuted following their arrest during police raids of traditional Chinese medicine (TCM) outlets in February 1995 (*TRAFFIC Bulletin*, 15(2):52). The aim of the ongoing investigation, known as "Operation Charm", is to halt the sale of ingredients derived from protected species, which is illegal under domestic legislation COTES (Control of Trade in Endangered Species); an item being offered for sale which purports to contain such ingredients is also illegal in the UK. The raids were initiated following the findings of an investigation undertaken by TRAFFIC International.

On 31 August 1995, at Birmingham Magistrates' Court, Tuong Long, an acupuncturist, pleaded guilty to charges of displaying for sale Tiger *Panthera tigris* (App. I) bones and plasters allegedly containing Tiger bone, and medicine which claimed to contain rhino (App. I) horn. The items were found in boxes stored at a warehouse. Long, who reportedly had been selling the products over a two-year period for use in TCM, was fined £1000 (US\$1600). He was told that the penalty would have been higher had the court believed he was engaged in a major business of importing and displaying the items for sale.

At least a further six individuals arrested in February have been prosecuted, receiving fines ranging from between £60 and £3000. Prosecution of one Chinese herbalist, on 6 September, resulted in a fine of £3000 after he admitted to six offences of offering for sale Tiger bones, rhino horn and/or medicines claiming to contain endangered species. A second Chinese herbalist was fined £2000 after admitting to four similar offences.

A second investigation, codenamed "Operation Charm II" resulted in a police raid on a west London warehouse on 30 November. Items seized included several hundred packets of TCM purporting to contain Tiger bone, rhino horn, Saiga Antelope *Saiga tatarica* (App. II) horn, pangolin *Manis* (App. I/II) and tortoiseshell (App. I); several hundred packets of "Peaceful Tea" which claimed in Chinese to contain both rhino horn and Saiga Antelope horn, as well as bags of American Ginseng *Panax quinquefolius* (App. II) and boxes of dried orchid *Dendrobium* (App. II) roots were also seized.



## SEIZURES AND PROSECUTIONS

On 20 December 1995, officers of the CITES Enforcement Team at Heathrow airport seized a consignment of 309 preserved birdwing butterflies *Troides aeaces* (App. II; EU/C2) which had been sent by post, from Bangkok, Thailand, to Warsaw, Poland.

On 7 January 1996, 50 live Red-footed Tortoises *Geochelone carbonaria* (App. II) were seized at Gatwick airport, following their arrival from Barbados without documentation, on route to Japan. Following agreement with the UK Management Authority, the tortoises were returned to Barbados.



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Specimens of White-tailed Black-Cockatoos *Calyptorhynchus baudinii* (App. II), smuggled from Australia as eggs and reared in Wales, UK.

On 7 January 1996, at Swansea Crown Court, Wales, Alan Griffiths of Llandysul was charged with conspiracy to import 29 cockatoo eggs from Australia (TRAFFIC Bulletin, 15(2):92-93). With very few exceptions, the collection and export of wildlife from Australia is prohibited.

Griffiths, a retired vet, had recruited Terence Owen, of Llanybydder, also charged, to smuggle eggs from Australia to Wales, via Heathrow airport. Owen engaged the assistance of his son, Christopher and daughters, Denise Owen and Nicola Roderick, to collect the eggs from one William Grumball in Australia. The eggs were carried back in specially adapted underwear worn by the smugglers, incubated and hatched at the home of David Farmer, of Haverfordwest, and subsequently reared by Griffiths. The operation was foiled when Customs officers at Perth airport, acting on information provided by TRAFFIC, apprehended Christopher Owen as he returned to the UK with 29 eggs, in October 1994. He was later gaoled for six months (TRAFFIC Bulletin, 15(2):92-94). The ensuing investigation by the Australian and UK Customs authorities into the smuggling ring, assisted by information provided by TRAFFIC, led to the arrest of Griffiths and his collaborators.

Griffiths was sentenced to eight months' imprisonment, had £29 000 (US\$46 500) confiscated by the Crown and was ordered to pay £2500 prosecution costs. Terence Owen was sentenced to gaoled for two months (but released after serving one month), and his daughters ordered to carry out 200 hours community service. Farmer was gaoled for six weeks. (Grumball was sentenced to 18 months' imprisonment in Australia in March 1995 for conspiracy to export eggs illegally.)

The eggs involved were mainly of Red-tailed Black-Cockatoos *Calyptorhynchus banksii*, White-tailed Black-Cockatoos *C. baudinii* and a Yellow-tailed Black Cockatoo *C. funereus* (all App. II).

TRAFFIC International; CITES Enforcement Team; HM Customs and Excise, Heathrow, UK

## ASIA

### HONG KONG

On 10 November 1995, the owner of a medicinal shop was fined HK\$500 000 (US\$66 500) for offering for sale medicines claiming to contain Tiger *Panthera tigris* (App. I) ingredients; these items were reportedly manufactured in China. It is the heaviest fine ever imposed in the province for such an offence, and follows recently increased penalties - up to HK\$5 million fine and two years' imprisonment - aimed at stamping out the sale of substances that contain or claim to contain parts of protected animals. Any person in possession of medicine claiming to contain Tiger ingredients which is not covered by a licence issued by the Agriculture and Fisheries Department (AFD) faces prosecution under section 6(3) of the *Animals and Plants (Protection of Endangered Species) Ordinance, Cap. 187*.

On 16 November 1995, the AFD seized 115 kg of musk *Moschus* (App. I/II) grain and pods in a raid on a shop in Western district; the musk was not covered by a valid licence. This is the largest single seizure of musk the department has made. The shop is believed to have been a major distributor of musk in the territory. The offender is liable to a maximum penalty of HK\$500 000 fine and one year's imprisonment upon conviction of this offence. Investigations into the case are in progress.

On 14/15 December 1995, the AFD raided two market stalls in Kowloon; in the first incident officials seized 2 paws of the Asiatic Black Bear *Ursus thibetanus* (App. I), 3 live giant salamanders *Andrias* (App. I) and 2 pangolin *Manis* (App. II) carcasses; in the second case, 1 live pangolin, 1 live giant salamander, 5 live owls, and the carcasses of 3 otters, 2 pangolins and 1.6 kg of pangolin scales were seized. Investigations are being conducted. Subject to their condition, the live animals were to be released in the wild or kept in a rescue centre.

Agriculture and Fisheries Department (AFD) Press Releases (Hong Kong), 10/17 November/18 December 1995; AFD in litt. to TRAFFIC East Asia, 18/19 December 1995

### INDIA

On 9/10 October 1995, a joint operation between TRAFFIC India, the Deputy Director, Wildlife Preservation (Northern Region) and the Divisional Forest Officer of Agra, resulted in seizures from a well-known trader in Agra, who was arrested. Items

included 1 Tiger *Panthera tigris* (App. I) skin, 1 Leopard *Panthera pardus* (App. I) skin, 10 kg Tiger bone and 6 kg Leopard bones. Interrogation of the trader led the investigators to Sawal Madhopur, in Uttar Pradesh, where, with the assistance of the Field Director of Ranthambhor Tiger Reserve, they seized 4 Leopard skins, 9.5 kg Leopard bones and the claws of 2 Tigers; a dealer was arrested.

On 12 December 1995, the Divisional Forest Officer in Varansi, in collaboration with the Directorate of Revenue Intelligence, seized 402 pieces of carved elephant (App. I) ivory and 6 kg of raw ivory from a man reported to be one of the biggest ivory traders in northern India. During interrogation following his arrest, the trader maintained that the ivory was from pre-ban stocks. The case is under investigation.

On 23 December 1995, acting on information provided by TRAFFIC, the Deputy Director of Wildlife Preservation in Delhi seized 172 shawls made from the wool (known as shahtoosh) of the Tibetan Antelope *Pantholops hodgsonii* (App. I). Up to three animals may be killed and their wool shorn to produce one pure shahtoosh shawl. The confiscated garments are thought to comprise specimens woven from pure shahtoosh as well as a mixture of shahtoosh and wool of the pashmina goat. One person was arrested.

The Tibetan Antelope is listed in Schedule I of India's *Wildlife (Protection) Act*, which prohibits hunting and trade in this species; anyone trading illegally in parts and products of the animal, or found in possession of such items, may be liable to imprisonment for up to seven years and fined a minimum of Rs5000 (US\$155). The Tibetan Antelope is also protected by law in China.

TRAFFIC India; TRAFFIC International; WWF India

### JAPAN

On 12 September 1995, police confiscated some 6 tonnes of whale meat from a Japanese drift net ship in Kesennuma port, northern Japan. The case has been referred to the Kesennuma Prosecutor's Office to determine whether the suspects should stand trial. This is the first time in this country that such a referral has been made in relation to illegal whaling.

The authorities have disposed of the meat and are investigating the case. According to the findings of the police, the meat was of a Sperm Whale *Physeter macrocephalus* (App. I) that had been caught in the Pacific Ocean, 300 km off the coast of Japan.

On 1 November 1995, the Tokyo Metropolitan Police Department arrested a pet shop dealer on suspicion of selling over 90 Egyptian Tortoises *Testudo kleinmanni* (App. I) to eight pet shops, without having registered the animals. The specimens had been included in three consignments containing a total of 300 Egyptian Tortoises that had been imported from Egypt between October 1994 and 14 February 1995, prior to the Appendix I-listing of this species coming into force on 15 February 1995.

ctd...



The incident violated the *Law on the Conservation of Endangered Species of Wild Fauna and Flora* which regulates CITES. In Japan, Appendix I-listed specimens must be registered if they are to be traded legally within the country.

According to the suspects, 148 specimens had died before the police investigation was made and 93 had been sold. Police confiscated 59 specimens and the incident has been reported to the Public Prosecutor's Office.

*TRAFFIC East Asia; Sanriku Shinpo (Japan), 13 September 1995/6 February 1996*

## NEPAL

On 5 September 1995, police searched a bus at Durrah checkpoint, Kathmandu, and found a 25 cm-long rhino (App. I) horn, weighing 500 g, concealed in a bag. Two men were arrested. The horn had reportedly been obtained from an employee of the forest department in Chitwan National Park; subsequently this person was also arrested. The case is under investigation.

On 16 September 1995, police seized 38 musk *Moschus* (App. I) pods, weighing a total of 340 g. The items were being carried in a bag by a man at Jhorpokri market in Soumang; a further three people were arrested in connection with the incident and all are in custody in Panchthar gaol. The musk had allegedly been obtained in the mountains of Taplejung District and was being taken to Kathmandu from where it was to be sent to India. The case is under investigation.

On 24 September 1995, in Rasuwah, Galang District, forestry officials arrested two men in possession of 8 fresh musk pods, 64 bear gall bladders, 7 of which were fresh, a packet of zinc sulphate poison and a silk musk deer trap.

On 28 September 1995, a tip-off from an informer prompted the police and the Department of National Parks & Wildlife Conservation to carry out a raid on the house of an animal dealer - an Indian national - in Bagh Bazar, Kathmandu. They discovered 3 Clouded Leopards *Neofelis nebulosa* (App. I) and 1 Leopard *Panthera pardus* (App. I), all alive. The dealer, who is in custody, claims that the animals had been brought into Nepal from Patna, India, via the Nepalese border city of Malangawa. It is suspected that the animals were to be sold for export to China. They are being housed at Central Zoo and the case, the first in Nepal involving the seizure of live wild cats, is under investigation.

*Kantipur (Nepal), 6/20/25 September/14 October 1995; Narendra M.B. Pradhan, Department of National Parks and Wildlife Conservation, Kathmandu, Nepal, in litt., 14 February 1996; The Kathmandu Post (Nepal), 29 September 1995; Gorkhapatra Daily, 29 September 1995*

## TAIWAN

On 17 August 1995, the Investigation Bureau of the Ministry of Justice seized 21 stuffed Hawksbill Turtles *Eretmochelys imbricata* (App. I), 78 ivory pieces and 9 Tiger teeth from furniture shops in Chiayi; the items had been imported from mainland China.

On 4 October 1995, law enforcement officers apprehended a man at Hsiaokang International airport, Kaohsiung, on suspicion of drug smuggling. In addition to large amounts of heroin, 8 Ivory tusks were found in his luggage following his arrival from Thailand; a police officer travelling with him was also arrested, although it is not known whether he was involved in the attempted illegal import. A third man was arrested in Santuo district in connection with the incident. The case is under investigation.

On 7 November 1995, law enforcement officers seized unconfirmed numbers of Ivory and rhino (App. I) horn articles, and arrested 3 people. The arrests came after months of investigation, in an operation requiring more than 40 investigators from Tainan, Taipei and Chiayi Counties. The articles reportedly had been purchased in Hong Kong, smuggled to Taiwan and stored at the home of one of the defendants; the intention had been to sell the items at one of the numerous jade markets on the island. An investigation is in progress.

On 11 January 1996, police officers and staff of the Wildlife Protection Unit of the Council of Agriculture seized 12 tonnes of dolphin and whale meat from a refrigerated warehouse in Peikang Township in Yunlin County. They arrested Wu Wan-chiao who, on 30 December 1995, had been caught at his home in the process of butchering four dolphin carcasses.

Wu has told police that he bought the dolphins at NT\$1500 and NT\$3000 (US\$55-US\$110) each and sold the meat at between NT\$332 and NT\$500 a kg. The killing and sale of dolphins and whales is illegal under the *Wild Animal Protection Act*. In view of the large amounts seized, police believe that others are involved in this operation and they are carrying out further investigations.

*United Daily News (Taiwan), 19 August 1995; China Post (Taiwan), 5 October/9 November 1995/13 January 1996; China News (Taiwan), 26 January 1996*

## THAILAND

On 16 July 1995, Mr Ken Zusuki, a Japanese national, was found guilty of attempting to export 38 orchid plants (App. II) without a permit. In contravention of the *Plant Act (No. 2) BE 2535, 1992*. He was fined 2000 Baht (US\$85) and sentenced to one month's imprisonment, suspended for one year.

On 23 August 1995, Mr Chong Fai Ah, a Singaporean citizen, pleaded guilty to attempting to export 100 orchid plants (App. II) without a permit. He was fined 1000 Baht.

*Plant Introduction and Conservation of Wild Flora Sub-Division, Department of Agriculture, Thailand, in litt., 28 September 1995*

## AMERICAS

### CANADA

On 16 November 1995, Song Ho Kim was found guilty of 11 counts relating to the illegal purchases of bears and bear parts. The case began in 1990 after taxidermists informed police that Kim had offered large sums of money for whole bears and bear parts. Subsequently, the defendant purchased several bear paws and gall bladders from undercover police posing as traders. Kim will stand trial in early 1996.

*Bear Watch*

### FRENCH GUIANA

On 22 September 1995, Customs officials at Cayenne-Rochambeau airport, seized a large number of amphibians and reptiles from the luggage of two German nationals. Species included 274 Dyeing Poison-arrow Frogs *Dendrobates tinctorius* (App. II), 130 *Atelopus flavescens*, 2 Giant Toads



Three Clouded Leopards *Neofelis nebulosa* (App. I) were recently seized in Kathmandu, the first case in Nepal involving the seizure of live wild cats.

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*Bufo marinus* and 1 *B. margaritifer*; some 60 lizards: *Gonatodes annularis*, *G. humeralis*, *Anolis chrysolepis*; Spiny-headed Tree Lizard *Plica plica* and Stilts-walk Lizard *P. umbra*; and 7 snakes: *Bothrops atrox*, *Xenodon rabdocephalus*, *Thamnodynastes* spp., *Dendrophidion dendrophis*; and, 1 trap-door spider *Avicularia metallica*. Intra-EU movement of *Dendrobates* spp. must be supported by CITES permits. The other species in the consignment are considered to be threatened in French Guiana and are protected in that country.

Following identification, the specimens were returned to the wild. The German nationals were gaoled and legal proceedings are in progress.

Twelve poison-arrow frogs were seized at this airport in October 1993 from a German national travelling to Paris (*TRAFFIC Bulletin*, 14(2):78).

WWF-France Press Release, 6 October 1995

## USA

On 6 September 1995, US Customs officials at Los Angeles International airport seized 5 kg of bear bile and undisclosed amounts of musk *Moschus moschiferus* deer pods, rhino horn pills and Tiger *Panthera tigris* bone plasters from four Chinese nationals. Gao Zhongri, Jin Yongzhe, Jin Xianglu and Li Songyue were arrested and charged with 10 counts of smuggling, unlawful wildlife importation and violations of the *Endangered Species Act*. One of the defendants was reported to have been carrying 57 phials of dried bear bile in boxes labelled "ginseng" contained in his suitcase.

All pleaded guilty to one misdemeanour. Gao Zhongri was sentenced to one year's imprisonment and Jin Xianglu to eight months. The other two have been released having served time.

On 12 September 1995, a shipment of 45 bear gall bladders was seized at Anchorage airport, Alaska; the animal parts had been concealed in a commercial shipment of reindeer antlers that had been ranched on a farm in Khabarovsk, in the Russian Far East.

On 25 September, a further shipment of 60 dried bear gall bladders were found at the airport hidden in a legal shipment of 2 tonnes of deer antlers, contained in 87 boxes. The shipment had reportedly come from Magadan, in the Russian Far East, and was bound for Los Angeles. It is recorded to be the largest-ever shipment to date from Russia to have been seized in Anchorage. The gall bladders, believed to derive from Brown Bears *Ursus arctos* (App. II), weighed 410 g-825 g each.

According to a spokesperson of the US Fish and Wildlife Service, Alaska receives reindeer antler shipments from Russia on a regular basis, most of which are intended for re-export to Korea.

On 25 October 1995, John Kemner of Dripping Springs, Texas, was charged under the US *Lacey Act* with importing 30 000 butterflies, moths and beetles from Mexico, where they had been collected without the requisite permits. Kemner, who has discovered 25 new species of butterflies in Oaxaca, Mexico, pleaded guilty to a misdemeanour and was fined US\$500 and placed on a three years' probation, during which time he is forbidden to collect butterflies or accompany another butterfly collector.



Tiger Swallowtail *Papilio glaucus*

© IUCN/SSC. Photo by Nancy Payne

Kemner sold one specimen for US\$1000 and kept about 15 000 specimens - he reportedly donated or sold the remaining insects to collectors and museums for between US\$0.75-US\$200 each. He claims never to have made a profit because of his shipping expenses.

On 12 December 1995, William Arthur Wegner of La Jolla, California, and Brian T. Bradley of New Paltz, New York, were sentenced by a Los Angeles federal grand jury to imprisonment for 5 years' and 41 months', respectively, for masterminding a wild bird egg smuggling ring.

The pair had previously pleaded guilty to conspiracy charges for their leadership of an operation carried out over a period of nine years, during which time more than 700 eggs of protected cockatoos were illegally collected from the wild in Australia and smuggled to the USA in specially designed vests. The eggs were hatched, reared and sold to collectors as captive bred parent birds, and included Galah *Eolophus roseicapillus*, Sulphur-crested Cockatoo *Cacatua galerita*, Pink Cockatoo *C. leadbeateri*, Red-tailed Black-Cockatoo *Calyptorhynchus banksii*, White-tailed Black-Cockatoo *C. baudini* and Slender-billed Black-Cockatoo *C. latirostris* (all App. II).

A further 13 individuals have been convicted for their part in the smuggling scheme. The investigation was carried out by the Special Operations Branch of the US Fish and Wildlife Service.

On 30 January, in the Northern District Court of Illinois, Tony Silva pleaded guilty to conspiracy to smuggle protected birds into the USA between 1986 and 1991 (*TRAFFIC Bulletin*, 15(2):95). Silva admitted that in 1989 he purchased a "substantial number" of wild-caught Hyacinth Macaws *Anodorhynchus hyacinthinus* (App. I) from co-defendant

Gisela Caseres and paid her to hold the birds in Paraguay; another co-defendant, Hector Ugalde, had been responsible for smuggling the specimens into the USA. Silva also admitted to being involved, in 1986, in successful efforts to smuggle Crimson-bellied Parakeets *Pyrrhura rhodogaster* (App. II), Golden Parakeets *Aratinga guarouba*, Yellow-shouldered Parrots *Amazona barbadensis*, Vinaceous Parrots *A. vinacea*, Blue-throated Parakeets *Pyrrhura cruentata* (all App. I) and other Hyacinth Macaws out of South America to the USA. He also pleaded guilty to wilfully under-reporting his income.

Silva's mother, Gila Daoud, pleaded guilty to one felony count of assisting Silva in the filing of a false income tax return and, in a plea agreement, admitted to conspiring in the scheme to smuggle Hyacinth Macaws and other protected wildlife.

In January 1995, Ugalde pleaded guilty to conspiracy to smuggle Hyacinth Macaws into the USA. He has co-operated with the Government's investigation and awaits sentencing. Caseres, a Paraguayan national, has not been apprehended.

The case was investigated by the Special Operations Branch of the US Fish and Wildlife Service and the Internal Revenue Service's Criminal Investigation Division.

*TRAFFIC USA; International Primate Protection League; TRAFFIC Europe; TRAFFIC USA*, in litt, *TRAFFIC Europe*, 27 September 1995; *US Fish & Wildlife Service Press Release*, 13 December 1995; *US Department of Justice Press Release*, 30 January 1996



## The Trade in Tortoise-derived Souvenir Products in Morocco

A.C. Highfield and J.R. Bayley

### INTRODUCTION

Morocco was formerly the major source of Spur-thighed Tortoises *Testudo graeca* for the European pet market (Anon., 1993a), with peak exports during the 1950s and 1960s, when several million tortoises were extracted from the region (Lambert, 1979). Over the years, this harvest contributed to an estimated reduction in numbers of the subspecies Mediterranean Spur-thighed Tortoise *T. graeca graeca* in Morocco by around 86% since intensive collection began (Lambert, 1979), a situation exacerbated by habitat degradation and loss (Lambert, 1980). Following Morocco's ratification of CITES in 1975, exportation of the tortoises from the country was banned in that year (Anon., 1993a). Despite the prohibition, a number of exports of Mediterranean Spur-thighed Tortoises have been recorded, albeit in insignificant quantities (Anon., 1993a).

The Mediterranean Spur-thighed Tortoise in Morocco is categorized as "Vulnerable" by IUCN and threatened with extinction (Anon., 1993a). It has been recommended to the Government of Morocco as requiring legal protection more urgently than any other native reptile (T. Slimani, pers. comm., 1995); trade in the species within Morocco is currently legal, however. Field data collected in Morocco during 1994 and 1995 indicate that the population of these tortoises on the edge of the Ademine Forest in the lower Souss valley, near Agadir, a major tourist resort, is not viable (Bayley and Highfield, 1996) (see Figure 1). Local residents claim that where once tens of tortoises could be observed in a few hours, it is now difficult to observe as many during one week of intensive searching (Bayley and Highfield, 1996).

In the light of this, the authors investigated the scale of Moroccan trade in tourist souvenirs made from tortoise carapaces, in an attempt to evaluate the scale of this commerce and its possible effect on remaining Spur-thighed Tortoise populations in the country.

### METHODS

Surveys of randomly selected retail outlets in Morocco were made over a five-year period, 1990 to 1995, in order to assess the number of objects on sale which included Mediterranean Spur-thighed Tortoise carapaces. A comprehensive survey was undertaken of the souvenir shops in Agadir, which accounted for 36.3% of the tourist trade in 1993 (Anon., 1993b). In that city, each vendor was visited on at least two occasions and the number of tortoise-based souvenirs on display noted. Attempts to ascertain the level of trade by questioning traders were abandoned, since results appeared too unreliable. However, an attempt was made to estimate trade turnover by monitoring one particular outlet in a prime tourist location.

### RESULTS

Souvenirs made from tortoise carapaces were on sale in every one of the locations selected by the authors, and only in tourist souvenir outlets, with lower incidence in the old inland cities, and fewest of all in the capital city. Anecdotal reports (Raxworthy *et al.*, 1983) suggest that these patterns of occurrence are typical for the country as a whole, and throughout the year.

Souvenirs made from carapaces of Mediterranean Spur-thighed Tortoises appear to be widespread, specifically in, i) fire bellows, incorporating either one or two carapaces each, and ii) decorative banjo-like musical instruments, each using a single carapace as the resonator. The bellows are fully functional, but the banjos are of very poor quality as musical instruments. Carapaces from female tortoises are larger and as a result more commonly used than those of males, the ratio observed from items on display being almost 3:1.

On previous visits by the authors to the region, a limited number of bellows manufactured using the carapaces of Spanish Turtles *Mauremys leprosa* were recorded. These are easily distinguished from those of Spur-thighed Tortoises and during the surveys under discussion no more than five per cent of the trade in chelonian-based souvenirs observed was estimated to involve Spanish Turtles. Otherwise, *all* the bellows and banjos observed were made with Mediterranean Spur-thighed Tortoise carapaces, apart from some which used gourds and ceramicware in place of the carapaces.



Banjos incorporating carapaces of Mediterranean Spur-thighed Tortoises *Testudo graeca graeca* and ceramicware, on sale at a tourist shop in Agadir, Morocco.



VOL. 15 NO. 3

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# TRAFFIC

BULLETIN



**EAST ASIA'S WHALE MEAT TRADE**

**THE USE OF SEAHORSES IN MEDICINALS**

**RAINSTICKS FROM CHILE**

The Journal of the TRAFFIC Network disseminates information on the trade in wild animal and plant resources

AUGUST 1995



EUROPE

BELGIUM

On 6 February 1995, Belgian Customs officials seized 31 shawls made from the wool (known as shahtoosh) of the Tibetan Antelope *Pantholops hodgsoni* (App. I), following receipt of information from Customs officers in France. No CITES documents had been issued for the shawls' export from Tibet. The articles had been obtained from a trader in Hong Kong by a Belgian citizen who then delivered 36 of them to a company in Paris. Five of these were sold and the remaining shawls were returned to the Belgian. The case is under investigation.

TRAFFIC Europe

FRANCE

In March 1995, head ornaments constructed of birds' feathers, American Black Bear *Ursus americanus* claws (App. II) and the tooth of a Yacare Caiman *Caiman crocodilus yacare* (App. II) were seized from a Parisian art gallery by officials of the Office National de la Chasse. Feathers so far identified are from Scarlet Macaw *Ara macao* (App. I), Blue-and-yellow Macaw *A. ararauna* (App. II), Green-winged Macaw *A. chloropterus* (App. II), Roseate Spoonbills *Ajaia ajaja* and possibly Hyacinth Macaw *Anodorhynchus hyacinthinus* (App. I). Ritual objects made with feathers and claws were also found. The articles had come from Brazil. No CITES documents had been issued. The case is under investigation.

Similar articles were being offered for sale at a separate art gallery in the capital in December 1994 (TRAFFIC Bulletin, 15(2):92).

TRAFFIC Europe-France

GERMANY

On 3 March 1995, Customs officers at Düsseldorf airport seized 2 Cuban Parrots *Amazona leucocephala* (App. I) that had been transported from Cuba by two German citizens. The birds had been bound with sticky tape and concealed in bags underneath clothing worn by the men. Also contained in the luggage was a treated sea turtle Cheloniidae head, several pieces of coral (unidentified) and 19 Queen Conch *Strombus gigas* (App. II) shells. Later inspection of the residences of the accused uncovered another sea turtle head and the skin of a Cuban Parrot.

The birds are now in good condition after treatment and are in the care of Wuppertal Zoo. The case is under investigation by the German CITES Management Authority.

On 7 June 1995, Customs officers in Freiburg seized 576 specimens of protected cacti from the private homes of two German cacti collectors. The plants, which included *Ariocarpus* spp. (App. I/II) and *Turbincarpus* spp. (App. I/II), had been removed from the wild in Mexico. Maps of Mexico and detailed literature and photographs of the collection sites were also discovered. The

accused had visited Mexico periodically since the early 1980s and reportedly had smuggled many plants into Germany. The confiscated plants are currently at Wilhelma Botanic and Zoological Garden in Stuttgart. The case is under investigation.

German CITES Management Authority

ITALY

Investigations over the past three years by officials of the Forest Corps (the CITES enforcement team), assisted by TRAFFIC Europe-Italy, have resulted in the seizure of some 2000 parrots and other CITES-listed animals.

The enquiry began in 1992 in Salerno, following the introduction of national legislation to implement CITES. Investigations spread to other areas of the country and a total of 18 persons were investigated; seven were tried and imprisoned. Appendix I-listed species seized throughout the period of investigation included 17 Hyacinth Macaws *Anodorhynchus hyacinthinus*, 6 Blue-throated Macaws *Ara glaucogularis*, 7 Blue-winged Macaws *A. maracana*, 30 Military Macaws *A. militaris*, 24 Red-fronted Macaws *A. rubrogenys*, 16 Red-tailed Parrots *Amazona brasiliensis*, 38 Cuban Parrots *A. leucocephala*, 3 Vinaceous Parrots *A. vinacea*, 9 Palm Cockatoos *Probosciger aterrimus* and undisclosed numbers of Scarlet Macaws *Ara macao*, Yellow-shouldered Parrots *Amazona barbadensis*, Red-spectacled Parrots *A. pretrei*, Tucuman Parrots *A. tucumana*, Golden Parakeets *Aratinga guarouba* and Salmon-crested Cockatoos *Cacatua moluccensis*.

Enquiries are continuing.

TRAFFIC Europe-Italy

UK

On 14 June 1995, a shipment of 69 pieces of live coral and 19 starfishes was seized by the Customs CITES Enforcement Team at Heathrow airport. The consignment, from Indonesia and not covered by CITES permits, was destined for the UK ornamental fish trade. As the importers were regular offenders, all species, including non-CITES species, were seized. The Appendix II-listed species included Organ-pipe Coral *Tubipora musica* (8 pieces), Table Coral *Acropora* spp. (7), Vase Coral *Euphyllia glabrescens* (4) and *E. simeriata* (6), Brain Root Coral *Lobophyllia corymbosa* (8), *Trachyphyllia geoffroyi* (10), Hump Coral *Pontes spirobranchus giga* (6), Spine Coral *Hydnophora* spp. (3), Pearl Coral *Plerogyra sinuosa* (4), Sunflower Coral *Goniopora lobata* (6) and Feather Coral *Polyphyllia talpina* (2). Unlisted species included 5 Blue Starfish *Linckia laevigata*, 14 Red Starfish *Fromia elegans*, Sponge Coral *Halichondria* spp. (2), Marble Mushroom Coral *Actinodiscus* spp. (1), and *Sinularia* spp. (2).

The coral has been donated for conservation purposes to the coral section of Kew Gardens.

On 29 June 1995, Guiseppe Angelo Tanti of Cardiff, Wales, was sentenced to four months' custodial imprisonment (no fines or costs) for illegally importing CITES-listed reptiles into the UK. Tanti, the owner of a pet shop in Cardiff

which deals in exotic species, was caught in the green channel at Heathrow airport on July 20 1994 on arrival from Pakistan. Contained in his suitcases were 109 reptiles that he had purchased from a wildlife trading organization in that country. These included 17 Russell's Boa *Eryx conicus* and Blunt-tailed Boa *E. johni*, 32 Hardwick's Spiny-tailed Lizard *Uromastix hardwickii* (all App. II) and 60 non-CITES-listed specimens. His premises were subsequently raided and further reptile specimens were seized from a garden shed (TRAFFIC Bulletin, 15(1):38). A TRAFFIC representative attended the trial to give evidence for the prosecution (HM Customs and Excise). This is one of the first cases where a smuggler caught bringing wildlife into the UK has been sent to prison.

On 15 July 1995, Customs officers at Heathrow airport seized 1 Scarlet Macaw *Ara macao* (App. I), and 1 Green-winged Macaw *Ara chloropterus*, 1 Eclectus Parrot *Eclectus roratus* and 2 Yellow-naped Parrots *Amazona auropalliata* (all App. II). The birds were being flown from the USA to Saudi Arabia via London by a Saudi Arabian national. The individual hand-carried the birds onto the plane and claimed they were personal pets. Under US Fish & Wildlife Service regulations, the quantity of birds was too great to qualify for a personal pet bird exemption. The method of carrying birds on board as hand luggage is also in contravention of IATA regulations. The individual supplied forged health certificates for the birds. The specimens are to be donated to a zoo for conservation purposes.

On 15 August 1995, in the largest seizure of its kind in the country, Customs officers seized approximately 500 dead specimens from the home of a taxidermist, Nicolaas Peter Peters, a Dutch national residing in Newtown, Powys, Wales; 300 of the specimens are native to the Philippines, and include the skull of a Philippine Eagle *Pithecophaga jefferyi* (App. I), the wild population of which is estimated at between 50 and 200. Other animals thus far identified include skins and skulls of Tiger, juvenile (black) Jaguar *Panthera onca*, Geoffroy's Cat *Oncifelis geoffroyi* and Cheetah *Acinonyx jubatus*; 2 frozen specimens and the skin and head of Red Panda *Ailurus fulgens*, a stuffed Chimpanzee *Pan troglodytes*, 1 head and 2 skins of Chimpanzees; 2 Golden Lion Tamarins *Leontopithecus rosalia*; 1 Cotton-headed Tamarin *Saguinus oedipus*; 1 Ruffed Lemur *Varecia variegata*; 5 Ring-tailed Lemurs *Lemur catta*; and the skin of 1 Komodo Dragon *Varanus komodoensis* (all the above are listed in App. I).

Peters has been charged with importing controlled specimens from the Philippines without the necessary documentation. Earlier this year, Peters was fined A\$350 (US\$260) in Australia after attempting to export 2 bird specimens (see TRAFFIC Bulletin, 15(2):94).

Enquiries are underway in the Netherlands and Belgium after similar findings following raids of other properties belonging to Peters. Details will be published in the next issue.

TRAFFIC International and the RSPB assisted H.M. Customs & Excise in the UK raid and subsequent investigation.

TRAFFIC International



## AFRICA

## MALAWI

On 27 April 1995, law enforcement officials in Lilongwe seized 22 elephant tusks being offered for sale by three nationals of Mozambique, Zambia and Malawi at a hotel in the city. The ivory weighed a total of 124.2kg. Arrests were made and the accused are awaiting trial.

TRAFFIC East/Southern Africa

## SOUTH AFRICA

On 22 March 1995, members of the Endangered Species Protection Unit of the South African Police and Eastern Cape Nature Conservation law enforcement officers seized 153 cycads *Encephalartos altensteinii*, some of which were more than 500 years old. The plants ranged in sizes up to 4.7 metres tall. All have been replanted in a protected area because their original site offered no protection; only 20% are expected to survive replanting, however. The specimens had been harvested illegally by a syndicate operating in the Eastern Cape. This is the largest haul of cycads ever seized in South Africa.

One man appeared in court in connection with the theft and was granted bail of R8000 (US\$2400) and the case postponed until 17 July. On that date the case was adjourned until 8 October pending further investigation.

On 8 May 1995, Endangered Species Protection Unit detectives seized the largest illegal haul of abalone ever found in South Africa and possibly the largest ivory caches ever uncovered by the Unit.

Two Zimbabweans and a South African were arrested after they had attempted to sell 30kg of semi-polished ivory to detectives during an undercover investigation. The man admitted to having stolen the ivory from a house in Midrand, after allegedly discovering it buried in the garden. At the house police discovered an abalone *Haliotis midae* processing factory; the shellfish were being dried in industrial ovens for export to China. Fresh abalone stored in freezers, and boxes of dried abalone found throughout the house, had allegedly been purchased from a contact on the west coast. Three Chinese citizens were arrested.

Police found dozens of bags of ivory offcuts buried in the garden. The ivory had been used to manufacture seals and other trinkets, allegedly for export to China. Further persons involved in the syndicate have been arrested, one of whom led police to a house in nearby Vorna Valley where another haul of about 300kg of abalone and 50kg of ivory was found. The owner of the house, a citizen of Hong Kong, was arrested and the goods seized. Enquiries are continuing and further arrests are expected.

TRAFFIC East/Southern Africa-South Africa:  
*Sunday Times* (South Africa), 26 March 1995;  
*The Star* (South Africa), 10 May 1995

## ZAMBIA

On 7 February 1995, at Mumbwa Magistrates' Court, David Chibwantu, Chibwantu village headman, and Patrick Njeema of Musumba village, Mumbwa, were found guilty of the unlawful possession of 9 tusks of African Elephant *Loxodonta africana* (App. I) and 1 Leopard *Panthera pardus* (App. I) skin. The pair were arrested the previous day following an operation conducted jointly by the Species Protection Department and wildlife police officers. Both were sentenced to 5 years' imprisonment with hard labour. Three other suspects escaped and are being sought by police.

On 27 February 1995, Ronald Saul Munga of Chipata pleaded guilty to charges of the unlawful possession of a Leopard skin. He was sentenced to 5 years' imprisonment with hard labour.

On 2 March 1995, at Livingstone High Court, Basita Kafulo and Steven Petulo of Chawama Compound, Lusaka, were each sentenced to 6 years' imprisonment with hard labour for illegal possession of rhino horns without a licence. The pair were arrested in 1993.

*The Species-Watch Newsletter*, 2(2), January/February 1995

## ASIA

## HONG KONG (see also page 101)

On 22 June 1995, during a routine inspection by the Agriculture and Fisheries Department, 10 giant clams *Tridacnidae* (App. II) were seized from an aquarium shop in Mongkok district. The specimens were transferred to aquaria at the Swire Institute of Marine Science at Hong Kong University, but later perished.

TRAFFIC East Asia

## INDIA

The Madhya Pradesh 'Tiger Cell', with whom TRAFFIC International investigators closely collaborate, has made a number of recent seizures in Madhya Pradesh, in central India. The cell is spearheaded by the State police force:

On 1/2 March 1995, a series of police raids near Kanha Tiger Reserve resulted in the seizure of 3 Tiger *Panthera tigris* (App. I) skins, 35 kg Tiger bones (including 5 skulls), 6 Leopard *Panthera pardus* (App. I) skins and 2 Leopard skeletons. The Tiger bones included skeletons of 1 adult and 2 cubs that had been hidden in a village hut. Police arrested 45 people in Balaghat and Seoni Districts in connection with the seizures.

In April/May 1995, 13 Leopard skins, 2 Tiger skins and 2 Tiger skeletons were seized in separate incidents in Mandla, Chhindwara and Bastar districts.

On 10 June 1995, a prominent wildlife trader was arrested in Mandla with 4 Leopard skins in his possession. He had earlier offered a police undercover agent 46 Tiger skins; it is not known whether these were viewed by the police officer.



Chital *Axis axis*

Further seizures in India:

On 15 March 1995, acting on information provided by the Wildlife Protection Society of India, wildlife authorities raided the basement factory of a wildlife trader in Puri, Orissa, and seized the following skins, most of which had been tanned: 1 Tiger *Panthera tigris* cub (white); 2 Leopards *Panthera pardus* (App. I); 1 Lion *Panthera leo* (App. II) cub; 1 Jungle Cat *Felis chaus* (App. II); 2 Leopard Cats *Prionailurus bengalensis* (App. II); 5 Fishing Cats *P. viverrina* (App. II); 3 Chital *Axis axis*; 16 Rock Pythons *Python molurus molurus* (App. I) and Reticulated Pythons *P. reticulatus* (App. II); 160 Indian Monitors *Varanus bengalensis* (including a few Water Monitors *V. salvator*) (App. II); 8 Rat Snakes *Ptyas mucosus* (App. II). Also seized were 1 Chital skull with antlers and a few handbags made from unidentified snake and lizard skins.

Three people were arrested in connection with the case, while 3 others in the business are reported to have escaped. This is the first major seizure in the State of Orissa.



Leopard Cat *Prionailurus bengalensis* (App. II).

On 23 March 1995, police in New Delhi arrested a Kanjar tribal after he was found in possession of skins of 12 Leopard Cats (App. II), 13 Jungle Cats (App. II), 7 Golden Jackals *Canis aureus* (App. III) (India), 38 Eurasian Otters *Lutra lutra* (App. I), 7 Smooth-coated Otters *Lutrogale perspicillata* (App. II), 4 Masked Palm Civets *Paguma larvata* (App. III/India), 2 Large Indian Civets *Viverra zibetha* (App. III/India), 1 Small Indian Civet *Viverricula indica* (App. III/India), and 1 Indian Grey Mongoose *Herpestes edwardsii* (App. III) (India). TRAFFIC International investigators assisted with investigations. The case has been registered with the authorities.

In March/April 1995, 2 Tiger skins and 3 Leopard skins were seized in separate incidents near Palamau Tiger Reserve in the State of Bihar; a Tiger was found shot inside the reserve. Arrests were made.



On 25 April 1995, 3 raids on travelling zoos were carried out by the Uttar Pradesh State Forest Department acting on information provided by the Wildlife Protection Society of India; a TRAFFIC International investigator acted as a decoy customer. Among the animals seized in the first raid, in Meerut, were 1 Lion *Panthera leo* (App. II), 1 Asiatic Black Bear *Ursus thibetanus* (App. I), 4 Golden Jackals *Canis aureus* (App. III/India), 1 Hanuman Langur *Semnopithecus entellus* (App. I); 1 Rhesus Macaque *Macaca mulatta* (App. II), 1 Slow Loris *Nycticebus coucang* (App. II), 1 Indian Giant Squirrel *Ratufa indica* (App. II), and 3 Indian Pythons *Python molurus molurus* (App. I). All were for sale and a python was 'purchased' by the TRAFFIC investigator; the accused were also willing to sell the Lion and Asiatic Black Bear and offered to procure a Tiger and a Leopard cub. Three people were arrested.

A further 2 raids, in Deoband, near Saharanpur, and, again, in Meerut, yielded 1 Sloth Bear *Melursus ursinus* (App. I), 1 Golden Jackal, 1 Assam Macaque *Macaca assamensis* (App. II), a Tiger foetus, 1 Mugger Crocodile *Crocodylus palustris* (App. I) and 1 dead Gharial *Gavialis gangeticus* (App. I). No arrests were made but all specimens were confiscated and sent to Delhi Zoo or the National Museum of Natural History, in New Delhi.

On 30 April 1995, a gang of poachers was arrested by the Chittorgarh police in Rajasthan and the skin of a Leopard (App. I), killed that morning in Sitamata Sanctuary, was seized. Three local men were arrested and 1 rifle recovered. The poaching gang, who had been operating for five years, admitted that they had been supplying the

skins and bones of Leopards regularly to two dealers in Madhya Pradesh. The police later raided a godown (store or small warehouse) in Madhya Pradesh owned by the dealers and recovered a further 5 Leopard skins and 1.2kg of bones. The dealers, who were also arrested, admitted supplying Leopard skins and bones to a middleman in Kanpur in Uttar Pradesh, who in turn sold these in Delhi.

On 12 June 1995, in Siliguri, West Bengal, police officers arrested five key operators of an international gang of poachers who had offered to sell 62 horns of Indian Rhinos *Rhinoceros unicornis* (App. I) to TRAFFIC International investigators. The horns were reportedly from animals killed in Assam; 2 were seized (one was of a juvenile or sub-adult), and together weighed a total of 680g.

With the arrest of the group leader, who is believed to be a Taiwanese national, international smuggling routes between India, Nepal, Bhutan and East Asia have been uncovered. The group leader, who is known to have connections in Phuntsholing, in Bhutan, claims to have supplied the 22 rhino horns found in the luggage of Princess Dekly Choden Wangchuk, an offence that led to her prosecution and subsequent imprisonment in Taiwan (see *TRAFFIC Bulletin*, 14(3):116). The arrest of another person links him to the seizure in December 1994 of 89 Leopard skins and 1 Tiger skin on route to Kathmandu, Nepal. These two and three others who were also arrested, were remanded in police custody; four of the rhino horn traders have since been released on bail. The gang is reported to have been involved also in illegal trade of bear gall bladders and musk deer glands.

In May/June 1995, arrests of poachers of Leopards in Rajaji National Park, Uttar Pradesh, led to the arrest in Delhi on 17 July of Sansar Chand, a well-known wildlife trader with at least 14 major wildlife cases pending against him (see page 102).

TRAFFIC International/  
Wildlife Protection Society of India

## JAPAN

On 25 February 1995, police arrested a passenger who, a few weeks earlier, at Narita airport, had attempted to import in his hand luggage 3 juvenile gibbons Hylobatidae (App. I) that he had purchased in Jakarta, Indonesia. Two of the animals were diseased and later died; the remaining specimen is being cared for at a zoo. Toshiyuki Chiba was sentenced to 2 years' imprisonment and a 3 years' suspended sentence.

On 16 June 1995, following observations made by TRAFFIC East Asia-Japan while carrying out a survey of pet shops, police in Tokyo arrested a pet shop owner and four others for allegedly selling 1 Nile Crocodile *Crocodylus niloticus* (App. I/II) and 1 Desert Monitor *Varanus griseus* (App. I) without a permit, in violation of the Law for the Conservation of Endangered Species of Wild Fauna and Flora.

According to police, the same dealer had imported 5 Desert Monitors, incorrectly declared as Ocellated Lizards *Lacerta lepida*, three years earlier. At the time, he claimed that he believed them to be correctly declared as such. Because the time limit allowed for prosecution had expired, the investigation was closed.

Two Japanese nationals charged in October 1994 with illegally importing 15 Black Pond Turtles *Geoclemys hamiltonii* (App. I) and 100 Star Tortoises *Geochelone elegans* (App. II) (*TRAFFIC Bulletin*, 15(2):95) have been sentenced. One of the accused was sent to gaol for 2 years and received a 4 years' suspended sentence (not served by the offender unless he commits a further offence during its currency); the other was sentenced to 1.5 years' imprisonment and received a 4 years' suspended sentence.

TRAFFIC East Asia-Japan

## PHILIPPINES

On 25 March 1995, Philippines Navy patrol personnel apprehended 62 Chinese fishermen aboard 4 Chinese fishing vessels near Hasa-Hasa Shoal in the Kalayaan Islands. The vessels were ordered to stop as they were illegally in Philippine territory. An unconfirmed number of live and dead Green Turtles *Chelonia mydas* (App. I) was found on board, some of which had perished and been stuffed, probably on board the boat. Significant amounts of red and blue coral, believed to be *Tubipora musica* and *Heliopora coerulea*, respectively (both App. II), were also found, along with 20 litres of cyanide, several hundred sticks of dynamite and time-delay fuses. The fishermen were detained in the provincial gaol of Puerto Princesa City in Palawan and are to be charged with illegal fishing, possession of explosives and illegal entry. A number of them - below 18 years of age - were released on humanitarian grounds.



Hanuman Langurs *Semnopithecus entellus* (App. I): one specimen was recently seized from a travelling circus in India, where it was being offered for sale.

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On 11 April 1995, Philippine officials at Manila airport seized 9 monkeys and 1 juvenile male Gorilla *Gorilla gorilla* (App. I) from two Pakistani nationals as they attempted to smuggle the primates into the country on a Pakistan Airlines flight. The shipment, contained in two crates, included 2 Drills *Mandrillus leucophaeus* (App. I), 4 Vervet Monkeys *Chlorocebus aethiops* (App. II), 2 Patas Monkeys *Erythrocebus palas* (App. II) and 1 baboon *Cercopithecidae* (App. II).

The primates were taken into the care of environment authorities where they were tested for "nonspecific viral infections"; any testing positive were to be tested for Ebola virus. Routine tests for infection carried out on their arrival were found to be negative. After 4 months in quarantine the animals are not showing symptoms of viral illness but will remain under observation. Hopes for their repatriation are thwarted by lack of funds; the centre housing the primates is also short of the funds necessary to keep and maintain the animals.

Embassy of the Philippines, Washington, DC, USA; TRAFFIC International; WWF-Philippines; Department of Environment and Natural Resources, Philippines, in litt. to TRAFFIC Southeast Asia, 7 August 1995.

## AMERICAS

### ARGENTINA

On 14 March 1995, Eric Chail Silberstein was found guilty of the illegal export of more than 5000 caiman skins to Europe. Silberstein had attempted to export the skins to Italy via Belgium in 1989 using a false re-export certificate based on a permit that had been issued legally by Bolivian authorities for another shipment of skins, two years earlier (TRAFFIC Bulletin, 11(1):14). On arrival in Antwerp, Customs officials inspected the shipment and found 10 times the number of skins than was recorded on the re-export certificate. In his defence, Silberstein claimed the increased weight of the shipment was a result of chemicals used to treat the skins, a fact described by technical advisers in the case as impossible.

The Belgian authorities called upon the expertise of Dr Dietrich Jelden, head of the German CITES Management Authority and a recognized authority on reptilian skins, and Tom De Meulenaer of TRAFFIC Europe, the country's CITES expert, to inspect and inventory the shipment. A total of 1626 whole skins and 3922 flanks were recorded; most of these were Spectacled Caiman *Caiman crocodilus* (App. II); a few Broad-nosed Caimans *Caiman latirostris* and Black Caimans *Melanosuchus niger* (both App. I) were also identified. The shipment remains in the care of Customs officials in Antwerp.

Silberstein was given a suspended sentence of 3 years' imprisonment (not served unless the offender commits a further offence during its currency). This case represents the first prosecution in Argentina for the illegal trade in skins. Fundación Vida Silvestre Argentina, TRAFFIC South America, a TRAFFIC consultant and the CITES Secretariat assisted the investigation.

TRAFFIC South America; TRAFFIC Europe; La Prensa (Argentina), 16 March 1995; La Nación (Argentina), March 1995

### CHILE

On 31 March 1995, following a tip-off, TRAFFIC South America alerted the CITES Management Authority in Chile to a possible smuggling attempt by a well-known Uruguayan trader, on route to Russia via Santiago. As a result, the passenger's hand luggage was inspected by Customs officials on his arrival at Santiago airport and found to contain 3 Hyacinth Macaws *Anodorhynchus hyacinthinus* (App. I); as no legal permit could be produced, the birds were seized. The passenger was allowed to continue his journey to Moscow but the birds were returned to Brazil where they are being held temporarily in Sao Paulo Zoo.

TRAFFIC South America

### USA

The following two cases represent the first felony convictions for plant smuggling into the USA.

On 10 April 1995, in the Central District of California, Eric Von Geldern, Dr William Baumgartl and Curtis Tom were convicted of smuggling over 200 pitcher plants (App. III) into the country from Indonesia and Malaysia in September 1994. The plants were shipped by mail or via Los Angeles International airport. All men, who pleaded guilty, agreed to pay a US\$10000 fine and were each sentenced to 3 years' probation and 200 hours of community service.

Von Geldern, a deputy district attorney and government prosecutor for Alameda County, California, also faces professional disciplinary action; Baumgartl is the former President of the Bay Area Carnivorous Plant Society, a branch of the International Carnivorous Plant Society.

On 24 April 1995, in the Northern District of California, Harto Kolopaking of Indonesia was sentenced to 5 months' imprisonment for smuggling over 1500 Asian lady's slipper orchids *Paphiopedilum* (App. I) from Indonesia to California in 1992 and 1993 (TRAFFIC Bulletin, 15(2):95). Other suspects involved in this case are under investigation. The investigation was conducted by the US Fish & Wildlife Service.

On 3 May 1995, at the Central District of California, Isabel Bonilla of El Salvador was charged with smuggling eggs of Olive Ridley Turtles *Lepidochelys olivacea* (App. I) to the USA in violation of the Endangered Species Act and CITES. In October 1994, Bonilla and co-defendant Sebastian Guerrero-Chacon attempted to bring 3780 Olive Ridley Turtle eggs on a flight from El Salvador to the USA. It is believed to be the largest shipment of sea turtle eggs ever seized in the USA. The contraband was concealed in 8 boxes and was discovered at Los Angeles International airport by inspectors of the Department of Agriculture.

Bonilla was sentenced to 6 months' imprisonment, to be followed by a 2-year period of supervised release. Guerrero-Chacon fled to El Salvador after being freed on US\$10 000 bond. He is being sought to face charges.



Pitcher plant *Nepenthes* sp. The illegal import of some 200 pitcher plants to the USA from Indonesia and Malaysia has resulted in the prosecution of three individuals in the USA.

On 5 July 1995, in Los Angeles, California, Theodora Swanson of Memphis, Tennessee, was convicted of charges of conspiracy, smuggling cockatoo eggs and importing wildlife taken in violation of the Wildlife Protection (Regulation of Exports & Imports) Act 1992 of Australia.

Swanson was a member of a cockatoo egg smuggling ring involved in the importation of over 400 cockatoo eggs from Australia to the USA between 1983 and 1993. The birds were hatched, reared and sold for up to US\$13 000 each. The eggs, which had been removed from nests in protected areas, were of Red-tailed Black-Cockatoo *Calyptorhynchus banksii*, White-tailed Black-Cockatoo *Calyptorhynchus baudinii*, Pink Cockatoo *Cacatua leadbeateri*, Yellow-crested Cockatoo *C. sulphurea*, Long-billed Corella *C. tenuirostris* and Galah *Eolophus roseicapillus* (all App. II). Couriers fitted with special vests to conceal the eggs during the flights from Australia were allegedly instructed to flush the birds down an airline toilet if they hatched during the flight.

Swanson and four others, including the ring-leader in the operation, await sentencing. A sixth person, John Barth, was sentenced to 2 years' imprisonment in September 1994 for his involvement (TRAFFIC Bulletin, 15(1):40).

The case forms part of an ongoing investigation called Operation Renegade, conducted by the US Fish & Wildlife Service.

US Fish & Wildlife Service Division of Law Enforcement, in litt., 21 April 1995; US Department of Justice News Release, 3 May 1995; TRAFFIC Oceania



VOL. 15 NO. 2

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# TRAFFIC

BULLETIN

## CITES 9th MEETING: RESULTS AND RESOLUTIONS

Hawksbill Exploitation in Vietnam

Tanzania's Bird Trade Controls

The Journal of the TRAFFIC Network disseminates information on the trade in wild animal and plant resources

MARCH 1995



SEIZURES AND PROSECUTIONS



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Four-spot Day Gecko *Phelsuma quadriocellata* (App. II) - over 200 specimens from Madagascar were seized in Belgium, in transit to the Netherlands.

EUROPE

BELGIUM

On 30 November 1994, at Zaventem airport, a shipment of reptiles travelling from Madagascar to the Netherlands, was seized whilst in transit. Three of four gecko *Phelsuma* species included in the cargo exceeded in number the allocated permit allowance of 200 for each species.

Some 369 Side-striped Day Geckos *Phelsuma lineata*, 218 Four-spot Day Geckos *P. quadriocellata* and 213 *P. madagascariensis grandis*, along with 37 Gold-dust Geckos *P. laticauda* (all App. II), were seized. The specimens of *P. lineata* and *P. laticauda* had been placed together in 10 sacks. Thirty of the specimens perished on arrival and others have subsequently died. Attempts to repatriate the surviving animals failed and they are currently at a centre in the Netherlands.

On 12 January 1995, while Customs officers were inspecting a shop in Brussels, a man in possession of a rhino horn entered and offered the item for sale to the owner. He indicated that he had another horn which belonged to his mother who was in need of money and had heard on the radio of the value of rhino horn. The item was seized by the officers, who also seized the second horn the following day. No papers to prove the legal origin of the horns could be produced. The case is pending.

In February 1995, medicines that listed protected wildlife products amongst their ingredients were seized from traditional oriental pharmacies in various cities (see pages 52-53).

TRAFFIC Europe

FRANCE

In December 1994, head ornaments constructed of birds' feathers were seized by the Office Na-

tional de la Chasse following a tip-off from TRAFFIC Europe that these items were being offered for sale at a Parisian art gallery.

The articles had been made by Amazonian Indians in Brazil and comprised feathers of the following CITES-listed species: Hyacinth Macaw *Anodorhynchus hyacinthinus*, Scarlet Macaw *Ara macao*, Blue-winged Macaw *A. maracana* and Harpy Eagle *Harpia harpyja* (all App. I); Toco Toucan *Ramphastos toco*, Channel-billed Toucan *R. vitellinus*, Blue-and-yellow Macaw *Ara ararauna* and Red-and-green Macaw *A. chloropterus* (all App. II). No CITES documents had been issued by Brazil or France for these items.

The case is under investigation.

TRAFFIC Europe

GERMANY

On 20 February 1995, German Customs officials at Düsseldorf airport seized 370 Yellow-banded Poison-arrow Frogs *Dendrobates leucomelas* (App. II) which were being transported without a CITES permit in the luggage of a German citizen arriving from Caracas, Venezuela, via Madrid, Spain. The amphibians had been packed in 40 paper cups and concealed in several suitcases.

Five specimens were dead on arrival and a further 17 have since perished. The frogs have been identified by their markings as coming from an extremely localized population of the species in Venezuela. The case is under investigation.

German CITES Management Authority

ITALY

On 12 February 1995, following information received from TRAFFIC, officers of the Forest Corps - the CITES enforcement team attached to the Ministry of Agriculture - seized a Chimpanzee *Pan troglodytes* (App. I) from a travelling circus in Messina. The 3-year old female was being used to pose with customers for photographs and had previously belonged to another photographer from whom 6 Chimpanzees have been seized in the

past (see TRAFFIC Bulletin, 11(2/3):31;13(1):34; 14(2):75). The number of Chimpanzees seized by the Forest Corps since 1992 amounts to 23: 18 of these were seized from circuses and 5 from photographers.

On 5 March 1995, officers of the Forest Corps and Customs officers at Fiumicino airport seized 3 young Black-tufted-ear Marmosets *Callithrix penicillata* (App. II). The animals were discovered in the luggage of a tourist returning from Brazil. Two of the animals died at the airport and the surviving specimen was placed with Rome Zoo.

TRAFFIC Europe

UK

In October 1994, a suitcase that arrived in error at Leeds/Bradford airport was found by X-ray security staff to contain 6.5 kg of carved Ivory. The goods had been routed to Ecuador from Nigeria via Amsterdam, Netherlands. The carvings have been donated to Leeds City Museum.

During a routine inspection in January 1995, UK Customs officers seized a pair of Palm Cockatoos *Probosciger aterrimus* (App. I), 4 Salmon-crested Cockatoos *Cacatua moluccensis* (App. I) and 13 Yellow-crested Cockatoos *C. sulphurea* (App. II) from a Ukrainian ship at Glasgow docks. The birds had been bought in Indonesia.

A UK-based leather tanning company that imported over 110 000 reptile skins using false documentation, was found guilty in February 1995 of provision of false documents with the intention to deceive; the company was found not guilty of smuggling.

Mr Anil Ajani, owner of A & A International, imported skins of 31 000 Indian Spectacled Cobras *Naja naja* (App. II), 73 000 Chequered Keelbacks *Xenochrophis piscator* (App. III/India) and 7500 Rat Snakes *Ptyas mucosus* (App. II) from Singapore in December 1992. The skins have been retained by Customs and the company was fined £500 (US\$800).

On 8 December 1994, 16 Australian black cockatoos were seized from the private residence of Alan Vaughan Griffiths of Llandysul, South Wales, following several months of investigations by the UK Customs authorities, in co-operation with the Australian Customs Service, and based on information provided by TRAFFIC who assisted in the raids.

Eight Red-tailed Black-Cockatoos *Calyptorhynchus banksii*, 7 White-tailed Black-Cockatoos *C. baudinii* and 1 Yellow-tailed Black-Cockatoo *C. funereus* (all in App. II) are alleged to have been illegally exported from Australia as eggs and carried by couriers wearing specially designed vests to protect and maintain the eggs at the correct temperature.

Six people have been arrested in connection with the incident. Christopher Owen, a courier, is the first person to be tried for his involvement in the international egg smuggling operation, as a result of information supplied by TRAFFIC to >



## UK ctd

>relevant authorities (see Australia). It is alleged that Owen had been in the employ of Griffiths, who is alleged to have raised the birds from eggs. Included with Griffiths in the conspiracy charge are Owen's two daughters - Nicola and Denise Owen, David Trevor Raymond Farmer of Haverfordwest, and Terence David Arthur Owen of Llanybydder, all of whom await trial.

TRAFFIC International, Portcullis, November 1994

Certain medicines purported to contain extracts of protected species were seized from traditional medicine shops in a number of UK cities in February 1995 (see page 52).

## AFRICA

## MALAWI

On 6 February 1995, a number of skins being offered for sale in Lilongwe city centre were seized by officials of the Department of National Parks and Wildlife. These included skins of 7 Servals *Felis serval* (App. II), 1 African Civet *Civettictis civetta*, 2 Meier's Mongooses *Rhynchogale melleri*, 1 Marsh Mongoose *Ailax paludinosus*, 2 Egyptian Mongooses *Herpestes ichneumon* and 1 mongoose *Bdeogale* sp. One person has been arrested and is awaiting trial in connection with the incident.

TRAFFIC East/Southern Africa

## SOUTH AFRICA

On 3 March 1995, a combined operation of police special units uncovered an illicit ivory carving shop in Midrand, near Pretoria. The Endangered Species Protection Unit seized 397 cubes of ivory, 20 kg of ivory bead necklaces and machinery used to cut tusks; the ivory is estimated to have come from at least 29 elephants. A search of a storeroom adjacent to the property led to the discovery of more than 100 frozen abalone *Haliotis* pieces (a permit is required to fish this species). Three suspects have been arrested, one of whom was arrested in 1992 on similar charges; it was his illegal return to the country that prompted the current investigation.

On 1 December 1994, Danie Kluyts and John Alberts of Uitenhage, near Port Elizabeth, were arrested and charged with possession and dealing in 81 wild-collected cycads *Encephalartos horridus*. The plants were allegedly removed from Kluyts' farm. All cycads are protected in South Africa (and listed in CITES Appendix I) and may not be removed without permission, even from private land. The pair were arrested after police observed the cycads being loaded onto a lorry. The men appeared in court but were released on a caution. They will appear in court again on 4/5 May 1995.

Solly Sanders, who purchased the cycads from Kluyts, appeared in Springs Regional Court on 13/

14 March. He was found guilty and sentenced to a fine of R2000 (US\$530) or 6 months' imprisonment and 3 months' imprisonment suspended for 5 years.

In mid-December 1994, the owner of a cycad nursery in Pretoria was arrested on charges of illegal possession and sale of 39 wild-collected *Encephalartos cycadifolius*. She was released on bail of R5000 (US\$1600) and was to have appeared in court on 17 March 1995; the State withdrew the charges pending further investigation, however.

TRAFFIC East/Southern Africa; Weekend Star (South Africa), 4-5 March 1995



Cycad *Encephalartos allensteinii* (App. I).

## TANZANIA

In July 1994, the case against two Dar es Salaam businessmen, charged in May 1993 with unlawful possession of 546 elephant tusks, 2122 pieces of Hippopotamus *Hippopotamus amphibius* (App. II) ivory and 45.5 kg of sea shells, was withdrawn by the State (see TRAFFIC Bulletin, 14(2):76).

TRAFFIC East/Southern Africa

## ZAMBIA

It has been brought to our attention that we mistakenly identified the Species Protection Department (SPD) as the body responsible for the seizure of 216 elephant tusks confiscated in July 1994 (TRAFFIC Bulletin (15(1):39). We would like to point out that three officers of the Department of National Parks and Wildlife Service, assisted by police officers, were in fact responsible for these actions; the SPD were involved in the follow-up investigation of this case. We would like to apologize for this error (Ed.)

## ASIA

## HONG KONG

In two operations carried out in October 1994, the Agriculture and Fisheries Department (AFD), acting on information provided by Customs, seized medicines claiming to contain Tiger *Panthera tigris* ingredients.

Whilst carrying out a random check at the General Post Office on 1 October, Customs officers intercepted 3 cartons containing 948 packets of medicines purported to contain Tiger products, that had arrived from Malaysia. AFD staff then conducted a search of the premises believed to be the offices of the consignee and seized a further 20 500 packets of claimed Tiger medicines, 2 packets of claimed rhino/Tiger medicines and 2 phials of claimed bear gall bladder powder.

In the second investigation, conducted jointly by AFD and police officials on 14 October, a woman who had been under observation by the authorities was stopped at Tak Tin Street Bus Terminus, Lam Tin, and 21 packets of medicines labelled as containing Tiger products were seized from her. A subsequent search of her premises resulted in the seizure of a further 101 packets of the medicine. The same woman had been stopped at Lowu checkpoint in July for bringing in 99 packets of purported Tiger medicine from China.

On 16 November 1994, AFD officers seized suspected bear gall bladders and musk *Moschus* pods, weighing 6.8 kg and 5.2 kg respectively, from premises in Sheung Wan that are believed to be used for the wholesale of traditional Chinese medicine.

Further searches of local medicine shops in the first two weeks of November resulted in the seizure of preparations claiming to contain rhino and Tiger ingredients, pangolin *Manis* scales and dried crocodile meat.

Press Releases of the Agriculture & Fisheries Department, Hong Kong, 14/25 October; 17 November 1994

## INDIA

On 29 December 1994, police in north Bengal arrested 4 persons following the seizure of 89 Leopard *Panthera pardus* skins (App. I), 1 Tiger skin *Panthera tigris* (App. I) and 9 pieces of other skins. Under interrogation, the accused stated that the consignment had arrived from the state of Uttar Pradesh and was bound for Nepal. The case is under investigation.

On 12 January 1995, Delhi police seized 5 Leopard skins that had originated in Himachal Pradesh. One person is helping police with their enquiries.

On 27 January, further seizures by the police included 1018 skins contained in 7 sacks that were being despatched by train to Kanpur for tanning. The skins were of 800 Bengal Foxes *Vulpes bengalensis* and 218 Desert Cats *Felis libyca*, all of which had originated in the Bikaner region in western Rajasthan. Two Kashmiri nationals were arrested and the case is under investigation.





© WWF/Mark Boulton

Serval Cat *Felis serval* (App. II) skins were recently seized in Malawi.

> All cat species are protected under Indian legislation. According to Ginsberg and Macdonald (1990), the Bengal Fox has been eliminated by non-commercial killing from most of the plains where it is not protected, except in areas where rocky outcroppings provide denning sites for small populations. No significant population can be found within a protected area in India. Animals are patchily distributed with a density of approximately one animal per 10 km<sup>2</sup>.

Ginsberg, J.R. and Macdonald, D.W. (1990). *Foxes, Wolves, Jackals, and Dogs. An Action Plan for the Conservation of Canids*. IUCN, Gland, Switzerland.

Wildlife Protection Society of India;  
TRAFFIC International

#### JAPAN

On 26 October 1994, a police officer at Narita airport, Tokyo, seized 15 Black Pond Turtles *Geoclemys hamiltonii* (App. I) and 100 Star Tortoises *Geochelone elegans* (App. II) from 2 Japanese nationals who were attempting to import the specimens from Thailand. The reptiles had been purchased at a market in Bangkok and each measured 5 cm-10 cm in length.

TRAFFIC East Asia

#### SINGAPORE

On 5 October 1994, Avifauna Breeding and Research Pte Ltd and the manager of that establishment were each fined S\$5000 (US\$3600) following an attempt to re-export 10 Salmon-crested Cockatoos *Cacatua moluccensis*, (App. I), 25 Tanimbar Cockatoos *C. goffini* (App. I) and 1 Yellow-crested Cockatoo *C. sulphurea* (App. II) without the required permits.

In November 1993, staff at the company sent 2 boxes containing birds to the Changi Animal and Plant Quarantine Centre to be checked by the Primary Production Department before export.

The PPD confirmed that the birds tallied with the number and species recorded on the permit. The boxes were sealed and sent to a freight-forwarding company. When PPD made a routine check on the boxes some 45 minutes later they found that two extra boxes containing the 36 birds had been strapped to the consignment.

*Straits Times (Singapore)*, 8 October 1994;  
Primary Production Department in litt., to  
TRAFFIC Southeast Asia, 21 April 1995

#### TAIWAN

On 27 January 1995, Customs officers seized 1043 kg of ivory carvings. The items had been smuggled into the southern port city of Kaohsiung from Johannesburg, South Africa, via Singapore, 15 days earlier but had not been claimed.

*China Post*, 29 January 1995

## OCEANIA

#### AUSTRALIA

On 5 January 1995, Nicolaas Peter Peters, a Dutch national residing in the UK, was intercepted at Sydney Kingsford-Smith airport as he attempted to leave the country with a specimen (skin and leathers intact) of a Superb Fairy Wren *Malurus cyaneus*, a bird endemic to southeastern Australia; the skull and beak of another unknown bird and a cicada (Order Hemiptera) were also found. Peters claimed that the specimens had been found dead by the roadside. On 6 January he was fined A\$350 (US\$260) under Section 21b of the *Wildlife Protection (Regulation of Exports & Imports) Act 1982*.

On 31 January 1995, at Perth District Court, Jean-Ulric Rechsteiner, a Swiss national, and Edith Gumpelmayer, of Austria, both residents of Switzerland, were fined A\$16 500 (US\$12 300) and A\$14 500 respectively, plus costs, for attempting to smuggle Australian native reptiles out of the country.

Both pleaded guilty to attempting to export without requisite permits 27 Shingleback Lizards *Trachydosaurus rugosus*, 5 Ring-Tailed Dragons *Ctenophorus caudicinctus*, 1 Dwarf Bearded Dragon *Pogona minor* and 1 Marbled Velvet Gecko *Oedura lesueurii* from locations in Geraldton, Mullewa, Newman and Port Hedland on six occasions in October and November 1994.

The two were each fined A\$1500 for five separate charges under the *Wildlife Protection (Regulation of Exports & Imports) Act 1982* of the attempted export and A\$5000 for one charge of export. Rechsteiner was also convicted and fined A\$1000 for each of 4 State charges under the *Wildlife Conservation Act 1950* of taking wildlife; Gumpelmayer was fined A\$1000 for each of 2 State charges.

Three months spent in remand was taken into account when sentencing.

On 10 March 1995, at Perth District Court, William Alan Michael Grumball pleaded guilty to two charges of conspiracy to illegally export eggs of Australian native birds between September and October 1994. He was sentenced to a total of 18 months' imprisonment for both charges, to be served concurrently. The eggs, which had been contained in an incubator, were of both native and exotic birds and included 4 White-tailed Black-Cockatoos *Calyptorhynchus baudinii*, 3 Bronze-winged Parrots *Pionus chalcopterus*, 2 Pink Cockatoos *Cacatua leadbeateri*, 2 Galahs *Eolophus roseicapillus*, 2 Blue-fronted Parrots *Amazona aestiva*, 2 Red-crowned Parrots *A. viridigenalis*, 2 Goldie's Lorikeets *Psiliteuteles goldiei*, and 1 Yellow-streaked Lory *Chalcopsitta sinuata*. A further 17 eggs have not been identified.

An associate, Christopher Arthur John Owen, a UK citizen, was apprehended in October 1994 as he boarded a flight to London via Singapore with 29 birds' eggs sewn into a singlet; these were 21 Galahs, 5 Slender-billed Black Cockatoos *Calyptorhynchus latirostris*, 1 Pink Cockatoo and 2 unidentified eggs. Owen was given a 6-month prison sentence and received a fine of A\$1000 (US\$750).

A third associate, Michael Francis Graves of New Zealand, was caught at Grumball's home wearing a singlet containing 27 birds' eggs that were to be smuggled to New Zealand; these included 21 Galahs, 3 White-tailed Black-Cockatoos, 1 Pink Cockatoo, 2 Eclectus Parrots *Eclectus roratus* and a further 17 unidentified birds' eggs. In February 1995, Graves was gaoled for 5 months. All charges and convictions were in relation to breaches of the *Wildlife Protection (Regulation of Exports & Imports) Act 1982*. All above species are listed in Appendix II. (See also UK for related case).

On 5 January 1995, two Japanese nationals were apprehended at Christmas Island airport after reports that they had been trapping butterflies and other insects in the Christmas Island National Park. Members of the Australian Federal Police and the Australian Nature Conservation Agency found sophisticated apparatus and material used for insect collection contained in their luggage. During a subsequent interview it emerged that the men, one of whom is the director of a private insect museum in Singapore, had visited the island with the intention of collecting samples of the island's insect fauna to take back to Japan and Singapore for their private collections. They admitted to having collected insects throughout Southeast Asia, USA, Africa and Japan, over a long period and one of the defendants also admitted to having been apprehended previously by wildlife authorities in Japan.

On 6 January, in the Christmas Island Magistrates' Court, Kazuya Nakamoto and Masayuki Fujioka were charged under the *National Parks and Wildlife Conservation Act 1975* and each fined A\$4500 (US\$3355).

TRAFFIC Oceania; Australian Customs Service, TRAFFIC International; Australian Nature Conservation Agency Media Release; *Business Times (Singapore)*, 11 January 1995



## AMERICAS

## CANADA

On 31 October 1994, Ben Le, owner of a Chinese herbal shop, was fined CA\$1750 (US\$1255) after pleading guilty to possession of a 5 g bear gall bladder, in violation of the *Wildlife Act*. The gall bladder was found after a Fish and Wildlife Officer obtained a warrant to search the shop.

On 1 December 1994, Therese Hui became the first-known person in Canada to be convicted of smuggling ivory into the country.

Hui, immigrating to Canada in February 1994, was found by Edmonton Customs officers to have 605 pieces of undeclared elephant ivory contained in her luggage. Hui, who is in the jewellery business, was fined CA\$15 000 (US\$11 000) and jailed for one day.

*Edmonton Journal (Canada), 1 November 1994*  
*The Edmonton Sun (Canada), 2 December 1994*

## GUIANA

In December 1994, following a complaint by WWF, Mr Hort, a shop owner selling contraband wildlife items in Sinamary, was prosecuted by the tribunal of Cayenne. This is reportedly the first-ever incidence of CITES enforcement in the country.

Hort was charged with displaying for sale feathers of Red Ibis *Eudocimus ruber* (App. II and protected under Guianese decrees) and assorted parrot feathers, big cats' teeth, and an undisclosed number of turtle shells. He was fined US\$1000 and US\$600 damages.

## TRAFFIC Europe

## USA

On 28 November 1994, in the Northern District of California, Harjo Kolopaking of Indonesia pleaded guilty to charges of smuggling over 1500 Asian lady's slipper orchids *Paphiopedilum* (App. I) into northern California in 1992 and 1993. This is the first prosecution concerning the illegal importation of endangered orchids into the country.

The case against Kolopaking was initiated in May 1993 when a US Department of Agriculture (USDA) employee discovered lady's slipper orchids in packages at a postal distribution centre in Oakland. The packages were from Kolopaking in Indonesia and labelled 'sample material'; no CITES documents accompanied the consignments. Some 60 parcels were found to have entered the country during 1992 and 1993. A joint investigation with the US Fish & Wildlife Service (USFWS) and the USDA led to Kolopaking's arrest in September 1994 whilst he was in the USA negotiating further shipments with collectors of the rare plants. He unwittingly sold 216 rare orchids to an undercover USFWS agent who was posing as an orchid collector. The case is under investigation.

On 14 December 1994, Tony Silva, his mother Gila Daoud, and two others were charged at the Northern District Court of Illinois with conspiracy to smuggle endangered and protected birds, primarily psittacines, into the USA. Several co-conspirators allegedly hired to supply birds and other animals from Argentina, Bolivia, Brazil, Ecuador, Mexico, Paraguay and the Philippines, have been named in the indictment.

Silva, an aviculturist and author of numerous books on the subject of birds, is accused of involvement in the smuggling, purchase and offering for sale protected birds, including, amongst others, 186 Hyacinth Macaws *Anodorhynchus hyacinthinus*, Yellow-shouldered Parrots *Amazona barbadensis*, Vinaceous Parrots *A. vinacea*, Golden Parakeets *Aratinga guarouba*, Blue-throated Parakeets *Pyrhura cruentata* and Red-vented Cockatoos *Cacatua haematuropygia* (all App. I). Daoud is alleged to have assisted in the operations in the USA. Gisela Caseres, of Asunción, Paraguay, is alleged to have supplied Silva and Daoud with many of the parrots from South America, while Hector Ugalde, of Florida, is charged with smuggling birds received from Caseres into the USA.

The enquiry covers alleged illegal activity over a period of 9 years and has been the subject of an undercover investigation by the USFWS and Justice Department. The indictment includes charges of violating CITES, US federal laws and laws of several other countries. The case is pending.

On 16 December 1994, in Maryland, Roberto Daverio was sentenced to 6 months' imprisonment and subsequent deportation to his native Argentina following his attempt to smuggle reptiles into the country.

Daverio had been arrested on 28 August as he entered the country at Baltimore-Washington International airport. Customs officers discovered 215 Argentine Tortoises *Geochelone chilensis* (App. II), 71 Argentine Spot-bellied Sideneck Turtles *Phrynops hilarii* and 1 Argentine Snakeneck Turtle *Hydromedusa tectifera* (all protected in Argentina) wrapped in towels inside cloth bags contained in his luggage.

At less than 100 cm in length, their importation also contravened public health laws.

On 28 December 1994, Manuel Frade was arrested at Miami International airport after inspection of his luggage revealed a number of CITES-listed reptiles and amphibians, and other animals. Frade, who had arrived from Caracas, Venezuela, had signed a Customs Declaration Form to indicate that he was not in possession of live animals.

Concealed in cloth bags inside a pair of jeans in the defendant's luggage were 3 Rainbow Boas *Epicrateras cenchria*, 5 Boa Constrictors *Boa constrictor constrictor* and 6 Cook's Tree Boas *Corallus enydria*. Approximately 300 Yellow-banded Poison-arrow Frogs *Dendrobates leucomelas* were contained in 3 bottles labelled 'horse shampoo'. All the species are listed in App. II. Also found in plastic containers were over 200 bird-eating spiders and 6 egg sacks containing some 450-600 eggs, thought to be bird-eating spiders.

Frade was charged with violating the *Endangered Species Act* and awaits trial.

On 9 February 1995, Daniel and Francis Gonzalez, of Miami, were convicted of selling sea turtle Cheloniidae eggs in violation of the *Endangered Species Act*. Francis Gonzalez had admitted knowing it was illegal to trade in and sell the eggs.

The activities of the defendants were brought to the attention of federal wildlife agents by an informant, and resulted in the couple unwittingly offering the eggs for sale to USFWS undercover agents at the defendants' restaurant. The eggs had been provided by a Nicaraguan national who was separately prosecuted for smuggling the eggs through Miami International airport after arriving on an international flight from Managua.

The pair were sentenced to six months' house arrest, one year's probation and a US\$1000 fine.



Boelen's Python *Python boeleni* (App. II).

© F. Antram

On 24 February 1995, at Akron Federal District Court, Edmund Celebucki of Parma, Ohio, was charged with conspiracy to smuggle protected reptiles from Papua New Guinea to the USA. The animals were to be sold as captive-bred specimens to collectors and reptile retailers.

Celebucki, who pleaded guilty to the two-count indictment on 26 May 1994, was involved in travelling with associates to Papua New Guinea over an 8-year period. On the occasion of Celebucki's arrest he was in possession of Bismarck Ringed Pythons *Liasis boa*, Boelen's Pythons *Morelia boeleni* (App. II), Olive Pythons *Morelia olivacea* (App. II), Green Tree Pythons *Morelia [Chandropython] viridis*, Amethystine Pythons *M. amethystina amethystina* (all App. II), and other reptiles.

Celebucki was sentenced to 15 months' imprisonment for contravening CITES and the US *Lacey Act* and for violation of a ban governing exports of certain reptiles from Papua New Guinea.

*US District Court, Northern District of Illinois, Eastern Division; Psittascene 7(1), US Department of Justice News Releases, 29 November 1994; 16/29 December 1994; 9/27 February 1995*



# TRAFFIC BULLETIN



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The Journal of the TRAFFIC Network disseminates  
information on the trade in wild animal and  
plant resources

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Assistance with investigations was provided to authorities by TRAFFIC staff in many of the cases reported below that occurred in regions covered by a TRAFFIC office or representative.

## EUROPE

### BELGIUM

There have been over 11 incidents since the beginning of 1994 where Customs authorities at Zaventem airport have seized worked pieces of ivory of African Elephant *Loxodonta africana* (App. I); the amount totals over 22 kg; some of the items were being exported but most had arrived from Zaire. Other seizures during the same period include bags and bracelets crafted from the skins of African Rock Python *Python sebae* (App. II); 6 whole skins of this species were also illegally imported, as well as 1 skin each of Anaconda *Eunectes murinus* and Boa Constrictor *Boa constrictor* (both App. II).

In early May, 4 Crested Caracaras *Polyborus plancus* (App. II) and 8 Ferruginous Pygmy-Owls *Glaucidium brasilianum* (App. II) were seized at Zaventem airport. The shipment of live birds had arrived from Peru and was bound for a dealer in the Netherlands. Although covered by a valid export permit, their import was illegal because both species are listed in Annex C1 of EC Regulation 3626/82 and thereby treated as if in CITES Appendix I. The birds are being cared for at Antwerp Zoo.

On 5 May 1994, Customs officers at Zaventem airport seized 20 small tortoises (5 cm diameter) from a German passenger travelling from Brazil to Germany. The man immediately abandoned the animals, claiming that he did not know that paperwork was required for their passage. The tortoises were transferred to Antwerp Zoo where they were identified as Red-footed Tortoises *Geochelone carbonaria* (App. II).

An investigator, with good knowledge of the illegal tortoise trade, states that it has long been suspected that couriers travel to Brazil during the hatching season in order to collect juveniles of this species, which is much sought after in Europe.

TRAFFIC Europe



Crested Caracara *Polyborus plancus* (App. II)

### CZECH REPUBLIC

The Czech Inspection for the Environment has been investigating several cases involving the smuggling of birds.

On 17 May 1993, at Prague airport, Customs officers seized 48 parrots (4 Blue-and-yellow Macaws *Ara ararauna* (App. II), 7 Cuban Parrots *Amazona leucocephala* (App. I), and 37 Orange-winged Parrots *A. amazonica* (App. II)). The birds were stored in 4 boxes and had been illegally imported from Cracow, Poland, bound for Kuwait via Prague. Because of their poor condition, the birds were taken to Prague Zoo.

On 24 June 1993, at Breclav check-point, on the border with Austria, Customs officers searched the vehicle of a Czech passenger where they discovered 2 Hyacinth Macaws *Anodorhynchus hyacinthinus* (App. I) and 7 Blue-headed Macaws *Ara couloni* (App. II). The parrots, all of which were seized, had been delivered to Bratislava airport via Moscow by a Uruguayan citizen. The Czech was the owner of another shipment of parrots, seized in Germany, some months earlier (see Germany).

IUCN Czech Project Co-ordination Unit

### FRANCE



Gorilla skulls seized in France

In January 1994, 10 Gorilla *Gorilla gorilla* skulls, which had originated in northern Congo, were seized by the Office National de la Chasse (National Hunting Office). The skulls had been advertised in a mail-order magazine bearing the endorsement "rare trophy, badly sought by collectors". The Office National de la Chasse has referred the case to the Crown Court of Charleville Mezières for investigation.

In March 1994, at St Gaudens Crown Court in the Haute Garonne, Pierre Cadeac was given a suspended prison sentence of six months and fined Fr. 10 000 (US\$1745). Cadeac, manager of Animal Vision, a company that specializes in providing wild animals for entertainment shows, had used false documents for importing 1 Chimpanzee *Pan troglodytes* (App. I) into the EU (see TRAFFIC Bulletin 13(2):75). In addition, Mr Cadeac has not been able to provide the compulsory official authorisation required for conducting his business. Cadeac has previous convictions for wildlife offences carried out in 1986 and 1992 (see TRAFFIC Bulletin 13(2):75). His accomplice, Ahmed Belkassi, fraudulently imported two Barbary Macaques *Macaca sylvanus* (App. II) from Morocco and has been fined Fr. 2000.

TRAFFIC Europe

### GERMANY

In March 1993, a shipment of parrots was seized by Customs authorities at Zinnwald, on the border with the Czech Republic. Included in the consignment were 10 Cuban Parrots *Amazona leucocephala*, 8 Red-spectacled Parrots *A. pretrei*, 2 Red-tailed Parrots *A. brasiliensis*, 1 Blue-cheeked Parrot *A. dufresniana* (all App. I) and 2 Burrowing Parakeets *Cyanoliseus patagonus* and 1 Sulphur-crested Cockatoo *Cacatua galerita* (App. II). Because the birds were owned by a Czech national, the Czech Inspection for the Environment carried out investigations which revealed that the birds had been obtained from dealers in the former Yugoslavia and were bound for Denmark. The Czech was also responsible for a shipment that was seized some months later at Breclav, in the Czech Republic (see Czech Republic).

On 19 January 1994, Customs officers in Dortmund seized a number of exhibits displayed at an exhibition of weapons, traps, and hunting trophies. Nineteen exhibitors were charged and 80 items that were not covered by the requisite CITES permits were confiscated. These included claws of birds of prey and of bears that had been worked into jewellery, elephant feet and the furs of Lion *Panthera leo* (App. II), zebra and bear. The cases are under investigation.

IUCN Czech Project Co-ordination Unit; TRAFFIC Europe

### ITALY

On 16 February 1994, in Brindisi, the owner of a circus was given a suspended sentence of one month's imprisonment and 7 Chimpanzees *Pan troglodytes* were confiscated from his possession. The circus had been inspected in Brindisi harbour on arrival from Greece, in October 1991; false Italian and Spanish CITES certificates accompanied the shipment. The animals were placed in rescue centres (see TRAFFIC Bulletin 12(3):33).

On 2 April 1994, Forest Corps and Customs officers apprehended the crew of a Russian ship arriving at La Spezia harbour in Liguria from the Ivory Coast and bound for Genoa airport. In the crew's possession, and without the relevant documentation, were 30 African Grey Parrots *Psittacus erithacus* (App. II) which were to be sent by air to Leningrad. The crew have been charged with violating CITES and the case is under judicial review. The parrots are being cared for at a rescue centre.

On 11 April 1994, at Tarvisio, on the border with Austria, the Finance Guard carried out a routine search of a vehicle arriving from Yugoslavia via Hungary and Austria, apparently bound for France. He alerted officers of the Forest Corps and Customs on discovering two crates which were found to contain 2 Hyacinth Macaws *Anodorhynchus hyacinthinus*, 4 Red-



ITALY *ctd.*

vented Cockatoos *Cacatua haematuropygia*, 7 Red-fronted Macaws *Ara rubrogenys* and 19 Tucuman Amazons *Amazona tucumana* (all App. I). False CITES documents accompanied the shipment. A rescue centre is now caring for the birds and the case is under investigation.

The Customs anti-fraud unit (SVAD) has apprised the Italian representative of TRAFFIC Europe of the seizures undertaken, in collaboration with the Forest Corps, at Fiumicino airport, Rome, during 1993. A total of 160 CITES violations were detected and are under judicial review. The following items were seized: 185 kg worked Ivory, 42 sea turtle shells, 10 stuffed crocodilians, 8 felid skins, 629 reptile leather items, 256 live parrots, 1 live monkey, 83 mounted butterflies and 62 kg of corals. The new Italian CITES legislation and improved communication between Customs and the Forest Corps are allowing for more rigorous controls at the border checkpoints.

*TRAFFIC Europe; Forest Corps CITES Service; CITES Management Authority, Rome; SVAD, Fiumicino Airport.*

## NETHERLANDS

On 3 May 1994, at Amsterdam Crown Court, Kenny Dekker and Jan van der Gulik, both Dutch nationals, were charged with the smuggling of wild-collected eggs of Black Cockatoos *Calyptorhynchus* (App. II) from Australia to the Netherlands.

The outcome of the court case follows more than a year of investigation by the Dutch CITES enforcement team into the appearance of Black Cockatoos on the Dutch market; Black Cockatoos, of which there are five species, are not well established in aviculture and their export from Australia is banned. It was soon learned that an organized network was operating between Australia and the Netherlands; eggs were being collected in the wild and transported by couriers to the Netherlands; the eggs were incubated by contacts of Dekker and van der Gulik, and the young birds then distributed by the pair to bird keepers and dealers in that country. Enquiries by the Dutch authorities were also undertaken with officials in Australia and witnesses and couriers interviewed; one courier turned witness to avoid prosecution and confessed to smuggling eggs to the Netherlands on Dekker's behalf.

In April 1993, 86 Black Cockatoos were seized from bird dealers in the Netherlands and both Dekker and van der Gulik were arrested and kept in custody for two months whilst the investigation continued.

When the case came to trial in January 1994 it was dismissed owing to lack of evidence. However, the Dutch authorities appealed to a higher court and, on 3 May, Dekker was sentenced to 18 months' in prison and van der Gulik received a 12 months' (six months definitive) prison sentence; the latter was also ordered to pay Dfl.400 000

(US\$212 000) which was based on the estimated profit made from the sale of the birds; 22 Black Cockatoos in van der Gulik's possession were also confiscated. The wife of van der Gulik, and a number of others who had allegedly assisted in raising the young cockatoos, were acquitted.

In 1988, van der Gulik and a colleague were fined for the illegal possession of Hyacinth Macaws *Anodorhynchus hyacinthinus*; the fines were reduced following an appeal.

*General Inspection Service, The Netherlands*

## AFRICA

## SOUTH AFRICA

On 26 January 1994, at Johannesburg Regional Court, Derrick Hanekom, of Hurleyvale, pleaded guilty to charges of illegal possession of rhino horn. Hanekom, owner of a hair-dressing salon that had run into financial difficulties, had reportedly acquired the horn from a client who had obtained the item in the former Rhodesia. If Hanekom succeeded in selling the horn, the client had offered him half the amount received from the sale. Although approached by someone interested in buying the horn, Hanekom was arrested before any sale went through.

Hanekom was sentenced to a fine of R7000 (US\$2000) or three years' imprisonment.

*TRAFFIC East/Southern Africa (South Africa). The Citizen (South Africa), 27 January 1994*

## TANZANIA

In March 1994, the Tanzanian Wildlife Department confiscated 5 juvenile Chimpanzees *Pan troglodytes* (App. I) and 66 African Grey Parrots *Psittacus erithacus* (App. II). The animals had been illegally imported from Zaire. Two suspects await trial and the animals are being cared for at a lodge in Kigoma.

*International Primate Protection League News, Vol. 21(1), April 1994*

## ZAMBIA

A case involving the seizure of 81 elephant tusks in Kaoma came up for trial on 9 February but took a dramatic turn when five of the six sureties for the accused were detained following the disappearance of the suspects.

On 15 November 1993 the three Kaoma residents were arrested while they were making preparations to smuggle the tusks out of the country. The tusks were of various sizes, some standing as tall as an average man, indicating that they were removed from elephants over ten years ago when elephant tusks were more commonly such a size. The contraband had been deposited in a pick-up van ready for transportation to a make-shift airstrip in Kafue National Park from where it was to be smuggled out of the country by air to an unknown destination.

The suspects were charged with unlawful possession of proscribed Government trophies contrary to Sections 133 and 177 of the *National Parks and Wildlife Act*, No. 10, 1991. They were later released on bail by the Kaoma Magistrates' Court and ordered to appear in court for trial on 9 February. When two of the accused failed to appear in court on that date, the Senior Resident Magistrate effected a detention order for the sureties of the escaped suspects. The sureties pleaded with the court to allow them to search for the escapees. They were freed but when the seven days they were allocated to carry out their search did not disclose the whereabouts of the accused, the court adjourned the case until 14 April to allow them more time.

On 14 April the case was withdrawn under Section 88 (n) of the Criminal Procedure Code because the two main suspects could not be traced. The State felt it would be unreasonable to try the third person on his own and he, as well as the five sureties, were released. The Species Protection Department of the Anti-Corruption Commission will continue to seek the offenders.

In February 1994, four armed poachers were arrested by wildlife police officers in Muobezi-Sichifulo Game Management Area. The group was preparing to transport 10 pairs of elephant tusks and bundles of buffalo meat, together with arms and ammunition, to a hideout.

*The Species-Watch Newsletter, Vol. 1, Nos. 9/10, December 1993/January 1994; February/March 1994; M. Nyau in litt., 10 May 1994.*

## ASIA

## INDIA

On 28 January 1994, Customs officials in north Delhi seized a record amount of wool of the Tibetan Antelope or Chiru *Pantholops hodgsoni* (App. I), known as shahtoosh wool and used in the manufacture of shawls. Some 400 kg of shahtoosh and 3000 kg of wool from the domesticated Pashmina goat were seized from a small hut. Four persons were apprehended for interrogation but no arrests have been made. Preliminary investigations reveal that the wool had been smuggled into the country from Nepal to where it had probably been brought from Tibet, where this species occurs.

Forensic tests carried out by the US Fish & Wildlife Service on a consignment of wool thought to be Chiru and seized at Delhi airport in June 1993 confirm that the wool is indeed from that species (see *TRAFFIC Bulletin* 14(1):38).

On 28 January 1994, skins of a Tiger *Panthera tigris* and 2 Leopards *Panthera pardus* (both App. I) were seized following lengthy investigations by Delhi police, assisted by TRAFFIC India, into the trade in these items in Delhi. Six persons were detained for questioning and the case is under judicial



review. Two others, who are believed to be holding much larger stocks, absconded but arrests and further seizures are expected.

Following a tip-off, police in Gokulpuri, Delhi, seized 2 Leopard *Panthera pardus* skins from a trader who, following his arrest, admitted that he was the mediator between poachers based in Uttar Pradesh and purchasers in Delhi. He revealed the names of the traders to the police and said that the skins were generally exported to the Gulf, indicating that this incident was not unique.

In March 1994, an Indian Customs officer at Attari station in north-west India discovered 3 Sloth Bears cubs *Melursus ursinus* (App. I) encased in a carton; the animals were bound for Pakistan, en route from Delhi. The person accompanying the shipment had fled by the time the carton was opened.

Live bears are used for entertainment purposes in Pakistan (see *TRAFFIC Bulletin* 14(2):48).

The Government of India is investigating the case; by the time it was informed of the affair, two of the three cubs had died as a result of sedatives and inadequate care.

On 31 March 1994, in Dudhwa National Park, staff of TRAFFIC India assisted in the apprehension of a wildlife trader from whom an adult Leopard *Panthera pardus* skin was seized. The animal had been leg-trapped and shot. The names and addresses of a number of poachers were divulged by the trader in a subsequent interview. The case is pending.

On 1 May 1994, a consultant to TRAFFIC India, acting on information received from an informer, assisted in the arrest of two persons at a location close to Kanha National Park in Madhya Pradesh and the seizure of one fresh Tiger *Panthera tigris* skin; the animal had been recently killed by poison. Following interrogation of the two suspects, the person who poisoned the Tiger was also arrested. Investigations are continuing.

TRAFFIC India has received further leads on the poaching of Tigers in Madhya Pradesh, the largest State in India which also contains the greatest number of Tigers of all the States in India. In February this year, in Itarsi, 30 kg of Tiger bones, 40 kg Leopard bones, 4 Leopard skins and 146 skins of jackal *Canis* and fox were seized. Four persons have been arrested.

On 4 May 1994, 3 dead Slow Lorises *Nycticebus coucang* (App. II) were found abandoned in the passenger check-in area of Indira Gandhi International airport, New Delhi. It is thought that the animals died in the process of being brought to the airport or at the airport itself. The airport authorities were not able to find out the name of the passenger associated with the animals, nor the flight on which the animals were intended to be shipped out.

This incident, coupled with the seizure of 1300 live birds at the same airport on 6 April

1994, has led to a request by TRAFFIC India to the Collector of Customs to increase vigilance at the airport.

On 19 May, a major seizure of animal skins took place in the State of Jammu and Kashmir. Some 2133 skins were seized by wildlife officials from the railway parcel depot at Jammu, close to the Punjab border. The skins, from various destinations in the State of Uttar Pradesh, comprised 1000 Jungle Cats *Felis chaus* (App. II), 391 foxes, 587 jackals *Canis*, 145 civets, 8 Fishing Cats *Felis viverrina* (App. II) and 2 spotted deer.

This is the first seizure of this size in the State. Jammu and Kashmir has enacted its own wildlife legislation which is less strict than that which is applied in other States. As a consequence, illegally obtained wildlife skins can be made into garments and may be lawfully sold in the State. India's Minister for Environment and Forests has taken up the matter of discrepancy in the legislation between States, with the Jammu and Kashmir Government.

*TRAFFIC India; The Pioneer (India), 3/4 February 1994; Hindustan Times (India), 24 March 1994*

#### JAPAN

There have been a number of seizures of Asian Bonytongues *Sclerophages formosus* (App. I), domestic trade in which contravenes the Law for the Conservation of Endangered Species of Wild Flora and Fauna (LCES) unless the specimens have been registered with the authorities.

On 8 November 1993, Shigeru Matsubara of Mito, Ibaragi prefecture, was arrested for offering for sale 100 Asian Bonytongues that he had not registered. He was arrested in 1991 for a similar offence.

On 25 November 1993, a pet shop owner in Fukuoka prefecture was arrested after trading



Tomato Frog *Dyscophus antongillii* (App. I)

© Mike Linley/Survival

illegally in Asian Bonytongues. He confessed to police officers that he had illegally imported red arowanas from Malaysia which he had declared as green arowanas; both red and green arowanas are varieties of Asian Bonytongue, the latter being more commonly available. He was convicted and fined Y100 000 (US\$1000).

On 1 February 1994, Kiyoshi Yamato of Osaka was arrested for selling Asian Bonytongues which he had offered to customers over the telephone. He was convicted and fined Y200 000-Y300 000 (US\$2000-US\$4000). Some years previously, Yamato was arrested in Singapore when found to be smuggling Asian Bonytongues from Thailand in his luggage.

On 13 January 1994, a pet shop owner in Osaka was arrested for offering for sale 25 Tomato Frogs *Dyscophus antongillii* (App. I). The amphibians had not been registered with the Environmental Agency, as required (see above). It was discovered that the specimens had been included in a shipment of *Dyscophus insularis* that had been legally declared. The consignment had been imported from Switzerland. The Tomato Frog is a rare amphibian restricted to north-east Madagascar. The frogs were on sale for Y9000 (US\$90) each.



Slow Loris *Nycticebus coucang* (App. II)

© WWF/M. Kavanagh



## JAPAN ctd.

On 4 February 1994, 24 kg of Hawksbill Turtle *Eretmochelys imbricata* shells were seized from two dealers at Narita airport, Tokyo. The shells had been purchased in the Dominican Republic for Y5000 (US\$50) a kg.

Despite having a reservation with respect to this species, Japan entered a zero quota in July 1993, at which time the country stated its intention to drop its reservation on the species in July 1994.

TRAFFIC Japan

## TAIWAN

On 18 March 1994, Dekiy Wangchuk, of Bhutan, was sentenced to 10 months' imprisonment for smuggling rhino horns. Wangchuk, a member of the Bhutanese royal family, was caught at Chiang Kai-shek International airport with 22 Indian Rhino *Rhinoceros unicornis* horns and 9 bear gall bladders in September 1993 (see TRAFFIC Bulletin 14(2):77).

On 21 April 1994, police seized over 2 kg of Tiger bones from a Chinese medicine store in Taipei. The owner of the shop in Hsulin township told police that he had bought the bones two years previously from another medicine shop in Taipei. He faces a gaol term of up to one year and a maximum fine of NT\$10 000 (US\$370 000). A further two pharmacists operating in Wanhua and Tatung districts were recently caught selling Tiger parts by Taipei police.

On 23 May 1994, police seized semi-worked ivory products from an artefacts shop in the southern port city of Kaohsiung. The shop owner had not registered the stock with the Council of Agriculture as required under the Wildlife Conservation Law. Eight large boxes were needed to remove the seized ivory products, which came in various forms. The police discovered the ivory following information provided by suspects in an earlier smuggling case.

TRAFFIC Taipei; The China Post (Taiwan), 22 April 1994/24 May 1994; The China News (Taiwan), 22 April 1994

## OCEANIA

### AUSTRALIA

On 13 April 1994, at East Perth Court of Petty Sessions, Matthew Eric Schram, a US citizen, was charged under the Wildlife Protection Act and Crimes Act relating to the illegal export of native fauna. Schram had been arrested by Customs authorities in Western Australia in connection with the discovery by Customs officers of 23 Oblong Turtles *Chelonda oblonga*

contained in crates declared as "artefacts all made in Australia". The feet of the reptiles were bound with tape and placed inside sealed individual calico bags which had been hidden under a false bottom in each of two crates and covered with shredded paper containing some pottery artefacts. It is alleged that the Turtles were caught at Lake Joondalup and were bound for Malaysia.

Schram was not required to plead and was remanded to appear in the Central Law Courts on 22 April. Bail conditions were set at a recognizance of A\$20 000 (US\$14 500) and A\$20 000 security. He was ordered not to go within 1 km of Perth International Airport, to surrender his passport and to report daily to Subiaco police.

The discovery of the Turtles was prompted by information received from Frontline, a co-operative venture between the Australian Customs Service and industry groups involved with international trade and transport, to combat illicit drug trafficking and other offences.

Under the Wildlife Act export of these Turtles without a licence is prohibited.

Australian Customs Service News Release, 13 April 1994

## AMERICAS

### USA

On 28 April 1994, at the US District Court in Austin, Texas, Jesus Natividad Maldonado, of Sandia, Texas, was charged with violations of the Federal Smuggling Statute, the Endangered Species Act and the Lacey Act, with respect to the illegal possession, transportation and attempted sale of a number of parrots. He was sentenced to 5 years' imprisonment, 3 years of supervised release and fined US\$10 000.

In February 1992, Maldonado was apprehended at a road junction by police in Austin, who found 70 juvenile Yellow-naped Amazons *Amazona auropalliata* (App. II) concealed in the rear of his vehicle. The defendant, and his cousin Teodora Maldonado Garcia, the driver, claimed the parrots had been bred in captivity at Maldonado's aviary. During the trial, Garcia testified that Maldonado had never bred any of these birds and used his aviary only as a front to mislead agents; expert witnesses at the trial further testified to the difficulty in breeding this bird. Garcia pleaded guilty to a charge of possession of smuggled parrots in July, 1993. Investigations by US Fish and Wildlife Service (USFWS) and Customs agents found that Maldonado had been involved in the large-scale smuggling of parrots from Mexico into the USA.

Maldonado faces further charges, along with 11 other individuals, involving parrot smuggling.

On 8 February 1994, at Los Angeles District Court, Richard Furzer was sentenced on five felony charges relating to the conspiracy to smuggle birds into the country illegally, charges

to which he had pleaded guilty in August 1993 (see TRAFFIC Bulletin 14(1):38). During the period 1988 to 1990, Furzer had imported some 2400 African Grey Parrots *Psittacus erithacus* (App. II) from Zaire into Senegal, where CITES re-export permits were obtained using fraudulent information for the subsequent shipment of the birds to the USA.

He was sentenced to 18 months in prison on each count, to be served concurrently; 3 years of supervised release; restitution of US\$75 000 to the USFWS (US\$25 000 at the time of sentencing and US\$50 000 to be paid during the period of supervised release); and, forfeiture to the USFWS of 76 African Grey Parrots and 24 Eclectus Parrots *Eclectus roratus* (App. III). He was also ordered to pay a US\$250 special assessment fee.

On 9 March 1994, in US District Court, Southern District of New York, Ebbe Tony Lofqvist, a Swedish national, was convicted of charges related to the illegal import of 6 tusks of African Elephant *Loxodonta africana*. Lofqvist had been apprehended by USFWS and US Customs Service agents on 27 September 1993 after smuggling the tusks from Sweden by ship, to Port Newark, New Jersey. Unwittingly, he arranged to sell the goods, described on Customs documents as engine parts, to an undercover US Customs agent for US\$180 000. According to receipts shown to the agent, the ivory apparently originated in Zambia and had been imported to Germany in 1973. Following his arrest, Lofqvist pleaded guilty to smuggling charges and remained in custody until his trial, when he was sentenced to 10 months in gaol and fined US\$2050.

Investigations by the USFWS and Customs authorities revealed that Lofqvist had bribed sea captains and freight carriers to ship an unknown number of tusks from Germany to Sweden and then onto the USA, laundering his earnings through a friend in Sweden. He allegedly tried to sell ivory carvings, uncut ivory, and the hands and feet of unspecified numbers of Gorilla *Gorilla gorilla*; he also disclosed to an undercover agent that he had access to 10 t of uncarved ivory stored in a German warehouse.

On 14 April 1994, at the US District Court of Puerto Rico, 12 nationals were charged with violations of the Endangered Species Act, the Lacey Act, conspiracy, and aiding and abetting the commission of a crime relating to the take, possession, transportation and sale of Hawksbill Turtles *Eretmochelys imbricata* and Green Turtles *Chelonia mydas* (both App. I). The accused are being held in San Juan awaiting trial.

US Fish and Wildlife Service, Division of Law Enforcement, Washington Office; Department of Interior, USFWS Press Releases, 22 February/19 March/14 April 1994; Department of Justice, 28 April 1994; Star Ledger (USA), 19 March 1994



# TRAFFIC BULLETIN



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The Journal of the TRAFFIC Network disseminates  
information on the utilisation of wild animal and  
plant resources

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Assistance in investigations was provided to authorities by TRAFFIC staff in many of the cases reported below which occurred in regions covered by a TRAFFIC office or representative.

## EUROPE

### BELGIUM

On 6 September 1993, at Zaventem airport, Customs officials seized a shipment of small Ivory blocks. The goods, which had been stained brown, had been sent express mail from Kinshasa, Zaire, to Singapore via Belgium. The 52 kg of Ivory had been cut by machine, the pieces being of a uniform size 6.6 cm and 2 cm x 2 cm in diameter.

TRAFFIC Europe

### BULGARIA

In June 1993, in separate incidents, the Forestry Service of the Ministry of the Environment penalised three individuals for collecting a total of 72 specimens of Hermann's Tortoise *Testudo hermanni* and Spur-thighed Tortoise *T. graeca* (both App. II). The animals were returned to the wild.

Of 41 African Grey Parrots *Psittacus erithacus* confiscated in two separate incidents from one or more Nigerians at Sofia airport in June, 22 remain alive and are being cared for at Sofia Zoo. Discovery of one of these consignments arose following a tip-off from a maid at an hotel, who reported the discovery of some dead birds that had been disposed of by a Nigerian who was staying there whilst in transit. The man was searched by Customs the following day as he prepared to board a flight to Istanbul. No charges were made as he was in transit.

On 12 August 1993, 330 Bulgarian and 100 Polish peace-keeping soldiers landed in Burgas, having travelled from Cambodia via Bangkok. When questioned by Customs about animal excrement found in some items of luggage, the soldiers stated that a number of monkeys, pythons and other specimens had been confiscated in Bangkok. One civet was confiscated and has been placed in Sofia zoo.

Animals have been confiscated on two previous occasions at Sofia airport from Bulgarian soldiers returning from Cambodia (see *TRAFFIC Bulletin* 14(1):35).

TRAFFIC Europe

### FRANCE

In early February 1993, 3 Asian Elephants *Elephas maximus* (App. I) arrived at the port of Le Havre from Riga, Russia; the animals belonged to the Circus of Russia which had arrived to tour under the banner of the Arlette Gruss Circus. No CITES import permits were provided and despite recommendations by the French CITES Management Authority to refuse the animals entry into the country, the elephants were disembarked for welfare reasons following their lengthy

journey. Shortly afterwards, they began their tour with the agreement of the French Ministry of Culture. CITES enforcement officers investigated the circus and found, in addition to the elephants, 10 Leopards *Panthera pardus*, 3 monkeys *Cercopithecus* sp. and several macaws, none of them covered by CITES permits. Although the infraction was reported to authorities in Rouen, placing confiscated animals was deemed to be too problematical and the animals were left with the circus. The French office of TRAFFIC Europe has lodged a complaint with the authorities over the irregularities of this case.

In February 1993, Customs officers at Orly airport seized 390 specimens of cacti from the luggage of members of a cacti-fanciers group who were returning from a collecting trip in Mexico. The plants were identified by the National Museum of Natural History (CITES Scientific Authority) as being wild-collected specimens of *Stenocereus*, *Ferocactus*, *Coryphantha*, *Neobuxbaumia*, *Echinocereus*, *Echinofossulocactus* (= *Stenocactus*), *Marginalocactus* (= *Pachycereus*) and *Dolichotale* (*Mammillaria*). Over half of the plants belonged to *Mammillaria*, and included 9 specimens of *Mammillaria solisoides* (App. I). Some of the cacti were over ten years' and maybe as much as 100 years' old. The Museum has been entrusted with their care, most of which were badly damaged. The estimated value of the plants is Ft200 000 (US\$40 000).



One of the cacti specimens seized at Orly airport.

In March 1993, the Office National de la Chasse seized from a trader the following App. I species: 1 Golden Conure *Aratinga guarouba*, 1 Salmon-Crested Cockatoo *Cacatua moluccensis*, 1 Hyacinth Macaw *Anodorhynchus hyacinthinus*, 7 Scarlet Macaws *Ara macao*, 4 Blue-and-yellow Macaws *Ara ararauna* and 2 Yellow-crowned Amazons *Amazona ochrocephala*. In addition, 250 Goldfinches *Carduelis carduelis*, a protected species in France, were confiscated. The case is under investigation.

TRAFFIC Europe (France)

### GREECE

On 14 November 1993, Greek Customs officials seized two young female Chimpanzees *Pan troglodytes* (App. I) from a photographer travelling with an Italian circus. The chimps were dressed in clothes and posed with children for photographs; allegedly the photographer had purchased the animals in Spain but their country of origin is unknown. Although Greece has not enacted legislation to implement CITES following its accession to the Convention in January 1993, advice from TRAFFIC led to authorities

invoking Customs contraband legislation. Over the past year, TRAFFIC has called attention to possible violations by at least eight circuses in Greece but this is the first seizure of this kind. The chimps have been placed in a rescue centre in the UK and a court case is pending.

The photographer had been previously charged with illegal possession of 3 Chimpanzees whilst travelling with a circus in Lghorn, Italy, in 1992 (see *TRAFFIC Bulletin* 13(1):34). That case is still pending.

On 31 December 1993, Greek authorities, accompanied by a representative from the Hellenic Wildlife Hospital, confiscated over 100 European songbirds from a shop in Athens. The birds included Robins *Erithacus rubecula*, Blackbirds *Turdus merula*, thrushes *Turdus*, Greenfinches *Carduelis chloris*, Hawfinches *Coccothraustes coccothraustes*, Red Crossbills *Loxia curvirostra* and various other species of finch, all of which are protected by Greek law implementing EU legislation. The birds were taken to the wildlife hospital and most have been released in the wild. Over the years, a number of native birds have been seized from the same shop, but resulting fines have been small. A trial date has not yet been set.

TRAFFIC Europe

### ITALY

As a result of routine controls on wildlife imports at Palermo airport, forestry police confiscated a shipment containing 1490 cacti arriving from Peru. The plants were accompanied by a certificate stating that they had been artificially propagated. The exporter claimed that the plants were offsets or cuttings cultivated in the open air and therefore had the aspect of wild-collected plants. Upon close inspection, however, only 300 specimens were found to have been propagated. Specimens of the genus *Copiapoa* were amongst those found to be wild-collected.

TRAFFIC Europe

### NETHERLANDS

In November 1993, at Rotterdam harbour, a shipment of almost 1.9 million Tree Sparrows *Passer montanus*, with a weight of 33 t, was seized by Dutch authorities; the shipment was en route from China to Italy. European legislation prohibits the import of these birds, which are considered delicacies and sold either ready-plucked in food stores or processed into pâté. The case is under investigation.

TRAFFIC Europe

### NORWAY

On 7 October 1993, at Fomebu International airport, Oslo, an SAS cargo handler discovered 3.5 t of Minke Whale *Balaenoptera acutorostrata* in a container being loaded onto a Lufthansa airliner bound for Seoul, South Korea, via Frankfurt. The detection arose because the container, marked 'Norwegian shrimp', was damaged and the meat was clearly visible. The discovery was immediately reported to Customs officials.

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## SEIZURES AND PROSECUTIONS

Although Norway resumed commercial whaling of Minke Whale in 1993, with a domestic quota of 296 for the season, export was prohibited. Norway has issued no permits for exports of whale products. The meat has been returned to the cold storage room of the transport company, pending a decision.

*Verdens Gang (Norway)*, 11 October 1993;  
*TRAFFIC International*

### UK

Two shipments of ivory, painted brown, and sent through the post from Malawi to Taiwan, via the UK, were seized in May and June 1993. The shipments comprised carvings and each weighed 3 kg-4 kg.

On 7 January 1994, Customs officers at Heathrow airport seized a shipment containing 788 reptiles and amphibians, including 397 Royal Pythons *Python regius* (App. II), that had been illegally imported from Ghana on 23 December 1993; an import ban on this species had been imposed by the EU on 1 December. During the period of their detention the animals have been cared for at the animal quarantine station at Heathrow. This is the largest-ever seizure of reptiles and also the largest consignment of Royal Pythons ever seized in the UK.

*TRAFFIC International; H.M. Customs & Excise News Release*, 7 January 1994

## AFRICA

### SOUTH AFRICA

On 14 September 1993, at Johannesburg Magistrates' Court, Godfrey Sibiyi and Silo Lubisi, both of Soweto, were found guilty of illegal possession of ivory tusks and of trying to deal in ivory. Sibiyi was sentenced to a fine of R20 000 (US\$6000) or three years' gaol; Lubisi, a fine of R10 000 or two years' gaol.

On 22 September 1993, at Johannesburg Magistrates' Court, Chin-hsing Chan was sentenced to a fine of R6000 (US\$1800), or 18 months' gaol, for attempting to smuggle ivory tusks weighing a total of 20 kg.

On 16/17 October 1993, three men were arrested in Durban after trying to sell an elephant tusk to members of the South African Narcotics Bureau. The tusk was from Mozambique and was reportedly part of a consignment which included several rhino horns which were on their way to Natal.

On 25 October 1993, a container of elephant ivory was recovered from Durban harbour. The shipment had been destined for the Taiwanese port of Keelung. The ivory, which weighed a total of 486 kg, had been cut into 9907 cubes, some of which had been painted black and brown. A Taiwanese restaurateur and owner of an import-export business appeared at Pretoria Regional Court in November in connection

with the discovery. He was released on bail of R100 000 (US\$30 000); he is expected to appear in Johannesburg Regional Court at a later date. Two other Taiwanese are being sought in connection with the incident. South Africa's Endangered Species Protection Unit is working closely with Taiwanese police and the Zambian authorities on the case.

In November 1993, at Port Elizabeth Magistrates' Court, Gerhard Zaaiman was found guilty of the illegal possession of and offering for sale 4 Red-billed Firefinches *Lagonosticta senegala* and 4 Cut-throat Finches *Anacina fasciata*, species indigenous to South Africa. Zaaiman was convicted of a violation of the *Nature and Environmental Conservation Ordinance, 1974*, of the Cape Province, which restricts possession of most native bird species to parties holding valid Cape Nature Conservation (CNC) permits. He was sentenced to a fine of R600 (US\$180) or two months in gaol, and given a further mandatory sentence of four months in gaol, suspended for five years.

This is Zaaiman's second conviction on bird-related charges. In 1990 he was found guilty of importing 4 Louries *Tauraco* spp. into Cape Province without a permit. He was fined R50.

Seven people have been arrested for their part in the smuggling of 17 cycad plants valued at about R500 000 on the black market. The plants have been recovered.

On 3 January 1994, at Brits Magistrates' Court, Joachim Bjorn Westlin, a Swedish national, was found guilty of stealing 2 Carpet Pythons *Moralia spilota* from Hartbeespoort Dam Snake and Game Park. He was fined R2500 (US\$750) or three years' gaol. The snakes, worth about R40 000, have been returned to the park.

*TRAFFIC East/Southern Africa; The Star (South Africa)*, 15/23 September; 26 October; 15 December 1993; 4 January 1994;  
*Natal Mercury (South Africa)*, 18 October 1993

### TANZANIA

Four Russian nationals and a Tanzanian have been released following their arrest on charges of illegal possession of 106 kg elephant ivory in May 1993 (see *TRAFFIC Bulletin* 14(1):37).

In May 1993, at Kisumu Resident Magistrates' Court, two Dar es Salaam businessmen were charged with illegal possession of 545 elephant tusks weighing 799.5 kg; 2122 hippo teeth weighing 730 kg and 45.5 kg of shells. The accused were remanded in custody. The haul was impounded and added to Government stock. The case is under investigation.

In September 1993, Game wardens in Mpanda impounded 16 tusks weighing 55.9 kg and 2 Leopard *Panthera pardus* skins. The trophies had been abandoned by poachers who were being pursued by members of the Anti-Poaching Unit. The poachers have not been apprehended.

*TRAFFIC East/Southern Africa (Tanzania); Daily News (Tanzania)*, 6 September 1993

### ZIMBABWE

Twenty Zambian poachers have recently been arrested in Zimbabwe following skirmishes with Zimbabwean Game Rangers; others escaped with injuries. The Species Protection Department in Livingstone arrested a further 11 who were hurting elephants. All await sentencing.

*The Species-Watch Newsletter*, 1(8), October/November 1993

## ASIA

### HONG KONG

On 1 March 1993, Mr LI Kwok-ching was convicted of possession of 367 wild slipper *Paphiopedilum* orchids without a licence from the Agriculture and Fisheries Department. He was fined HK\$2500 (US\$325). He requested a review of his case but his conviction was confirmed on 14 July 1993 by the Supreme Court. The orchids were confiscated.

On 6 March 1993, Mr Hsu Shu-Hua was convicted for the fifth time in four years of illegal possession of wild orchids: on this occasion for 86 specimens of *Dendrobium*, *Bulbophyllum* and *Coelogyne*. He had already received a six-month sentence suspended for two years for his last conviction. Owing to a technicality Hsu's suspended sentence could not be enforced for this offence and he was fined HK\$17 200 plus legal fees amounting to HK\$5000 (US\$650).

All wild orchids are protected in Hong Kong under the *Animals and Plants (Protection of Endangered Species) Ordinance, Cap. 187*.

On 11 August 1993, at north Kowloon Magistrates' Court, Jimmy Lai pleaded guilty to charges of illegal possession of an adult Asiatic Black Bear *Selenarctos thibetanus* (App. I). He was convicted and fined HK\$5000 (US\$650).

Lai is reported to be willing to pay for all the expenses to send the bear to China; the authorities in Hong Kong are trying to find a suitable location for the animal.

A total of 1205 shops were recently inspected by authorities and more than 2000 small packets of medicine claiming to contain rhino ingredients were seized. Two pieces of rhino horn and some 6.7 kg of claimed rhino hides were seized from 114 shops. Sixteen owners have been prosecuted and convicted and more prosecutions are expected. One shop owner was fined HK\$5000 (US\$650) for illegal possession of 3 small packets of rhino medicine and another has been fined H\$4000 for illegal possession of 7 claimed Tiger *Panthera tigris* panises.

*WWF Hong Kong*

### INDIA

In July 1993 police seized 1373 snakeskins from an address in Delhi. The skins had been obtained from a well-known dealer in Madras.



## SEIZURES AND PROSECUTIONS

In July 1993, 2 Indian Rhino *Rhinoceros unicornis* horns were seized by police from residents of Guwahati, Assam.

On 9 July 1993, 740 kg of Jatamansi *Nardostachys grandiflora* were seized at Delhi airport. The plants were being exported to Pakistan. This plant grows at high altitudes in the Himalayan region and is used in medicines and perfumes. This seizure follows India's ban imposed on 1 April 1993 on the export of all medicinal plants of wild origin.

On 31 July 1993, at New Delhi airport, Customs officials seized 3000 snakeskins from an Afghan national who was bound for Teheran, Iran.

In August 1993, skins of 35 Rat Snakes *Ptyas mucosus*, 6 Indian Cobra *Naja naja* and 2 pythons *Python* were seized at Gowripur railway station in Assam.

In August 1993, 40 kg of Tiger bones were seized from a person at Bhairawa on the Nepal border. In a separate incident, 5 Tiger skins were seized from a Tibetan refugee at Dharchula on the border with Nepal.

On 5 August 1993, a consignment of 248 skins of Indian Cobra and 1552 skins of Rat Snake was seized at Palghat in Kerala.

On 23 August 1993 Customs officials at New Delhi airport seized 4821 skins of cobra, Rat Snake and viper which had been concealed in cushions contained in the luggage of 2 Syrian nationals who were bound for Damascus.

On 30 August 1993, as a result of an investigation by TRAFFIC India, Delhi police and the Deputy Director of Wildlife Preservation office seized 263 kg Tiger bones, 8 Tiger skins, 80 Leopard skins and 164 assorted mammal skins (see page 42)

On 2 September 1993, police in North Delhi took possession of 16 Leopard skins and 110 kg Tiger bones which were found in a field. It is suspected that the items had been abandoned following the Tiger bone seizure on 30 August.

On 11 September 1993, police at Muzaffarnagar, Uttar Pradesh, seized 2 Leopard skins from 2 local people who were arrested.

### TRAFFIC India

### JAPAN

The *Kokyū* is a traditional Chinese stringed instrument which is lined with skin from the Indian Python *Python molurus* (App. I/II). Customs officials at Narita airport, Tokyo, have noticed an increase in the number of these instruments either abandoned by tourists at the airport, or seized from them: some 300 in 1992, and 400 between January and August 1993.

At the end of 1992/early 1993, five people were arrested in Toyama prefecture for possession of skins of 4 Amur Tigers *Panthera tigris altaica* (App. I) which were included in a shipment of 30 other unidentified skins. The items had been obtained from a Russian sailor who had said more Tiger skins were available.

*Asahi (Japan), 3 October 1993; TRAFFIC Japan*

### NEPAL

On 1 September 1993, 73 Leopard skins, 19 kg Tiger bones and 158 unidentified mammalian skins were seized by Customs officials at Bhairawa, Nepal.

*TRAFFIC India*

### SINGAPORE

On 18 March 1993, authorities in Singapore arrested a Taiwanese, Mr Chen Jung Tsung, at Changi airport following the discovery of 220 Asian Bonytongues *Scleropages formosus* contained in four plastic bags in his possession. The fish had been purchased in Pontianak, Indonesia, and were to be brought into Taiwan. No CITES documents accompanied the shipment.

*TRAFFIC Taipei*

### TAIWAN

Four people have been charged with forgery in connection with a seizure of rhino horn and deer antlers at Chiang Kai-shek International airport, Taipei, in December 1992 (see *TRAFFIC Bulletin* 13(3):110).

On 27 August 1993, at Taoyuan District Court, Chung Shih-hsiung was gaoled for three years and six months; Weng Yuy-liang and Lan Li-lien for three years, and Weng Ching-jung for one year and two months, with four years' probation. The charges were for forgery.

The deer antlers had been shipped from New Zealand via Hong Kong, where it is believed the rhino horns were added to the shipment.

On 8 September 1993, during a raid on suspected drug dealers in Fenglin Town, Hualien police discovered 3 gibbons *Hyllobates* sp. and 2 baby Orang Utans *Pongo pygmaeus*. Although initially thought to be bought from the same source as the drugs, the owners now claim the animals were given as a gift, which is apparently legal under the *Wildlife Conservation Law*; it is not yet certain from which country they originated. Three people are being held on drugs charges and the decision of the animals' fate lies with the judge. If the owner is charged and voluntarily releases the animals to the authorities, the Council of Agriculture has said that it will repatriate the animals.

On 8 and 9 September 1993, investigations carried out by the Government led to raids on several medicine shops and art stores in Taipei City. Items seized included one unworked and two carved ivory tusks, one Muntjac *Muntiacus reevesi micrurus* paw, two

Hundred Pace Vipers *Deinagkistrodon (Agkistrodon) acutus*; articles thought to be 2 rhino horns, 3 Tiger penises, and 1 Tiger bone were also seized; their identity awaits confirmation. No charges have been made.

On 17 September 1993, Princess Ashi Deki Yangzom Wangchuck, a member of the Bhutanese royal family, was arrested at Chiang Kai-shek International airport, Taipei, following the discovery of 22 Asian rhino horns (14 kg) and 9 bear gall bladders in her luggage.

A staff member of TRAFFIC Taipei was allowed to interrogate Wangchuck shortly after her arrest. During the interview she claimed to have bought the horns over the past year or so (the source was not established) and that the bear gall bladders had been given to her. She had travelled to Hong Kong with the intention of selling the horns to raise cash to pay off a loan from the Bhutanese Government. Wangchuck apparently did not have any contacts in Hong Kong and was unsuccessful in finding any buyers. She had travelled to Taiwan after being advised that the products would fetch a higher price there. She admitted knowing that trade in rhino horn in Taiwan is prohibited.

Although the suspect holds a diplomatic passport, the Foreign Ministry maintained that the case should be handled according to ordinary criminal procedures. Taiwan and Bhutan do not have formal diplomatic ties. Wangchuck remains in custody and faces a maximum of two years' imprisonment.

There is no resident population of rhinos in Bhutan. The horns are believed to derive from the Indian Rhino *Rhinoceros unicornis* in either Assam or West Bengal, India.

On 3 November 1993, Zhuang Zhenghui, manager of Blue World Aquarium, in Taipei, was found guilty of displaying with intent to sell two Asian Bonytongues *Scleropages formosus* in contravention of the *Wildlife Conservation Law*. He was sentenced to 3 months' gaol or an equivalent fine. Zhuang's activities were uncovered following investigation by Government authorities on 16 July.

On 3 February 1994, police discovered a factory in Sanchung district, Taipei, that contained ivory products including 14 whole tusks, 18 semi-worked items, 3 pipes, 11 necklaces and 280 pieces. The two owners were arrested and investigations are being carried out by the police.

*TRAFFIC Taipei; TRAFFIC India; Council of Agriculture, Taiwan; Kuensal (Bhutan), 25 September 1993; United Daily News (Taiwan), 4 February 1994*

### THAILAND

Akihiko Mitoya of Osaka, Japan, was arrested at Bangkok's International airport on 25 January 1994 after attempting to smuggle 232 wild-collected slipper *Paphiopedilum* orchids (App. I) out of the country. Mitoya appeared in court on 28 January and was charged under *Plant Act B.E. 2518*. He pleaded guilty and was sentenced to a fine of 3000 Baht (US\$116) and a one month gaol term, suspended for one year.

*TRAFFIC Japan; Department of Agriculture, Thailand*



## SEIZURES AND PROSECUTIONS

### TIBET

The Tibet Government is reportedly making a serious effort to control the trade in the wool of the Chiru *Pantholops hodgsoni* (App. I). Recently wildlife authorities seized thousands of Chiru skins and penalties incurred for offences in this regard have been widely publicised in the country (see also *TRAFFIC Bulletin* 14(1):38/39).

On 8 July 1993, 4 Tiger *Panthera tigris* skins and 11 kg Tiger bones were seized from a person trying to cross into Nepal from Tibet.

Schaller in litt. to A. Kumar, *TRAFFIC India*, 5 December; *TRAFFIC India*

### OCEANIA

#### AUSTRALIA

A total of 420 summonses have been issued recently on 12 boats from Wollongong, Greenwell Point, Ulladulla and Sydney, for exceeding Gemfish *Raxea solandriquotas*. One boat and 130 t of Gemfish worth A\$325 000 (US\$220 000) were seized.

On 5 March 1993, at Hobart Magistrates' Court, Michael Kenny of Beachport, was fined more than A\$30 000 (US\$20 000) after being found guilty on charges of taking and possessing 1500 undersized male crayfish - Southern Rock Lobster *Jasus edwardsi*. Kenny was granted a stay of order after his lawyer argued that his client had no knowledge that the crayfish were undersize and that he would be appealing the decision in the Supreme Court. The appeal was heard in December 1993 but the ruling was upheld.

Customs officers at Adelaide airport arrested bird breeder Lell Ellul after they heard chirping coming from beneath the fly of his trousers. Mr Ellul was found to be concealing 4 Moustached Parrots *Psittacula alexandri* (App. II) that he had smuggled in from Thailand. On 19 November 1993, Ellul was fined A\$22 500 (US\$15 000).

Broad Cast, Newsletter of NSW Fisheries No. 5, September 1993; *The Daily Telegraph (Australia)*, 20 May 1993; *The Mercury (Tasmania)*, 28 May 1993; *The Independent (UK)*, 20 November 1993

### NEW ZEALAND

At the current rate of decline, the New Zealand Pigeon *Hemiphaga novaeseelandiae* faces possible extinction by the turn of the century in Northland, according to Judge D.C. McKegg, who recently fined Isaac and Martina Kake NZ\$750 (US\$420) each for being in possession of 15 plucked pigeons. The birds had been shot in Puketū Forest by two men who have not been caught. The judge said that the operation was a well-organised business with commercial overtones and that maybe the only way to prevent the bird's extinction is to sentence offenders to gaol.

*Forest and Bird Conservation News*, No. 82, November 1993

### AMERICAS

#### BRAZIL

Estudillo López Jesús, a Mexican citizen arrested on 13 February 1990 on suspicion of attempting to illegally export 22 birds out of the country to Mexico, has been found not guilty of any offence in relation to this incident (see *TRAFFIC Bulletin* 11(4):70). Jesús had already been released on bail following his arrest.

*TRAFFIC International*

#### FRENCH GUIANA

On 2 October 1993, 12 poison-arrow frogs *Dendrobates* (App. II) were seized at Cayenne Rochambeau airport from a German national travelling to Paris. The amphibians had been hidden in film boxes. French Guiana, a territory of France, prohibits the export of all amphibians.

*TRAFFIC Europe*

#### URUGUAY

Following investigations by *TRAFFIC South America*, authorities made two important confiscations at the end of 1993:

The personal luggage of passengers travelling to Montevideo from Buenos Aires, Argentina, was found

to contain 43 Chaco Tortoises *Geochelone chilensis*, 2 Rainbow Boas *Epicrates cenchria alvarezii*, 2 Common Iguanas *Iguana iguana* (all listed in App II) and 16 non-CITES-listed snakes and lizards. The CITES Management Authority in Uruguay, in co-ordination with Customs and *TRAFFIC*, has returned the animals to authorities in Argentina.

A bag on an Aeroflot airline bound for Moscow was searched by Customs officers at Montevideo airport and found to contain 4 Red-fronted Macaws *Aratinga rubrocapilla* (App. I), a rare bird endemic to Bolivia. The birds were seized and the case is under investigation.

*TRAFFIC South America*

#### USA

On 5 July 1993, agents of the USFWS and Customs Service arrested two Taiwanese men as they boarded a flight to Taiwan at Los Angeles International airport. One of the Taiwanese was searched because he was wearing a suspiciously bulging suit jacket; he was found to have 18 snakes in nylon sacks strapped to his arms and legs. Another 34 snakes were found in the couple's hand luggage. The following animals were confiscated: 28 California King Snakes *Lampropeltis getulus californica*, 7 Sinoioan Milk Snakes *L. triangulum*, 12 Black Ratsnakes *Elaphe o. obsoleta*, and 5 Corn Snakes *E. guttata*.

The California King Snake is protected by California state law which prohibits its commercial export; the export for commercial purposes of Sinoioan Milk Snake, along with most native Californian species, requires a permit. None of the species was federally protected. Many were captive-bred and most had unusual phases or patterns, or were mutations, e.g. albinos. Albino snakes can fetch prices of up to US\$1400 in Taiwan depending on the species. Officials speculate that the smuggling of unprotected species occurred to evade strict Taiwanese import restrictions. The only US requirement for the export of unprotected species is the completion of a declaration of export form at the time of exit.

Uy-te Chan was sentenced to one month in prison and one year probation and has already returned to Taiwan. China-kuo Liu, who was convicted of similar charges in 1992, was sentenced to 16 months in gaol and fined US\$20 000 if he re-enters the USA, where he would also be subject to three years' supervised release. He was also prohibited from dealing in reptiles in the USA. Three months of the sentence have already been served.

In 1992, Liu was charged under ESA with failure to declare wildlife and was sentenced to a US\$2,000 fine, 5.5 months' gaol and one year supervised release. Reptiles had been found wrapped around his body and contained inside clothing and in hand luggage as he passed through Customs controls.

*TRAFFIC USA; USFSW; Associated Press*, 2 September 1993



Poison-arrow frogs *Dendrobates* sp.



# TRAFFIC

## BULLETIN



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The Journal of the TRAFFIC Network disseminates  
information on the utilisation of wild animal and  
plant resources

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*Assistance in investigations was provided to authorities by TRAFFIC staff in many of the cases reported below which occurred in regions covered by a TRAFFIC office or representative.*

## EUROPE

### BELGIUM

On 2 March 1993, two skins of Brown Bear *Ursus arctos* were seized from a Belgian citizen as he was leaving the harbour of Antwerp by car; 3 deer skins, 2 deer antlers and a fox skin were also found. All items were apparently received from a seaman friend on board a Romanian ship.

TRAFFIC Europe

### BULGARIA

In November 1992 and February 1993, Bulgarian military police and Customs officers at Sofia airport confiscated pythons from Bulgarian peacekeeping soldiers returning to the country from Cambodia. Sofia Zoological Gardens is now caring for the 3 Reticulated Python *Python reticulata* (App. II) and 6 Burmese Pythons *Python molurus bivittatus* (App. II); 1 Leopard *Panthera pardus* (App. I/II) included in one of the shipments later died.

TRAFFIC Europe

There have been a number of confiscations of African Grey Parrots *Psittacus erithacus* (App. II) from one, or possibly more, Nigerian passengers transiting through European airports en route from Lagos to Istanbul, Turkey; in each of the cases reported below (see also under Italy and Netherlands), the passenger is believed to be the same person travelling under false passports but this has not been confirmed (see also TRAFFIC Bulletin 13(3):106).

On 9 June 1993, 28 African Greys were found in the luggage of a Nigerian passenger; 13 specimens were dead on arrival. Customs officers did not record the identity of the passenger since he lacked a visa to visit or transit through the country and was consequently sent back to Nigeria.

On 14 June, 33 African Greys were seized from the luggage of a Nigerian passenger; 7 specimens were dead on arrival.

In both cases, the birds had been tightly packed in small wire cages, their beaks taped. All surviving birds were placed in quarantine at Sofia Zoological Gardens. As of 8 July, only 26 specimens remain alive.

TRAFFIC Europe

### GERMANY

On 15 February 1993, following three years of enquiries, a nationwide search of parrot collections belonging to breeders and retailers was taken by Customs officers of Mönchen-Gladbach and a total of 458 parrots were seized. The enquiry was prompted by the discovery, in 1989, that a person had illegally imported more than 2000 parrots from the Netherlands over the previous three years using false CITES

certificates and sold the specimens to collectors and breeders, a business that had earned him an estimated DM150 000 (US\$87 500). Sentencing for these offences has yet to take place; the accused faces imprisonment for between three months and five years.

As a result of the raids, 36 lawsuits have been filed against the parrot owners and it is expected that those shops whose owners were involved will be closed. Amongst the seizures were four App. I species: Hyacinth Macaw *Anodorhynchus hyacinthinus*; Goffin's Cockatoo *Cacatua goffini*; Salmon-crested Cockatoo *C. moluccensis*; Tucuman Amazon *Amazona tucumana*, and the following App. II species: Red-tailed Cockatoo *Calyptorhynchus magnificus*; Red-tailed Black Cockatoo *C. funereus*; Mealy Amazon *Amazona farinosa*; Red-shouldered Macaw *A. nobilis*; Yellow-crowned Amazon *A. ochrocephala*; White-headed Amazon *A. oratrix*; Yellow-collared Macaw *Ara auricollis*; Yellow-billed Lory *Lorius chloroceros* and African Grey Parrot *Psittacus erithacus erithacus*.

German Customs; German CITES Authorities

### ITALY

On 30 June 1993, a Nigerian citizen was stopped as he was transiting through Rome airport, whilst travelling from Lagos to Istanbul. In two bags, and contained in 4 mesh cages, were 40 African Grey Parrots, their beaks bound with tape. The smuggler, whose name was passed to the authorities, reportedly declared to Customs officers that, because controls in Italy were more stringent than before, he would pass through Switzerland on his next trip, where he has never before been stopped. The birds are being cared for at a rescue centre.

TRAFFIC Europe-Italy

### NETHERLANDS

On 22 June 1993, Customs officers at Schiphol airport arrested a Nigerian, in transit to Istanbul, who was transporting 33 young African Grey Parrots in his luggage. The birds were contained in small cages, between 5 and 6 to a cage; their beaks had been taped. 4 of the birds were dead on arrival; another specimen was in poor condition. Those that survived are being cared for by Avifauna Bird Park.

TRAFFIC Europe-Netherlands

### UK

Customs officers at Dover searching a van that had just arrived from France discovered 700 African parakeets and finches contained in boxes. Two men from Essex, UK, were detained. The estimated value of the birds was £10 000 (US\$15 000).

The Independent (UK), 6 May 1993

## AFRICA

### BOTSWANA

The new Wildlife Conservation and National Parks Act was recently enforced for the first time for the

killing of a Hartebeest *Alcelaphus* without a licence and during the closed season. The accused was sentenced to a fine of P800 (US\$244) and sentenced to one year's suspended imprisonment; the gun used to kill the animal was forfeited.

IUCN Botswana

### KENYA

A consignment of 6000 birds arrived in transit at Jomo Kenyatta airport, after being freighted by lorry from Tanzania; more than 3000 specimens had already died. The birds included Red-cheeked Cordonbleu *Uraeginthus bengalus*; Lilac-breasted Roller *Coracias caudata*; Rufous-crowned Roller *Coracias noevii*; Superb Starling *Lamprolornis superbus*; Wattled Starling *Creatophora cinerea*; Purple Glossy-starling *Lamprolornis purpureus*; Golden-breasted Starling *Cosmopsarus regius*; Red-billed Firefinch *Lagonosticta senegalensis*; Purple Grenadier *Uraeginthus [granatina] lanthiogaster* and Yellow-fronted Canary *Serinus mozambicus*.

The birds were confiscated by the Kenya Society for the Protection of Cruelty to Animals on the grounds of insufficient supporting documentation and because the birds were unfit to continue their journey to Europe.

Daily News (Tanzania), 14 November 1992

### NAMIBIA

Wildlife officials in Namibia have noted what appears to be a significant increase in the illegal trade of Temminck's Ground Pangolins *Manis temminckii* (App. I). Four people were arrested in the Windhoek region during the weekend of 13 March in connection with the illegal capture, possession and trade of 7 Temminck's Ground Pangolins. One of the seized animals died and the remaining 6 were released at Waterberg Plateau Park. The 4 people arrested are expected to be tried in September. The arrests follow the conviction of a man earlier in March in connection with the illegal possession of 4 Temminck's Ground Pangolins. The individual was fined R200 (US\$60) by an Okakarara magistrate.

On 19 July, the South African police and Cape Nature Conservation officials arrested a man in Walvis Bay found to be in possession of 3 live *Manis temminckii*, as well as two and half skins and 248 scales of the same species. Cape Nature Conservation intends to file charges: South Africa shares jurisdiction of this area with Namibia. Of the live pangolins, 2 died and 2 were released.

Cape Nature Conservation; Namibian Ministry of Wildlife, Conservation and Tourism; Namibian Ministry of Wildlife, Conservation and Tourism Press Release, 16 March 1993

### SOUTH AFRICA

Individuals convicted of illegal possession of rhino horn (App. I) in Natal face prison sentences of up to 10 years and/or fines of up to R100 000 (US\$30 000).

On 5 December 1992, Natal Parks Board staff arrested two South African men in Empangeni, charging them with the illegal sale and possession of rhino horn and elephant ivory (App. I). A rhino horn weighing 4.8 kg, a rhino horn piece weighing 1.5 kg, and a small amount (0.4 kg) of ivory were confiscated from the two men, who were subsequently released on their own recognizance. The two await trial.



A Mozambican citizen was arrested in January 1993 following a joint operation by the South African police's Endangered Species Protection Unit and Kruger Park game rangers. Two elephant tusks, two AK47s and a Mushe Nagant rifle were confiscated from the defendant, who confessed to police that he was a logistics officer with Renamo, a rebel group in Mozambique. The confession fuels speculation that Renamo has been involved in the illegal ivory trade. The trial is still awaited.

During the weekend of 22 January 1993, police officers at Richards Bay recovered 2 rhino horns and an elephant tusk in a single seizure. One of the horns weighed 9 kg, and is believed to be the largest rhino horn ever recovered in Natal Province. Acting on information received, Captain Japie van Niekerk and Warrant Officer Stan Turketll visited a quayside building where they discovered the goods. Three Richards Bay residents were arrested and charged with dealing in ivory and rhino horns. Their case is pending.

In February 1993, two alleged rhino poachers were arrested and an AK47 and a Mushe Nagant rifle confiscated near Natal's border with Mozambique. The arrests, carried out by Jozini detectives and Natal Parks Board investigation teams, followed the 1992 shooting and removal of the horn from a White Rhino *Ceratotherium simum* in Mkuze Game Reserve. The men were arrested after allegedly entering Mkuze the weekend of 5 February, apparently in search of more rhinos. They await trial.

In March 1993, members of the Endangered Species Protection Unit of the South African police seized 60 kg of worked ivory, including ivory blocks, from a house shared by 19 Taiwanese citizens in Kempton Park, Johannesburg. The seizure followed a tip-off from an international courier company. The company became suspicious when asked to deliver a small, heavy parcel, purported to contain R17- (US\$5) worth of gemstones, to Singapore - a service costing R800. Two Taiwanese were arrested and are expected to appear before the Johannesburg Magistrates' Court in August. If convicted, they face fines of up to R100 000 plus up to three times the value of the ivory, and/or five years in gaol.

The owner of the property on which an ivory carving factory is located denied knowing the two under arrest, although he later organized bail of R5000 for each of the accused.

On 2 June 1993, at Pretoria District Court, Daniel Jan Oosthuizen of Pretoria was found guilty on charges relating to the illegal possession of elephant tusks. He was sentenced to six months in gaol or a fine of R6000 (US\$1600) of which R3000 was suspended for one year.

On 24 June 1993, at Kokstad Magistrates' Court, Mr S. Qunta was sentenced to a fine of R10 000 (US\$3000) or five years in prison for the illegal possession of a rhino horn weighing 7.6 kg and two elephant ivory tusks.

On 6 July 1993, two South Africans were arrested in Pietermaritzburg for being in possession of and offering for sale the anterior and posterior horns of a White Rhino. The asking price for the horn, which had a combined weight of 4.6 kg, was R20 500 (US\$6000). The two await trial in Pietermaritzburg.

On 27 July 1993, Victor Booyens of Wynberg pleaded guilty to the charge of having a White Rhino horn in his possession and attempting to sell it. He was sentenced by Johannesburg Magistrates' Court to a fine of R15 000 (US\$4300) or 600 days in gaol. Booyens admitted to having committed the offence on 7 October 1992. In a written statement handed to the court, he claimed he had originally planned to contact the police when the seller got in touch with him so that they could track down the man, but he could not get through to them. Defence representative, Mike Werner, told the court that Booyens had a "good working relationship" with the police and had helped them in the past.

*TRAFFIC East/Southern Africa-South Africa; Endangered Species Protection Unit of the South African police; South African police; Natal Parks Board; Saturday Star (South Africa), 21 February 1993; Natal Witness (South Africa), 26 January 1993, 8 February 1993; The Star (South Africa), 26 March 1993, 3 June 1993, 28 July 1993; The Citizen (South Africa), 28 July 1993.*

#### TANZANIA

Four Russian seamen and a Tanzanian citizen were arrested in Dar es Salaam in early June on charges of illegal possession of elephant ivory. The Russians were crew members of a ship which had docked in the port. A total of 50 pieces of elephant tusk weighing 102 kg were seized. The suspects were being held in police custody without bail until their case could be heard in the Kisutu Resident Magistrates' Court.

*TRAFFIC East/Southern Africa-South Africa*

#### ZAMBIA

In April 1993, three police officers appeared in Kafue Magistrates' Court accused of giving K40 000 (US\$80) cash to a wildlife public prosecutor as an inducement for him not to reveal the theft of 6 rhino horns which were exhibits in a case already before court. It was alleged that one of the officers, whilst acting alone, stole 6 rhino horns which were in his custody. The case has been adjourned until 2 June and the officers have been granted bail.

Eight poachers were arrested by paramilitary police on 18 April 1993 at the Chiawa Portoon after being found in possession of 12 elephant tusks (one of which weighed 29 kg), and armed with weapons.

*Species-Watch Newsletter, Vol. 1(5), April 1993*

## ASIA

### INDIA

In January 1993, 14 kg of Tiger *Panthera tigris* (App. I) bones were seized in Kotdwar Forest Division of Uttar Pradesh from two residents of Delhi. The persons are said to be members of an organized gang of Tiger bone traders and stated that they were on their way to Delhi where the bone would fetch Rs. 1500 (US\$50) a kg.

On 25 May 1993, 30 kg of Tiger bones were seized at Leh airport, Ladakh, in northwest India on the border with Tibet. This is the first known case of attempted smuggling of Tiger bones using this route. Further details are awaited on both these cases.

On 12 May 1993, two persons appeared in court in Delhi charged with illegal possession of skins of 8 Leopards *Panthera pardus* and 14 otters. TRAFFIC India staff appeared in court and opposed bail application. The accused were given judicial custody but finally obtained bail on 3 June. Investigation by TRAFFIC India indicates that the two are involved in what is believed to be the largest poaching network in northern India.

On 5 June 1993, 228 skins of Grey Wolf *Canis lupus*, hyaena, fox and wild cats, were found in an unclaimed railway parcel at Jaipur, in Rajasthan state; the parcel had been described as containing leather goods. This is the second railway parcel containing animal skins seized in Rajasthan in recent months.

In late April 1993, Customs officers at Delhi's container depot seized a consignment of some 5375 kg of Yew *Taxus baccata* leaves which was being transported from India to Italy.

Authorities have uncovered a large consignment of Peacock *Pavo cristatus* tail feathers and Sandalwood *Santalum spicatum* being transported to Singapore



*Yew Taxus baccata*

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Chiru *Pantholops hodgsoni*

A\$2000 (US\$1380), for poaching *Trochus Trochus* shells in waters around Rowley Shoals islands, northern Australia. The accused were arrested after their 10-m vessel was sighted by Australian police inside the Australian fishing zone. A number of those detained were underage and were sent back to Indonesia. The vessel and equipment were seized and will be destroyed.

Immigration archives record that two of the crew were found fishing illegally in Australian waters in 1980 and 1985. A number of cases of Indonesians apprehended for illegal fishing activities in Australian waters have been reported in previous issues of the *TRAFFIC Bulletin* (see 7(3/4):61; 10(1/2):10; 12(1/2):27; 12(3):73).

*The Indonesian Times (Indonesia), 14 July 1993*

## AMERICAS

### COSTA RICA

On 27 May 1993, four members of a Dutch family were detained at Juan Santamaria airport as they attempted to leave the country on a KLM Airlines flight with 40 Poison-arrow frogs *Dendrobates* (App. II) and 3 live lizards contained in their suitcases. The accused, who have been detained for sentencing, are liable to a maximum fine of c100 000 (US\$7000) or 2 years' imprisonment.

*La Nación (Costa Rica), 4 June 1993*

### USA

On 13 August 1993, at the US district court in Alexandria, Richard Mitchell was charged with smuggling gazelle hides and horns from Pakistan into the USA. Mitchell, a US Fish and Wildlife Service employee, was charged with failing to file a written Customs declaration when he brought the hides and horns into the USA. He was acquitted of charges related to big-game hunts he helped to arrange in China and Pakistan. During two hunting trips, whilst on a temporary assignment with the Smithsonian Institution, 4 rare mountain sheep and 2 Chiru *Pantholops hodgsoni* (App. I) are reported to have been killed. This work, however, was deemed to be in support of conservation. Mitchell was sentenced to two years' probation.

A large number of Boa Constrictors *Boa constrictor* (App. II) have died after being used as vessels to smuggle cocaine.

On 29 June 1993, at Miami International airport, 41 boxes containing 312 Boa Constrictors arriving on a flight from Bogotá, Colombia, were seized when an inspector noticed an unnatural bulge in one of the specimens. X-rays revealed two condoms containing cocaine. Drug Enforcement Administration and Customs Service agents decided to allow the shipment entry so that it could be tracked to the importer. A man was seen loading the reptiles into a van which he then left parked outside an apartment complex. The vehicle was kept under surveillance by agents until concern for the animals' condition in temperatures of 95 degrees, impelled them to open the van. Inside, 202 boas were dead. Of the 110 survivors, 21 were

found to be stuffed with cocaine and these specimens died shortly afterwards at Miami Metrozoo. Some 36 kg of cocaine was seized. There have been no arrests or charges in connection with the incident.

On 2 August 1993, at the District Court of the Southern District of Florida, Richard Furzer, pleaded guilty to charges of conspiring to illegally smuggle African Grey Parrots *Psittacus erithacus* (App. II) into the USA from Zaire.

Between September 1988 and October 1990, Furzer conspired to import approximately 1478 African Greys which had been illegally collected in Zaire and smuggled to Senegal, where false CITES export permits were obtained to accompany the shipments to the USA. The case is pending.

On 6 July 1993, in the Northern District of Georgia, Doris Grigby and her husband David Grigby, were convicted on charges of conspiracy, smuggling, illegal importation of African Elephant *Loxodonta africana* ivory, and unlawful possession of protected birds.

In August 1992, the defendants, both taxidermists, smuggled ivory tusks from Canada into the USA through the border crossing at Ogdensburg, New York, to their home in North Georgia. Prior to and during a raid of their house by agents of the US Fish & Wildlife Service, 6 tusks were seized along with skins and body parts of Black Bear *Ursus americanus* (App. II), Harp Seal *Pagophilus groenlandicus* and Polar Bear *Ursus maritimus* (App. II). The defendants each face a maximum jail sentence of 11.5 years and a fine of approximately US\$500 000. Sentencing is scheduled for 8 September 1993.

On 11 August 1993, in the Southern District of Florida, Lucio Marcelo Coronel, an Argentinian, was charged with the illegal import of reptiles into the USA contrary to CITES and the US *Endangered Species Act*.

On 7 February 1993 the defendant arrived at Miami airport from Buenos Aires. A large suitcase in his possession was searched by Customs officials who found the following wildlife contained in sacks secreted under clothing: 76 South American River Turtles *Podocnemis expansa*, 107 Chaco Tortoises *Geochelone chilensis*, 103 Red-footed Tortoises *Geochelone carbonaria*, 20 Red Tegus *Tupinambis rufescens* and 7 Rainbow Boas *Epicrates cenchria*, all listed in App. II and 5 Argentine Boa Constrictors *Boa constrictor occidentalis* (App. I). Also included in the shipment were a number of Argentine walking treefrogs *Phyllomedusa sauvegai*, Parrot Snakes *Leptophis ahaetulla*, Ameivas *Ameiva ameiva*, Neotropical rattlesnakes *Crotalus durissus*, and unidentified tarantulas, scorpions and treefrogs *Hyla* spp. The numbers of above specimens seized are approximate.

Coronel pleaded guilty and was sentenced to 15 months' imprisonment. Many of the animals later died, including 70 of the turtles. However, the surviving specimens included in the shipment were returned to Argentina and released in the wild.

*TRAFFIC USA; New Scientist, 12 June 1993; The Washington Times (USA), 14 August 1993; The Washington Post (USA), 3 July 1993; United States Attorney, Northern District of Georgia, 7 July 1993; United States Attorney, Southern District of Florida, News Releases, 2/11 August 1993; The Miami Herald (USA), 12 August 1993.*

from Madras port. The contents, which were declared as mica powder, amounted to 420 000 peacock tail feathers separated into 12 bundles, 147 bags of Sandalwood weighing 7000 kg and 15 small Sandalwood pieces weighing 530 kg. Six people, including a Singapore national and a container agent, are accused of involvement in the case.

In early June 1993, a consignment of 105 kg of wool, believed to be from the Chiru *Pantholops hodgsoni* (App. I), was seized at Delhi airport from two Nepali nationals (see page 39). Investigations are continuing.

*TRAFFIC India*

## OCEANIA

### STATE

#### South Australia

On 14 April 1993, at Port Pirie Magistrates Court, Mr Koon Yong Lok and Mrs Han Jeong pleaded guilty to charges of unlawful possession of abalone *Haliotis*. The couple were fined A\$4700 (US\$3200) each for buying 90 kg of abalone meat from unlicensed suppliers and possessing some 5750 abalone shells.

*The Advertiser (Australia), 21 April 1993*

#### Western Australia

On 12 July 1993, at Broome Court, Western Australia, 17 Indonesians were sentenced to terms ranging from 100 days to two years' probation, or fines of up to



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# TRAFFIC

BULLETIN



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The Journal of the TRAFFIC Network disseminates  
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# SEIZURES AND PROSECUTIONS

*Assistance in investigations was provided to authorities by TRAFFIC staff in most of the cases reported below which occurred in regions covered by a TRAFFIC office or representative.*

## EUROPE

### BELGIUM

On 2 July 1992, Belgian Customs authorities at the harbour of Oostende seized two containers which had been re-exported from the USA, and reportedly contained frozen shrimps from Bangladesh. Upon inspection, Customs officers found instead a total of 21 t of frogs' legs. Samples were taken for forensic examination in Switzerland where they were identified as *Rana hexadactyla* and *R. tigrina* (App. II). The shipment was confiscated and the Belgian importer will be prosecuted for circumventing CITES. The frogs' legs were auctioned.

A joint collaboration of the Belgian police and the Belgian Custom's investigation service has led to the seizure of 22 rhino horns and approximately 400 pieces of ivory.

The rhino horns, weighing a total of 51.2 kg, were confiscated on 11 February 1993 from the flat of a resident of Uccle, Brussels. This person acknowledged that her home had served as a depository and that the horns belonged to an antique shopowner in the Sablon area of central Brussels. A police search of the shop's premises the following day resulted in the seizure of approximately 400 ivory items (373 worked ivory objects weighing 170 kg, mainly jewellery, and 20-30 old, polished tusks). Two elephant foot rubbish bins, 2 snakeskin and 1 crocodile skin handbags, 1 snakeskin and one stuffed pangolin *Manis* were also seized. None of the specimens was covered by documents proving their legal acquisition. The objects were displayed to the press at the Customs sales room the following week. Dr G. Evrard of the Belgian CITES Management Authority identified the horns as being from Black and White Rhinos *Diceros*

*bicornis* and *Ceratotherium simum* with the exception of 1 horn believed to be from an Asian rhino species. The age of the horns was not determined but one specimen appeared to be fresh, with tissue still attached to the base. The heaviest horn weighed 6 kg. It is the third occasion in 10 years that rhino horns have been seized in Belgium. According to Belgian law, the penalties applied to CITES infringements are: a gaol sentence of 15 days to three months and a fine of between US\$3000 and US\$300 000. Investigations continue.

The following Ivory seizures took place at Zaventum airport:

- 22 September 1992. 96 pieces of worked African Elephant *Loxodonta africana* ivory (2.5 kg total) from a passenger from Zaire on his return to Belgium;

- 5 December 1992. 91.2 kg raw African Elephant ivory, some pieces bearing 1989 CITES control numbers, from a passenger from Zaire. The shipment was in transit and destined for a diplomat at the Zaire embassy in Madrid, Spain.

TRAFFIC Europe

### FRANCE

On 4 February 1993, 2 Asian Elephants *Elephas maximus* (App. I) were seized at the port of Le Havre. The animals had been sent from Russia without any supporting documentation and were destined for a circus in France. TRAFFIC Europe-France and WWF have written to Customs authorities requesting that all possible measures be taken to prevent further passage of the animals into France.

TRAFFIC Europe-France

### GERMANY

On 28 October 1992, at Trier judicial court, Claus Pottglessner, former managing director of an optical company, was given a gaol sentence of two years and eight months for the illegal purchase, possession and sale of tortoiseshell. Customs officers confiscated

some 574 kg of tortoiseshell from the premises of the accused and those of three other opticians who used the shell to make frames for spectacles. During January 1988 to December 1989, Pottglessner smuggled from Jamaica some 150 kg tortoiseshell valued at DM150 000 (US\$92 000).

In 1988, Customs officers seized about 400 kg of tortoiseshell from the previous managing director of the same company.

TRAFFIC Europe-Germany; German CITES Management Authority; Umwelt No. 1, 1993

### ITALY

Customs officers confiscated a shipment of African Grey Parrots *Psittacus erithacus* (App. II) at Fiumicino airport, Rome, from a Nigerian passenger in transit to Istanbul, Turkey. The 34 birds had been packed tightly into 7 to 10 small cages. Because he was in transit, the Nigerian was allowed to continue his journey. Subsequently, it was discovered that this individual had been responsible for a shipment of primates and African Greys from Nigeria, in transit through Switzerland to Istanbul, in 1989. At that time, the shipment of 83 birds and 66 primates had been shipped in such appalling conditions that the case was reported to the eighth meeting of the Conference of the Parties to CITES (*Summaries of alleged infractions and other enforcement problems Ref. 50183*) and the Nigerian was charged with violations of Swiss animal welfare and health legislation.

The parrots have been transferred to Rome Zoo. The identity of the Nigerian has been circulated to Customs officers at all ports of entry in Italy.

TRAFFIC Europe-Italy

### UK

Just days before the advent of the Single European Market, UK Customs initiated proceedings against Eurogame Ltd of Boston, Lincs., and its managing director, Mr C. Van Vynk, alleging the attempted unlicensed export of 3500 restricted dead "game birds" (woodcock *Scolopax*, teal *Anas*, coot *Fulica* and golden plover *Pluvialis*). Both were found guilty and fined a total of £8500 (J\$512665) including costs. The birds were seized.

On 6 April 1993, at Guernsey magistrates court, Michel Mesnage of Normandy, France, was charged with illegal fishing in British waters and failing to obey orders of British fisheries officers.

Mesnage's trawler, La Calypso, was intercepted by the Royal Navy on 2 April after being observed within the 11 km exclusion zone off Alderney, in the Channel Islands. When fisheries officers boarded the vessel, Mesnage ignored their orders to sail to St Peter Port in Guernsey and instead sailed for Cherbourg with the officers still on board.

Mesnage, who had pleaded not guilty to both charges, changed his pleas following advice that Royal Navy notes on the infringement were correct. He was fined £3750 (US\$5700). Guernsey's deputy bailiff said he was prepared to take a lenient view of a first offence which could have earned a fine of £50 000.

H.M. Customs & Excise, UK; The Times (UK), 7 April 1993



A quantity of the 21 rhino horns seized with ivory pieces in Brussels, Belgium.



## OCEANIA

AUSTRALIA  
FEDERAL

Recent convictions on charges under the Federal Wildlife Protection (Regulation of Exports & Imports) Act 1982.

In May 1992, in Brisbane Magistrates Court, Euan Edwards was found guilty of three charges of illegal importation of live snakes (2 Corn Snakes *Elaphe guttata* and a juvenile Ball Python *Python regius*) and tarantulas. He was fined A\$43 300 (US\$30 500) plus costs.

In January 1993, Helfmarie Biebl, a German citizen, was arrested in Brisbane and charged with attempting to export 24 birds' eggs illegally. Ten of the eggs hatched and were identified as those of Galahs *Ecophus roseicapillus* (App. II), the other 14 eggs were thought to be from either Major Mitchell's Cockatoo *Cacatua leadbeateri*, Gang-gang Cockatoos *Callocephalon fimbriatum* or Long-billed Corellas *Cacatua tenuirostris* (all App. II). The case is pending.

STATE  
Queensland

On 14 December 1992, seven people appeared at Cooktown Magistrates Court charged with offences relating to the illegal harvesting of seeds of the Foxtail Palm *Wodyetia bilurcata* from Cape Melville National Park. The defendants were each fined between A\$500 (US\$350) and A\$1500 and received prison sentences ranging from three weeks to eight weeks. During raids associated with the arrests and following months of surveillance, authorities seized 10 000 seeds, large quantities of drugs, weapons and ammunition.

Reports suggest that several hundred thousand Foxtail Palm seeds are illegally harvested from the Park each year. Some 18 000 Foxtail Palm seedlings were seized from a Brisbane nursery in October 1992 and in another case 30 000 Foxtail Palm seeds were confiscated and returned to the Park. Gangs are believed to be supplying a network dealing in illegal seeds which stretches interstate and overseas, with connections in the USA and Japan. Rivalry runs high between gangs, who are known to be heavily armed. The seeds are reported to fetch up to A\$3 each on the illegal market.

The Foxtail Palm is considered to be rare, with a range of less than 100 km located in Cape Melville National Park, northern Queensland, which was established as a sanctuary for some of the peninsula's rare flora and fauna.

## Tasmania

Police seized nearly 1000 abalone *Haliotis* from a house in Triabunna in December 1992. The haul, weighing 250 kg, was estimated to be worth A\$6000 (US\$4230) on the illegal market. A man was arrested in connection with the incident.

## Western Australia

Fisheries officers recently seized 400 kg of abalone *Haliotis*, poached in the Esperance region, Perth; documents indicating that another 200 kg had been stolen from fishing beds were also found. Officers have called on the abalone industry to help in the detection of poachers who are involved in what has become a highly-organized illegal activity.

*The Sunday Mail (Australia)*, 29 November 1992; *The Cairns Post (Australia)*, 30 November 1992; *TRAFFIC Oceania; The Advocate (Australia)*, 16 December 1992; *Sunday Times (Australia)*, 27 September 1992

## FIJI

Customs officers in Suva have seized nine tonnes of undersized trochus *Trochus* shells, worth about US\$64 000, which were being shipped to Japan where they are used to make ornaments and buttons. It is expected that the would-be exporter will be prosecuted. Fijian law prohibits export of trochus shell under nine cm in length.

*The South Sea Digest* 12(20), 18 December 1992

## NEW ZEALAND

Four Korean fishermen operating in New Zealand waters have been fined a total of NZ\$81 500 (US\$43 000) for contravening 18 different fishing regulations. The men were guilty of under-reporting catches and wrongly labelling fish. It was estimated by the prosecution that 278 697 kg of fish was understated, an amount with a potential value of NZ\$1 127 412 on the Japanese market. The fishermen also had their four trawlers, each worth NZ\$2.3 million, confiscated.

*New Zealand Press Association*, 12 October 1992

## SOLOMON ISLANDS

On 21 August 1992, police in the Solomon Islands arrested Peter James McDougall and Mario Perfill, Australian citizens, who were about to depart the country in a light plane with 191 parrots on board. The men were believed to be returning to Australia. The birds included Eclectus Parrots *Eclectus roratus solomonensis*, Yellow-bibbed Lories *Lorius chlorocercus*, Cardinal Lories *Chalcoopsitta cardinalis*, Coconut Lories *Trichoglossus haematodus massena* and Ducorps Cockatoos *Cacatua ducorpsi* (all App. II).

Cases against McDougall, Perfill and a Solomon Islands national John Bare Maetia, also charged in relation to the attempted export, were heard in the High Court in Honiara on 23 October 1992.

McDougall was found guilty of four charges and fined a total of S\$7000 (US\$3500), consisting of S\$1000 for a charge under the *Immigration Act*, S\$1000 for a charge under the *Agriculture Quarantine Order 1966* and *Agriculture Quarantine Act 1982* and S\$5000 for two charges under the *Customs and Excise Act*. A further five charges were withdrawn.

Perfill was found guilty of two charges under the *Customs and Excise Act* and fined S\$2500 on each of the charges. A further six charges were withdrawn.

Maetia was found guilty of two charges under the *Customs and Excise Act* in relation to the case and fined S\$2500 on each charge. Maetia had a further four charges withdrawn.

Two other Solomon Islanders were also charged in relation to the incident and their cases heard in the High Court in Honiara, in late January 1993. The Solomon Islands Minister of Commerce and Primary Industries, Alfred Maetia, and his driver, Newton Misi, were both charged on five counts alleging that they aided, abetted and assisted the principal offenders in the commission of their offences. According to the *Solomon Star*, it was alleged in court that McDougall and Perfill had paid a total of S\$5600 to Minister Maetia and his associates as a gift and to buy food for the birds. It was also alleged that the birds were fed at Minister Maetia's house and that the Minister's official transport vehicle, driven by Misi, was used to collect the birds off a waiting ship for transport to Malaita. Minister Maetia was found not guilty on the basis of insufficient evidence, however, his driver, Misi, was found guilty of all five charges and fined a total of S\$950 - S\$100 on two charges and S\$250 on the other three. It is likely that the case against the Minister will be appealed.

*TRAFFIC Oceania; Solomon Star (Solomon Is.)*, 27 January 1993

## AFRICA

## SOUTH AFRICA

On 26 March 1993, at Pretoria Regional Court, Nico Swart and Boetie van Helzinger of Namibia were charged with illegally dealing in elephant tusks and rhino horns. Each received a two-year prison sentence or a R15 000 (US\$4700) fine. The case against a third accused has been postponed until 5 May. Charges against a fourth person were withdrawn.

The four were arrested on 10 February in Midrand, near Johannesburg, after trying to sell 42 elephant tusks with a mass of 182 kg and 6 rhino horns with a mass of 10 kg.

*The Star (South Africa)*, 17 February 1992

## SUDAN

Wildlife officials in Sudan have seized over 7.6 t of elephant ivory that was about to be smuggled out of the country. No further details are available.

*Daily Yomiuri (Japan)*, 9 April 1993

## ZAMBIA

The Species Protection Department, in a joint operation with the Zambian and South African police, in January 1993 apprehended five suspected poachers in Livingstone and Kaoma and confiscated from them 7 Leopard *Panthera pardus* (App. I) skins, 1 Cheetah *Acinonyx jubatus* (App. I) skin, 1 civet *Civettictis* skin, 23 kg of chopped ivory (App. I), 1 pair of ivory tusks and 4 rhino horns (App. I); 272 pieces of amethyst and an amount of weapons were also seized. Four of the suspects have been convicted and sentenced to between six months and five years in gaol with hard labour; the fifth person, who has pleaded not guilty, awaits trial.

*The Species-Watch Newsletter* 1(2), January 1993





© WWF/Bruce Bunting

Clouded Leopard *Neofelis nebulosa* (App. I).

### ZIMBABWE

On 14 February 1993, a Member of Parliament of the ruling Zanu-PF party, Benjamin Moyo, and six other men were each sentenced to five years in prison with labour for the unlawful possession of 2 rhino horns, weighing a total of 2 kg.

A few days before being sentenced, Moyo drafted a letter of resignation from Parliament.

A further seven people have been arrested in connection with the offence and will appear in court at a later date.

The horn had been passed between the accused, who were seeking a buyer. The supplier of the horn is being sought.

Two senior policemen in Zimbabwe were arrested on 1 March 1993 in possession of 2 rhino horns. Both were released on bail, together with eight others accused of involvement in the case. All ten have

pleaded not guilty to the charge of illegal possession of rhino horns; three others arrested in the same case have admitted guilt and been sentenced to eight-year prison terms.

*The Herald (Zimbabwe), 14 February 1993;*  
*The Star (South Africa), 3 March 1993*

## ASIA

### INDIA

On 20 May 1992, Forest Department officials of Gitanagar, Assam, confiscated from a wildlife smuggling gang 2 Golden Langurs *Presbytis geel* (App. I), 2 Stump-tailed Macaques *Macaca arctoides* (App. I), 7 Hoolock Gibbons *Hylobates hoolock* (App. I),

1 Clouded Leopard *Neofelis nebulosa* (App. I), 2 Leopard Cats *Felis bengalensis* kittens (App. I/II), and 10 mynah birds *Gracula* spp. The animals had been kept in appalling conditions; 4 of the Hoolock Gibbons and 8 of the birds died. The remaining animals are being cared for by Assam zoo.

On 30 October 1992, a consignment of 900 kg deer antlers contained in 10 gunny sacks and bound for Bombay were seized by authorities; two of the sacks were seized by forestry officials in Gaya in the state of Bihar; the remaining sacks had already been despatched by rail to their destination and were seized at Mughalsarai parcel office. The antlers had been taken from an estimated 1500 to 2000 deer and, upon inspection by TRAFFIC India, it was clear that some had been removed by saw and not shed naturally.

Deer antlers are used primarily for the manufacture of gun and pistol handles, cutlery and buttons; the shavings are used in Eastern medicine.

*International Primate Protection League News, 19(3) December 1992; TRAFFIC India; Indian Express (India), 30 October 1992*

### JAPAN

On 10 March 1993, a Thai trader arriving on a Japan Airlines flight from Bangkok was arrested at Narita airport for attempting to import 175 Star Tortoises *Geochelone elegans* (App. I). The animals, measuring about 10 cm in length, were hidden in luggage compartments, jacket pockets and alcohol cartons. The specimens were confiscated by the authorities.

*Japan Times (Japan), 11 March 1993*

### TAIWAN

On 3 August 1992, a shipment of 18 macaques, thought to be Crab-eating Macaques *Macaca fascicularis* (App. II), was seized from a ship at the port of Keelung, Taiwan, following its arrival from Viet Nam. The specimens were destroyed because Taiwan lacks a quarantine station to carry out health checks.

Seizures amounting to over 4000 kg of deer antlers and 22 rhino horns were made in December 1992 in Taiwan. The deer antlers were smuggled as far as Taiwan, reportedly from New Zealand, via Hong Kong and Manila. Containers were stamped with "product of New Zealand" and labelled as glass or glass fibre.

A suspected ringleader of the smuggling operation has confessed to smuggling 125 cartons of deer antlers and also rhino horns. He said portions of the shipments were already with herbal medicine shops by mid-December. Three suspected accomplices have also been arrested and all detained so far are citizens of the Republic of China. Police investigators have publicly stated that they believe airport officials to be guilty of complicity also. The Council of Agriculture of the Republic of China and the Taiwan Provincial Government announced their intention, following the seizures, to inspect the stocks of herbal medicine shops in Taiwan.

*International Primate Protection League News, 19(3) December 1992; The China Post (China), 13 December 1992; The Orangutan Foundation*



## AMERICAS

## CANADA

On 17 February 1993, Kenneth Thorne of Lambeth, Ontario, pleaded guilty to 25 of 59 charges of violating the *Export and Import Permits Act* in relation to the illegal import and export of CITES-listed butterfly species. He was fined a total of CA\$10 000 (US\$8000) or CA\$400 per charge or, in default of payment, sentenced to nine months' imprisonment. In October 1992, as a result of a joint operation with the US Fish & Wildlife Service, the Federal Game officers of the Canadian Wildlife Service and the officers of the Royal Mounted Police confiscated a butterfly collection from the defendant valued at an estimated CA\$64 000.

On 8 December 1992, officers from the Royal Canadian Mounted Police and wildlife enforcement officers from the province of Alberta intercepted a Korean citizen at Edmonton airport in possession of 7 Black Bear *Ursus americanus* gall bladders and 4 bear foot pads. Yoon Ki Jung was found guilty and fined a total of CA\$15 000 (US\$12 000) and sentenced to 30 days in gaol. The gall bladders, valued in traditional Eastern medicine for their alleged medicinal properties, had been dipped in chocolate to disguise their identity. Bear paws are prized both for their tonic value and as delicacies in Eastern cuisine.

*Environment Canada, Canadian Wildlife Service; TRAFFIC International*

## URUGUAY

TRAFFIC South America has assisted in what is believed to be the largest-ever seizure of caiman skins. Based on information received from the CITES Secretariat (through the Aruba Customs Office), on 28 December 1992 TRAFFIC South America assisted Uruguay's naval and Customs authorities in the seizure of a shipment of 85 370 caiman skins from a Dutch ship docked at the port of Montevideo. The shipment, which had originated in Colombia and possibly Venezuela, had been stored in a container in Aruba and then transferred to Curaçao, in the Netherlands Antilles; the ship was bound for Singapore. The skins were separated into 68 bales, in total worth an estimated US\$1 million. The bundles bore the number of a genuine Colombian CITES permit issued for 3000 skins. However, the permit was not found with the shipment. The skins were seized and the case is under investigation.

The CITES Secretariat has urged the Netherlands, which has jurisdiction over the Netherlands Antilles, to take immediate action to ensure that CITES controls are strictly applied in all of its overseas territories.

At the eighth meeting of the Conference of the Parties to CITES, Paraguay, supported by all countries of the region, submitted a document entitled *Illegal trade of Singapore*, claiming Singapore to be one of the main destinations of illegally-exported skins from South America. Particular reference was made to the reservation entered by Singapore with regard to the Appendix II listing of *Caiman crocodilus crocodilus*. A draft resolution urged all Parties to reject export permits or re-export certificates issued by Singapore

for trade in any crocodilian products. By the time the document was tabled for discussion, Singapore had withdrawn the reservation in question and undertook to dispose of its stock of accumulated skins in full accordance with the provisions of the Convention; the delegation of Paraguay consequently withdrew the draft resolution.

## TRAFFIC South America

## USA

On 16 November 1992, at Orlando District Court, Florida, Tom Crutchfield was charged with illegal importation of Fiji Banded Iguanas *Brachylophus fasciatus* (App. I) in violation of the US *Endangered Species Act*, the *Lacey Act* and CITES (see *TRAFFIC Bulletin*, 13(1):37). He was sentenced to 17 months' imprisonment, without parole. He is currently free, awaiting his prison assignment and has filed a bail motion pending an anticipated appeal. Crutchfield's wife, Penny, received a probationary sentence and a US\$2000 fine.

The couple own the largest and most successful import/export and wholesale live reptile business in the USA and possibly in the world.

On 23 November 1992, in the Southern District of West Virginia, five individuals were charged with illegally collecting some 35 tonnes of freshwater mussels Unionidae, valued at more than US\$179 000, from Ohio River, near Williamstown, West Virginia. The shells were destined for export to Japan for use in the cultured pearl industry.

George Borden, of Tennessee, owner of Borden Shell Company, was sentenced to one year and one day imprisonment, with two years' supervised release, and ordered to pay US\$4800; Billy, Parker and Thomas Maners, and Michael Braisher were sentenced to 15 days in gaol as a condition of terms of probation. A further three individuals will stand trial for their alleged roles in the mussel-gathering operation.

Gathering mussels is outlawed in areas where mussels are being depleted by collection for export, and interstate commerce of freshwater mussels is a violation of the *Lacey Act*.

According to the IUCN Invertebrate Red Data Book (1983), North American Unionidae shells were used heavily by the US pearl button industry in the early part of this century. Over-collection and the development of plastics led to a brief decline in the US industry but renewed commercial interest in certain species came about in the 1950s when the Japanese started to use crushed shells of Unionidae to seed oysters for commercial pearls. The eastern USA has been almost the sole supplier.

On 30 November 1992, in the Southern District of Ohio, Richard Stubbs of Lagos, Nigeria, and Ricky Duffield of Florida, were charged with illegally importing baby crocodiles.

The investigation began in 1991 when a US Fish and Wildlife Inspector found 47 baby Dwarf Crocodiles *Osteoleaemis tetraspis* and Nile Crocodiles *Crocodilus niloticus* concealed in two boxes labelled "land crabs", in a shipment at John F. Kennedy airport in New York. Agents let the shipment continue on to its destination in Worthington, Ohio, where authorities arrested Stubbs and Duffield.

Stubbs was sentenced to 12 months' imprisonment; Duffield 14 months' imprisonment and a concurrent 14 months' imprisonment and a concurrent 14 months' sentence at home wearing an electronic bracelet to monitor his movements. The men were each fined US\$5000.

The crocodiles were taken to Columbus Zoo, and those that survived were eventually returned to Nigeria.

The Dwarf Crocodile is listed as endangered under the US *Endangered Species Act* and is listed in CITES Appendix I, while some populations of Nile Crocodiles - notably those of West Africa - have the same level of protection.

On 10 December 1992, in Baltimore federal court, Kenneth Loff, a US Department of State senior Foreign Service Officer, was charged with illegally importing ivory in the USA in violation of the *African Elephant Conservation Act*.

Acting on a tip-off, US Customs officers at the port in Baltimore discovered ivory pieces valued at over US\$60 000 among Loff's household goods which were being shipped through the port. Loff had purchased the ivory while stationed at the US embassies in South Africa and Zaire between 1985 and 1988.

Loff was fined US\$1000, the ivory was forfeited and his security clearance was lifted at the State Department.

On 19 January 1993, at the Southern District of Florida, Ricardo Linares was convicted of illegally smuggling 20 pieces of carved ivory from Nigeria into Miami in November 1990. Linares was charged with violating the *African Elephant Conservation Act* and the *Endangered Species Act*. He was sentenced to four months in prison and two years of supervised release including four months of home confinement.

On 16 April 1993, at the US District Court in Miami, Florida, Matthew Block of Miami, was sentenced to 13 months' imprisonment and fined US\$30 000 for conspiracy to violate the *Endangered Species Act* and CITES.

The offence relates to the Bangkok Six case which began in February 1990, when a crate marked "live birds" in transit at Bangkok airport was found to contain 6 baby Orang utans *Pongo pygmaeus* (App. I). Three of the animals had been packed upside down; a total of 4 animals died. The shipment, which had originated in Singapore and was bound for Moscow, had apparently been arranged by Block, who is the owner of Worldwide Primates Inc, based in Miami. After being charged last year, Block pleaded guilty to misdemeanour charges and agreed to co-operate with US federal prosecutors in the hope that he would receive a lighter sentence. Although his co-operation allegedly led to the apprehension of two animal dealers and a Yugoslav zoo director who had been involved in the Orang utan shipment, prosecutors refused to recommend a lighter sentence, questioning whether Block had fully co-operated with the Government. Block has yet to stand trial for charges which could lead to a suspension of his licence.

*TRAFFIC USA Newsletter*, 11(4), December 1992; *TRAFFIC International*; *US Department of Justice News Release*, 20 January 1993; *TRAFFIC USA*



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# TRAFFIC

BULLETIN



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## EUROPE

### BELGIUM

On 25 June 1992, in Antwerp, several persons were convicted of charges under EC CITES Regulation 3626/82 of smuggling live animals to Belgium from Colombia by ship (see *TRAFFIC Bulletin* 12(1/2):25).

Daniel Van Hoek, a Belgian, and Ante Pera, a Yugoslavian living in Antwerp, were each fined BF80 000 (US\$2400); also convicted were Maria Hendricx of Belgium (fined BF90 000), Goran Jurina, a Yugoslavian ship captain (fined BF400 000 and sentenced to 1 month imprisonment), and Bartul Silic, a Yugoslavian crew member (fined BF80 000). The animals confiscated from the ships included 1 Red Howler Monkey *Alouatta seniculus* (App. I), 1 Ocelot *Felis pardalis* (App. I), 4 Scarlet Macaws *Ara macao* (App. I), 7 Blue-and-Yellow Macaws *Ara ararauna* (App. II), 2 Chestnut-fronted Macaws *Ara severa* (App. II), 19 Mealy Parrots *Amazona leucostriata* (App. II), 4 Orange-winged Amazons *Amazona amazonia* (App. II). Others involved in the case await trial, including the Belgian dealer implicated in the sale of the birds. The birds are to be returned to Colombia.

On 11 September 1992, 54 live Spur-thighed Tortoises *Testudo graeca* (App. II) were seized from Willy Cambre, in Grobbendonk, Belgium. All specimens are believed to have been wild-collected.

On 25 September 1992, TRAFFIC was requested by Customs at Zaventem airport to assist in the identification of a 13 t shipment from Zaire. The cargo contained mainly frozen foodstuffs (cured meat, fish and packets of manioc *Manihot esculenta* leaves). The shipment was seized because it infringed Belgian health regulations and because, on initial inspection, 3 ivory items were discovered; on further investigation the shipment was found to contain more than 100 worked Hippopotamus *Hippopotamus amphibius* and elephant ivory objects (statues, jewellery and trinkets) and a dozen traditional musical instruments made with tortoiseshell of *Testudo* and *Kinixys* (both App. II). The meat consisted of 20 kg of Duiker *Cephalophus*, 5 kg cane rats *Thryonomys* and African great pouched rats *Cricetomys*, 3 pangolins *Manis*, 10 kg of African guenons *Cercopithecus* (App. II) and 4 kg of tortoises (App. II). All foodstuffs were destroyed on health grounds; the CITES-listed items were confiscated and the remaining articles were released to the importer, a Belgian citizen. During the course of their enquiries, authorities confiscated several other ivory items from the importer's home. The case is under investigation.

TRAFFIC Europe staff assisted in identification of the following items confiscated at Zaventem airport on the dates listed. With one possible exception, all ivory was of African Elephant *Loxodonta africana* (App. I):

- 20 April 1992. 10 Ivory carvings from Zaire (total 4.4 kg) concealed in shipment of manioc *Manihot esculenta* leaves.
- 5 May. 22 bracelets of elephant hair from a Belgian returning from Zaire.
- 12 May. 2 polished tusks (total 6 kg) from a Japanese in transit to Tokyo from Nigeria.
- 13 June. 2 polished ivory statues (0.5 kg) from a passenger travelling from Zaire.
- 13 June. 2 polished tusks (total 5 kg) from a passenger travelling from Zaire.
- 23 June. 3 ivory sculptures (total 1.6 kg) from a passenger travelling from Zaire.
- 25 July. Raw, fresh ivory pieces (total 40 kg) discovered in abandoned suitcase in transit area. Pieces carefully cut to fit case. Exact origin unknown.
- July. 2 handbags of West African Dwarf Crocodile *Osteoleaemus tetraspis* (App. I).
- 9 August. 1 stuffed Dorcas Gazelle *Gazella dorcas* from a passenger returning to Netherlands from Algeria.
- 17 October. Worked ivory (13 kg) including 93 statues, 48 bracelets, 100 rings, 96 earrings, 51 necklaces, 6 sculptures, 1 stick and 9 Leopard *Panthera pardus* teeth, from a passenger from Zaire.
- 18 October. Handbags of Nile Monitor *Varanus niloticus* (5), African Python *Python sebae* (4), Nile Crocodile *Crocodylus niloticus* (4) and Cobra *Najaasp.* (3) from two Chinese passengers arriving from Benin en route to Beijing, China.

### TRAFFIC Europe

### FRANCE

On 13 March 1992, a well-known raptor dealer, Mr Cadeac, was stopped in Algéciras by Spanish Customs for the unlawful possession of a Chimpanzee *Pan troglodytes* (App. I). Inspection of Cadeac's home revealed 10 raptors - Eurasian Griffon *Gyps fulvus*, Golden Eagle *Aquila chrysaetos*, Red Kite *Milvus milvus* (all App. II), a Common Buzzard *Buteo buteo*, three parrots, a Barbary Macaque *Macaca sylvanus* (App. II) and a Puma *Felis concolor* (App. I/II). As a preventive measure, Cadeac was gaoled on 15 June and released by the Court of Appeals on 16 July 1992; he remains under judicial supervision. In 1986, Cadeac was arrested by Spanish police for removing several young Peregrine Falcons *Falco peregrinus* and Golden Eagles from their nests.

In mid-May 1992, a Dutch citizen arriving from Madagascar was stopped by Customs at Roissy airport in possession of a number of CITES Appendix I-listed animals: 14 lemur *Haplemur* spp., 46 Radiated Tortoises *Geochelone radiata* and 7 boas *Acrantophis madagascariensis*. The animals were returned to Madagascar and the case is under investigation.

On 22 May 1992, a coach carrying tourists returning to Czechoslovakia from Morocco through the Franche-Comté region in France, was searched by Customs at Besançon following reports that the tourists had been selling animals to pet shops in the area. Some 1000 specimens, mostly reptiles, were discovered in luggage and under seats. These included 219 spiny-tailed lizards *Uromastix* (App. II), 221 unidentified lizards, 78 Spur-thighed Tortoises *Testudo graeca*, 54 unidentified geckos (App. II), 35 Common Chameleons *Chamaeleo chamaeleon* (App. II), 500 Invertebrates

including scorpions and spiders, 25 species of beetles and crickets, plus an undisclosed number of grass snakes, amphibians and squirrels; some 250 empty packages were also seized indicating that further specimens had been sold or had perished during the eight days the coach had been on the road. The trip was organized by a company based in Prague which apparently specialises in safaris for collectors. Most of the haul had originated in North Africa and was estimated to be worth FR250 000 (US\$5000). The animals, mostly young specimens in poor condition, were seized and are being housed in zoological gardens. The coach was impounded but later released in exchange for a sum of money. A fine to be paid by 15 July has not been paid to date.

Dealers are using the post to avoid Customs requirements in France. In mid-September 1992, 121 Goliath Bird-eating Spiders *Theraphosa leblondi* and 12 unidentified beetles sent by parcel post from French Guiana were intercepted in Paris. Although the animals are not listed in the CITES Appendices, the importer was fined for having misdeclared the package's contents on Customs forms. He was allowed to keep the animals.

### TRAFFIC Europe-France

### GERMANY

On 1 August 1992, two Ivory smugglers arrested at Frankfurt airport in January 1992 (see *TRAFFIC Bulletin* 13(1):34), one from Cameroon and one from Taiwan, were given a sentence of two years in prison without probation.

A case under investigation for several years following the arrest of an orchid smuggler at Heathrow airport, UK, and the illegal import of some 7650 wild-collected orchids, originally into Germany, has finally resulted in confiscation of the plants. Efforts by authorities and orchid specialists to bring criminal proceedings against the nursery owner supplying the specimens are still pending however. Most of the orchids were *Paphiopedilum* spp. (App. I), including *P. malipoense* (426 specimens), *P. emersonii* (141 specimens), *P. armeniacum* and *P. micranthum* (total 2775 specimens), *P. notschlidianum* (136 specimens) and *P. sandermanum* (163 specimens). The plants have been given to a botanical garden for artificial propagation.

On 26 August 1992, Ludwig Hörr was convicted of parrot smuggling and given a suspended sentence of three years without probation. His wife was convicted of being an accessory to the crime, and given a suspended sentence of two years with probation and a fine of DM 10 000 (US\$6000). The couple has been banned from dealing in parrots for five years.

Although the public prosecutors in the case demanded that the fine, the highest ever awarded in Germany for smuggling of endangered species, be given to WWF-Germany to sponsor a project on parrot conservation, the sum was paid to the Government.

In 1989, the Hörrs skipped bail in Australia following a charge of attempting to export native Australian birds without a permit (see *TRAFFIC Bulletin* 11(1):13).



## SEIZURES AND PROSECUTIONS

On 26 August 1992, Customs officials at Düsseldorf airport seized 108 spiny-tailed lizards *Uromastyx* (App. II), 61 Common Chameleons *Chamaeleo chamaeleon* (App. II), 18 Desert Monitors *Varanus griseus* (App. I) and 12 Egyptian True Tortoises *Testudo kleinmanni* (App. II). The reptiles were found in the hand luggage of a German, travelling from Cairo, Egypt. Thirty of the animals had died; the surviving animals were taken to Aqua-Zoo in Düsseldorf. The case is under investigation.

Eleven Imperial Eagles *Aquila heliaca* (App. I) were seized by Customs officials at the German border near Munich following their discovery in boxes and rucksacks. The birds are believed to have been trapped as chicks in Kazakhstan, and were valued at over £12 000 (US\$18 000) per bird on the black market. They are to be released in Hungary, as German wildlife experts fear that insufficient expertise exists in Kazakhstan to reintroduce them successfully in their native territory. A Customs official stated that Imperial Eagles and other birds of prey have become status symbols in Germany, along with pit bull terriers and large American cars.

*TRAFFIC Europe-Germany; German Customs, Düsseldorf; New Scientist, 31 October 1992*

### GREECE

For the first time in Greece, authorities have confiscated live CITES-listed animals sold and exhibited within the country. Each case was wrought with complexities, owing to lack of legislative infrastructure. However, with the country's recent accession to CITES (see page 47), measures to improve such inadequacies should now be addressed.

An Olive Baboon *Papio hamadryas anubis* (App. II) taken from the wild as a baby and brought illegally to Greece by ship over three years ago, was confiscated in accordance with EC CITES Regulation 3626/82 from a garden shop in Athens where it was being offered for sale. In July, after lengthy negotiations between a multitude of authorities and the intervention of the Aga Khan, and following a period of time spent at Hellenic Wildlife Hospital, the animal was relocated to a safari park in France, until such time that Greece has the facilities to care for the animal. The owner of the garden shop is waiting to stand trial.

Still more examples of illegal trade in CITES App. I specimens associated with Italian circuses in Greece are coming to light (see *TRAFFIC Bulletin*, 13(1):34).

On 2 April 1992, Greek Customs confiscated 1 Lion *Panthera leo* (App. II) and three Tigers *Panthera tigris* (App. I) which had been kept in a circus truck left by an Italian circus on Forest Department land. An export permit was provided to allow their shipment to France on 30 June 1992.

*TRAFFIC Europe-Greece*

### NETHERLANDS

On 2 June 1992, Customs officers at Schiphol airport discovered 81 elephant tusks and 20 rhino horns, while checking two packing crates of "handicrafts" en route from Malawi to Taiwan. A number of the rhino horns were clearly fresh. All items were seized, and investigations in Malawi continue.

On 26 June 1992, Dutch reptile dealer Wim Janssens was found guilty in the Netherlands of violating EC CITES regulations with regard to the sale of reptiles in Belgium (see *TRAFFIC Bulletin* 12(1/2):25). Janssens was sentenced in Den Bosch to six months in gaol (of which three were suspended) and fined Dfl.100 000 (US\$55 000). Anneke Van Rooij was also found guilty in the case, and was sentenced to three months in gaol and fined Dfl.50 000. Both appealed to a higher court for a lower sentence; the public prosecutor has appealed for the sentences to be increased.

Janssens has been accused on 12 previous occasions of CITES-related offences; he also faces similar charges in Belgium.

Inspection of Russian ships in Rotterdam harbour resulted in the confiscation of 3 baboons *Papio* spp., 4 marmosets, including 1 White-eared Marmoset *Callithrix jacchus aurita* (App. I), and a number of parrots and tortoises.

The incidence of animals, particularly parrots, being transported on Russian ships is high. To discourage such practices, the General Inspection Service (GIS) recently informed the agency acting on behalf of Russian vessels in the Netherlands that such activities infringe Dutch regulations. The agency duly instructed its ships to conform to regulations. As a consequence, there have been fewer reportings of such infractions and one ship, on receipt of the agency's order, immediately declared its illegal cargo.

On 25 August 1992, the GIS seized 200 Indian Star Tortoises *Gochelone elegans* (App. II) en route to Los Angeles, USA, from Dubai, UAE. CITES permits accompanying the shipment indicated that the animals were captive-bred, but no known breeding programme for this species exists in the UAE. The animals will be sent to the IUCN/SSC Tortoise and Freshwater Turtle Specialist Group in the USA for captive-breeding. This is the first case where the General Inspection Service has called upon TRAFFIC Europe's recently-appointed Investigations Officer to assist enquiries.

On 3 December 1992, a parrot dealer was fined over Dfl.800 000 (US\$45 000) for the illegal possession of: 4 black cockatoos *Calyptorhynchus* (App. II), 3 Salmon-crested Cockatoos *Cacatua moluccensis* (App. I), 2 Cuban Parrots *Amazona leucocephala* (App. I), 2 Yellow-shouldered Parrots *Amazona barbadensis* (App. I), 3 Yellow-headed Parrots *Amazona oratrix* (App. II), 35 Rose-ringed Parakeets *Psittacula krameri* (App. III), and 15 tortoises *Testudo* spp. (App. I/II). The birds were confiscated.

*TRAFFIC Europe-Netherlands; General Inspection Service; NRC-Handelsblad*

### SPAIN

On 30 September 1992, following co-operation between the Paris Customs Investigations Service and Spanish Customs, 36 Gyrfalcons *Falco rusticolus* (App. I) were seized from Harald Kuspert, a German raptor dealer; he was subsequently arrested and gaoled. Kuspert was arrested in France in 1989 when he was found to be concealing 5 Peregrine Falcon *Falco peregrinus* (App. I) chicks in his car. For that offence, he was fined FR20 000 (US\$4000) and his car and mountain climbing equipment were confiscated.

*TRAFFIC Europe-France*

### UK

Several Ivory shipments were seized at Heathrow airport in recent months.

- 80 kg of raw tusks and carvings (declared as personal effects) on route from Zaire to Cyprus.
- 36 kg of raw tusks and carvings in transit from Tanzania to Italy located in the false bottom of a crate containing a declared cargo of wooden artefacts.
- 11 kg of carvings and necklaces in a shipment of other goods declared as personal effects, travelling from Zambia to Romania.
- 22 pieces of jewellery in luggage sent from Paris to Armenia but misdirected to Heathrow.

Earlier this year, the damaged base of a wooden statue from Hong Kong revealed a concealment of several small ivory carvings. Enquiries into the addressee of the package suggested earlier evasion of Customs controls on similar goods. In August, Customs prosecuted Mrs Gillian Walker, alleging evasion of endangered species and revenue controls. Mrs Walker pleaded guilty to 2 counts each on both offences alleged and was fined a total of £1000 (US\$1500) plus £50 costs.

Martin Barber and Christopher Turner, of Cannock in Staffordshire, have been convicted of conspiring to import and export parrots to and from Australia illegally via the postal service. Barber was arrested in Australia following detection in the post of 3 live parrots sent to his home address. He was sentenced in Australia (see below). A second parcel containing 11 cockatoos *Cacatua* spp. (all dead) was discovered in the UK several days later, also addressed to Barber. Customs officials also discovered that the two men had conspired to ship 3 African Grey Parrots *Psittacus erithacus* (App. II) from the UK to Australia by the same method. Turner was fined £2000 (US\$3000), ordered to pay £200 in court costs, and given a six-month gaol sentence, suspended for two years.

*H.M. Customs & Excise; Psittacine 4(3), August 1992; Daily Telegraph (UK), 5 June 1992*

## ASIA

### CHINA

A man has been gaoled for 12 years in Shanghai for attempting to sell the skin of a Giant Panda *Ailuropus melanoleuca* (App. I). An accomplice was sentenced to eight years. The men were arrested at the Peace Hotel in the city as they were accepting Y200 000 (US\$30 000) for the pelt.

*The Guardian (UK), 2 May 1992*

### INDIA

On 21 May 1992, 8 Ivory tusks (22-30 cm) of Asian Elephant *Elephas maximus* (App. I), weighing a total of ca. 12.5 kg, were seized at Cochin airport, Kerala. The case is under investigation. According to a recent investigation by WWF-India into elephant poaching in Kerala, the ratio of tuskers to females and juveniles in that state may have fallen from a low of 1:50 to 1:400. This seizure suggests that sub-adult males are now being targeted by poachers.



## SEIZURES AND PROSECUTIONS



Common Chameleon *Chamaeleo chamaeleon* (App. II).

On 9 June 1992, surveillance at Bombay airport and a local bird market by Indian wildlife officials led to the seizure in Dongri of over 3000 munias (Red Avadavat *Amandava amandava*, Green Avadavat *A. formosa* and Black-headed Munia *Lonchura malacca*), 8 Hill Mynahs *Gracula religiosa* and 250 Indian Star Tortoises *Geochelone elegans* (App. II) from a Pakistani national. The animals were part of stock being accumulated for illegal export to Pakistan. One individual has been charged with violation of the Wildlife Protection Act 1972, and faces a maximum fine of Rs25 000 (US\$900), and up to three years in gaol. The birds and tortoises were released in Sanjay Gandhi National Park.

On 24 June 1992, Gopal Mogya was arrested in Ranthambore National Park, Rajasthan, in possession of a Tiger *Panthera tigris* (App. I) skin. He later admitted to shooting the tiger with the intention of selling the skin to Ghulam Hussain Qureshi alias Munim Khan, also arrested, who had offered to pay him Rs11 000 (US\$400). Mogya admitted that he and his brother, Shankar Mogya, had killed a total of 8 Tigers and 1 Leopard *Panthera pardus* (App. I) within the park in the previous 12 months (see page 49).

In October 1992, skins of various Felidae species as well as finished garments were seized in New Delhi. The items included: Leopard - 2 long coats, 1 skin with head mount, 1 stuffed trophy, 1 mounted head; Tiger - 1 adult with head mount, 1 cub skin; Leopard Cat *Felis bengalensis* (App. II) - 2 skins; and Clouded Leopard *Neofelis nebulosa* (App. I) - 1 skin with head mount. An Indian national has been arrested in connection with the incident.

On 27 October 1992, in what is perhaps the largest seizure of its kind in India in the last decade, wildlife authorities of the Union Territory of Delhi seized 81 skins from two Indian nationals, who were arrested and placed in custody awaiting interrogation. The following skins were seized: 29 Leopard, 3 Tiger, 2 Clouded Leopard, 5 crocodile *Crocodylus*, 35 mongoose *Herpestes*, 6 Jackal *Canis*, and 1 hare *Lepus* sp.

On 25 November 1992, at Kemply Village in the foothills of the Himalayas, wildlife officers seized two Leopard skins from a well-known poacher. The skins were to be sold for Rs10 000 (US\$300) to a decoy customer who had been promised five more skins the following week. The poacher, who was arrested and remanded in custody, admitted that he had been poaching wildlife for skin traders in the hills of Uttar Pradesh for many years. He named a Deputy Forest Ranger as his associate.

**TRAFFIC India; Mr. A.K. Jha, Regional Deputy Director, Wildlife Preservation, Western Region, Bombay, India; The Times of India, 27 June/1 July 1992**

### JAPAN

In November 1992, four Japanese men were arrested for attempting to smuggle ca. 7 t of frozen whale meat from Taiwan into Japan. The meat, which has been identified as that of Bryde's Whale *Balaenoptera edeni* (App. I), was seized from a fishing boat by the Maritime Safety Agency of the southern island of Okinawa.

The International Whaling Commission bans its members from importing whale meat from non-member nations. Japan is a member of the IWC but Taiwan is not.

**TRAFFIC Japan**

## OCEANIA

### AUSTRALIA

**Recent convictions on charges under the Federal Wildlife Protection (Regulation of Exports & Imports) Act 1982**

On 14 February 1992, Martin Barber of UK (see UK), pleaded guilty in Perth Magistrates Court to the illegal importation of 2 African Grey Parrots *Psittacus*

*erithacus* (App. II), illegal export of 8 Galahs *Eolophus roseicapillus*, 2 Long-billed Corellas *Cacatua tenuirostris* (App. II) and 2 Galah x corella hybrids; and the attempted illegal export of 2 Galahs and 2 Red-capped Parrots *Purpureicapalus spurius* (App. II). All transactions were of live birds sent through the post. Barber was sentenced to three six month-terms of imprisonment, to run concurrently.

On 25 June 1992, Tsuyoshi Shirawa was sentenced to two and a half years' imprisonment for attempting to smuggle 49 Shingleback Lizards *Trachydosaurus rugosus* out of Australia to Japan. Shirawa's female travelling companion, Timene Tomimatsu, pleaded guilty to attempting to export native wildlife and was imprisoned for a maximum of 18 months. Shirawa denied the charges but a jury found him guilty after a four-day trial in the Downing Centre District Court. The couple were apprehended attempting to smuggle the reptiles out of the country on 24 September 1991.

### NEW ZEALAND

On 31 July 1992, at Invercargill District Court, Frederick Angell was charged under the Crimes Act for his part in the theft of Tuataras *Sphenodon punctatus* (App. I) from Southland Museum. He received a three-year prison sentence which is to be served on top of a 23-month sentence received in February for taking Tuataras from Stephens Island (see **TRAFFIC Bulletin** 8(3):53 and 12(1/2):27 for previous convictions).

On 25 August 1992, in Auckland District Court, Stanislaw Tracz was convicted of attempting to smuggle birds' eggs into New Zealand in June 1991 (see **TRAFFIC Bulletin** 12(3):73). Tracz accompanied two women who were apprehended at Auckland airport on 25 June 1991, carrying 52 birds' eggs. The women later admitted that the eggs belonged to Tracz. Tracz pleaded guilty and was fined NZ\$3000 (US\$1500) for breaching Section 13(1)A of the Animals Act and NZ\$6000 for committing an offence under Section 44(B) of the Trade in Endangered Species Act. The women, whose names were withheld in court, were each fined NZ\$5000 under the same legislation. In court, it was alleged that the eggs had come from captive birds held in the USA.

### PALAU

The Government of Palau in the Caroline Islands arrested 49 Indonesian citizens for illegally harvesting bêche-de-mer at Helen's Reef, an island and reef complex within the waters of the Republic of Palau, and approximately 250 km from the outer islands of Indonesia. The incident is the third occasion that a group of Indonesian poachers has been apprehended at the reef in the past 10 years. The men were taken to Koror where they were tried and gaoled. The recurrence of poaching stems from the fact that Indonesians have traditionally fished in the waters and reefs that are now under Palau's jurisdiction. Bêche-de-mer, or Trepan, is the dried body wall of several species of sea cucumbers (*Holothurians*). In the South Pacific and Asia, the species is used in cooking and reputedly has aphrodisiacal properties.

**TRAFFIC Oceania; Pacific Magazine** 17(4), July/August 1992; **TRAFFIC International**



## AFRICA

## RWANDA

On 15 July, 1 young Eastern Plains Gorilla *Gorilla gorilla graueri* (App. I) and 1 young Chimpanzee *Pan troglodytes* (App. I) were confiscated by authorities in Kigali from an Egyptian citizen, Mr Mohammed Hoasdein Ashraf, who was returning to Egypt from Zaire. The animals had been purchased in Zaire for US\$1000 and US\$500 respectively. In 1990, Ashraf was apprehended in Kigali in possession of 5 infant Chimpanzees and 1 young Bonobo *Pan paniscus* (App. I).

## TRAFFIC Europe

## SOUTH AFRICA

On 2 July 1992, US businessman Kenneth Karner was arrested at his home in Franschhoek on suspicion of attempting to smuggle 27 African Elephant *Loxodonta africana* tusks from Cape Town to Kobe, Japan, in February (see *TRAFFIC Bulletin* 13(1):35). It appears that Karner, using the alias Mike Anderson, had smuggled the tusks into South Africa from either Zambia or Zaire, before shipping them to Japan. He is due to appear in court in early January 1993.

On 6 July 1992, three suspected ivory dealers were arrested in Ermelo for possession of 9 rhino horns. The horns were valued at R950 000 (US\$316 000). The arrests were made by the Transvaal Provincial Administration's Chief Directorate of Nature and Environmental Conservation, with the co-operation of the Ermelo police.

On 9 July 1992, the Johannesburg Regional Court fined Rahim Saljee R6000 (US\$1600) or one year in gaol for acting as a go-between in the sale of a single tusk estimated to be worth R35 000. Saljee was given an additional 12 months in gaol suspended over four years.

The maximum sentence in Transvaal Province for illegally dealing in ivory is a R100 000 fine or 10 years' imprisonment, plus a mandatory fine of up to three times the value of the animal.

A Natal man has received what is believed to be the highest fine ever imposed in South Africa in a case involving specially protected plants.

On 16 July 1992, at Port Shepstone Magistrates Court, Leon Scholz, a former nursery owner, pleaded guilty to seven charges relating to the unlawful possession of cycads, contrary to the *Nature Conservation Ordinance*. Scholz had been found with 1079 cycads and 680 seedling cycads, which included specimens of *Encephalartos villosus*, *E. cernuus* and *E. javifolius* (all App. II). He was fined a total of R12 500 (US\$4000), or R2000 (or one year's imprisonment) on each of six counts and R500 (or six months' imprisonment) for the seedlings. He is also not eligible to hold a licence to run a nursery for three years. Cycads are indigenous to South Africa and are specially protected; these specimens were forfeited to the Natal Parks Board who have seen the culmination of a six-year investigation into the case.

On 8/9 August 1992, seven Zambians were arrested following investigation by the Soweto Vehicle Theft Unit that led to the recovery of five vehicles as well as carved elephant tusks, ivory necklaces and unpolished gemstones valued at several million rands.

*The Citizen* (South Africa), 6/7 July 1992;  
*The Star* (South Africa), 10 July/1 August 1992;  
*TRAFFIC East/Southern Africa-South Africa*

## AMERICAS

## ARGENTINA

On 20 August 1992, following a tip-off from TRAFFIC South America, authorities seized the following birds from the home of Mr Raul Alberto Fernández: 4 Golden Parakeets *Aratinga guarouba* (App. II), 2 Yellow-collared Macaws *Ara auricollis* (App. II) and 1 Blue-fronted Parrot *Amazona aestiva* (App. II), with a total value of US\$3000-US\$4000. Fernández was unable to provide permits and awaits prosecution.

In August 1992, a total of 500 tortoises and more than 1000 birds, including 53 Yellow Cardinals *Gubernatrix cristata* (App. II), 81 caciques *Cacicus*, 465 whydahs *Vidua*, 215 Orange Bishops *Euplectes franciscanus*, 2 Red-billed Hornbills *Tockus erythrorhynchus*, 3 Red-browed Parrots *Amazona rhodocorytha* (App. II) and 1 Golden Parakeet *Aratinga guarouba* (App. I) were seized from a warehouse. The owner of the animals, Alberto Sartini, was detained for four days and fined US\$20 000.

In August 1992, a number of birds were confiscated from Marcos Aparicio, a dealer from Buenos Aires. He was detained for three days for the illegal possession of birds which included 3 Golden Parakeets *Aratinga guarouba* (App. I), 2 Blue-and-Yellow Macaws *Ara ararauna*, 1 Yellow-crested Cockatoo *Cacatua sulphurea* (App. II), 2 Chattering Lories *Lorius lanius*, 1 Alexandrine Parakeet *Psittacula eupatria* (App. II) and 2 Hill Mynas *Gracula religiosa*.

## TRAFFIC South America-Argentina

## PARAGUAY

On 24 July 1992, at Expo '92 in Asunción, products made of Vicuña *Vicuña vicugna* (App. I), and chinchilla *Chinchilla* (App. I) were seized from a Bolivian stallholder. These included 10 Vicuña and chinchilla tapestries, 4 Vicuña blankets, each comprising 25 whole skins and one tanned Vicuña skin. The skins were on sale for the equivalent of US\$900.

On 2 September 1992, police seized more than 50 000 Spectacled Caiman *Caiman crocodylus* (App. I) skins from a tannery in Luque, near Asunción. A smaller number of skins of Anaconda *Eunectes* sp. (App. II), peccary *Rhea rhea* sp., and Jaguar *Panthera onca* (App. I) were also removed. The maximum penalty that could be incurred is a 8500 guaraníes (US\$5.5) fine for each illegal skin and closure of the premises. The investigation continues.

## TRAFFIC South America

## URUGUAY

During August 1991-August 1992, the General Direction of Natural Renewable Resources, under the direction of Ing. Roberto M. Cal Johnston in his first year in that position, carried out a number of seizures, several following tip-offs from TRAFFIC South America. Amongst the live animal seizures were 1107 passerines, flamingoes and ducks, 268 Chaco Tortoises *Geochelone chilensis* (App. II) and slider turtles *Trachemys scripta dorsignii*; dead animals and products included 129 armadillos *Dasypodidae*, 923 Spotted Nothuras *Nothura maculosa*, 211 tegu lizards *Tupinambis* (App. II) and 400 tegu lizard tails, 4 Capybara *Hydrochaeris hydrochaeris* and 97 Rhea *Rhea americana* (App. II) eggs. A number of skins have been confiscated including 3427 Coypu *Myocastor coypus*, 54 Capybara, 9 skins and 140 tails of Neotropical Otter *Lutra longicaudis* (App. I), and 26 Geoffrey's Cat *Felis geoffroyi* (App. I).

Offenders were fined between US\$25-US\$400. Penalties for illegal possession of wildlife are expected to increase to US\$100-US\$10 000 in the near future.

## TRAFFIC South America

## USA

In March 1992, a person was convicted in the US District Court of the unlawful receipt of illegally transported Polar Bear *Ursus maritimus* (App. II) parts, including gall bladder. He was apprehended by Service agents in Seattle as he collected a Polar Bear gall bladder at the airport, shipped from Kivalina, Alaska, and for which he paid US\$150. According to Service officials, the man purchased a Polar Bear gall bladder in January 1988 from an Alaskan native from Kivalina, and a Polar Bear hide from the same individual three months later. In February 1990, he purchased the hindquarters of a Polar Bear. The man, whose identity is not reported, was placed on two years' probation and fined US\$7500.

On 2 July 1992, at Marquette District Court, Michigan, Heinz Pinkpank of Germany faced charges under the US *Lacey Act* of illegally digging and removing 85 specimens of the indigenous Giant Rattlesnake Orchid *Goodyera oblongifolia* (App. II) from the Pictured Rocks National Lakeshore in Grand Marais, Michigan. The defendant admitted the charge and told Park Service personnel that he had planned to trade or sell the plants in Europe. He was fined US\$3525. The value of the plants in the USA has been estimated at US\$4-US\$15 per specimen.

On 16 July 1992, following his extradition to the USA on charges relating to illegal imports of rhino horns and military arms from South Africa (see *TRAFFIC Bulletin* 13(1):37), Marius Meiring was sentenced by the US District Court in New Haven, Connecticut, to eight months in federal prison. Meiring was credited with time served in South African and US gaols and was allowed to return to South Africa at the end of July.

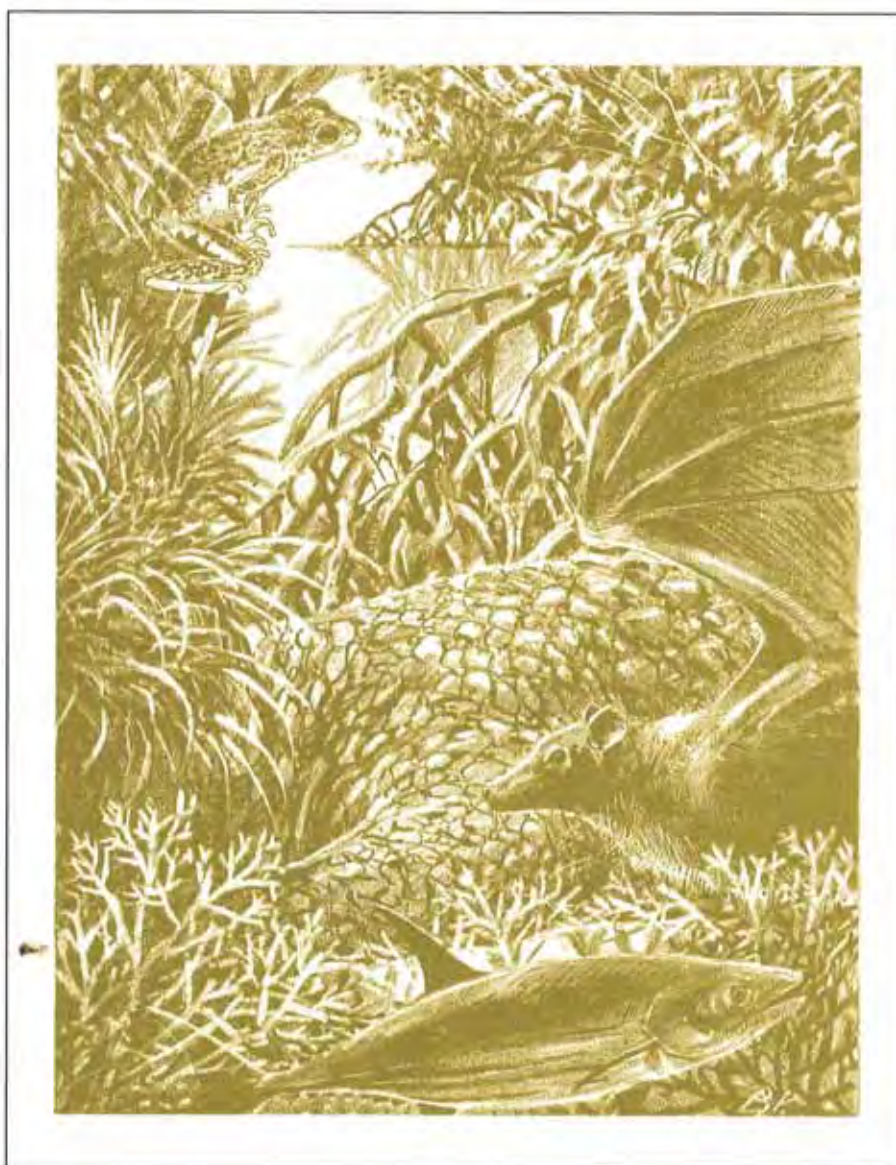
*Fish and Wildlife News, Spring 1992; The Animals' Agenda, July/August 1992; TRAFFIC USA; Wildlife Conservation November/December 1992*



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# TRAFFIC

BULLETIN



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**The Journal of the TRAFFIC Network disseminates  
information on the utilisation of wild animal and  
plant resources**

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## SEIZURES AND PROSECUTIONS

*Assistance in investigations was provided to authorities by TRAFFIC staff in most of the cases reported below which occurred in regions covered by a TRAFFIC office or representative.*

## EUROPE

## DENMARK

Customs authorities in Esbjerg seized 23 African Grey Parrots *Psittacus erithacus*, 17 Rose-ringed Parakeets *Psittacula krameri* and 4 Senegal Parrots *Poicephalus senegalus* on 26 May 1992. The birds were discovered on a Ukrainian cargo ship, and had apparently been brought from Dakar, Senegal. Documents issued by the veterinary authority in Senegal indicate that the birds were to be shipped to Moscow. Instead, two Ukrainian sailors offered five of the African Grey Parrots for sale at an Esbjerg market. A local resident notified Customs authorities, who subsequently seized the parrots and searched the ship. The sailors will be charged with illegal import of CITES-listed species.

Two weeks earlier, Customs in Esbjerg seized 10 African Grey Parrots from sailors aboard a Russian ship.

*Jyllands-Posten (Denmark), 27 May 1992*

## FRANCE

Specimens of protected plant species were seized from two French dealers early in 1992. Seventy cacti (including *Ariocarpus* spp., *Encephalocarpus* spp. and *Strombocactus* spp.) and other plants were seized from a shop in Paris. Approximately 500 specimens of various plants including some from Madagascar were seized from a dealer in Côte d'Azur.

On 18 January 1992, French Customs seized approximately 280 birds and two wallabies *Macropus* spp. discovered during a random vehicle inspection at the French border with Belgium. The animals were apparently being transported from the Netherlands to an animal dealer in northern France. Subsequent inspection of the dealer's home resulted in the additional seizure of 70 birds and three wallabies. A judicial inquiry into the case is underway, and both the dealer and the driver of the vehicle are likely to be charged with attempting to import undeclared CITES-listed animals.

The seized shipment contained primarily 'ornamental' birds, including Hawaiian Geese *Branta sandvicensis*, Egyptian Geese *Alopochen aegyptiaca*, Ruddy Shelducks *Tadorna ferruginea*, Crowned Cranes *Balea pavorina* and peacocks. Many of the animals were in poor condition according to veterinarians from the Lille Zoo, where the animals were taken following the seizure. Twelve of the ducks were dead on arrival.

Customs authorities seized a shipment of 18 elephant tusks, two raw ivory pieces and 2.4 kg of worked ivory at Charles de Gaulle airport, Paris, on 5 March 1992. Weighing approximately 286 kg, the ivory formed part of a three-container shipment declared as 'personal goods' en route from Libreville to the Gabon Embassy

in Seoul, South Korea. The shipment was inspected following its arrival in Paris on an Air Gabon (UTA) flight, where it was to be transferred to a Korean Airlines flight to Seoul. Also discovered were a collection of rare butterflies and a Lion *Panthera leo* skin.

The shipment was allegedly exported by M. Martin Bongo, Gabon's Foreign Affairs Minister from 1976 to 1989 and the nephew of Gabon's President, Omar Bongo. Shipping documents indicated that the intended recipient in Seoul was Mr Park Joung Sik, a former bodyguard of Gabon's President.

*TRAFFIC Europe-France; TRAFFIC Europe; TRAFFIC Oceania; Agence France-Press; Le Soir (France), 24 January 1992; La Griff (Gabon), 17 April 1992; VSD (France), April 1992*

## GERMANY

Three people were arrested at Frankfurt airport on 8 January 1992 when they were discovered to be carrying 350 kg of unworked elephant ivory pieces (approximately 19 tusks). The three - two Taiwan nationals with an ivory manufacturing company in Taiwan, and a Cameroon national, known to have had business relations with the Taiwanese for several years - were en route from Cameroon to Taiwan, via Frankfurt and Hong Kong. One of the Taiwanese has been released from custody. If convicted, the alleged smugglers face a maximum penalty of three years in prison and a fine of DM3.6 million (US\$2.26 million).

Inspection of passports and other documents indicates that the three had smuggled approximately 600 kg of ivory during three previous trips using the same route. Investigations are continuing.

Customs officials have reported several additional seizures of ivory from tourists who, as a consequence, have each been fined more than DM3000 (US\$1885).

*German Customs, Frankfurt am Main; TRAFFIC Europe-Germany*

## ITALY

On 28 November 1991, the Italian Finance Guard in the port of Naples seized a shipment declared as 54 bales of 'pig skins', which had arrived by sea from Uruguay. Inspection of the shipment by staff of TRAFFIC Europe-Italy, at the request of the State Forestry Corps, revealed that the shipment contained skins of 3776 Yellow Anaconda *Eunectes notaeus* and 2002 Collared Peccary *Tayassu tajacu*. The bales were wrapped in the skins of 171 Capybara *Hydrochaeris hydrochaeris*. The State Forestry Corps and the Finance Guard have asked that the shipment be confiscated due to violation of contraband laws. The skins, which have an estimated value of US\$164 527, remain in the custody of Italian Customs pending judicial review of the case.

On 4 March 1992, skins of 32 Ocelot *Felis pardalis*, 6 Leopard *Panthera pardus*, 1 Jaguar *Panthera onca* and 1 Lynx *Lynx lynx* were seized from a Treviso fur shop by the State Forestry Corps, following a tip-off from TRAFFIC Europe-Italy. It is unclear whether the seizure will be upheld by the judge reviewing this case, as Italy's new legislation imposing penalties for CITES violations (see page 7) was not effective until 7 March 1992. No civil or criminal penalties will be applied in any event.

Three Chimpanzees *Pan troglodytes* were seized on 7 March 1992 from a photographer working with the Molra Orfei circus, performing in Leghorn. The seizure by the State Forestry Corps coincided with increased inspection of travelling circuses, following investigations by TRAFFIC Europe staff in Italy and Greece which revealed that a number of circuses used endangered species of questionable origin. The Chimpanzees, aged between 18 months and three years, were accompanied by false Spanish CITES certificates stating that they had been legally imported.

Although the Chimpanzees were used for photographs before and during circus performances, and were housed and cared for by the circus, the circus claimed it had no connection with them. The photographer has been charged with illegal possession of endangered species. If convicted under Italy's new wildlife trade law which entered into force on the date of the seizure, the photographer could face a prison sentence of up to three months, and fines ranging from Lire 15 million to Lire 400 million (US\$12 500 to US\$332 900).

On 12 March 1992, officers of the State Forestry Corps seized 29 stuffed Green Turtles *Chelonia mydas* at Naples harbour. The sea turtles were in a shipment containing shells, sharks' teeth and other wildlife items imported from the Philippines by a Neapolitan dealer in marine curios. If convicted, the importer faces sentencing under Italy's new legislation.

On 8 May 1992, Customs and Finance Guard officers in Leghorn seized 66 elephant tusks, 450 pieces of worked ivory, skins of Leopard *Panthera pardus* and pythons, 95 Ostrich *Struthio camelus* eggs and several guns from a Sudanese ship arriving from Amman, Jordan. The items were packed in two shipping crates which belonged to two employees of the Italian Embassy in Khartoum. Shipping documents stated that the crates contained furniture. The two individuals, who were on leave in Italy, were arrested when they attempted to retrieve the crates in Leghorn. They were given one day in jail for breaking Italy's contraband law, and then released on bail pending trial for CITES violations.

*TRAFFIC Europe-Italy*

## NETHERLANDS

A shipment of birds being presented for export to Yugoslavia with documents declaring them to be Budgerigars *Melopsittacus undulatus*, Cockatiels *Nymphicus hollandicus* and quail, was seized when it was discovered to consist of the following: 1 Hawk-headed Parrot *Deopteryx accipitrinus*, 1 Ducorps's Cockatoo *Cacatua ducorps*, 28 Orange-winged Amazons *Amazona amazonica*, 1 Mealy Amazon *A. ferinosa*, 13 Red-bellied Macaws *Aratinga canicularis*, 17 Chestnut-fronted Macaws *A. savana* and 8 Crested Wood Partridges *Rollulus roulroul*. The birds were subsequently returned to the exporter when he produced appropriate CITES documents for the shipment. However, he faces charges for attempting to export the birds without providing CITES permits at the time of export.

The airline, Aeroflot, faces prosecution for transporting two shipments of wild birds in violation of Dutch animal welfare legislation. A shipment of birds en route from Dar Es Salaam, Tanzania, to the Netherlands via



## SEIZURES AND PROSECUTIONS

Moscow arrived at Schiphol airport on 19 March 1992 after having been in transit for two and a half days. The shipment included 11 Crowned Cranes *Balearica pavonina* and 8 Saddle-billed Storks *Ephippiorhynchus senegalensis*. Three specimens of both species died after being transported upside down from Moscow to Schiphol. Other birds in the shipment were also reported to be in poor condition.

TRAFFIC Europe-Netherlands;  
General Inspection Service

### UK

The convictions referred to below were carried out under the *Endangered Species (Import and Export) Act 1976* and the *Customs and Excise Management Act 1979*.

On 9 March 1992, Dutch reptile dealer Fransiscus Johannus Maria Verstappen was charged and found guilty of knowing evasion of Customs controls and failing to declare live animals to Customs upon import. Verstappen was apprehended at the port of Dover several days earlier when he attempted to smuggle four Sugar Gliders *Petaurus breviceps* into the UK. The small Australian marsupials were found in a wooden box concealed within a sleeping bag carried by Verstappen as he passed through the Customs checkpoint for foot passengers. Verstappen was fined a total of £1530 (US\$2809) by Dover Magistrates Court.

On 13 May 1992, Anthony Malcolm Prior and Victor Gordon, both of Norfolk, pleaded guilty before Horsham Magistrates Court to charges of conspiring to smuggle 85 Eurasian Goldfinches *Carduelis carduelis* and 45 Northern Bullfinches *Pyrrhula pyrrhula* from Istanbul, Turkey, on 2 February 1992. Prior was fined £400 (US\$730) plus court costs. Judgment for Gordon, who was considered by the Magistrates for a custodial sentence, has been deferred to 10 June 1992 pending social reports. The black-market value of the seized birds was estimated by HM Customs and Excise to be between £500 and £1000.

Prior was apprehended at London's Gatwick airport when HM Customs and Excise found the birds packed in 40 cardboard boxes in his suitcase. Thirty-five of the birds were dead on arrival. Gordon, who accompanied Prior on the flight from Istanbul to London, claimed not to know him and was not detained as no suspicious items were found in his luggage. Subsequent investigations revealed that Prior and Gordon had made joint travel reservations, and that Gordon was a dealer in live birds, including the species named above. A number of birds, primarily parrots, were discovered during a search of Gordon's home on 3 February 1992. Prior testified that he was acting as a courier for Gordon, who had organised the smuggling attempt.

Ian Wallace, owner of Entomological Livestock Supplies Ltd, in Halesowen, pleaded guilty on 14 May 1992 to charges of illegally importing 50 Mexican Red-kneed Tarantulas *Brachypelma smithi*. He and his company were fined a total of £1550 (US\$2846) by Solihull Magistrates Court.

The Tarantulas were imported from Switzerland on 4 September 1991, and intentionally misdeclared as Curly-haired Spiders *B. albopilosa*. Responding to a tip-off from TRAFFIC International, HM Customs and Excise staff visited Entomological Livestock

Supplies and discovered 38 Red-kneed Tarantulas which Wallace admitted had been illegally imported. He produced a copy of an apparently valid Swiss export permit for the Tarantulas, but stated that he had not produced it at the time of import and had not sought an import permit from the UK Government. According to the export documents, the Tarantulas were captive-bred in Switzerland.

HM Customs and Excise

Customs seized 28 tonnes of Alerce *Fitz-Roya cupressoides* from one of the UK's largest timber importers on 27 May 1992. Timbret Ltd allegedly imported the timber, which is listed in CITES Appendix I, from Chile in 1990. Following the raid, the company issued a statement in which it categorically denied any involvement in the importation of illegal timber, stating that the wood was covered by an export certificate from the Chilean Ministry of Agriculture. Before making the purchase, the company had obtained evidence that the wood was already standing dead and understood this to be the prime reason for the granting of the export licence by the Chilean authorities. Although Chile has a reservation on the listing of the species in CITES Appendix I, which in effect places the country outside of the Convention with regard to this species, the commercial import of the material into the UK, as a Party to CITES, is illegal.

Alerce is a softwood unique to the temperate rainforests of the Andes of south Chile and parts of Argentina, and can live for over 4000 years.

The case is under investigation.

*The Independent*, 29 May 1992;  
TRAFFIC International

## ASIA

### INDIA

A consignment of 19 tonnes of Costus (or Kuth) roots *Saussurea lappa* (CITES App. I), bound for Taiwan via Singapore, was seized by wildlife officials in New Delhi on 3 March 1992. The shipment was seized because it lacked a certificate indicating that the roots were from cultivated plants. The exporters of the shipment are being prosecuted under the *Wildlife (Protection) Act 1972*, and face penalties of up to three years in prison and a fine of up to Rs25 000 (US\$883) if convicted.

Costus is native to the Himalayas. Export of plants cultivated in Himachal Pradesh is allowed if the plants are accompanied by a cultivation certificate issued by the state's Chief Wildlife Warden. The roots of wild plants are believed to be collected in Jammu and Kashmir for illegal export. They are used in the manufacture of cosmetics, perfumes and medicines, and reportedly are smoked as a substitute for opium.

Swedish national Jiri Rychlik was arrested at New Delhi airport on 21 May 1992 when inspection of his checked luggage revealed 1849 snakeskins; these included water snakes *Natrix*, rat snakes *Ptyas* and pythons *Python*. Rychlik was flying to Istanbul, where

he intended to sell the skins. During interrogation he admitted to having smuggled snakeskins out of India during five previous trips to the country in the past two years, and said that he had intended to return for additional skins in June 1992. He is being held for further questioning, and will be prosecuted for alleged violation of the *Wildlife (Protection) Act 1972*.

TRAFFIC India

### JAPAN

Twenty-seven elephant tusks weighing a total of 372 kg were seized by Customs officials in Kobe on 27 February 1992; this is the second largest ivory seizure in Japan's history. The tusks were concealed in a hidden compartment of a shipping crate containing 14 pieces of furniture. The ship upon which the crate was transported visited South Korea, South Africa, Hong Kong, Yokohama and Nagoya before arriving in Kobe on 18 February 1992. Customs officials became suspicious of the container because the country of origin was declared as South Korea, but the country of export was South Africa. Investigations regarding the origin, exporter and importer of the shipment are continuing in Japan.

TRAFFIC Japan;  
*Asahi Evening News (Japan)*, 3 March 1992

### MALAYSIA

A number of rhinoceros and bear products were seized from a medicine shop in the State of Penang, in March 1992. Enforcement officers from the Department of Wildlife and National Parks head office in Kuala Lumpur raided the shop and found 13 rhino horns, 34 rhino hoofs, 7 kg of rhino skin, 777 bear claws and 13 bear gall bladders. The rhino products are believed to be from the Sumatran Rhinoceros *Dicerorhinus sumatrensis*. The dealer has been charged under the *Wildlife Protection Act 1972*, and is scheduled to appear in court in November 1992.

*Department of Wildlife and National Parks, Peninsular Malaysia*

### SINGAPORE

On 6 December 1991, 10 rhino horns were seized at Changi Airport, the first such seizure since Singapore joined CITES in 1987. The horns were discovered by Customs during inspection of a consignment of nine crates of "Kemedang/Gaharu Wood" imported from Indonesia by a Singapore trading company. Officials from Singapore's CITES Management Authority, the Primary Production Department, believe the horns to be from Javan Rhinoceros *Sondaicus* or Sumatran *Dicerorhinus sumatrensis* rhinos. The case continues.

*The Straits Times (Singapore)*, 10 December 1991

### THAILAND

Nine Irawaddy River Dolphins *Orcaella brevirostris* were confiscated from shrimp farms in Tambon Laem Makhm, Laem Ngob District, on 28 April 1992. Local villagers said that a man claiming to be an army Major, and two Japanese men, had visited the village and stated that they had permission from the Fisheries



## SEIZURES AND PROSECUTIONS

Department to catch the dolphins. Villagers were told that they would be paid Bhat 10000 (US\$415) for each dolphin captured. Three of the dolphins had died prior to being confiscated, and the others are to be returned to the sea after rehabilitation.

Fisheries Department Deputy Director-General Bang-orn Salsith stated that the Department would take action against those found to have poached the dolphins, which is a violation of Articles 32 and 65 of the *Fishery Law* (subsequent to a June 1990 Order issued by the Agriculture Ministry). Convicted violators face a fine of between Bhat 5000 and 10 000 and/or a prison sentence of up to one year.

*Bangkok Post (Thailand), 2 May 1992*

### OCEANIA

#### AUSTRALIA

**Recent convictions on charges under the Federal Wildlife Protection (Regulation of Exports & Imports) Act 1992**

On 4 March 1992, at Melbourne County Court, John Nichols of New Zealand was convicted of attempted illegal export of 74 Australian native lizards. Nichols had been apprehended at Melbourne airport on 17 December 1991 attempting to board a flight for New Zealand. He had in his possession 68 Shingleback Lizards *Trachydosaurus rugosus*, 3 Inland Bearded Dragons *Amphibolurus vitticeps* and 3 Common Bearded Dragons *A. barbatus*. The lizards, bound with tape and covered by a blanket, were packed in a suitcase. Nichols was sentenced to 18 months' imprisonment, with an order that he be released on a recognizance of A\$500 (US\$383) after serving eight months.

On 13 March 1992, at Sydney District Court, three American citizens, Joseph Demalo and Matthew Pisciotta, both of New York, and Ronald Martinich of Florida, were convicted of attempted smuggling of eggs of Australian native birds, and one live lizard. The three had been arrested on 13 September 1991 at Sydney airport as they were boarding flights back to the USA. A total of 46 eggs of Galahs *Eolophus roseicapillus* and 27 eggs of Major Mitchell's Cockatoos *Cacatua leadbeateri* were found concealed in specially-made body corsets. A Shingleback Lizard *Trachydosaurus rugosus* was found hidden in the underwear of one of the offenders. The three men admitted to taking the eggs from nests in Wyperfeld National Park, Victoria. The Australian Customs Service found incriminating photographs taken by the offenders of each other raiding the birds' nests, and these were tendered to the court.

Each was sentenced to 18 months' imprisonment. They were given a six month non-parole period and, as they had been in custody since their arrest, are expected to be released shortly.

On 20 March 1992, at Alice Springs Magistrates Court, two German citizens, Andreas Laube and Andre Kies, were convicted of attempted export of two Children's Pythons *Liasis childreni* through the mail. They were each fined A\$4000 (US\$3063) and given five days to pay, or six months' imprisonment.

#### PAPUA NEW GUINEA

On 5 February 1992 at Lae District Court, Labe Mess of South Sea Foods Pty Limited appeared on a charge, under the *Crocodile Trade (Protection) Act 1974*, of illegal possession of four Freshwater Crocodile *Crocodylus novaeguineae* skins. He was convicted and discharged. The skins were forfeited to the State.

On 21 February 1992 at Boroko District Court, the company South Sea Foods Pty Limited of Boroko faced charges, under the *Crocodile Trade (Protection) Act 1974*, of attempting to export Freshwater Crocodile skins acquired illegally by an unlicensed buyer (Labe Mesa), and possession of 16 illegal skins, 13 of which were proven to be oversize (over 51 cm belly width). The company was fined Kina 10 (US\$11) per skin and the skins were forfeited to the State. One hundred and forty-seven other skins, which had been part of the confiscated export consignment but were legally acquired, were ordered to be returned to the company. The Department of Environment & Conservation has lodged an appeal against the leniency of the sentence. The Environment & Conservation Minister, Michael Singan, has cancelled the company's licences to buy and export crocodile skins.

In March 1992, Australian authorities detained 25 Indonesian fishermen in the northern coastal port of Darwin for suspected illegal fishing inside the country's coastal waters. The Indonesians were arrested after their three wooden boats were towed into port by the Australian Navy. The three captains were to be questioned about alleged breaches of Australian fishing laws and charges might then be laid, according to a government spokesman. Fisheries officials in Darwin claimed that all three sail-powered boats had shark flesh on board.

More than 100 Indonesian boats have been caught in Australia's fishing zone since large numbers started fishing for shark and the valuable trochus *Trachus* shells in 1988.

Foreign fishermen found illegally in Australian waters risk gaol or heavy fines and are almost always deported. The boats are confiscated and burned.

*Reuters (Sydney, Australia), 25 March 1992*

*Oceania section compiled by TRAFFIC Oceania*

### AFRICA

#### GABON

Anadou Touré of Guinea and Ketegui Touré of Côte d'Ivoire were arrested in Libreville on 11 April 1992 when they attempted to send 42 pieces of elephant ivory, weighing a total of 500 kg, to Côte d'Ivoire. Touré claimed that M. Martin Bongo (see under France) was involved in the smuggling attempt, and stated that Côte d'Ivoire had not been the final destination for the ivory.

*La Griff (Gabon), 17 April 1992*

#### MALAWI

Approximately 200 kg of ivory were seized and three people arrested in Lilongwe on 25 January 1992 when a co-operative undercover investigation by Malawi Police, the South African Police Endangered Species

Protection Unit (ESPU) and TRAFFIC East/Southern Africa exposed an international ivory smuggling ring. Arrested by Malawi Police were Major Austen Kambote, an officer in the Malawi Defence Force and Mr Wakisa Mwasoka, a known smuggler who had previously travelled to South Africa to sell ivory. The arrests were the culmination of a year-long investigation into a smuggling network that conspired to move ivory from Malawi into South Africa.

A total of 78 tusks, cut into 101 pieces with a total weight of 192 kg, were confiscated. The average weight of only 2.46 kg per tusk indicates that the ivory came from very young animals. It is speculated that some of the tusks originated in Zambia and the others were from elephants poached in Malawi's Thuma Forest Reserve. Thirteen animal skins were also seized.

Kambote and Mwasoka were each sentenced to four months in prison and fined 200 Malawi Kwacha (US\$74). Wildlife authorities were disappointed by the relatively light sentences and may appeal the decision of the Magistrates. Stiffer penalties for those convicted of wildlife-related crimes will be established under Malawi's new *National Parks and Wildlife Bill 1992* which has been passed by the Malawi parliament and awaits the President's signature (see page 6).

*Southern African Nature Foundation; TRAFFIC East/Southern Africa; The Argus (South Africa), 27 January 1992*

#### SWAZILAND

Six members of a rhino horn smuggling ring were arrested in April 1992 following a gun battle in a car park at Big Bend. The arrests came after a two-week undercover operation prompted by an increase in rhino poaching in the Mkazi Game Reserve. Swazi police observed the six men, armed with AK47 rifles, selling rhino horn to two white men and a woman. The gun battle broke out when Swazi police emerged from bushes to make the arrests. One suspected smuggler was killed and a second paralysed during the fight. A further 10 members of the syndicate were arrested during follow-up operations. Under the terms of a royal decree, all those arrested can be held indefinitely while investigations continue. Only 13 White Rhinos *Ceratotherium simum* remain in Swaziland's national parks, and the country's wild Black Rhino *Diceros bicornis* population has been reduced to six animals.

*Sunday Times (South Africa), 26 April 1992.*

#### ZIMBABWE

The Zimbabwean Government ordered the expulsion of North Korean diplomat Han Dae Song in January 1992. Han was accused of purchasing rhino horns and smuggling them to North Korea in diplomatic pouches, which are not subject to inspection owing to diplomatic immunity. He left the country before deportation orders could be served.

North Korean diplomat Pak Su Yong was expelled in 1990 for a similar offence. He was transferred to a post in the North Korean Embassy of neighbouring Zambia.

Neither the Zimbabwean Government nor North Korean Embassy officials would comment on the matter.

*Associated Press, 6 January 1992; Reuters, 23 January 1992; United Press International, 8 January 1992*



## AMERICAS

## USA

On 6 December 1991, Anson Wong, of Exotic Skins and Alives in Penang, Malaysia, and Tom and Penny Crutchfield, owners of Herpetofauna, Inc., in Florida, were indicted by a Florida federal grand jury for allegedly importing and selling Fiji Banded Iguanas *Brachyophus fasciatus*. The three are accused of violating the *Endangered Species Act*, the *Lacey Act* and CITES. The import and subsequent sale of the Iguanas to other locations in the USA is alleged to have occurred between May 1989 and August 1990. Fiji Banded Iguanas are included in the US *Endangered Species Act* and CITES Appendix I, and have a market value exceeding US\$350 each.

Floyd Lester Patterson III, charged with 27 misdemeanours involving illegal possession and transportation of animals and animal parts of species protected under the US *Endangered Species Act*, was sentenced to 180 days in jail, given three years' probation and fined US\$28 200. Dawn Patterson, his wife, was ordered to perform 200 hours of community service and fined US\$14 000.

The Pattersons were proprietors of California Ram Hunt, a game ranch in Lockwood, California, offering 'canned hunts' of Leopard *Panthera pardus*, Tiger *Panthera tigris*, Jaguar *Panthera onca* and Cougar *Felis concolor*. Trophy seekers were offered the chance to shoot captive animals at close range, sometimes while the animals were caged or tied to trees. One individual paid US\$10 500 to shoot a Leopard, a Cougar and a Tiger, and fainted in the process.

Daniel Moody and Ronald McCloud were indicted in Texas for unlawfully conspiring to sell and transport a Leopard, which they provided to Ty Bourgeois of Louisiana for a US\$3000 fee. Bourgeois was fined US\$2000 for illegal trade in an endangered species.

'Canned hunts' are big business in the USA, with over 500 game ranches in Texas alone. Many of the animals shot at these ranches are captive-bred.

A three-year undercover operation investigating the illegal trade in exotic birds led to the simultaneous search of premises of dozens of bird keepers and dealers in Australia, New Zealand and the USA. Hundreds of birds were seized and large quantities of records obtained in the course of the searches, which took place 18/19 January 1992.

In New Zealand, Customs and Conservation Department officials executed seven search warrants in Auckland, the Waikato, the Bay of Plenty and Taranaki. Thirty-five exotic birds were seized, including Golden *Cornix auratus*, Scarlet Macaws *Ara macao* and Yellow-headed Amazons *Amazona ochrocephala*. Three Keas *Nestor notabilis* were also seized. Australian Customs, National Parks and Wildlife, and State Fauna Squad Officers raided a number of premises around Australia on 18 January 1992. They seized parrots and documents, primarily from locations in the Brisbane and Sydney areas. US Fish and Wildlife Service Law Enforcement officials searched premises in California, Florida, Illinois, Louisiana and New York, seizing hundreds of parrots and many documents.



Fiji Banded Iguana *Brachyophus fasciatus*

Wildlife enforcement officials in all three countries stated that the operation had cracked a major international smuggling ring. Their investigations revealed that Australian cockatoos were smuggled to New Zealand and then re-exported to the USA with documents stating that they had been 'captive-bred' in New Zealand. Fertile eggs of Australian parrots were hatched in New Zealand and then re-exported in this manner. New Zealand was also used for transshipping fertile parrot eggs between the USA and Australia.

The investigation led to the arrest at Los Angeles airport of New Zealander, Philip Thomas Morrison, when he arrived on a flight from New Zealand. He is alleged to have been the 'ingleader' of the smuggling operation. Additional arrests are expected following review of the evidence collected during the seizures.

Morrison was convicted in Auckland in October 1991 for attempting to trade illegally in parrot eggs (see *TRAFFIC Bulletin*, 12(3):73-74).

A US Fish and Wildlife Service (USFWS) undercover operation resulted in the arrest and/or filing of charges against 29 individuals for alleged 'wasteful' killing of Walrus *Odobenus rosmarus*, illegal trading of walrus heads and ivory, and distribution and conspiracy to distribute controlled substances in February 1992.

'Operation Whiteout' was launched in 1990 following a request by Native American Walrus hunters that illegal hunting and trade be investigated. USFWS special agents set up a storefront business in Anchorage and documented the illegal sale of 315 kg of Walrus ivory, 31 Walrus heads, five Polar Bear *Ursus maritimus* skins, nine Sea Otter *Enhydra lutris* skins and four seal skins, as well as marijuana and cocaine. On 12 February 1992, 120 federal and state agents across Alaska made 12 arrests, issued summonses to 17 others and executed 11 search warrants in a state-wide raid. They seized more than 100 Walrus tusks, 9 mounted Walrus heads, 5-10 kg of marijuana and over a half kg of cocaine.

The defendants have been charged with violating the *Lacey Act* and the *Marine Mammal Protection Act* as well as drug-related offences. If convicted, they face penalties of up to five years in prison and/or a US\$250 000 fine for violating the *Lacey Act*, and up to one year in prison and/or a US\$100 000 fine for violating the *Endangered Species Act*.

On 9 February 1992, a federal grand jury returned a four-count indictment charging live animal dealer Matthew Block with violating the *Endangered Species Act* and the *Lacey Act*. The indictments stem from Block's alleged involvement in the trafficking of six baby Orang Utans *Pongo pygmaeus* from Indonesia via Singapore and Bangkok en route to Moscow via Yugoslavia. Block was charged in Miami, Florida, where he owns World Wide Primates. He has been released on US\$150 000 bond.

The Orang Utans, sealed in three wooden crates labelled 'Birds', were seized at Bangkok airport on 19 February 1990. Investigation of the case by the International Primate Protection League, the US and other national governments, and TRAFFIC, revealed a number of apparent connections between Block and the shipment. Most telling were a series of faxes between Kurt Schäfer, a German animal dealer who acted as the courier for the Orang Utans, and Block. Block admits to having faxed Schäfer about shipping animals from Singapore to Moscow, but contends that the shipment referenced in the faxes was of hornbills.

If convicted on all counts, Block faces up to twelve years' imprisonment and a fine of up to US\$700 000.

In a related story, Schäfer was convicted in Singapore on 24 May 1990 of violating the *Endangered Species (Import and Export) Act* for exporting the six Orang Utans as excess baggage without first obtaining a permit from the Primary Production Department. He was fined S\$2000 (US\$1235) by a Singapore district court.

The US Fish & Wildlife Service (USFWS), in conjunction with the Justice Department and other Federal agencies, has succeeded in obtaining the extradition of a man charged with smuggling wildlife from South Africa. This is the first time that a subject has been extradicted to the USA on charges relating to illegal wildlife trade.

Marius Meiring, a former Major in the South African Defence Forces in Namibia, was brought before US District Court in New Haven, Connecticut, on 16 May 1992. He will be tried on charges of making false declarations for the purpose of illegally importing protected wildlife, automatic weapons and hand grenades.

Proceedings for Meiring's extradition began in 1988 when, along with his wife Patricia, he was indicted after an accomplice, John Lukman Jr., told USFWS undercover agents of the Meirings' access to firearms and rhino horns. Lukman claimed that he and Meiring, using the Major's official position, obtained the horns in Angola and transported them to Namibia using South African military vehicles; the horns were then smuggled into the USA (see *TRAFFIC Bulletin* 10(3/4):30; 11(1):15).

Lukman, a resident of Newington, Connecticut, was convicted in 1989 for smuggling and sentenced to 27 months in prison.

US Department of Justice; Audubon Magazine, January-February 1992; Cat News No. 16, March 1992; US Fish and Wildlife Service; The Dominion (New Zealand), 20 January 1992; Sydney Morning Herald (Australia), 20 January 1992; Fish and Wildlife News, Winter 1992; Associated Press; The Miami Herald (USA), 29 June 1990; Straits Times (Singapore), 25 May 1990; US Department of the Interior news release, 18 May 1992



VOL. 12 NO. 3

# TRAFFIC

## BULLETIN



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The Journal of the TRAFFIC Network disseminates  
information on the utilisation of wild animal and  
plant resources

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WINTER 1991



Assistance in investigations was provided to authorities by TRAFFIC staff in most of the cases reported below which occurred in regions covered by a TRAFFIC office.

## EUROPE

### BELGIUM

On 5 June 1991, 150 kg of ivory was confiscated by Customs officers at Zaventem airport, Brussels, whilst in transit from Gabon to South Korea. The ivory was fresh and had been cut into 35 pieces of between 20 cm and 60 cm in length and was contained in the personal luggage of a South Korean woman; also included in the shipment were three ivory statues weighing a total of 1 kg. On two occasions in 1989 ivory which has travelled the same route in the hand luggage of Korean citizens has been seized at Zaventem.

On 5 November 1991, a further 660 kg of raw ivory was seized. The shipment had travelled, unaccompanied, from Bujumbura, Burundi, and was destined for Abidjan in Cote d'Ivoire. The tusks had been cut into pieces and were contained in six iron crates labelled as personal effects. Samples of the ivory indicated that it was of good quality and not fresh. The contraband was discovered by accident when one of the crates fell open during handling. Investigations are continuing.

TRAFFIC Europe

### FRANCE

French Customs officers have seized 400 *Paphiopedilum* orchids (CITES App. I) from one of the most prestigious and established French specialist orchid nurseries.

The seizure follows a visit to the nursery by TRAFFIC Europe whilst in the course of carrying out a survey on the commercial availability in Europe of wild-collected CITES-listed species. The survey team's attention was immediately drawn by the distinctive appearance of the plants, which had evidently been recently potted and had scarred and torn foliage, indicating a wild origin.

According to the nursery owner, who was unable to provide Customs officers with the necessary import permits when questioned, the plants had been obtained from a Philippine dealer who had imported approximately 2000 *Paphiopedilum* plants for a national show held in France in 1989.

The confiscated specimens were identified as *Paphiopedilum adductum*, *P. argus*, *P. haynaldianum* and *P. philippinense*, and were sent to a French botanical garden.

TRAFFIC Europe

Fifty tiger penises, destined to be sold in sex shops as aphrodisiacs, were seized from the suitcase of a Chinese man at the border with Luxembourg on 5 June 1991. A Customs spokesman said the penises, along with packets of powdered deer horn and various other supposed aphrodisiac substances, were confiscated, and the man questioned and later released.

In order to release the alleged stimulating properties, the spokesman stated that the penises are grated over food.

Straits Times (Singapore), 7 June 1991

### GERMANY

On 21 January 1991, Customs officers at Munich airport seized ten Madagascar boas *Acrantophis madagascariensis* and *Sanzinia madagascariensis* from the hand luggage of a tourist returning from Madagascar. Further enquiries led to the uncovering of a smuggling ring comprising six couriers and two organisers and the confiscation of more reptiles from private addresses. These included 16 Madagascar boas of the above species and *Acrantophis dumerilli*, and 18 tortoises (*Geochelone radiata* and *Pyxis arachnoides*). On a recent smuggling trip, one of the organisers was discovered by Customs officers at Zurich airport, with a 2.9 kg Madagascar boa wrapped round his body as he attempted to board a train to Munich.

On 23 March, WWF-Germany arranged for the repatriation of the Malagasy reptiles, which were flown free of charge courtesy of Air Madagascar; the airline also provided free travel to Dr Michael Waltzmann, formerly of TRAFFIC, to supervise the transport of the reptiles from Munich to Antananarivo. The release of the animals was overseen by WWF experts.

TRAFFIC Europe-Germany



Dr Waltzmann, with one of the boas repatriated to Madagascar

© WWF Germany

### ITALY

An advertisement offering two rhinoceros horns for sale in Florence, Italy, led a staff member at TRAFFIC Europe-Italy to an appointment with the seller and the ultimate seizure of the horns by the Italian State Forestry Corps. The horns were being offered for sale at 7.5 million lire (US\$6300). Following this case, the Minister of Agriculture and Forestry issued a Ministerial decree prohibiting internal trade in rhinoceros products in Italy.

Following a five-month investigation by TRAFFIC Europe-Italy and the Italian State Forestry Corps, a large quantity of animals was seized from a villa, south of Rome, in March 1991. These included ten Common Marmosets *Callithrix jacchus* (CITES App. II) and more than 70 birds, including 10 Red-spectacled Amazons *Amazona pretrei*, 2 Vinaceous Amazons *Amazona vinacea*, 2 Palm Cockatoos *Probosciger aterrimus*, 2 Scarlet Macaws *Ara macao*, 2 Red-fronted Macaws *Ara rubrogenys* and 2 Bali Mynahs *Leucopsa rothschildi*; all CITES App. I-listed species.

Approximately 100 kg of worked ivory items and several small whole tusks were seized by the Finance Guard on 23 September in a hotel at Lido di Ostia, Rome. The seizure was made after a long investigation which led to the arrest of a number of drug dealers and the confiscation of 3 kg of cocaine. The case continues.

Chimpanzee seizures (see page 33).  
TRAFFIC Europe-Italy

### NETHERLANDS

On 16 March 1991, a shipment of tortoises arriving from Tanzania with KLM airlines, was seized at Schiphol airport. Over 300 Leopard Tortoises *Geochelone pardalis* were stacked in five boxes, six to seven layers deep; another box contained 511 Pancake Tortoises *Malacochersus tornieri* which were arranged in ten layers; all the animals were dehydrated, undernourished and infected with a wide variety of parasites; a permit issued by the Government Veterinary Clinic of Dar es Salaam, dated 14 March, stated that the animals had been found to be free from any signs of communicable diseases. There is some uncertainty about the CITES permits which, according to the Tanzanian authorities, were issued for birds. The documents named M/S Unity Investments Ltd in Dar es Salaam as the exporter and LA Reptile in the USA as the importer. All the surviving reptiles will be repatriated to Tanzania.

A number of cases involving the smuggling of Cuban Amazons *Amazona leucocephala* (CITES App. I) have recently come to light. In July 1991, three specimens were confiscated from a Soviet ship which had arrived in Amsterdam from Cuba, bound for Hamburg, Germany. A number of empty, sealed cages were also found, suggesting that there may have been more specimens which had not survived. ▷



## SEIZURES AND PROSECUTIONS

▷ A further six specimens were confiscated from the premises of a private individual who did not have a possession certificate, as required by Dutch law.

In September 1991, four postal parcels containing a total of 500 wild orchids from Suriname were seized on separate occasions by a postal Customs service in Amsterdam. All the boxes had originated from five exporters and were destined for one importer. Although the importer had import permits, export permits were missing.

On 25 September 1991, a shipment containing 150 hummingbirds (CITES App. I) were seized at Schiphol airport. The CITES permit had been issued for 75 birds but was otherwise valid. The birds, from Peru, can fetch over US\$100 each in the Netherlands.

In October 1991, 4400 skins of Yellow Anaconda *Eunectes notaeus*, were seized at Schiphol airport. The accompanying permit had been issued for the more expensive Anaconda *Eunectes murinus* and could have been an attempt to swindle the Milan-based importer. The export permit had also been forged to include a final zero to the figure of 672 skins. The skins had come from Venezuela and were flown in via Aruba, in the Lesser Antilles.

The Yellow Anaconda does not inhabit Venezuela but can be found in large numbers in Paraguay, a country that prohibits the export of wildlife.

*TRAFFIC Europe-Netherlands; General Inspection Agency, Schiphol airport.*

### UK

Over 17 tonnes of dead coral were seized at Tilbury docks, London, in July 1991, the largest seizure of coral in the UK to date. Customs officers discovered two tonnes after a random search of a Soviet freighter which had arrived from the Philippines. The consignment had been labelled "driftwood, cuttlefish and rocks". Another 15 tonnes were seized at premises in Boston, Lincolnshire. A man was interviewed and released, pending further investigations.

All hard corals, or reef-building corals, are listed in CITES Appendix II. Since 1977, the collection and export of coral from the Philippines has been banned, except during a period of seven months in 1986 to "clear stocks". Unscrupulous dealers are evading regulations, either with false documentation, or no documents at all. Reefs in the Philippines have been particularly badly damaged as a result of siltation, pollution, over-fishing and dynamite fishing; coral collection is an added problem.

*Portcullis, August 1991; Marine Conservation Society*

On 16 August 1991, David Deans, a bird dealer from Blithorpe, Nottinghamshire, was fined £250 (US\$450) with £250 costs, at Isleworth Crown Court, London, for smuggling 11 Blue-cheeked Amazons *Amazona dufrenoyana* into Britain. He was also found guilty of forging a bird health certificate, but acquitted of two further charges of forgery and of producing a false certificate.

Deans was stopped by Customs officers at Heathrow airport on 1 February 1990, after arriving

from Guyana with the birds. He had applied to the Department of Environment in 1989 for an import permit in respect of ten Blue-cheeked Amazons, but the application was refused on the grounds that Guyana has a zero export quota for this species.

Five of the birds died within days of being imported; the remainder, all male, are being cared for by the World Parrot Trust. The trial lasted five days and the case cost £20 000 to bring to court.

*Portcullis, September 1991; The Guardian (UK), 17 August 1991*

On 21 September 1991, Johan Goessens, from Belgium, was apprehended at Ramsgate port, with one dead and eight live Rosellas *Platycercus* spp. which had been stowed in his car. Four were found behind the dashboard and centre console; five were hidden in the lining and inside pocket of Goessen's jacket. All birds had been wrapped in black stockings and had been sedated; a syringe and vial of Valium were found on the accused.

Goessens was charged with violating *Transit of Animals Order, Importation of Birds, Poultry and Hatching Eggs Order 1979*, and Section 170(2) of *Customs and Excise Management Act*. He was fined a total of £1275 (US\$2300) including costs.

On 29 September 1991, at Solihull Magistrates Court, Paul Harkins, of Redfern, Australia, was fined £1200 (US\$2150) for smuggling 18 Galah *Cacatua roseicapillus* eggs from Australia through Birmingham airport the previous day. Harkins claimed he had acted as a courier, after being recruited anonymously by phone in Sydney and given the ticket to Britain, via Amsterdam. During a body search the eggs were found concealed in separate compartments in a thermal vest. Only six of the birds survived and are housed at Twycross Zoo, Leicestershire, which hopes to breed from them eventually.

Galahs can fetch up to £2500-£3250 in the UK.

*The Daily Telegraph Mirror (Australia), 11 October 1991*

## AFRICA

### SOUTH AFRICA

Two Taiwanese businessmen who attempted to buy 55 rhino horns have been gaoled for nine months. Lee Wei-peo and his brother Kang, both of Johannesburg, were arrested on 13 June 1991 whilst on their way to collect the horn. The pair had been negotiating the sale for two months and had agreed to pay R244 000 (US\$82 700) for the horns, which weighed 204 kg. The crime was committed prior to the introduction of new legislation which carries a maximum prison sentence of ten years for such an offence.

*Cape Times (South Africa), 30 August 1991*

South African police seized ivory worth US\$800 000 on 23 August 1991 and arrested a Taiwanese man in what was one of the biggest swoops on ivory smug-

glers in the country. The ivory, which had been cut into 3000 blocks, weighed 158 kg and was seized at a jewellery store run by the Taiwanese man in Johannesburg. The tusks, from about 130 elephants, most of which had been killed in Zaire, had been smuggled to South Africa via Zambia and Swaziland. It is believed that a syndicate responsible for bringing in another 57 kg of ivory seized by police on 21 August, was behind the latest seizure. The police unit, which includes undercover officers posing as smugglers, stepped up investigations after a task-cutting operation was discovered in Zambia last year. In August, Johannesburg magistrates fined two members of the cutting operation R60 000 (US\$25 000) each, or imprisonment for six years for smuggling.

Since September 1991, police in southern Africa have arrested about 80 people, including several Taiwanese, in a series of operations against ivory and rhino horn smugglers.

Despite strict control measures, the rock lobster industry in South Africa is still to a large extent undermined by black market activities. In the past financial year, about 462 prosecutions were instituted for contraventions of regulations to control rock lobster populations. These resulted in fines totalling R177 182 (US\$60 000) and represent about 27% of all prosecutions instituted under the *Sea Fisheries Act*.

The total wholesale value earned by the South African rock lobster industry is about R 101 303 000 or about 11% of the total earnings of the South African fishing industry.

*Southern Africa Nature Foundation*

### SWAZILAND

The Head of the League of Churches, Reverend J. Zilba, has been arrested on a charge of being in possession of a rhino horn.

Police told the Manzini magistrates court that their investigations had established that the Reverend, his daughter and a traditional healer, had masterminded the killing of rhinos at wildlife reserves and the smuggling of rhino horns. The accused were found in possession of the horn in the Khuphuka area in the Lubombo region, on 11 September 1991. They have been refused bail.

*The Times of Swaziland, 18 September 1991*

## OCEANIA

### AUSTRALIA FEDERAL

On 15 May 1991, at Perth Magistrates Court, Casey Stephen Lazik, an American citizen, was convicted on charges of illegal possession and attempted export of Australian snakes. Lazik had been arrested on 24 March 1991 after investigations into the mailing of a parcel to the USA from Port Hedland post office, Western Australia. The parcel had been found to contain a Woma *Aspides ramsayi*, a Black-headed Python *Aspidites melanocephalus* and a Pygmy Children's Python *Liasis childreni parthenis*. ▷



## SEIZURES AND PROSECUTIONS

### STATE

#### Northern Territory

An Australian court has jailed an Indonesian fisherman for nine months and placed six others on good behaviour bonds for poaching prized trochus *Trochus* shells in territorial waters off Australia's northwest coast. The fishermen all pleaded guilty in a local court on 22 October 1991 in the northwest coastal port of Broome. The men were part of a 16-person crew detained by a navy patrol boat at the beginning of October, with 50 kg of trochus on board their boat. Six were placed on good behaviour bonds of A\$5000 (US\$3850) for five years on fishing and quarantine charges. Two 16-year-olds from the same boat will appear before a juveniles' court, while the other seven, all children between ten and 11 years old, will be repatriated to Indonesia. Five Indonesian boats were detained in October for illegal shark fishing off the northwest coast of Darwin (see also *TRAFFIC Bulletin* 12(1)27).

Fisheries officials fear the spate of detentions mark the start of a mass incursion by Indonesian fishermen of Australia's shark-fishing grounds as a result of the good seasonal conditions and strong international demand for shark fin and trochus.

Trochus, a mollusc whose shell is used for making buttons and fashion jewellery, can fetch from three to six US dollars a kilogram.

#### Western Australia

Errol Cason and David Cahill, of Queensland, were convicted in Eucla Justices Court, on 21 and 24 May 1991 respectively, on charges under Western Australia's *Wildlife Conservation Act* of taking protected flora on Crown land without a licence. Each was fined A\$12 000 (US\$9250), plus A\$30 costs. Both men had been involved in illegally taking sandalwood *Santalum spicatum* trees in Western Australia, storing them in South Australia, before sending them to Queensland for export.

Cahill was convicted again on 20 August 1991 under South Australian law for illegal possession of native plants, and was fined A\$4500.

### NEW ZEALAND

Eight parrot chicks and 42 eggs smuggled into Auckland, have been sent, courtesy of Air New Zealand, to Jurong Bird Park in Singapore.

The eggs were found inside tennis balls which had been strapped to the bodies of two couriers arriving from Los Angeles, USA.

Two Customs officers transported the eggs to Singapore employing the same method as the smugglers to ensure that the birds remained at a constant temperature throughout the flight. Because quarantine rules forbade the opening of the incubator in New Zealand, the officers used the galley of the aeroplane to transfer the cargo once the flight had left New Zealand airspace.

On 2 October 1991, at Auckland District Court, Philip and Marlene Morrison, of Albany, were convicted on charges, under Section 449(b) of the *Trade in Endangered Species Act 1989*, of attempting to trade illegally in specimens of a 'threatened species'. The Morrisons had been apprehended at Auckland airport on 7 April 1991 on their return from Los Angeles. Mrs Morrison was found to have ten eggs strapped underneath her breasts. She broke the eggs as soon as she was discovered. The eggs were sufficiently near >



Wildlife officer with illegally harvested sandalwood, near Mundrabilla, Western Australia  
Photo courtesy of Western Australian Government Department of Conservation and Land Management  
Photographer Colin Verwey

> Lazik was fined A\$6000 (US\$4800) for attempted export of the three animals (Section 21a of the *Wildlife Protection (Regulation of Exports & Imports) Act*, through Section 7 of the *Crimes Act*), and a total of A\$4000 on three counts of possession under the *Wildlife Conservation Act* (Western Australian State legislation).

On 11 June 1991, at Perth District Court, an Austrian citizen Walter Spreitzer, was convicted on charges under the *Wildlife Protection (Regulation of Exports & Imports) Act 1982*, and the *Quarantine Act 1908* relating to attempted illegal importation of live birds. Spreitzer had been arrested at Perth airport on 8 February 1991. He had arrived on a Qantas flight from Singapore and was attempting to smuggle three Rose-ringed Parakeets *Psittacula krameri* mutations into Australia. The court sentenced him to 12 months' imprisonment on the wildlife charge, and six months' on the quarantine charge, to be served concurrently. The court ordered that Spreitzer, who had been in custody since his arrest, should serve another six months before being considered for release.

On 28 August 1991, at Sydney District Court, Peter Bazos, Director of Elite Wood Products (Australia) Pty Ltd., was sentenced to four and a half years' imprisonment, and his company was fined A\$134 500 (US\$104 000) and ordered to repay A\$429 989. Bazos and his company had been found guilty on 178 charges under the *Customs Act 1901* involving forgery, fraud and false pretences. The court was told that, between November 1983 and March 1987, Elite Wood Products had imported timber from Malaysia and, on Bazos' instructions, understated to Customs the value of the goods. Approximately A\$288 000 in Customs duty had been evaded, which the judge estimated to be worth A\$429 989. Bazos claimed in court that he had been forced to pay bribes to Malaysian timber merchants to guarantee a steady supply of cheap plywood.

On 9 December 1991, at Wollongong District Court, Jean-Pierre Blanc of Switzerland was convicted on charges under Section 21b of the *Wildlife Protection (Regulation of Exports & Imports) Act 1982*, of attempted illegal export of 40 Shingleback Lizards *Trachydosaurus rugosus*, and under Section 98 of the *New South Wales National Parks & Wildlife Act 1974*, of taking protected fauna.

Blanc had been arrested at Sydney airport on 24 September 1991 as he attempted to leave the country with the lizards.

He was sentenced to 86 days imprisonment (the amount of time that he had already spent in custody since his arrest), and was released immediately.

On 11 December 1991, at Melbourne County Court, David Freda of New Paltz, USA, and Rebecca Robison of Montana, USA, were convicted on charges relating to the attempted smuggling of Australian native birds' eggs. Freda and Robison had been apprehended at Melbourne airport in September 1991. Freda pleaded guilty to charges under the *Wildlife Protection (Regulation of Exports & Imports) Act 1982* of attempting to export 24 eggs, export of 20 eggs (on a previous trip to Australia in 1990), and being knowingly concerned with the attempted export of 47 eggs by another person. He was fined A\$5000 (US\$3850), and required to enter into a A\$5000 bond to be of good behaviour for three years. Freda was given a year to pay the fine, and is expected to return home to the USA immediately. The Crown is expected to lodge an appeal against the leniency of the sentence.

Robison pleaded guilty to two counts of being knowingly concerned with the attempted export of birds' eggs. She was fined A\$6000, to be paid by 20 December 1991, or six months in default.

The species involved were mainly Galahs *Eolophus roseicapillus* and Major Mitchell's Cockatoos *Cacatua leadbeateri*. The eggs had been taken from nests in Wyperfeld National Park in Victoria.



## SEIZURES AND PROSECUTIONS

▷ to hatching to enable identification as one Blue and Yellow Macaw *Aratinga canicularis*, one Senegal Parrot *Poicephalus senegalus* and eight Peach-fronted Conures *Aratinga aurea*. The Morrisons were each fined NZ\$2500 (US\$1400).

A total of 14 dried fur seal Otariidae penises were seized from the luggage of a Korean fisherman at Christchurch airport on 3 November 1991; deer velvet and deer blood were also found.

Fur seals are sometimes accidentally caught in fishing nets and such occurrences must be reported to the authorities. Four seals were reported as having been landed on Korean vessels in the west coast hoki fishery this season. Of these, three were male, all of which were reported by Ministry of Agriculture and Fisheries observers as having had their penises removed.

Customs did not detain anyone in connection with the seizure. The Department of Conservation, concerned at the implications for New Zealand's protected fur seal population, has stated that it will write to the nation's Fishing Industry Association to ensure that foreign fishing crews are fully aware that removal and export of any part of protected marine mammals is an offence.

Dried fur seal penises are utilised for their alleged aphrodisiac properties.

Oceania section compiled by TRAFFIC Oceania

## ASIA

### INDIA

A sandalwood smuggler has allegedly shot and beheaded a senior forestry official who had been on his trail for over a year.

Mr P. Srinivas, Deputy Conservator of Forests in Kollegal, in Mysore, was killed in an ambush after being lured into a village in the belief that the smuggler wished to surrender.

*The Times of India (India)*, 11 November 1991

### MALAYSIA

Seven Orang Utans *Pongo pygmaeus* were smuggled out of Sarawak in July 1991 in what is the first known case of Orang Utan poaching in this region in 15 years. According to the *Borneo Bulletin* (18 July 1991), the Forestry Department and the Anti-Corruption Bureau will conduct a full-scale investigation into allegations of a conspiracy involving Government employees. The animals were reportedly sold in various countries for a total of US\$510 000.

*Asian Primates Vol. 1 No. 2, IUCN/SSC Primate Specialist Group, September 1991*

### MYANMAR

Over 50 people, many of them Government employees, have been arrested in connection with an illegal trade in birds' nests. Twenty-eight of those arrested have been accused of possessing arms obtained from an insurgent group and of paying the group to protect the multi-million dollar concession to farm the nests.

The nests of swiftlet species *Collocalia* spp. consist largely of the birds' saliva and are considered a delicacy in Chinese cuisine.

*Straits Times (Singapore)*, 18 July 1991

### THAILAND

On 2 July 1991, police officers, led by the Government's Crime Suppression Division, raided a farm in Samut Prakan Province, south of Bangkok. They found four freshly slain bears, and a number of tourists, mostly Koreans, dining on bear meat. Also discovered were several living bears (including seven hidden at a nearby village), 48 bear paws in a refrigerator and records of sales of bear gall bladders and bear paws. Seven people, including the Korean manager and a couple of workers from Taiwan, were arrested.

During the investigation, it emerged that the farm was a restaurant and medicine outlet and, since opening in May 1991, 16 tour companies had been bringing in tourists from South Korea, Taiwan and Hong Kong to consume protected species and buy medicine made from their parts. Most of the farm's bears were smuggled by trawler via the Gulf of Thailand from Cambodia, though some may also have come from Myanmar. The animals were reportedly prodded with a metal pole to stimulate the adrenalin and other, allegedly medicinal, juices, after which they were killed by drowning, strangulation or stabbed with a spear. A bowl of bear paw soup or stew was being offered for sale for US\$32 to US\$40. The farm's owner, the brother of Thailand's former Deputy Commerce Minister, claimed the farm was a zoo set up for tourists and to help save endangered animals from extinction.

The Government took great effort to publicise the bust, and authorities have stated that they are considering not only stiffer penalties for such offences but a ban on possession, import and export of protected species.

TRAFFIC Japan

## AMERICAS

### ARGENTINA

On 16 August 1991, following an anonymous tip-off, police officers, together with officials of the Dirección Nacional de Fauna Silvestre, the Argentine Wildlife Foundation and TRAFFIC South America, carried out a raid on the premises of Eduardo Trama, a known dealer in illegal wildlife. The following animals which are native to Argentina and neighbouring countries were seized: 8 Chilean Flamingos *Phoenicopterus chilensis*, 6 Toco Toucans *Ramphastos toco*, 22 Yellow-collared Macaws *Aratinga auricollis*, 10 Troupials *Icterus icterus*, 55 Black-backed Grosbeaks *Pheucticus aureoventris*, 6 Bare-throated Belbids *Procnias nudicollis*, 10 woodpeckers, 250 Red-crested Cardinals *Paroaria coronata*, 130 Hooded Siskins *Carduelis magellanica*, 40 Argentine Tortoises *Geochelone chilensis*, 1 *Lystrophis semicinctus*, 1 *Crotalia rustica*, 3 snakes of *Philadryas* spp., 1 Geoffroy's Cat *Felis geoffroyi*, 1 *Cabus apella valerosus* and 1 Argentine Grey Fox *Dusicyon griseus*. Non-Latin American species seized included: 1 Ball Python *Python regalis*, 8 lizards *Anolis* spp., 4 geckos, 1 *Basiliscus plumifrons*, 1 garter snake *Thamnophis sirtalis*, 1 Corn Snake

*Elaphe guttata*, 6 Common Marmosets *Callitrix jacchus* and several unidentified birds, 3 Goldfinches *Carduelis carduelis*, 3 pheasants *Phasianidae* and 2 Black Swans *Cygnus atratus*. The snakes had originated from Miami, USA. All specimens were in a poor condition and are being cared for at the Zoological Gardens of Buenos Aires until a more permanent home for them can be found.

Trama spent three days in prison but was released, pending a prosecution for smuggling offences.

TRAFFIC South America-Argentina

### USA

In April 1991, a shipment containing 173 bear gall bladders was seized at Anchorage International airport. The gall bladders, addressed to two Koreans living in Alaska, were believed to be bound for Asia.

Two US citizens have been convicted of selling and facilitating the transportation and sale of 21 juvenile Yellow-naped Amazons *Amazona ochrocephala auripallinta* (CITES App. II), imported illegally into the USA. Oscar Gonzalez was sentenced in Texas on 6 July 1991 to 18 months' imprisonment, three years' supervised release, and fined US\$1500. His brother, Arnold Gonzalez, was sentenced to five months' imprisonment, five months' home detention, three years' supervised probation, and fined US\$500. The pair had allegedly also sold 336 psittacines to a purchaser from Missouri for approximately US\$82 000 during the period October 1986 to March 1988.

Sentencing has been carried out on persons charged on 12 July 1990 with incubating 208 parrot eggs which were later sold (see *TRAFFIC Bulletin*, 12(1):28). Paul and Jeanette Parker were convicted on 25 June 1991 on 18 felony counts of violating the Lacey Act 1900, one count of conspiracy and aiding and abetting, and four counts of smuggling wildlife. Each was sentenced to 33 months in jail, three years of supervised probation and ordered to pay US\$1150 court costs. The 24 cockatoos that had been seized were forfeited and the defendants were ordered to pay the US Government US\$5000 from the profits received on the sale of the birds. Others sentenced in connection with the case include:

- Denise Hassler pleaded guilty to a misdemeanor under the Lacey Act: four years supervised probation and 250 hours of community service in the field of conservation education;

- Debra Camping pleaded guilty to one misdemeanor count under the Lacey Act: sentenced to one year supervised probation, 100 hours community service in wildlife conservation education, and fined US\$1000;

- Jeff Fruits pleaded guilty to one misdemeanor count under the Lacey Act: sentenced to three years' supervised probation and fined US\$3000.

Authorities in the USA and Australia are working together to arrange for the extradition of Suzette Morrison and John Lalou, both currently in Australia, or for their prosecution in that country.

TRAFFIC USA

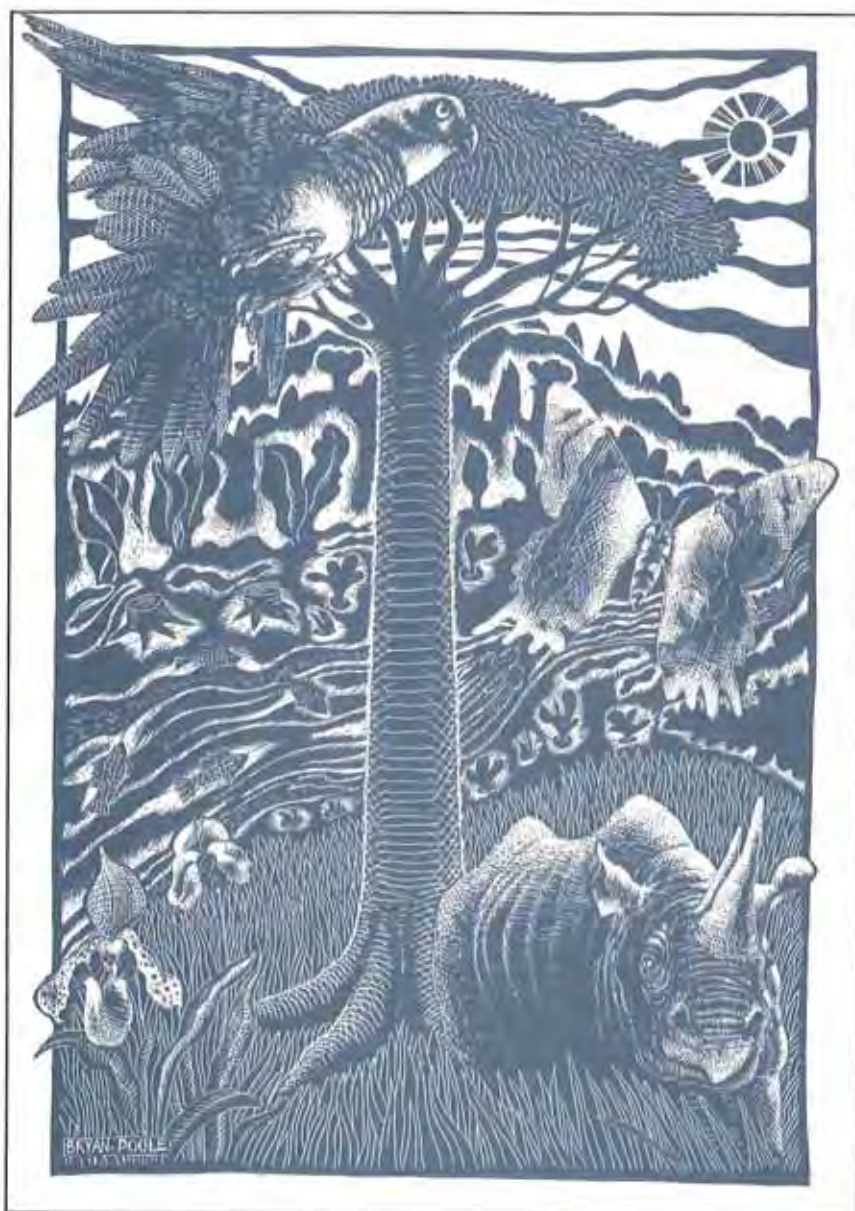


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# TRAFFIC

## BULLETIN



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The Journal of the TRAFFIC Network disseminates  
information on the utilisation of wild animal and  
plant resources

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Assistance in investigations was provided to authorities by TRAFFIC staff in most of the cases reported below which occurred in regions covered by a TRAFFIC office.

## EUROPE

### BELGIUM

On 27 December 1990, Belgian authorities seized the following specimens on sale at a reptile shop in Antwerp: 178 Hermann's Tortoises *Testudo hermanni* and 91 Spur-thighed Tortoises *T. graeca*, two Short-tailed Pythons *Python curtus*, three Rock Pythons *Morone amathistina*, two specimens of *M. mackloti fusca*, three Cuban Tree Boas *Epicrates angulifer* and ten Black Spiny-tailed Lizards *Uromastyx acanthinurus*. A number of dead specimens, stored in a deep freeze, were also seized and included: 19 Spur-thighed Tortoises, two Hermann's Tortoises, one Margined Tortoise *Testudo marginata*, one Nile Monitor *Varanus niloticus*, one Black Spiny-tailed Lizard, two Chamaeleon *Chamaeleo hoehnelli*, one Common Chamaeleon *C. chamaeleo*, five Senegal Chamaeleons *C. senegalensis*, one Anaconda *Eunectes murinus* and one Boa sp.

The owner of the shop, Wim Janssens, a Dutchman, has been charged with violating EC-CITES regulations (sale of C1 species; lack of CITES certificates for certain Appendix II and II/C2 species). The case has yet to come to court.

Janssens was previously involved in the illegal importation of Madagascar Boas *Acrantophis madagascariensis* and Gold-dust Day Geckoes *Phelsuma laticaudata* from Madagascar in 1988 (see *TRAFFIC Bulletin* 10(1/2):3).

A further 98 Hermann's Tortoises, believed to have originated in Morocco, were also recently confiscated from the house of a person believed to be a courier for certain dealers, and who has repeatedly been arrested in France and Spain following attempts to smuggle North African CITES-listed reptiles from Morocco to western Europe.

Between November 1990 and May 1991, a total of 212 parrots and one live Ocelot *Felis pardalis* were confiscated by Belgian officials. The animals had reportedly been smuggled to Belgium on board ships belonging to a Yugoslavian company travelling from Colombia. The birds included five Buffon's Macaws *Ara ambiguus*, nine Scarlet Macaws *A. macao* (both listed in CITES Appendix I), 23 Blue-and-Yellow Macaws *A. ararauna*, five Red-and-green Macaws *A. chloroptera*, four Chestnut-fronted Macaws *A. severus* and 167 Amazon parrots of different species. A further 15 Amazons and 17 Macaws were confiscated, but remain on the premises of the Belgian dealer who was involved in the import of the birds. The dealer, Mr Leys, was caught with ten Appendix I-listed Macaws in his car; further searches uncovered a number of dead parrots. Investigations are continuing.

In May 1991, 23 parrots were seized in Lisbon, Portugal, from the captain of one of the Yugoslavian ships implicated in the above case. These birds included two Scarlet Macaws, four Blue-and-Yellow

Macaws, two Black-headed Caiques *Pionites melanoccephala*, and specimens of Yellow-crowned Amazons *Amazona ochrocephala* and Orange-winged Amazons *A. amazonica*.

### NETHERLANDS

On 12 October 1990, J.M. Wubben, a Dutch national, was convicted on charges under the *Import and Export Decree on Endangered Exotic Animal and Plant Species*.

In February 1987, together with three accomplices, Wubben had been stopped by Customs at Schiphol airport on his return from Venezuela, and found to have 2500 orchids in his hand luggage; most of the specimens had been wild-collected and had an estimated value of Dfl.30 000-Dfl.45 000 (US\$20 000-US\$25 000).

Wubben claimed ownership of the plants and was fined Dfl.2500. When he appealed to a higher court his fine was doubled. The orchids were confiscated.

On 23 July 1990, a total of 500 Horsfield's Tortoises *Testudo horsfieldii* were seized by the General Inspection Service at Schiphol airport. The shipment, which was in transit from Poland to Hong Kong, had originated in the Soviet Union. The tortoises had been stacked seven layers deep and the specimens on the bottom layers had been crushed and were already in a state of decay. The surviving animals were housed in a rescue centre.

The General Inspection Service recently intercepted two shipments of animals from Togo, both destined for Japan. The first shipment, which left Togo on 14 September 1990, was discovered three days later at Schiphol airport by KLM staff, the airline transporting the animals. Most of the cargo had perished.

The shipment contained hundreds of specimens belonging to three species of freshwater turtles, all of which were listed as *Palusios* spp. Also in the shipment were: 20 Spurred Tortoises *Geochelone sulcata*; two Pottos *Paroeticticus potto*; 22 Horned Hinged Tortoises *Kinixys hovaensis*; two Tree Pangolins *Manis tricuspis*; 25 Four-toed Hedgehogs *Echinaceus albiventris*; 15 Lesser Bushbabies *Galago senegalensis*; two Genet Cats *Genetta tigrina* and one mongoose *Herpestes* sp.

The second shipment, seized on 26 January 1991, contained 40 Spurred Tortoises. Accompanying documentation stating that the specimens were captive-bred was considered doubtful owing to the varying sizes of the specimens.

On 16 July 1990, a box arriving from South Africa attracted the attention of the General Inspection Service. Inside, a number of snakes were found arranged in three layers, the first of which contained a Puff Adder *Bitis arietans*, accompanied by a note which warned: "Next layer. Beware most poisonous cobras in Africa. Dead within 20 minutes. Very aggressive and bite through the bags. These ones are particularly nasty". Indeed, 13 extremely poisonous non-CITES snakes were contained in separate bags. In the third layer, 30 Giant Girdled Lizards *Cordylus giganteus* (CITES Appendix II) were found. The lizards were to be shipped illegally to Sweden.

On 6 February 1991, the General Inspection Service seized an enormous number of feathers, heads, wings and skins of 40 species of birds and skins of the Western Black and White Colobus *Colobus polykomos*. Whilst most of the material dated back to the beginning of the century, the 44 Colobus had been taken from specimens killed less than five years earlier. Also relatively fresh were 20 000 tail feathers from over 10 000 Sand Grouse *Synhaptes paradoxus*. This bird is said to be hunted and eaten in Mongolia and the feathers could have been a by-product. Also included in the shipment were thousands of skins of the south-Chinese subspecies of the White-breasted Kingfisher *Halcyon smyrnensis*, reportedly traded in large numbers within China.

### UK

On 10 June 1991, at Uxbridge Magistrates Court, Mr Jacques Amand, a specialist bulb nurseryman from Clump Hill in Middlesex, was convicted on two charges under the Customs and Excise Management Act of smuggling plants.

The convictions concerned the importation of 653 orchids and 475 woodland plants from the USA. The orchids, for the greater part North American Slipper Orchids *Cypripedium*, were imported in contravention of CITES. The plants were found in Amand's hand luggage by Customs officers at Heathrow airport, on 14 November 1990. Amand pleaded guilty and was fined a total of £200 (US\$320) and ordered to pay costs of £50.

*TRAFFIC Europe; TRAFFIC Europe Netherlands Office; TRAFFIC International*

## AFRICA

### NAMIBIA

On 12 December 1990, at Windhoek High Court, Mr Hamanga Erickson was sentenced to five years imprisonment for illegally dealing in elephant ivory. Police confiscated 22 tusks, weighing 170 kg, on 28 May 1990, which had been smuggled from Angola.

### SOUTH AFRICA

On 12 September 1990, in Johannesburg, Tshwawba Kandolo of Zaire was charged with the illegal importation of two rhino horns and items of worked ivory. One of the horns was just five centimetres short of the world record length, at 1.15m and weighing 12.5kg.

Kandolo was intercepted at Jan Smuts airport in June after Customs officers spotted a conspicuously large suitcase in his possession containing the goods. He was arrested by Transvaal Nature Conservation officers.

The defendant was fined R20 000 (US\$8000) which is the highest fine hitherto imposed in South Africa for such an offence. The total estimated value of the horns was R25 000-R40 000.

*continued ...*



## SEIZURES AND PROSECUTIONS

### TANZANIA

A haul of 319 Ivory tusks, weighing 1152 kg, was seized on 23 December 1990 from a farm in Dar Es Salaam, whose owner is believed to have permitted smugglers to hide contraband on his property. A businessman has been arrested in connection with the incident.

This stock is believed to be the source of 68 tusks intercepted in Dar Es Salaam on 15 December whilst awaiting shipment to Dubai in the United Arab Emirates. Two South Koreans and two Tanzanians have been charged with illegal possession of the ivory, which was impounded by the police.

### ZAMBIA

Twenty-one Chinese Government officials visiting Zambia were recently caught trying to leave the country with poached Zambian ivory and an undisclosed number of rhino horns in their possession. When their bags were examined, ivory artefacts, which included chopsticks and bangles, were found hidden under wooden chopsticks.

*Times (Namibia), 13 December 1990;*  
*CITES Secretariat Press Release, 13 September 1990;*  
*Daily News (Tanzania), 25/27 December 1990*  
*New African (Zambia), March 1991*

## SOUTH EAST ASIA

### HONG KONG

An orchid smuggler received a six-month gaol sentence in June 1991 for trading in slipper orchids.

Hsu She-hua was convicted for the third time for illegal possession of the plants which had been wild-collected in southern China and smuggled into the colony.

A total of 2269 specimens were found in his apartment in 1990.

### JAPAN

On 1 April 1991, 62 elephant tusks weighing 869 kg were confiscated from a Filipino fishing vessel which was heading for an undisclosed destination on one of Japan's main islands. This is the first case of raw ivory smuggling since Japan banned ivory imports in September 1989, and involves a new *modus operandi* and a new trade route. All previous ivory smuggling attempts have involved manufactured name seals and have not been linked to any members of any of the five associations involved in the Japanese ivory trade industry. However, since this case involves raw ivory, there is little doubt that it was destined to be manufactured into products in Japan. Two Filipinos, two Japanese and two Koreans have been arrested in connection with the incident.

In a separate incident, a Japanese fish dealer was arrested on 30 August 1990 for attempting to smuggle 3000 pieces of ivory, weighing 77 kg, from Hong Kong to Japan. The ivory was concealed in ten boxes of fish that arrived at New Tokyo International airport.

### SINGAPORE

A bird shop owner from Singapore has been fined S\$2000 (US\$1115) for illegally exporting 20 Eclectus Parrots *Eclectus rostratus* (CITES Appendix II) without a permit.

Koh Hong Wah concealed the birds in the bottom-layer of a two-tiered box which was carrying ten Whithed Hornbills *Aceros leucoccephalus* from Singapore to Italy. The birds were confiscated on 14 August 1990, whilst in transit at Zaventem airport, Belgium.

On 12 December 1990, another bird shop owner, Lee Kim Bock, was fined S\$1500 for attempting to export 16 live baby crocodiles *Crocodylidae* to Thailand from Changi airport.

*New Scientist (UK), 8 June 1991;*  
*TRAFFIC Japan;*  
*TRAFFIC Europe, Straits Times (Singapore),*  
*27 December 1990*

## OCEANIA

### AUSTRALIA FEDERAL

On 15 June 1990, at Perth Magistrates Court, John Lelou of New South Wales was convicted on a charge under the *Wildlife Protection (Regulation of Exports & Imports) Act 1982* of attempting to export native fauna without a permit. Lelou had been apprehended at Perth International airport on 25 May 1990 attempting to board a flight to the Netherlands with three very young birds (allegedly 3-4 day old chicks) in his possession. The birds were later identified as black cockatoos *Calyptorhynchus* spp. Lelou was fined A\$1500 (US\$765) on the wildlife charge, and was also fined A\$500 on a charge, under the *Banking & Foreign Currency Regulations*, of carrying excess currency. Lelou was ordered to pay court costs of A\$192, and his airline ticket and A\$3000 excess currency were forfeited.

On 7 September 1990, the Australian Customs Service seized 17 tonnes of giant clam *Tridacnidae* shells from a bonded warehouse in Sydney. The shells are believed to have been imported in 1986 from Tonga. The existence of the shells only came to notice when the owner of the bonded warehouse advertised them for sale, after the original importer and owner of the shells went into liquidation.

On 13 September 1990, the Australian Customs Service issued a notice of seizure to a Melbourne shop, for 11 fountain pens covered in python *Boidae* sp. skin. The pens, retailing at A\$400 (US\$308) each, were imported from Indonesia. No charges are expected to be laid.

On 26 October 1990, at Sydney District Court, Hans Ottersbach of Germany was convicted, on a charge under the *Wildlife Protection (Regulation of Exports & Imports) Act*, of attempting to export 26 Australian native birds. He was sentenced to three years' imprisonment. Ottersbach had been arrested on 31 October 1989, at Sydney airport, when he attempted to export

two suitcases containing one Yellow-tailed Black Cockatoo *Calyptorhynchus funereus*, eight Gang-gang Cockatoos *Caloccephalus fimbriatus*, 11 Major Mitchell's Cockatoos *Cacatua leadbeateri* and six Long-billed Corellas *C. tenuirostris*.

On 26 October 1990, two Dutch citizens, Eelco Bouwman and Johannes Geritsen, were convicted in Cairns Magistrates Court under State and Federal legislation on charges involving illegal possession and attempted export of protected native fauna. Bouwman was charged under the *Wildlife Protection Act*, of attempted illegal export of Australian native fauna and Schedule 2 fauna (skulls and heads of Dollarbird *Eurystomus orientalis*, Bandicoot *Perameledae* spp., Stone Curlew *Burhinus magnirostris*, Pheasant Coucal *Centropus phasianus*, Little Eagle *Hieraaetus morphnoides*, Wedge-tailed Eagle *Aquila audax*, Brown Falcon *Falco berigora*, and Swift Parrot *Lathamus discolor*. Geritsen was charged with aiding and abetting Bouwman in those offences. Both men were also charged under Queensland State law (*Fauna Conservation Act*) of illegally keeping and moving protected fauna (heads, skulls and bodies of kangaroos and flying foxes). They were each fined A\$5636.75 (US\$4470) including court costs.

On 11 December 1990, Patrick Bradley-Meerwald was convicted at Perth Magistrates Court on charges under the *Quarantine Act 1908*, relating to illegal importation of birds, and the *Customs Act 1901* (making a false declaration).

Bradley-Meerwald had been apprehended at Perth airport on 24 December 1989 whilst trying to import five Peeking Robins *Leiophrax lutea*, six Purple Grenadiers *Uraeginthys ianthinogaster* and two Pint-tailed Whydahs *Vidua macroura* concealed in his hand baggage. He was fined AU\$2500 (US\$1915) and ordered to pay court costs of AU\$84.

### STATE

#### Recent convictions carried out under the *Territory Parks & Wildlife Conservation Act* of the Northern Territory:

4 July 1990. Jonathan Thomas, at Darwin Magistrates Court, charged with keeping protected wildlife (one Olive Python *Liasis olivaceus*) without a permit. Placed on a AU\$100 (US\$75) good behaviour bond for three months.

20 July 1990. Robert Coward and Robert Schell, at Darwin Magistrates Court, charged with being in possession of native wildlife (four Olive Pythons, two Children's Pythons *Liasis childreni* and one Black-headed Python *Aspidites melanoccephalus*) without a permit. Each fined AU\$500 (US\$380).

20 July 1990. Trevor Sullivan, at Darwin Magistrates Court, charged with keeping and trading protected wildlife (two Olive Pythons) without a permit. Fined AU\$300 (US\$230).

Sullivan appeared in court again on 11 September 1990, this time at Katherine Magistrates Court, charged with importing protected wildlife (two Carpet Pythons *Moralis spilota variegata*) from Queensland without a permit. Fined AU\$800. (Sullivan's mother, Robyn, was subsequently prosecuted in Queensland for illegally sending the snakes interstate - see under Queensland convictions.)



9 November 1990, Janelle Howard, at Darwin Magistrates Court, charged with being in possession of protected wildlife (one Children's Python) without a permit. Fined AU\$100 (US\$75).

28 February 1991, Grant Stevens, at Alice Springs Magistrates Court, charged with taking and keeping protected wildlife (one Carpet Python and one Olive Python) without a permit. No conviction recorded. Fined AU\$100 (US\$75) for each animal. Placed on a six months' good behaviour bond.

18 March 1991, Peter Ellis, at Alice Springs Magistrates Court, charged with being in possession of native wildlife (two Children's Pythons and one Central Australian Carpet Python *Moralia bredli*) without a permit. Fined AU\$600 (US\$460).

#### Recent convictions carried out under the Fauna Conservation Act of Queensland:

20 August 1990, John Kreuger, at Townsville Magistrates Court, charged with illegally keeping protected fauna (skins or carcasses of 16 Saltwater Crocodiles *Crocodylus porosus*, two Freshwater Crocodiles *C. johnstoni*, one Wedge-tailed Eagle *Aquila audax*, one Masked Owl *Tyto novaehollandiae* and two Carpet Pythons). Articles were confiscated and destroyed. Fined A\$1000 (US\$780) and royalties of A\$780.

13 September 1990, John Azzopardi, at Inala Magistrates Court, charged with taking and keeping five Rainbow Lorikeets *Trichoglossus haematodus*, five Galahs and one Sulphur-crested Cockatoo *Cacatua galerita*. The birds were forfeited and returned to the wild. Fined AU\$500 (US\$380), plus AU\$93.50 court costs, and royalties of AU\$480.

17 January 1991, Robyn Sullivan, at Bundaberg Magistrates Court, charged with keeping and moving two Carpet Pythons without a permit. Fined AU\$150 (US\$115), plus AU\$93.50 court costs.

22 January 1991, Peter Schafer, at Monto Magistrates Court, charged with taking and keeping nine Pale-headed Rosellas *Platycercus adsolutus*, five Red-winged Parrots *Aprosmictus erythropterus* and one Dove Columbidae sp. The birds were seized and returned to the wild. Fined AU\$200 (US\$153), plus AU\$93.50 court costs, and royalties of AU\$1260.

5 February 1991, Ross Ness-Wilson and John Sbeghen, at Ipswich Magistrates Court, charged with keeping and moving 43 Double-barred Finches *Poephila bichenovii*, 19 Crimson Finches *Neochmia phaeton* and two Mallee Ringnecks *Barnardius barnardi*. The birds were seized and returned to the wild. Sbeghen was convicted on a further charge of failing to maintain a register. Ness-Wilson fined AU\$1400 (US\$1072), plus AU\$93.50 court costs; Sbeghen fined AU\$1600, plus AU\$140 court costs, and royalties of AU\$2830.

#### A notice of seizure and recent convictions carried out under the Wildlife Protection (Regulation of Exports & Imports) Act 1982 and Wildlife Act 1975, Victoria:

3 July 1990, Tammy Stokes, at Sandringham Magistrates Court, on two charges relating to illegal possession of a King Brown Snake *Pseudechis australis* and four Children's Pythons, and a third charge related to having no licence to keep two Burton's Snake-lizards *Lialis burtonis*. Stokes had been apprehended at a post office on 12 December 1989, collecting a parcel

containing the animals. Fined AU\$600 (US\$460) plus costs.

16 October 1990, Murray and Janice Picken, at Horsham District Court, charged with illegal possession of 80 Musk Lorikeets *Glossopsitta concinna*, 80 Purple-crowned Lorikeets *G. porphyrocephala*, five Little Lorikeets *G. pusilla*, eight Crimson Rosellas *Platycercus elegans* and one Crested Pigeon *Ocyphaps lophotes*. Both received fines totalling A\$12 140 (US\$9300), plus costs.

In the latest of an ongoing series of apprehensions of Indonesian fishing boats in Australian waters, eleven motorised vessels, suspected of illegal fishing in coastal waters north of Darwin, were rounded up by the Australian Navy on 12 March 1991. On board were a total of 60 fishermen and crew sizes varying between six and 15 people.

Australia has stepped up surveillance of the northern waters because good weather and sea conditions in the area tended to encourage fishing. A week prior to this incident, an Indonesian fishing boat was seized in the same area and, on 8 March, a Japanese long-line fishing boat was caught off the Western Australian coast.

The Indonesians were fishing mainly for sharks, whose fins are a delicacy in South East Asia. Under Australian law, motorised vessels are banned from fishing inside the 320 km Australian fishing zone. If prosecuted, the crew members would be repatriated to Indonesia.

#### NEW ZEALAND

On 22 June 1990, at Christchurch District Court, Gunter Dittrich, a German citizen, was convicted on charges relating to illegal import and export of birds. Dittrich had been apprehended on 13 June 1990 as he attempted to leave Christchurch airport, for Bangkok, with eight Keas *Nestor notabilis* in his possession. He later admitted to the illegal importation of four Moustached Parakeets *Psittacula alexandri* on 11 June 1990. He was fined NZ\$7000 (US\$4070) on each of the two charges relating to import and attempted export of birds, contrary to the *Trade in Endangered Species Act 1989*. Dittrich was also convicted on charges, under the *Immigration Act* of using a false passport to enter New Zealand, and producing a false passport for departure from the country; and, under the *Medicines Act* of undeclared importation of valium. He was sentenced to two months' imprisonment on each of the three charges, to be served concurrently. Failure to pay the NZ\$14 000 fine would result in a further three months' imprisonment.

Dittrich has a previous conviction in Australia for the illegal importation of Moustached Parakeets in 1987 (see *TRAFFIC Bulletin* 8(4):70).

On 28 August 1990, Frederick Angell of New Zealand, was convicted in Dunedin District Court on eight charges relating to trading, taking and possession of birds. He was charged under the *Trade in Endangered Species Act 1989* with respect to his involvement in the importation of Moustached Parakeets and attempted export of Keas by Gunter Dittrich. Charges were also laid under the *National Parks Act 1980*, on two counts of taking Keas from Fiordland National Park and Arthur's Pass National Park. The remaining charges were brought under the *Wildlife Act 1953* with

respect to allowing wildlife to go at large and possession of protected wildlife. On 31 August 1990, the judge sentenced Angell to six months' imprisonment.

Andrea Dickinson, one of the couriers in the attempted smuggling operation, was convicted and fined NZ\$2000 (US\$1160), in Christchurch District Court, on charges under the *Trade in Endangered Species Act*.

Angell has a previous conviction for bird smuggling in Australia in 1988 (see *TRAFFIC Bulletin* 8(3):53).

On 4 March 1991, Clinton Mills was convicted in Christchurch District Court on charges under the *Animals Act 1967* of importing 20 Red-eared Turtles *Pseudemys scripta elegans* without a permit, and making a false declaration to the Ministry of Agriculture & Fisheries. Mills had attempted to bring the animals, concealed in his trousers, into New Zealand on 21 January 1991, on a flight from Perth, Australia. He allegedly claimed to have found the animals in a lake in Perth. Mills was sentenced to 80 hours' community service.

#### PAPUA NEW GUINEA

On 24 April 1990, in Boroko District Court, Jack Koh, a Malaysian national, and Tan Joo Liat, from Singapore, were convicted on charges, under the *Crocodile Trade (Protection) Act*, of buying crocodile skins without a licence. They were fined 200 Kina (US\$200) each.

*Oceania section compiled by TRAFFIC Oceania*

## AMERICAS

#### USA

A New York importer and wholesaler has been fined US\$100 000 for unlawfully importing carvings made from African Elephant ivory.

On 3 January 1991, Pacemark Corporation pleaded guilty to importing the carvings on 23 August 1989 under a falsified bill of lading which indicated that the goods had been consigned for shipment prior to the imposition of a US ivory import ban on 9 June 1989.

An investigation lasting 18 months revealed that the ivory originated from the Sudan and had been shipped to China where it was carved; from there the ivory was shipped to the USA for sale to private collectors. Fourteen cases, containing intricately carved figurines up to four feet high, were seized and forfeited to the Government.

This case represents the first major prosecution since the adoption of the US ivory import ban.

A joint investigation by the US Fish and Wildlife Service and US Customs Service has uncovered an operation involving the illegal sale of Australian parrots, smuggled as eggs into the USA.

*continued ...*



▷ Paul and Jeannette Parker of Las Vegas were indicted on 12 July 1990, charged with incubating 208 parrot eggs which were then sold for thousands of dollars to buyers throughout the country. Also charged were Denise Hassler of Las Vegas, Suzette Morrison, a US citizen resident in Australia, and John Leleu of Australia (see also under Australia).

The eggs were smuggled into the country between September 1987 and December 1989, and included Galahs *Eolophus roseicapillus*, Major Mitchell's Cockatoos *Cacatua leadbeateri*, Long-billed Corellas *C. tenuirostris* and Gang-gang Cockatoos *Callocephalon fimbriatum*. A verdict has not yet been delivered.

An ex-policeman from San Diego, USA, has been charged under US federal smuggling statutes with illegally smuggling 327 fertile Ostrich *Struthio camelus* eggs into the USA.

Roger Jacobson was arrested after allegedly attempting to smuggle 110 of the eggs concealed in vinyl bags, through the San Ysidro port of entry on the Mexican/Californian border; 217 eggs were also recovered from a local motel. Documents indicate that the eggs came from Botswana and were shipped to Mexico via South Africa and Brazil.

There has been a US trade embargo on imports from South Africa since 1986 and, since 1989, an import ban on live raptures and eggs as potential disease carriers. For these reasons, and because the US ostrich farm industry has still not reached the population levels it needs to begin producing meat, skins, and feathers on a commercial scale, there is a great demand for new stock of live ostriches, chicks and eggs. Adult ostrich pairs may sell for US\$45 000-US\$75 000; three month old chick pairs can fetch US\$5000 and eggs between US\$750-US\$1000.

Jacobson is being held on US\$50 000 bail. If convicted on all charges, he faces up to 20 years imprisonment. The eggs were destroyed.

Three men were arrested in April 1991 for digging up over 1000 specimens of Venus Flytrap *Dionaea muscipula* in Green Swamp Nature Preserve in Brunswick County, North Carolina.

The 16 000 acre preserve is one of the last strongholds for the increasingly rare plant, whose numbers in some areas have been considerably reduced as a result of poaching. Current state law makes it illegal to harvest the plant from someone else's property. The penalty is a US\$10-US\$50 fine. Stiffer penalties, in which violators will face fines up to US\$2000, came into effect on 1 June 1991.

*Las Vegas Review Journal*, 13 July 1990; *TRAFFIC USA*; *The San Diego Union*, 27 October 1990; *Wilmington Star News*, 12 April 1991

## Japan Monitors Tropical Timber Imports

Japan's Ministry of Agriculture will begin monitoring tropical timber imports from South East Asia to gather data for a policy on import levels. The Ministry will require 53 Japanese trading houses to report planned tropical timber import levels over one-year and five-year periods. According to a Ministry spokesman "If actual imports exceed the plans, the Ministry may call for import cuts". The Ministry sent officials to Indonesia and Malaysia last month to discuss preservation of forests.

Japan has been criticised by environmental groups for importing too much tropical timber and thus contributing to the reduction of tropical forests.

## Malaysia to Reduce Timber Logging

Malaysia, Japan's largest tropical timber supplier, will reduce logging to preserve its forests but intends to go into mass production of rattan, bamboo and rubberwood to make furniture for the increasingly lucrative export market. Deputy Prime Minister Ghafar Baba announced at a National Forestry Council meeting in April 1991.

Malaysia will cut the production of round logs to nine million cubic metres in the next few years from 11.8 million cubic metres in 1990.

A year ago the Government banned the export of logs from Peninsular Malaysia as part of a plan to encourage the manufacture of value-added products from forest resources; six months later, the export of raw rattan was banned to promote the local furniture-making industry.

Malaysia is Asia's largest exporter of tropical timber and has been severely criticised for indiscriminate logging, particularly in Sabah and Sarawak, in eastern Malaysia. The federal Government, which does not have jurisdiction over logging in the states of Borneo, has warned the region to reduce logging and exports.

## Alerce Timber Seizures

On 3 and 4 September 1990, the Australian Customs Service seized a large quantity of Alerce timber *Fitz-Roya cupressoides* from three Melbourne timber yards. The wood is believed to be worth A\$60 000-A\$100 000 (US\$45 000-US\$75 000) in total.

On 29 November 1990, the New Zealand Department of Conservation took possession of a consignment of Alerce timber from Chile at the port of Auckland. The shipment of 70 cbm, estimated to be worth about NZ\$49 000 (US\$28 500), was surrendered by the importers, C. Aickin Timber, after the company was advised that, although the shipment was exported legally by Chile (under Chile's reservation on the CITES Appendix I listing of Alerce), importation into New Zealand was illegal under the *Trade in Endangered Species Act*. No charges are expected to be laid.

*Section compiled by TRAFFIC Oceania*





# Traffic Bulletin

The journal of the international TRAFFIC Network

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## Seizures and Prosecutions

Diamond Python *Morelia spilota spilota*

## AUSTRALIA

## Federal:

On 16 March 1990, at Sydney District Court, Wilhelm Furtjes and Gerhard Kamnans, both West German citizens, were convicted and sentenced to three months imprisonment for attempting to smuggle birds and eggs into Australia. The two men had pleaded guilty to charges laid under Section 22(b) of the Wildlife Protection (Regulation of Exports & Imports) Act 1982. They had been apprehended on arrival at Sydney airport on 14 December 1989. Four very young birds were found inside a portable cassette radio that Furtjes was carrying. The birds were later identified as two *Charmosyna* spp., and two African Grey Parrots *Psittacus erithacus*. Furtjes was further searched and found to have two viable parrot eggs concealed in a nappy that he was wearing.

\* \* \* \*

On 27 March 1990, at Sydney District Court, Michael Murdian, of F.R. Germany, was convicted and gaoled for two years and eight months on charges under the Wildlife Protection (Regulation of Exports & Imports) Act 1982 and Quarantine Act 1908, plus six months on a false passport charge. The judge directed that he serve a minimum of two years.

Murdian had been apprehended when he arrived at Sydney airport on 10 November 1989, carrying four birds concealed in his jacket. The birds were later identified as two white mutation Rose-ringed Parakeets *Psittacula krameri*, and two lutino Princess Parrots *Polytelis alexandrae*. The birds were estimated to be worth up to A\$100 000 (US\$77 300) on the Australian market.

\* \* \* \*

On 5 April 1990, at Cairns Magistrates Court, Peter Krauss of Queensland was convicted on a charge, under the Wildlife Protection (Regulation of Exports & Imports) Act 1982, of attempted illegal export of a Diamond Python *Morelia spilota spilota*. He was fined A\$750 (US\$580) plus A\$43 costs. Krauss was also charged, under Queensland State law (Fauna Conservation Act), of keeping and moving protected fauna (the same animal) without a licence. He was fined A\$250 plus A\$40 costs on the first charge, and A\$500 plus A\$40 costs on the latter charge. He was also ordered to pay royalties of A\$30. Krauss had been caught in the act of posting a package containing the snake on 20 November 1989. Krauss has previous convictions for fauna offences (see *Traffic Bulletin* 8(1):11 and 10(1/2):12).

## State:

## Queensland

On 19 January 1990, Graeme Cutmore of Queensland was convicted at Warwick Magistrates Court on charges, under the Queensland Fauna Conservation Act, of failure to comply with lawful requisition and failure to maintain a register. He was fined a total of A\$1000 (US\$775) plus A\$80 costs on the two charges. Cutmore has previous convictions for fauna offences (see *Traffic Bulletin* 10(3/4):46, for example).

\* \* \* \*

On 20 February and 5 March 1989, respectively, Phillip Williamson and James Watson of Queensland were convicted, at Cairns Magistrates Court, on charges under Queensland State law relating to the taking of Cape Melville palm seeds *Wodyetia bilurcata* from Cape Melville National Park. They were each fined A\$200 (US\$155) plus A\$40 costs. They were also ordered to pay damages of A\$1 per seed; A\$2000 in the case of Williamson, and A\$18 000 in the case of Watson.

\* \* \* \*

On 5 March 1990, at Proserpine Magistrates Court, Philip Need of Queensland was convicted on charges under Section 54(1)(a) of the Queensland Fauna Conservation Act of keeping protected fauna (28 Torresian Imperial Pigeons *Ducula spilorrhoa*) without a permit. He was fined A\$700 (US\$540) plus A\$1260 in royalties. The birds and three incubators were confiscated. Need has several previous convictions for wildlife offences (see *Traffic Bulletin* 11(1):14, for example).

\* \* \* \*

On 15 March 1990, at Wynnum Magistrates Court, Christopher Edwards of Queensland was convicted on charges under Section 62(2) of the Fauna Conservation Act of permitting movement of fauna without a permit (2 Eastern Rosellas *Platycercus eximius* and 1 King Parrot *Aprosmictus scapularis*), and moving fauna without a permit (3 King Parrots, 2 Rainbow Lorikeets *Trichoglossus haematodus*, 1 Red-winged Parrot *Aprosmictus erythropterus*, 2 Red-rumped Parrots *Psephotus haematonotus*, 2 Princess Parrots *Polytelis alexandrae* and 2 Crimson Rosellas *Platycercus elegans*). Edwards was fined A\$300 (US\$230), plus A\$43, on each charge.

\* \* \* \*

On 31 May 1990, at Proserpine Magistrates Court, David Neal of Queensland was convicted on charges under sections 54(1)(a) and 62(7) of the Fauna Conservation Act 1974-89 of keeping, taking and moving Protected Fauna. The fauna involved were 4 Carpet Pythons *Morelia spilota variegata*, 5 Children's Pythons *Liasis childreni*, 2 Brown Tree Snakes *Boiga irregularis* and 1 Diamond Python *Morelia spilota spilota*. All the animals were seized and returned to the wild, apart from the Diamond Python which was retained by the Queensland National Parks & Wildlife Service. Neal was placed on a good behaviour bond for six months.



## Seizures and Prosecutions etc.

## BELGIUM

A four-month investigation into the illegal trade in orchids imported into Belgium has culminated in the arrest, in March 1990, of a key European trader in endangered orchids.

At the end of 1989 Belgian Customs officers at Zaventem airport, Brussels, confiscated wild orchids found in airmail packages from Thailand. This led to the start of an investigation, nick-named "Operation Nero-Wolfe", which, with the assistance of TRAFFIC Belgium, uncovered further illegal trade in wild orchids: on 13 February 1990, over 1000 specimens were seized from a number of localities and, in further searches, 700-800 were seized from private collections.

These investigations led to the arrest in Brussels of Hans Hermans, a Dutch national, by the Criminal Investigation Department of the Police working in collaboration with the Customs Investigation Service. Hermans was in possession of some 25 orchids from Madagascar, allegedly a sample of a shipment of 4000 wild orchids illegally imported from Madagascar into F.R. Germany a few days earlier.

Hermans has for a long time been under suspicion for the alleged sale of thousands of plants, mostly wild-collected in Asia and Latin America. To avoid controls, he is reported to have sent the plants through the post, or used forged documents stating that the plants had been artificially propagated.

Charged with circumventing CITES regulations and with forgery, Hermans has been released on bail, awaiting trial.

*Source: TRAFFIC Belgium*

## BRAZIL

A well-known scientist and bird breeder, Jesús Estudillo Lopez, was arrested on 13 February 1990 for attempting to smuggle 22 rare and protected birds out of Brazil.

On the basis of information received from the CITES Secretariat and TRAFFIC South America, the Brazilian Forestry Police of the National Institute for the Environment (IBAMA) arrested Estudillo in Manaus, Brazil, whilst he was boarding a flight bound for Mexico City. In crates checked in with his luggage were: 2 Black-fronted Piping Guans *Aburria jacutinga*, 6 Greater Razor-billed Curassows *Crax mitu mitu*, 4 Hyacinth Macaws *Anodorhynchus hyacinthinus*, 2 Golden Conures *Aratinga guarouba*, all CITES Appendix I-listed species, 4 Green-winged Trumpeters *Psophia viridis*, and 4 unidentified parrot species. The only export permit in Estudillo's possession was for 4 captive-bred adult Greater Razor-billed Curassows.

Estudillo, a Mexican national, has been charged with violating Law #7653 of the Fauna Protection Act, a 1988 amendment to Brazilian Wildlife Protection Law of 1967 (Law #5197), which forbids the hunting and export of virtually all native wild species. He was released from custody in late February; it is not yet clear whether he will stand trial.

The birds are currently being housed at the Centro de Criação Animais Nativas (CECAN), a centre for the captive-breeding of Brazilian species. A new non-governmental organization, Vitoria Amazonica, will be responsible for the care of the birds.

Dr Estudillo has been a respected member of the international scientific and avicultural community, and is one of the world's leading experts on cracids, a group of pheasant-like birds which includes many endangered species, a number of which have successfully bred at Estudillo's breeding centre in Mexico.

*Source: TRAFFIC USA*

## F.R. GERMANY

In February 1990, Walter Sensen, a West German animal dealer, was arrested and charged in Nürnberg, F.R. Germany for violating wildlife trade regulations.

Sensen was charged with exporting three Gorillas *Gorilla gorilla* from Cameroon to Taiwan in 1987; exporting several Chimpanzees *Pan troglodytes* and one Mandrill *Papio sphinx* from Equatorial Guinea to Honduras in 1988; selling a Chimpanzee to Saudi Arabia in 1988; exporting two Gorillas from Equatorial Guinea to Mexico in 1989; and, offering apes Pongidae spp. to persons in Austria, Brazil, Saudi Arabia and Sweden.

Sensen was sentenced to two years imprisonment without probation (the maximum sentence is five years). He was also banned from dealing in animals for a period of five years. This is the first time a gaol sentence has been imposed for violations of the German Nature Conservation Act.

In May 1990, however, at the Court of Appeal, the judge released Sensen on probation, stating that "an animal dealer is used to a free life" and that by trading in baby Gorillas, "Sensen only sold the additional products of the African natives' activities".

Sensen was fined 30 000 DM (US\$30 000) and banned from taking up his business again. Both the defense counsel and public prosecutor have asked for a second appeal hearing.

*Source: TRAFFIC Germany*

## HONG KONG

Ninety-two prosecutions were initiated by the Hong Kong authorities in the second half of 1989 as a result of confiscation of the following items:

Item	Amount
Monkey	2
Slow Loris	
<i>Nycticebus coucang</i>	8
Musk <i>Moschus</i> spp.	6 pods
	10.2 g grain
Ivory	raw 769.9 kg
	worked 123.62 kg
Rhino	horn 20 kg
Cat <i>Felidae</i> spp.	stuffed 1
	live 2
	skins 226
Pangolin <i>Manis</i> spp.	live 2
	scales 0.68 kg
	meat 5.4 kg
	meat/scales 1.4 kg/20
CETACEA spp.	meat 0.4 kg
Owl	dead 1
	live 6
Bird of prey	stuffed 3
	live 2
Parrot	64
Elongated tortoise	
<i>Indotestudo elongata</i>	11
Sea turtle	stuffed 13
	eggs 40
	shell 1
Lizard	live 1
	skins 8231
Crocodile	meat 0.79 kg

*Source: Hansard, 8 May 1990*



## Seizures and Prosecutions ctd.

### HONG KONG ctd.

The following seizures of ivory were made by the special task force of the Customs and Excise Department in Hong Kong between 1 June 1989 and 22 March 1990:

Quantity (kg)		Seized from	Country of Export
58.9	raw	Kim Ki Woo	Korea
15	powder	Au Kin Choi	China
8.5	raw	Tsai Shin Sheng	Taiwan
11.7	worked	abandoned by Choi Don-soo	Korea
7.55	"	Lau Ming Hei	Thailand
0.2	"	Yue Hwa Chinese Product Emporium Ltd	Japan
2.9	"	Lam Kin Pui	Taiwan
7.19	raw	Kwong Fat Cheung Ivory and Mahjong	Japan
700	"	Pei Lei Lai Kai	Singapore
2.3	worked	Andrew Stephen Yuen	Thailand
100	"	Sun Hung Ngai Trading Co.	USA
55	"	Wong Wing Shing	Spain
4	"	unclaimed baggage	France
26.3	"	Art of Sea Ivory Co.	China
3.1	"	Liu Shih Haiiao	Taiwan
3.8	"	Shih Shia Loon	Taiwan
1.3	"	Fang Tsu Chick	Thailand
2.5	"	Chang Lin Kuei Chuo	Taiwan
17.5	"	left by transit passenger	Thailand

Source: *Hansard*, 8 May 1990

### INDIA

Wildlife products valued at Rs.2.5 million (US\$140 000) have been seized from Sadar Bazar, in Delhi, India.

Two raids carried out by wildlife officers on 23 February 1990 yielded a total of 360 skins. These included skins of 29 Leopard *Panthera pardus* (CITES Appendix I), 74 otter *Lutra* spp., 2 Tiger *Panthera tigris* (Appendix I), 2 crocodile, 30 Jungle-cat *Felis chaus* (Appendix II), and 1 Leopard Cat *Felis bengalensis* (Appendix II), in addition to fox, jackal and civet skins. Thirty kilogrammes of tiger bone were also seized.

\* \* \* \* \*

At least 15 Saltwater Crocodiles *Crocodylus porosus* (CITES Appendix II) were recently seized from Thai vessels in Port Blair, Andaman Islands, India. Thirty-five Thai, five Burmese and five Indian nationals were arrested during anti-poaching operations conducted by the army, navy and coastguard forces. The poachers were equipped with underwater photography equipment, arms and ammunition, in addition to sophisticated lamps to hunt the reptiles.

Sources: *Hindustan Times (India)*, 21 April;  
*Nation Mail (India)*, 3 April 1990

### ITALY

On 7 March 1990, two missionary nuns arriving at Linate airport, Milan, from Zaire, were stopped by guards of the Forestry Corps, and their luggage found to contain 12 carved elephant tusk tips, 35 ivory statues and about 100 small ivory objects, weighing a total of 17 kg. The ivory, which was not accompanied by CITES documentation, was to be sold for charity; it will now be auctioned by the State.

### ITALY ctd.

A passenger arriving at Fiumicino airport, Rome, from the USA, on 20 January 1990, was found to be carrying fur coats made from the following cat skins: 2 Leopard *Panthera pardus* (CITES Appendix I), 1 Cheetah *Acinonyx jubatus* (Appendix I), and 6 Lynx *Felis* spp. (Appendix II), one of which was lined with python *Python* spp., skin. The garments were confiscated and will be used for educational purposes.

\* \* \* \* \*

After a search by agents of the Italian Forest Corps., 284 birds were discovered in a car which had crossed the border from France. The birds included 24 Red-fronted Parakeets *Cyanoramphus novaezelandiae* (CITES Appendix I), and had been moved from the Netherlands, bound for Gatteo, near Rimini. The shipment was confiscated for violation of the Finance law covering contraband items.

Source: *TRAFFIC Italy*

### THAILAND

On 20 February 1990, three wooden crates labelled "live birds" arrived on a Thai International Airways flight at Bangkok, Thailand, in transit via Singapore, for Belgrade, Yugoslavia. On inspection, they were found to contain six juvenile Orang-utans *Pongo pygmaeus* and two Siamang Gibbons *Hylobates syndactylus*, both CITES Appendix I-listed species.

The following day, a five-year-old Chimpanzee *Pan troglodytes* (Appendix I) was discovered in an unlabelled case, travelling from Yugoslavia via Dubai.

The origin of the shipments is unknown. In both cases, the Royal Forest Department was alerted and the animals were confiscated. The Orang-utans had travelled without food or water and were badly dehydrated, two suffering from pneumonia. Experienced volunteers are now caring for the animals. Two people are being sought in connection with the case.

Source: *The WFT Bulletin (Wildlife Fund Thailand)*, March 1990



Siamang *Hylobates syndactylus*

©WWF/Ken Scriven



## Seizures and Prosecutions *ctd.*

### UK

Adriana Hoffmann, from Chile, attempted to enter the UK at Harwich on 17 July 1990 with approximately 18 CITES Appendix II cactus specimens in her luggage which were not covered by CITES documentation.

Hoffmann appeared at Harwich Magistrates Court on 24 July 1990 and was successfully prosecuted for the attempted evasion of UK import controls. The specimens apparently had no commercial value. A fine of £200 (US\$360), plus £50 costs was imposed.

*Source: H.M. Customs & Excise, UK*

\* \* \* \*

On 10 August 1990, at Maidstone Crown Court, two West German citizens were sentenced to gaol for attempting to export 12 live Peregrine Falcon *Falco peregrinus* eggs from Scotland and Wales.

Helmar Gauder and Lois Wittman were arrested at Dover last April when Customs officers discovered the eggs hidden behind the dashboard of their Mercedes car. The eggs are estimated to be worth up to £120 000 (US\$215 000).

Gauder were gaoled for 30 months and Wittman 15 months. It is the first time a gaol sentence has been imposed in the UK for such an offence.

At the same hearing, another West German, Rolf Sperr, was sentenced to 18 months' imprisonment for attempting to import four rare Gyrfalcons *Falco rusticolus* into Britain, also through Dover.

Gauder and Wittman were arrested following a tip-off from an informant who alleged that Gauder had been coming to Britain for more than five years to steal eggs, with detailed maps supplied by another German, Horst Kilian, who was arrested in Iceland in 1986 for stealing wild birds.

*Source: Observer Sunday (UK), 12 August 1990*

## Malta Exports Palm Cockatoos

Before its accession to CITES, Malta was believed to have been an important trade route for the movement of protected psittacines into the EEC, often via Singapore. Applications for entry into the Community were made on the dubious grounds that the birds had been bred in captivity in Malta. This route was identified in early 1988 and EEC Member States were recommended not to accept further imports of 'captive-bred' birds from Malta. At the time of Malta's accession to CITES on 16 July 1989, a number of psittacines were known to remain in the country awaiting export.

On 7 June 1990 information became available to TRAFFIC International suggesting that Malta had licenced the re-export of four Palm Cockatoos *Probosciger aterrimus* (CITES Appendix I) to Oman which were to travel on 8 June via the UK. While in transit in the UK, it became clear that the re-export document issued by Malta showed an invalid country of origin for the species. Despite this, the shipment was allowed to continue to Oman.

Transshipment through EEC Member States requires no import permit, but a valid export or re-export document must be available for inspection in order to comply with the UK controls.



Peregrine Falcon *Falco peregrinus*

©Eric Hosking/WWF

The document issued by Malta for the shipment in question is believed to have stated that the specimens were pre-Convention birds, bought in 1986, origin Singapore. CITES Parties have agreed rules for the granting of pre-Convention certificates in Resolution Conf. 5.11. Under the terms of this Resolution a re-exporting country can only issue a pre-Convention certificate for a live specimen when it is satisfied that at the date on which the species was taken from the wild, one of the following conditions was met: the species was not listed in the CITES Appendices; the country of origin was not a Party; or, the specimen was subject to a reservation. None of these conditions apply in this case. Palm Cockatoos were first listed in the CITES Appendices in 1975; the country of origin could not be Singapore (as the species does not occur there); the valid countries of origin - Australia, Indonesia and Papua New Guinea - have been CITES Parties since 1976, 1979 and 1976 respectively; and, the species was not subject to a reservation.

Steven Broad

## Uganda Markets Fish Leather

Uganda is producing leather from the skin of the Nile Perch *Lates niloticus*, a fish which grows up to 220lb in weight, and hopes it will compete with crocodile skins in the export market.

*Source: The Independent (UK), 5 August 1990*





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The journal of the international TRAFFIC Network

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*Galanthus rizehensis*

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## Seizures and Prosecutions

### AUSTRALIA

#### Federal:

On 22 December 1989, in Perth Magistrates Court, Panagiotis Demertzis, a Greek citizen, was convicted on two charges, under the Wildlife Protection (Regulation of Exports and Imports) Act 1982, of illegally attempting to export shells of native molluscs. Demertzis was apprehended by Customs at Perth airport on 18 December 1989 with a suitcase full of shells. Later, a further 12 cases of shells were found awaiting airfreight to Greece. Demertzis was fined a total of A\$3500 (US\$2760) and the shells were forfeited.

#### External Territories: - Cocos (Keeling) Islands

On 6 June 1989, the Magistrates Court in the Cocos (Keeling) Islands convicted Iku Bin Razan on a charge of possession of 26 Red-footed Boobies *Sula sula* contrary to the Migratory Birds Ordinance 1980. Razan was given 56 days to pay a fine of A\$750 (US\$590) (the maximum penalty is A\$1000). This was the first prosecution for an offence under the Cocos' Migratory Birds Ordinance.

The potential impact of hunting on seabird populations in Cocos (Keeling) Islands has been a major concern in recent years and, in 1986, a temporary prohibition on hunting on North Keeling was declared (see *Traffic Bulletin* 8(3):53). This was later extended to January 1989, and revised hunting controls were introduced which restricted hunting to Red-footed Boobies only, and only on Horsburgh Island (a roosting, rather than breeding site). On 26-27 January 1989, a cyclone caused extensive damage to the prime breeding habitat of the Red-footed Booby on North Keeling. The Australian National Parks and Wildlife Service has recommended that a temporary prohibition be placed on all hunting of Red-footed Boobies until at least February 1990, after breeding survey work has been assessed.

#### State:

##### New South Wales

On 18 December 1989, at Broken Hill Magistrates Court, Alois Riediger and his brother, Kurt Riediger, were convicted on charges, under the National Parks and Wildlife Act 1974, of illegal possession of birds and trapping equipment. The two men had been apprehended by State Police and wildlife rangers on 15 December 1989 on a property near Wilcannia. The men had been in possession of trapping equipment, including mist nets and spring traps, and had been using a Red-tailed Black Cockatoo *Calyptorhynchus magnificus* as a decoy. They were fined A\$2500 (US\$1970) each, and were required to enter into a bond in the sum of A\$1000 to be of good behaviour for two years.

##### Queensland

On 12 May 1989, at Holland Park Magistrates Court, Leonard Bright of Queensland was convicted, under the Fauna Conservation Act, on a charge of keeping a pair of Hooded Parrots *Psephotus dissimilis* without a licence. He was fined a total of A\$471 (US\$370), including costs.

\* \* \* \*

On 17 August 1989, at Beaudesert Magistrates Court, Robert Sparks and Robert Maycock of Queensland were convicted, under the Fauna Conservation Act, on charges of taking and keeping protected fauna. Sparks, whose offences involved 14 King Parrots *Alisterus scapularis*,

### Queensland ctd.

was fined a total of A\$1221 (US\$960) including royalties and costs. The fauna involved in Maycock's case were 5 King Parrots, 5 Sulphur-crested Cockatoos *Cacatua galerita*, 2 Scaly-breasted Lorikeets *Trichoglossus chlorolepidotus*, 2 Galahs *Cacatua roseicapilla* and 1 Little Corella *Cacatua sanguinea*. Maycock was fined a total of A\$1001 including royalties and costs.

\* \* \* \*

On 3 October 1989, at Stanthorpe Magistrates Court, Donald Young of Queensland was convicted, under the Fauna Conservation Act, on charges of taking and keeping 2 Rainbow Lorikeets *Trichoglossus haematodus* and 2 King Parrots. He was fined a total of A\$621 (US\$490) including royalties and costs.

\* \* \* \*

On 16 October 1989, at Cooktown Magistrates Court, Stephen Ahlers, from Queensland, was convicted, under the Fauna Conservation Act, on charges of taking and keeping protected fauna without a licence. He was fined A\$2240 (US\$1770) (including double royalties) for taking three Australian Freshwater Crocodiles *Crocodylus johnstoni*, and A\$980 (including royalties) for keeping two Australian Freshwater Crocodiles.

Compiled by TRAFFIC(Oceania)

### BELGIUM

In July 1989, TRAFFIC(Belgium) discovered that oriental drugs containing products from Appendix I-listed species, such as rhino horn, tiger bone and musk, had been imported into the country. Customs officers were made aware of this and, as a result, TRAFFIC was called upon to inspect a shipment of medicines which arrived at Zaventem National airport from Hong Kong in November 1989. More than 1000 boxes of drugs consisting of illegal products were identified and confiscated by the authorities.

Source: TRAFFIC(Belgium)

### INDIA

A large number of lizard and cat skins were seized by authorities, in four separate incidents in Calcutta, in 1989.

In the first, 141 Leopard Cat *Felis bengalensis* skins and 13 Leopard Panthera *pardus* skins were seized from Bowbazar Post Office on 2 June 1989. The raw, untanned skins had been sent to a consignee in Jammu and Kashmir but were returned for reasons unknown.

On 18 August 1989, 17 000 pieces of monitor lizard *Varanus* spp. skins, all untanned, were seized from a lorry en route to Bombay. Three days later, eight Tiger Panthera *tigris* skins arriving by train from Madhya Pradesh were found at Howrah Railway Station.

About 90 Leopard Cat skins and one piece of Marbled Cat *Felis marmorata* skin were seized on 4 September 1989 at Chittaranjan Avenue Post Office.

Source: Dr Kalyan Chakrabarti, CITES Management Authority, India, in *lit.* to Peter Jackson, IUCN/SSC Cat Specialist Group, September 1989



## Seizures and Prosecutions etc.

### INDONESIA

Alert police officers foiled an attempt to smuggle 75 stuffed birds of paradise *Paradisaea* spp. from Merauk, Irian Jaya Province. They had been put into boxes for smuggling by sea to Surabaya, East Java, before being discovered by police. The owner of the birds, Panus Jamal, was detained for questioning.

*Source: Jakarta Post (Indonesia), 28 August 1989*

### ITALY

Information provided by TRAFFIC(Italy) led to the seizure, in October 1989, of a young Chimpanzee *Pan troglodytes* from a photographer in Pistoia, Florence, in the absence of proof that the specimen had been legally obtained. The animal is being cared for at Pistoia Zoo.

An attempt to smuggle a gibbon *Hylobates* spp. into Italy at Pisa airport on 23 November 1989 was foiled, and the animal given in trust to Pistoia Zoo.

\* \* \* \*

A dozen parrots were seized by the Forest Guard from a pet shop in Genoa, in October 1989, after a tip-off by TRAFFIC(Italy) to the Italian CITES Management Authority. A Scarlet Macaw *Ara macao*, a Blue-and-Yellow Macaw *Ara ararauna*, 3 sulphur-crested cockatoos *Cacatua* spp., an African Grey Parrot *Psittacus erithacus*, 3 Blue-fronted Amazons *Amazona aestiva*, and 3 Red Lorries *Eos bornea* were being offered for sale without the correct documentation.

In a separate incident, in October, a Blue-and-Yellow Macaw was seized from a pet shop in Naples, and is now at Naples Zoo.

\* \* \* \*

Following a protest, by a representative from WWF-Italy's regional office in Calabria, at the offering for sale of Hermann's Tortoises *Testudo hermanni robertmertensi* in Crotona, an assurance was received on 10 November 1989 by WWF from Salvatore Pane, governor of the region, that the illegal trade has been stopped; the Tortoises have been seized and handed to the local WWF section for release into their natural habitat.

Calabria is one of the few regions in Italy where herpetofauna is protected. Hermann's Tortoise is now rare in Italy, and is listed in Annex C1 of EEC Regulation 3626/82 and thus unauthorised sale within the EEC is prohibited.

*Compiled by TRAFFIC(Italy)*

### NAMIBIA

Two men due to appear in the Supreme Court in Windhoek, Namibia, on 1 December 1989, for illegal possession of 975 elephant tusks, have jumped bail and apparently fled the country.

Paolo Antonio and Victor Darocha and four others were arrested in November 1989 in Osona. The refrigerated truck in which they were travelling was stopped by police and found to contain tusks from about 500 elephants, hidden behind crates of fruit.

The two men, who may be Angolans, were reportedly employed to deliver the contraband cargo to middlemen in Namibia for transport elsewhere.

Warrants have been issued for their arrest.

*Source: Johannesburg Sunday Star (South Africa), 19 November 1989*

*Traffic Bulletin, Vol. 11 Nos. 2/3*



Hyacinth Macaws *Anodorhynchus hyacinthinus* © R.A. Luxmoore

### NETHERLANDS

Following their conviction for illegal possession of Hyacinth Macaws *Anodorhynchus hyacinthinus* (CITES Appendix I), the owners of The Breeding Centre Interbird in the Netherlands have had their sentences reduced in the Court of Appeal.

Jan van der Gulik and Peter Kooy, licensed to keep six Hyacinth Macaws, applied for a licence to keep three additional juvenile birds which they claimed had been bred from the older birds. Investigations, involving the use of genetic fingerprinting tests, revealed that the young birds were not related to the adult birds. The juveniles, and two of the adult birds whose tattoos did not match the numbers on the possession licence, were confiscated. The owners were convicted on 14 October 1988 (see *Traffic Bulletin* 10(1/2)).

On 21 November 1989, in the Court of Appeal, the two defendants admitted that the three young (there were originally four eggs) were not bred from their own birds, but from another pair of Hyacinth Macaws, illegally kept somewhere in the Netherlands.

In addition, despite the fact that the tattoos on two of the adult birds had not corresponded with those on the possession licence, the expert witness for the defence, Mr Kaal, a veterinarian who had tattooed the birds himself, stated that it was possible for tattoos to wear away. No expert witness for the prosecution was called.

On 5 December 1989, the defendants had their total fines of dfl.100 000 (US\$47 000) reduced to dfl.20 000, and the two older birds which had been confiscated, were returned to the Centre.

*Source: TRAFFIC(Netherlands)*



## Seizures and Prosecutions ctd.

### UK

On 30 October 1989, in Dartford Magistrates Court, John Hemmings was convicted on 12 charges, under the UK Wildlife and Countryside Act 1981, including possession, possession for sale and the taking of eggs of protected bird species.

Officers from the Royal Society for the Protection of Birds (RSPB) seized a total of 26 871 eggs from Hemmings' home, including those of Merlin *Falco columbarius*, Jackdaw *Corvus monedula*, Kestrel *Falco tinnunculus*, Buzzard *Buteo buteo*, Hooded Crow *Corvus corone cornix*, Hen Harrier *Circus cyaneus*, Nightingale *Erithacus megarhynchos*, Little Grebe *Tachybaptus ruficollis* and Mute Swan *Cygnus olor*. Clutches of Osprey *Pandion haliaetus*, eggs of Imperial Eagle *Aquila heliaca* and Verreaux's Eagle *Aquila verreauxii*, Woodlark *Lullula arborea*, Peregrine Falcon *Falco peregrinus* and 92 clutches of Red-backed Shrike *Lanius collurio*, now extinct as a breeding species in the UK, were also found.

Some of the eggs had been collected in Kent and Scotland. Hemmings had also travelled to Belgium, where he had collected eggs with two Belgian collectors; these were illegally imported into the UK. Additionally, on Hemmings' behalf, a collector had smuggled eggs into the UK from Africa.

Hemmings was fined a total of £3753 (US\$6190) and ordered to pay £6000 costs to RSPB, which had brought the case against him. He was also charged with the possession of egg cabinets, egg-collecting equipment, data cards, books and ordnance survey maps for the purposes of committing offences of taking and possession of birds' eggs, and all these items were ordered to be forfeit.

A trip by RSPB investigators to Zambia to conduct inquiries into the case was made possible by a grant of £500 (US\$820) from WWF.

*Source: The Royal Society for the Protection of Birds*

### VANUATU

In October 1989, Clarence Marae, Vanuatu's Trade and Industry Secretary, was fined US\$8300 in the Supreme Court at Port Vila after pleading guilty to charges of bribery. Marae admitted receiving US\$14 000 from a Taiwanese logging company which had applied for a licence to log rainforest on the island of Malekula. A two-year suspended sentence was also imposed and Marae was ordered to pay court costs. The Vanuatu Government has rigid controls on logging; licences for logging are restricted in number to protect the future of the small local processing industry.

*Source: Pacific Islands Monthly, November 1989*

## Suriname Raises Iguana Quota

The Suriname Forest Service has informed the CITES Secretariat that it increased its 1989 export quota for Green Iguana *Iguana iguana*, from 20 000 to 30 000. This decision arises from complaints of damage to crops. The skins were allowed out of the country during the period 18 to 31 December 1989.

*Source: Stanley Malone, Suriname Forest Service, in litt. to CITES Secretariat, 2 January 1990.*

## Argentina Revises Parrot Export Quotas

The following quotas for export of psittacines from Argentina have been established for 1990, according to Argentine Resolution N°6 of the Dirección Nacional de Fauna.

Blue-fronted Amazon	23 000
<i>Amazona aestiva</i>	
Tucuman Amazon	0
<i>Amazona tucumana</i>	
Yellow-collared Macaw	0
<i>Ara auricollis</i>	
Illiger's Macaw	0
<i>Ara maracana</i>	
Blue-crowned Conure	15 000
<i>Aratinga acuticaudata</i>	
Peach-fronted Conure	500
<i>Aratinga aurea</i>	
White-eyed Conure	2 500
<i>Aratinga leucophthalmus</i>	
Mitred Conure	5 000
<i>Aratinga mitrata</i>	
Golden-fronted Parakeet	0
<i>Bolborhynchus aurifrons</i>	
Sierra Parakeet	1 500
<i>Bolborhynchus aymara</i>	
Canary-winged Parakeet	1 000
<i>Brotogeris versicolorus</i>	
Patagonian Conure	unlimited
<i>Cyanoliseus patagonus</i>	
Blue-winged Parrotlet	0
<i>Forpus xanthopterygius</i>	
Monk Parakeet	unlimited
<i>Myiopsitta monachus</i>	
Nanday Conure	10 000
<i>Nandayus nenday</i>	
Scaly-headed Parrot	5 000
<i>Pionus maximiliani</i>	
Maroon-bellied Conure	4 000
<i>Pyrhura frontalis</i>	
Green-cheeked Conure	1 000
<i>Pyrhura molinae</i>	

*Source: TRAFFIC(South America)*

## Commercial Extinction for Bluefin Tuna?

An Australian Government report shows that the Southern Bluefin Tuna *Thunnus maccoyii*, one of Australia's most important commercial fish, is close to commercial extinction, mainly because of overfishing by Australian and Japanese trawlers.

The Southern Bluefin is a slow-growing, slow-breeding fish which lives for about 20 years. Its flesh is high in oil and prized on the sashimi market, fetching A\$20 (US\$30) a kg wholesale. The total catch of the Southern Bluefin Tuna has been declining since 1961, with an annual yield of 81 000 tonnes falling to 20 000 t by 1988. The report states that if the current low catches continue to decline, there appears little prospect of any recovery in the fishery in the short or long term.

While Australia has tried to negotiate a total fishing ban, Japan has resisted, blaming the decline on Australia's haul of immature fish off South Australia. According to Dr Caton, senior author of the report, Japanese long-line fishing has contributed about twice as much to the decline as has Australian surface fishing.

*Source: Caton, A., McLoughlin, K. and Williams, M.J. (1990). Southern Bluefin Tuna: Scientific Background to the Debate. Department of Primary Industries and Energy Bureau of Rural Resources, Australia.*





# Traffic Bulletin

The journal of the international TRAFFIC Network

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Gila Monster *Heloderma suspectum*

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### Seizures and Prosecutions

#### AUSTRALIA

compiled by Frank Antram, TRAFFIC(Oceania)

##### Federal:

Three West German citizens, charged with conspiring to export 32 native birds, have skipped bail.

On 18 April 1989, Ludwig Hörr, his wife, Vera, and Albert Mueller, along with John Crooymans, an Australian bird dealer, were remanded on bail until 24 July 1989, charged with attempting to export native Australian birds without a permit, contrary to Section 21(b) of the Wildlife Protection (Regulation of Exports & Imports) Act 1982. The Germans had been arrested the day before, at Melbourne airport. Australian Federal Police alleged that they were intending to fly to Singapore; two suitcases belonging to them allegedly contained 5 Galahs *Cacatua roseicapilla* and 27 Long-billed Corellas *Cacatua tenuirostris*. Crooymans was arrested later the same day on conspiracy charges. The Germans were also charged, under the Customs Act 1901, with illegally possessing and attempting to export the anaesthetic used on the birds.

When the West Germans failed to appear in court on 24 July 1989, they were each sentenced to four-months' imprisonment for failing to comply with bail conditions and a warrant was issued for their arrest. The A\$10 000 (US\$8000) bail money that each of them had paid was forfeited to the Crown. The case against Crooymans was adjourned to 15 August 1989, when all charges against him were withdrawn.

\* \* \* \*

On 14 July 1989, Chung Kwang Yee, of Sydney, New South Wales, was convicted in Brisbane Magistrates Court on charges under Section 22(B) of the Wildlife Protection (Regulation of Exports & Imports) Act 1982, Section 67(1) of the Quarantine Act 1908, and Section 234(1)(e) of the Customs Act 1901. The charges related to an attempt by Chung, on 4 February 1988, to import 10 live Pond Slider turtles *Trachemys scripta* and some plant material. Chung had apparently purchased the animals in Hong Kong and attempted to smuggle them into Australia concealed in hand baggage and clothing. When Chung and his family arrived at Brisbane, in transit to Sydney, they were searched by Customs and the animals were discovered. Chung pleaded guilty to the charges and was fined A\$1000 (US\$800) on the wildlife charge and A\$500 on each of the Customs and Quarantine Act charges; a total of A\$2000, plus A\$120 court costs.

\* \* \* \*

On 20 July 1989, an American citizen, Edmund Celebuki, from Ohio, appeared in Sydney District Court, on charges, under the Wildlife Protection (Regulation of Exports & Imports) Act 1982, of illegal importation of reptiles. Celebuki had been arrested on 26 May 1989, at Sydney airport. Examination of his baggage had revealed 61 live reptiles, concealed in pillow cases and socks, and separated by wooden slats. The animals comprised 23 Mangrove Monitors *Varanus indicus*, 6 D'Albertis' Pythons *Liasis albertisii*, 28 Bismarck Pythons *Liasis boa*, 1 Olive Python *Liasis papuanus*, and 3 Carpet Pythons *Morelia spilota variegata*. Celebuki had arrived on a flight from Papua New Guinea. He allegedly had no export permits from Papua New Guinea, and failed to declare the animals upon arrival in Australia. The judge released Celebuki on condition that he entered into a recognizance in the sum >



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Rainbow Lorikeet *Trichoglossus haematodus*

> of A\$1000 (US\$800) to be of good behaviour for three years and on condition that he left the country by midnight that day. If he failed to comply with these conditions, Celebuki would be gaoled for four years. The judge, referring to the Klein case (see *Traffic Bulletin* 10(3/4):45), indicated that, whilst he needed no convincing of the severity of offences of this nature, there was little point in handing down what he considered to be appropriate sentencing, until the appeal court held a similar view.

\* \* \* \*

On 28 July 1989, Anthony Somerville, of Orange, New South Wales, was convicted in the Sydney District Court on three charges of being knowingly concerned with attempts to export Australian native birds and reptiles, contrary to Sections 21(a) and 21(b) of the Wildlife Protection (Regulation of Exports & Imports) Act 1982, through Section 5 of the Crimes Act 1914. (The charges related to the attempts by Randall McBride and Horst Selig to export fauna - see *Traffic Bulletin* 10(1/2):11 and 10(3/4):45 respectively.)

Somerville had been arrested on 24 November 1988 as he was about to board a flight to Bangkok. He was released on bail by Sydney's Central Court to appear again on 22 May 1989. However, Somerville failed to appear. He was arrested at Sydney airport, on 23 May 1989, after being sent back from Indonesia, where he had been imprisoned by the District Court of Merauke, Irian Jaya, for illegal entry into Indonesia. He was remanded in custody and, on 28 July 1989, Somerville was sentenced to two years' imprisonment on each of the three charges (to be served concurrently). The judge set a minimum non-parole period of 18 months.



SEIZURES AND PROSECUTIONS *ctd.*AUSTRALIA *ctd.*

## State:

## Victoria

On 22 March 1989, at Wodonga Magistrates Court, Philip Need, of Victoria, was convicted on four charges relating to possession of protected wildlife without an appropriate licence, contrary to Sections 26(1) and 43(2) of the Victorian Wildlife Act 1975. The species involved were 98 Varied Lorikeets Trichoglossus versicolor, 16 Rainbow Lorikeets Trichoglossus haematodus, 3 Emu chicks Dromaius novaehollandiae, and 6 Bearded Dragons Amphibolurus barbatus. The animals had been found in Need's car, on 17 September 1988, by highway patrol police, during a routine vehicle licence check. Need was fined a total of A\$1500 (US\$1200), and ordered to pay costs of A\$1380. Need has previous convictions in Australia for illegal possession of wildlife.

## AUSTRIA

WWF-Austria has initiated legal proceedings against an Austrian citizen, following illegal importation of a Military Macaw Ara militaris (CITES Appendix I) from F.R. Germany. The bird died a few days later.

The person responsible for the transaction was recently convicted of smuggling at least one Hyacinth Macaw Anodorhynchus hyacinthinus.

Another Austrian citizen imported two Moluccan Cockatoos Cacatua moluccensis from Hong Kong without a CITES permit. However, owing to a lack of adequate housing facilities, the birds were returned to the importer.

On 19 April, a shipment of birds was confiscated from one of the largest animal dealers in the state of Styria, Austria, because it was not accompanied by CITES documents.

In addition to numerous non-CITES-listed birds, the shipment contained 10 pairs of Orange-cheeked Waxbills Estrilda melopoda, 10 pairs of Black-rumped Waxbills Estrilda troglodytes and 5 pairs of Orange-breasted Waxbills Amandava subflava, all listed in Appendix III by Ghana.

The birds came via F.R. Germany and are being cared for by a private aviculturist.

On 14 June 1989, a commercial shipment of 24 Common Waxbills Estrilda astrild, 20 Yellow-fronted Canaries Serinus mozambicus and 8 Acacia Paradise Whydahs Vidua paradisaea was confiscated after entering Austria from F.R. Germany without CITES documentation. Again, owing to the lack of a rescue centre, the birds were placed in private hands. Most of the birds have perished.

Source: TRAFFIC(Austria)

## BELGIUM

On 13 March 1989, 15 raw tusks totalling 180 kg were confiscated by Customs at Zaventem airport, Belgium. The tusks were declared as 'personal effects' and were in transit from Libreville, Gabon, to Seoul, South Korea. On inspection, the ivory, which was without documentation and unmarked, appeared to be quite old and of the hard quality typical of forest elephant.

A further shipment of 558 kg of part-worked ivory, transiting from Dubai to Singapore, was seized on 15 June. The goods had been declared as 'fashion jewellery' and included unpolished ivory bracelets and cylinders (for seals). Documented evidence has shown that ten similar shipments of ivory, totalling 5680 kg, transited through Zaventem airport, between 2 March and 9 June. Airlines responsible for transporting the shipments were the Royal Jordanian Airlines, KLM (Netherlands), Singapore Airlines and SABENA (Belgium).

\* \* \* \*

In April 1989, the Customs Inspection Service at Antwerp, Belgium, discovered an illegal shipment of 1660 Caiman crocodilus crocodilus skins, en route from Argentina to a well-known leather firm, Bodiopelli, in Italy. The skins were accompanied by a false Argentinian re-export document which was based on a legal Bolivian export permit issued some years before for 7000 skins of the same subspecies. This stock had allegedly been exhausted for some time.

The Italian Management Authority had already accepted the fraudulent Argentinian document and had issued an import permit.

Source: TRAFFIC(Belgium)

## CHINA

In China, a man has been sentenced to life imprisonment for poaching Golden Snub-nosed Monkeys Pygathrix roxellanae.

Wang Yong, a farmer, was accused, along with six others, of trapping 18 specimens in the Shenlong Range Natural Reserve, in Hubei province, between September 1984 and January 1988. He was also accused of colluding with the director and deputy director of the Wuhan Zoo to make a deal for the monkeys. Thirteen of the animals have died.

The Golden Snub-nosed Monkey lives in mountainous areas of central and south-west China at altitudes of 2000 m to 3000 m above sea level. It is a protected species in China and is listed in CITES Appendix I.

Source: Straits Times (Singapore), 20 June 1989

## ITALY

Acting on information received from TRAFFIC(Italy), the CITES Management Authority recently seized 12 Common Marmosets Callithrix jacchus of at least three subspecies, from a pet shop in Ciampino, Rome. The animals, worth 1.5 million lire each (approximately US\$1050) had no CITES documentation.

The Marmosets are being housed in the zoological garden in Rome until permanent accommodation, possibly in a breeding centre, can be found. ▷



## SEIZURES AND PROSECUTIONS ctd.

## ITALY ctd.

Sixteen Hermann's Tortoises Testudo hermanni were seized by the Carabinieri (Army Police) from Mendillo, the oldest and most famous pet shop in Rome, following information received by TRAFFIC(Italy). A regional law forbids the killing, capture, keeping and sale of most reptiles and amphibians (including tortoises). In addition, EEC CITES Regulation 3626/82 prohibits the import into member countries of T. hermanni. This has placed pressure on the few remaining Italian populations of T.h. robertmertensi. Laws to protect herpetofauna exist in only a few regions and these are largely ignored.

Source: TRAFFIC(Italy)

## UK

On 16 June 1989, Peter Cooke of Hampshire, UK, was fined £1000 (US\$1700) and £1500 costs on seven charges of illegally importing four Gila Monsters Heloderma suspectum, five Blue-tongued Skinks Tiliqua sp., and seven rattlesnakes Crotalus spp. through the post from the USA.

Staff at the Mount Pleasant main post sorting office, London, became suspicious when a brown paper parcel moved. A Customs officer was summoned to X-ray the package which revealed a Gila Monster, a poisonous lizard (CITES App. II), wrapped in a sock.

A further 60 specimens of snakes, lizards, snapping turtles and an Indian Python Python molurus, were found at Cooke's home.

Cooke was described in court as "an obsessional and misguided hobbyist who went too far". It was accepted that he was not a dealer and that he never had any intention of selling his collection for commercial gain.

The animals are now in London Zoo.

\* \* \* \*

Stephen Kirby, of Kirby Exotic Birds, Coventry, has been gaoled for three months, with a further 18 months suspended, after admitting a £46 500 (US\$76 700) VAT fraud on 12 000 imported birds and reptiles. The tax has since been repaid.

A warrant has been issued for the arrest of his brother and business partner, Gerald, who is living in Florida, USA.

Sources: *The Independent (UK)*, 17 June 1989; *Daily Telegraph (UK)*, 5 August 1989

\* \* \* \*

## USA

Three US citizens, arrested on 2 November 1988 for conspiring to import rhinoceros horns and other products illegally into the USA from South Africa have been sentenced (see *Traffic Bulletin*, 10(3/4):30).

John Lukman received a gaol sentence of 27 months, a US\$20 000 fine, and three years of supervised release after he leaves gaol; Isaac Saada was sentenced to three years probation and a US\$2500 fine; Mary Anne McAllister received a sentence of one year probation and a US\$250 fine; Russell Beveridge received a US\$250 fine and the US Customs Service seized his car used to transport the rhino horn; Kenneth Hussey and Martin Sher received fines of US\$2500 and US\$100 respectively.

Three South African nationals, Marius and Pat Meiring and Waldemar Schutte, were also indicted in 1988. Efforts to extradite the South Africans to the USA are currently underway. If successfully extradited and tried in US courts, the Meirings face up to 50 years in gaol and a US\$2.5 million fine, while Schutte could receive a sentence of ten years and US\$500 000 fine.

Lukman had smuggled rhino horn and weapons from South Africa with the help of Meiring and Schutte, members of the South African Defence Force, and other accomplices. The horns were apparently obtained from rhinos killed by South African army troops in Angola.

\* \* \* \*

Twelve people have been charged in the USA for their role in the international smuggling into the country of large shipments of birds worth approximately US\$500 000, which included Palm Cockatoos Probosciger aterrimus, Hyacinth Macaws Anodorhynchus hyacinthinus, Eclectus Parrots Eclectus roratus, Double Yellow-headed Amazon Parrots Amazona (ochrocephala) oratrix, Sulphur-crested Cockatoos Cacatua sulphurea and Military Macaws Ara militaris.

The accused, who come from the USA, Mexico, Singapore and Argentina, are accused of conspiracy to import wildlife contrary to CITES, the US Endangered Species Act, US Lacey Act, and federal quarantine and Customs laws. The indictments were the result of a 20-month undercover operation conducted by the US Fish and Wildlife Service, with the assistance of the Customs Service.

The maximum penalty per offence (up to 12 offences) is five years' imprisonment and/or US\$250 000 fine.

Investigations into the activities of the smuggling ring continues.

\* \* \* \*

James Bivins, of Florida, USA, was fined a total of US\$108 800 on 10 March 1989 for the possession of eggs of the Loggerhead Turtle Caretta caretta.

Bivins was arrested in possession of 1088 eggs, most of which were from the highly endangered Loggerhead. In addition to the standard maximum penalty for a second degree misdemeanour, Florida statutes allow judges the discretion to apply a US\$100 penalty for each marine unit, when they believe circumstances require a more substantial fine.

This record penalty should act as a powerful deterrent to wildlife law violators who sell the eggs for \$2-\$3 each for their alleged aphrodisiac qualities.

Sources: TRAFFIC(USA) Newsletter, July 1989; US Dept. of Justice, 31 May 1989; *Marine Turtle Newsletter* No. 46, July 1989



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## Seizures and Prosecutions

### UK

#### Leopard Skins

A resident of Kenya was sentenced to three months' imprisonment on 28 November 1988 for attempting to smuggle seven Leopard *Panthera pardus* skins into the UK, through Heathrow airport. Grace Mugo had attempted to bring the skins into the country in wicker baskets.

This is the second occasion only that a UK court has imposed a custodial sentence for an endangered species smuggling offence.

Source: *Portcullis*, January 1989

#### Ibiza Wall Lizards

At Bristol airport, a British citizen returning to the UK from Ibiza, Spain, was found to be carrying a suitcase containing 500 Ibiza Wall Lizards *Podarcis pityusensis*. Most of the Lizards, mostly young or sub-adult, were still alive and have been returned to their country of origin and released into the wild. The animals are worth an estimated £30 each, a total of £15 000 (US\$25 500). The accused is to stand trial.

Source: *The Times (UK)*, 17 December 1988

### BELGIUM

#### Coral

On 12 October 1988, 3.1 tons of stony coral loaded on a container which came from the Philippines, were confiscated at Antwerp harbour, Belgium. The seizure was carried out by the Customs investigation service, in close co-operation with the Belgian CITES Management Authority. The coral was exported by Platow, a company based in Hamburg, F.R. Germany, and destined for a well-known shell and coral importer, Leduc in Liège, Belgium. The shipment consisted entirely of CITES Appendix II species, including *Pocillopora* spp., *Tubipora* spp., *Seriatopora* spp., *Stylophora* spp., *Acropora* spp. and a clam *Hippopus hippopus*.

The export of coral from the Philippines has been prohibited since 1 May 1987. The CITES export permit accompanying the shipment was found to be a forgery.

#### Reptiles, Cat Skins, Ivory . . .

29 live reptiles were seized at a shop in Brussels in December 1988. The species included the Common Chameleon *Chamaeleo chamaeleon*, listed in Annex C1 of EEC Regulation 3626/82 (treated as an Appendix I species within the EEC); 2 West African Dwarf Crocodiles *Osteolaemus tetraspis* (CITES App. I); 15 Nile Monitors *Varanus niloticus*; 7 African Pythons *Python sebae*; 4 Yellow Anacondas *Eunectes notaeus*. All had been imported from the Netherlands, Zaïre and Thailand without the proper documents.

In January 1989, a handbag made from Leopard Cat *Felis bengalensis*, sent through the post from Thailand, was seized at the Customs clearing office of the Central Post Office in Brussels. It was not accompanied by any documentation.

In March 1989, approximately 250 small Ivory carvings and three teeth from Leopard *Panthera pardus*, posted from Zaïre, were seized by Customs at Charleroi.

Staff at TRAFFIC(Belgium) assisted as the official CITES identification experts in the Brussels seizures.

### BELGIUM ctd.

#### Poison Arrow Frogs

On 15 March 1989, a German citizen was caught at Zaventem airport, Brussels, trying to smuggle 1000 Poison-arrow Frogs *Dendrobates* spp. and 40 wild orchids *Orchidaceae* spp. into the country from Costa Rica. None of the CITES-listed species was accompanied by appropriate documentation, and the shipment was seized by Customs.

The accused had personally collected the specimens, which comprised three different species, one of which has been identified as the Flaming Poison-arrow Frog *Dendrobates pumilio*. They were packed in 240 plastic boxes, and the orchids, both bulbs and plants, were found in hand luggage.

All the frogs were transferred to Antwerp Zoo; 50 were dead on arrival and a further 100 had perished by the following day. The collector, said to be a herpetologist and writing a book on Poison-arrow Frogs, claimed not to be aware of CITES regulations concerning these animals. Poison-arrow Frogs fetch DM50-80 (US\$25-40) each on the German market, making the whole shipment worth at least US\$25 000.

Compiled by TRAFFIC(Belgium)

### ITALY

#### Stony corals and turtles

In November 1988, five live juvenile Kemp's Ridley Turtles *Lepidochelys kempii*, and several live specimens of protected stony corals, all without CITES documentation, were confiscated by the Forest Guard at Fiumicino airport, Rome. The animals were concealed in various shipments of live tropical fish arriving from South East Asia, and have been placed in an aquarium at Rome Zoo.

#### Jaguar and Clouded Leopard fur coats

A number of seizures by the Forest Guard, in collaboration with the Finance Guard and with the assistance of TRAFFIC(Italy), took place in September/October 1988. At a furrier's shop in Naples, a fur coat and two skins of Jaguar *Panthera onca*, pre-CITES, but without the necessary documentation, were confiscated; following an inspection of the furrier's files, a further two Jaguar coats, already delivered to customers, were also seized.

At another furrier's shop in Pontecagnano, in Salerno, a Clouded Leopard *Neofelis nebulosa* coat was confiscated. The furrier had declared that the coat was in his shop for alteration, but checks carried out showed this to be untrue.

Compiled by TRAFFIC(Italy)

### THE NETHERLANDS

#### Frozen monkeys

On 16 February 1989, a shipment of frozen meat, which included four-and-a-half specimens of Savanna Monkey *Cercopithecus aethiops*, other unidentified primates, swine and antelope species, Aardvark *Orycteropus afer* and "nutria", was seized from a Zairian freighter at Amsterdam harbour. The consignment, weighing 400-500 kg and, without documentation, was on its way to private individuals in Belgium.

Both the Savanna Monkey and the Aardvark are listed in CITES Appendix II.



## Seizures and Prosecutions ctd.

### THE NETHERLANDS ctd.

#### Rhino horn

A total of 98 old rhinoceros horns were confiscated at Rotterdam harbour in October 1988. The shipment was investigated by the inspection service (Algemene Inspectie Dienst) as there was no accompanying documentation. The shipment, from the Humboldt University Museum in East Berlin, German D.R., had arrived by truck and was bound for Taiwan.

The horns are said to have originated from the private collection of a German emperor who shot the rhinos in the German colonies at the beginning of the century. Dutch experts agreed that the horns were 'old' but could not give an exact age.

A decision as to whether the horns will be destroyed or returned to Germany has not yet been made.

#### Parrots

During the period 14-15 January 1989, Customs officers at Schiphol airport confiscated six *Eclectus* Parrots *Eclectus roratus* and four Slender-billed Corellas *Cacatua tenuirostris*, both CITES Appendix II, which had been packed in plastic tubes. The origin of the birds, which had travelled via Malta, is unknown. A man has been charged.

#### Crocodile skins and ivory

450 crocodile *Crocodylidae* skins were seized in transit at Schiphol airport on 12 January. The skins had come from Nigeria and were on their way to a trading company in South Korea. Their declared value was US\$1000.

Three trunks containing ten polished ivory tusks, en route from Taiwan to Nigeria, were confiscated at the beginning of February 1989.

Compiled by TRAFFIC (Netherlands)

## ASIA

### Asian Bonytongue

A man has been arrested for attempting to export Asian Bonytongues *Scleropages formosus* (CITES Appendix I) from Singapore to the Philippines, on 22 March 1989, without a permit. This is the first conviction under the new Endangered Species (Import and Export) Act 1989 (see page 27).

Tan Kok Jin of C & T Aquatics was fined SG\$1000 (US\$500) and the consignment of fish was confiscated by the Primary Production Department.

### Macaws and tiger skins

In December 1988, two men were fined in Singapore for illegally exporting, importing and selling endangered birds and other animals without a permit.

Terence Loh Peck Soon, the proprietor of a bird-trading firm was caught exporting 12 macaws. He was fined SG\$300 (US\$152) for each bird.

Tan Hock Lye, a taxidermist, was caught by officers from the Primary Production Department selling a tiger *Panthera tigris* skin rug for SG\$2500 at Golden Mile Tower. He was fined SG\$500.

A shop proprietor has been fined SG\$600 for illegally offering to sell tiger skins at his premises. Soh U Loh, who pleaded guilty to the charge, had offered the skins to a Briton at SG\$4000 for a 2 m mounted tiger, SG\$3000 for a 1.5 m mounted tiger, and SG\$2200 for an unmounted tiger skin rug.

Sources: Straits Times (Singapore), 8 April 1989; 30 December 1988; 1 March 1989

## 1989 Ivory Export Quotas

Country	QUOTA No. of Tusks	Stocks*
Angola (n)	0	
Benin	0	
Botswana	1000	1113
Burkina Faso (N)	46 C	
Cameroon	298	110
C. African Republic	800	P
Chad	289	220
Congo	1042*	350
Côte d'Ivoire (N)	x	x
Equatorial Guinea (n)	0	
Ethiopia	370	552
Gabon	0	
Ghana	0	
Guinea	0	
Kenya	0	
Liberia	0	
Malawi	238	178
Mali (n)	0	
Mauritania (n)	0	
Mozambique	17961	17710**C
Niger	0	
Nigeria	0	
Rwanda	0	
Senegal	0	
Sierra Leone (N)	0	
Somalia	0	
South Africa (Transvaal only)	2236	1508
Sudan	0	
Tanzania	0	
Togo	0	
Uganda (N)	0	
Zaire	x	x
Zambia	3772	4900
Zimbabwe	5000	

(n) non-Party

(N) co-operating non-Party

\* ivory held from previous year above minimum export weight (i.e. government stocks, private dealers and provision for personal effects exports by private citizens). Stocks exceed quota for some countries where tusks are destined for internal use.

\*\* pending confirmation

\* includes 592 hunting trophies

x quota submitted, values pending confirmation

P pending receipt of documentation

C includes confiscated tusks from previous years

Parties are reminded that African countries with elephant populations are considered to have a zero quota until and unless the CITES Secretariat informs otherwise. Imports of raw ivory should be accepted from producer states only where the date on the export permit is for a year in which the producer state has a quota. A quota is accepted from a non-Party state only if it agrees to conform with all requirements of the CITES ivory trade control procedures.

Non-party states are eligible for trade in raw African Elephant ivory only if they have informed the Secretariat in writing of their intention to comply with the CITES ivory trade control procedures. The current list of these co-operating non-Party states that have agreed to comply is as follows:

Antigua	New Zealand
Côte d'Ivoire	Sierra Leone
Republic of Korea	Uganda

Source: CITES Secretariat, Non-Party to Parties No. 36, 18 April 1989.



## Fijian Clam Meat Seized in Australia

On 27 August 1987, the Australian Customs Service in Sydney seized 580 kg of giant clam meat (believed to be Southern Giant Clam *Tridacna derasa* and/or Scaly Clam *T. squamosa* (CITES Appendix II)). The meat had been illegally imported from Fiji, although it is understood that it had been destined for re-export to Taiwan. No export permit had been issued by Fiji (a non-CITES country), and while there is no legal requirement in Fiji for an export permit (T. Adams, Fiji Ministry of Primary Industries, *in litt.*, 6 February 1988), one is required by the provisions of CITES. Moreover Australian law requires both import and export permits. The importer took legal action against the Australian Federal Government in an effort to reclaim the consignment, but later withdrew the action. The meat became forfeit to the Australian Government and, in May 1988, it was disposed of to Taronga Zoological Park, Sydney, and the Royal Melbourne Zoological Park, to be used as animal feed.

## Fiji Bans Clam Meat and Beche-de-Mer Exports

Local exploitation of the giant clam *Tridacnidae*, or "vasua" as it is known in Fiji, has reportedly increased with the recent economic hardship being experienced in the country. An article on the "vanishing vasua", authored by the Ministry of Primary Industries, was published in *The Fiji Times* of 12 February 1988, appealing for restraint in the exploitation of giant clams.

On 13 September 1988, the Fiji Government decided to prohibit export of giant clam meat, and also impose new restrictions on beche-de-mer (Holothuridae) exports. The Fisheries (Amendment) Regulations 1988, which came into force on 1 January 1989, were published in the *Fiji Republic Gazette Supplement* No. 40 of 16 December 1988. The new regulations stipulate that nobody shall export the flesh, including adductor muscle or mantle tissue, of Southern Giant Clam *T. derasa*, Scaly Clam *T. squamosa* or Small Giant Clam *T. maxima* (new Regulation 25B). The table below provides details of *Tridacna* meat exports for the years 1984-88. No exports took place during the period 1978-83 due to industry inactivity (Fiji Ministry of Primary Industries, *in litt.*, 10 March 1989). (N.B. Other data accumulated during preparation of this report, suggest that the figures given in the table might represent a considerable underestimate of the size of the trade. However, it has not been possible to verify the accuracy of these data.)

New Regulation 25A stipulates that no person shall export, either in a natural or processed form, *Holothuria scabra* or any other holothurian species of a length less than 7.6 cm. Beche-de-mer harvesting is estimated to be far in excess of the maximum sustainable level (Fiji Ministry of Primary Industries, *in litt.*, 15 February 1989). Beche-de-mer exports have risen from 62.5 tonnes in 1985 to 652.5 tonnes in 1988 (to end of November) (Fiji Ministry of Primary Industries, *in litt.*, 10 March 1989). The new beche-de-mer regulations are only a preliminary measure until further research is done (Fiji Ministry of Primary Industries, *in litt.*, 28 March 1989). The figure of 7.6 cm was arrived at from an experiment on shrinkage/weight loss estimates done by Fiji Fisheries Division (Ministry of Primary Industries) staff (Ministry of Primary Industries, *in litt.*, 28 March 1989). The Fiji Fisheries Division, with assistance from the South Pacific Commission, is currently undertaking an intensive beche-de-mer survey.

New Regulation 3j provides exemptions from the provisions of Regulations 25A and 25B for animals produced by artificial spawning methods.

A spokesman for the Fisheries Division is quoted in a press release as stating that "the main reason for these restrictions is to protect the resources from overfishing." "Giant clams are likely to become extinct very shortly if we continue exporting at the present rate . . ."

Fiji exports of Giant Clam Meat 1984-1988  
(including adductor muscle and mantle)  
by weight - kilogrammes

Country	84	85	86	87	88
Australia*	4085	3105	1408	1750	2610
Canada					1313
Hong Kong		215	2200	2	1440
Japan	15				
New Zealand	1056			2	
Singapore				1405	
Taiwan		1824	2	4200	33140**
USA		421	720	410	200
Unknown	3				
<b>Total</b>	<b>5159</b>	<b>5565</b>	<b>4330</b>	<b>7769</b>	<b>38703</b>

Source: Fiji Ministry of Primary Industries *in litt.*, 29 March 1989.

The species involved is believed to be almost exclusively Southern Giant Clam. Approximately 80% of the exports refer to adductor muscle.

\* There has been no legal commercial importation into Australia during this period. It is believed that shipments consigned to Australia are probably transhipped to other countries (probably mainly Taiwan).

\*\* includes 1400 kg of 'muscle/mantle/fish'

## Abalone Fishers Convicted in Australia

On 11 January 1989, David Strachan, from Victoria, Australia, was convicted, on charges under the Victorian Fisheries Act 1968, of illegal Abalone *Haliotis ruber* fishing. He was sentenced to nine months gaol, fined almost A\$13 000 and had his fishing equipment confiscated. Co-offenders, Craig Waugh and Kevin Wilton were fined A\$8400 (US\$6820) and A\$5900 respectively.

The case was part of a harsh crackdown by the Victorian authorities on illegal fishing in the State. Concern about the level of exploitation of Victoria's fish resources, including major and recurrent breaches of fisheries legislation by people fishing without appropriate licences or taking undersized catches, resulted in an Abalone Task Force being established in January 1988, by the Department of Conservation, Forests & Lands (DCFL), to investigate the industry. During the week beginning 6 February 1989, officers from the DCFL, assisted by officers from New South Wales, South Australia and Tasmania, seized 1.8 tonnes of Abalone from various wholesalers, retailers and restaurants in Melbourne. It is expected that several people will be charged with various offences under the Fisheries Act relating to illegal possession of Abalone.

Licensed commercial operators in the abalone fishery in Victoria are subject to annual quotas, currently about 21 tonnes per diver (DCFL, pers. comm.). Most other States have also introduced quotas in an effort to limit the level of exploitation and ensure the conservation of stocks. In 1987/88, the national legal abalone harvest was estimated at 7610 tonnes (value A\$11.3 million), the Victorian harvest amounting to 1900 tonnes (A\$2.85 million) (DCFL, pers. comm.). Most of the harvest is exported, mainly to Japan.

by Frank Antram, TRAFFIC(Oceania)





# WILDLIFE TRADE MONITORING UNIT

# Traffic Bulletin

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## Seizures and Prosecutions

### Heaviest UK fine imposed for reptile import

On 23 March 1988, at Horsham magistrates court, UK, a reptile dealer received the heaviest fine ever given in this country for reptile importation offences. Mr Paul Sullivan of Torquay, Devon, pleaded guilty to two offences, under section 170 of the Customs and Excise Management Act, relating to misdeclaration of reptiles at British airports. The first offence concerned 480 snakes and lizards including Spiny-tailed Lizards *Uromastyx* spp. (CITES Appendix II). For this offence, Sullivan was fined £1500 (US\$2550).

The second offence concerned a CITES Appendix I species, a Desert Monitor *Varanus griseus*, and resulted in a fine of £1000. Crown prosecution were awarded costs, and the reptiles, with a sale value of over £8000, were confiscated.

Sources: *Fauna & Flora Preservation Society; H.M. Customs & Excise, UK*

### Five years for economic sabotage

A Ghanaian, Christian Mills, has been sentenced to gaol for five years with hard labour for his leading role in the attempted illegal export of approximately 2000 Grey Parrots *Psittacus erithacus* (CITES Appendix II) from Ghana on 6 June. The birds, which were packed in 33 containers, were impounded at Kotoka International Airport in Accra, as they were about to be exported to London, en route to Los Angeles, USA. Five others, including an American, also received gaol sentences.

Mills purchased the birds for Darrel Alexander, a US citizen, and forged CITES export permits and health certificates, without Alexander's knowledge. In addition to the gaol sentence, Mills has been ordered to refund the US\$75 000 he received from Alexander to export the parrots, and has been fined £25 million (US\$20 000). For his involvement, Alexander was gaoled for nine months with hard labour and was served with a deportation order, effective on completion of his sentence. The tribunal also ordered that US\$2650 and £15 000 found on Alexander during his arrest should be confiscated.

Nicholas Gyimah, a Customs officer, who allowed the shipment of parrots to pass through Customs unrecorded, for a fee of £495 000 and US\$1000, was sentenced to three years with hard labour, plus ordered to pay a fine of £300 000. Wabi Bello, a wildlife dealer who purchased some of the birds for Alexander and Mills, was sentenced to two years imprisonment and fined £200 000. Abraham Sackar, an airline official, who conveyed the birds to the aircraft on a tractor, was gaoled for two years and fined £200 000. John Sorboh was sentenced to six months for accompanying the tractor on which the birds were being carried.

Mr Francis Torgbuigah of the Export Promotion Council was awarded £150 000 for discovering the illegal shipment and preventing its export, thus saving the country from the probable loss of more than US\$40 000.

Many of the birds died as a result of poor quarantine conditions and careless handling by trappers and dealers; only around 700 birds remain alive. The money confiscated from Mills and Alexander will pay for the upkeep of the birds, which are still too young to be released in the wild.

The export of all parrots from Ghana for commercial purposes has been banned by administrative directive since June 1986.

Sources: *Castle Information Bureau, Accra, Ghana; International Council for Bird Preservation; People's Daily Graphic (Ghana), 16 June / 14 October 1988*

### Parrots returned to Mexico

In December 1987, a shipment of 184 amazon parrots was confiscated by the inspection service of the Dutch Ministry of Agriculture. The shipment consisted of 100 Red-crowned Parrots *Amazona viridigenalis*, 40 Yellow-headed Parrots *Amazona ochrocephala* oratrix and 44 Lilac-crowned Parrots *Amazona finschi*, all endemic to Mexico and listed in CITES Appendix II.

The birds had been shipped to the Netherlands from Mexico through Nicaragua, Cuba, and Belgium. On the Nicaraguan CITES permits which accompanied the shipment, the birds had been declared as Mealy Parrots *Amazona farinosa* and Yellow-naped Parrots *Amazona (ochrocephala) auropalliata*.

On 13 July 1988 the birds were returned to Mexico.

Source: *Kees Schouten, Institute of Taxonomic Zoology, University of Amsterdam, The Netherlands*

### Rhea and Coypu skins in Argentina

On 8 September 1988, following a tip-off, TRAFFIC (South America) assisted Argentinian authorities in the seizure of a shipment of skins of Greater Rhea *Rhea americana* and Coypu *Myocastor coypus* at Ezeiza airport, Buenos Aires, Argentina. The shipment, which consisted of 12 boxes, weighed a total of almost two tonnes, and was estimated to be worth several thousand dollars. The skins are now in the custody of the police and the case is being investigated.

The export from Argentina of the Greater Rhea has been prohibited since 1986, and special documents are required to export Coypu.

Source: *TRAFFIC (South America)*

### Primates, parrots and reptiles in Spain

A large shipment of animals from Equatorial Guinea and bound for Honduras, were accidentally flown to Puerto Rico whilst in transit at Barajas Airport, Madrid, Spain. The shipment contained 5 Chimpanzees *Pan troglodytes*, 15 crocodylians, 20 Talapoins *Cercopithecus talapoin*, 8 Mandrills *Papio sphinx*, 20 lizards, 25 turtles and 31 Grey Parrots *Psittacus erithacus*. The shipment was refused entry in Puerto Rico and returned to Madrid; by this time the smell emanating from the crate was so bad that it had to be hosed down. It was then sent to Madrid Zoo, where not surprisingly, the animals were found to be in an appalling condition: a number of Talapoins and Mandrills had died and two Chimps died three days later, despite great efforts to save them.

The Director of TRAFFIC (South America), whilst on a visit to Spain, informed the CITES Secretariat of the situation, and also the Spanish CITES Management Authority which had been unaware of the case. As the documents accompanying the shipment had been falsified and the quantities on the documents did not tally with the numbers in the shipment, the consignment was seized. In the interests of the animals' welfare, however, it was decided that they should remain at the Zoo.

During this period, a shipment of 2000 juvenile caimans which arrived at Baraja airport accompanied by forged documents, was also seized. Only 50 animals remained alive. The shipment had travelled from Colombia, via Panama, en route to Taiwan.

Source: *TRAFFIC (South America)*





Da Shing Ivory Factory, Guangzhou

© E.B. Martin

In 1985, China had at least 1200 and maybe as many as 1600 craftsmen carving or manufacturing ivory jewellery, statues and other artefacts. In addition, there were many thousands of people involved in the ivory trade, such as accountants, factory managers, clerks, salesmen, etc. Hong Kong then had 1200 ivory craftsmen; in 1979 India had an estimated 7200 (Martin, 1980) and Japan 2800 (Martin, 1985).

According to traders in Hong Kong and officials in the Forest Department in Beijing, most of China's raw ivory is imported from Hong Kong. The Chinese prefer dealing with the Hong Kong traders because they trust them and are allowed to select individual pieces of ivory rather than purchase ivory sold in lots, as is the common practice elsewhere. Also, of course, transport from Hong Kong is cheap. The Chinese like to purchase tusks over 10 kg, but they also import a lot of smaller cut pieces and even chips of ivory.

According to Hong Kong Customs figures, an annual average of 25.3 t of raw ivory (cut pieces as well as whole tusks) were re-exported to China from 1980 to 1984. Smaller quantities were imported to China from other countries, some of it, allegedly, without CITES documents. More recently, the CITES Secretariat reported, in April 1986, that 50 tusks from Tanzania, weighing 506 kg, were imported via Macao to China illegally. The following month a much larger shipment of 4344 tusks from Sudan, weighing 18 521 kg, went to China illicitly via Singapore. The Chinese Government has stated that both these shipments were confiscated by the Customs Department; they were subsequently released for use by carvers in China. How much smuggled ivory reaches the Chinese ivory factories is unknown, but from source countries it is possible to make some estimates, and it would seem that at least 30 t of raw ivory in total, legal and illegal, ends up in Chinese ivory carving factories each year, making China the world's third largest processor of ivory.

Most of China's ivory wholesale exports are sent to Hong Kong. According to Hong Kong Customs statistics, in 1983 imports of worked ivory from China amounted to 19 961 kg, declared at a value of US\$2 461 572; in 1984 it imported 13 874 kg, valued at US\$2 804 482 and, in 1985, 25 596 kg valued at US\$3 460 435. In 1986 Hong Kong stopped recording the weight of imported worked ivory but, from January to July 1986, the value of worked ivory imports from China was declared as US\$1 996 512.

### Discussion

The short-term future of China's ivory carving industry is dependent upon rules and regulations established by CITES, and on China's enforcement of these, as well as on regulations in the main consuming countries. At present, the CITES Parties are not hindering legal trade in ivory nor attempting to reduce the demand for it. With the increase of foreign tourists to China, especially Japanese, Western Europeans and North Americans who are the major buyers of finished ivory pieces, the demand will probably increase. China has an advantage over other ivory carving nations in that its labour is cheap while the quality of its workmanship remains high.

In the long term, however, prospects for the Chinese ivory carving factories are not so bright. The number of elephants dying in Africa, mostly due to illegal hunting, is not sustainable, and probably has not been since the early 1980s. Almost all the ivory carved in China comes from African savanna elephants which produce the softer variety which is more easily worked. There has been about a 36% decline in the number of elephants in Africa since 1980 (AERSG, 1987). A very large percentage of this ivory is of illegal origin - there is one estimate putting it as high as 88% in 1986 (AERSG, 1987). Thus, Africa's elephants will soon be unable to meet the demand of the world markets, and it is likely that there will be an international scramble for the reduced supply. China will have problems competing for it since it relies so much on the goodwill of the Hong Kong traders who will probably want whatever they can obtain for their own use. In order to buy ivory, the Chinese will therefore need to establish their own contacts with government trading authorities and private ivory merchants in the African source countries. The African sources, however, may decide to keep far more ivory than they do now in order to supply their own ivory factories, having recently discovered that they can earn much more foreign exchange from worked than raw ivory and at the same time provide jobs for their own people.

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## Seizures etc.

### BELGIUM:

#### Reptiles from Madagascar

On 26 July 1988, with the assistance of TRAFFIC staff and an inspector from the Belgian CITES Management Authority, Customs officers at Brussels National Airport confiscated six live Madagascar Boas *Acrantophis madagascariensis* (CITES Appendix I) and two live Gold-dust Day Geckoes *Phelsuma laticaudata* (Appendix II). The reptiles had been smuggled without the appropriate documentation and were bound for an animal trading and broker company named Squamata, in Eindhoven in the Netherlands.

The Madagascar Boa is a rare and little-known species which is confined to the last remaining tropical forest of Northern Madagascar. The species is highly endangered by habitat destruction, local hunting and hunting for the pet trade. These snakes can allegedly fetch US\$3000 each in Europe.

All *Phelsuma* spp. are listed in CITES Appendix II. Only four specimens were identified in the shipment, two of which were dead. Several boxes in the shipment were found to be empty and it is assumed that other *Phelsuma* specimens had escaped as the species is renowned for its ability to pass through the narrowest crack.

Also included in the shipment were eight live False Hognose Snakes *Lioheterodon modestus* and two boxes containing several hundred Scorpions *Pandinus imperator*, a large number of which were found crawling outside the crate, possibly placed there to deter any further investigation from Customs officers.

All the live CITES-listed specimens were immediately taken to Antwerp Zoo. The Belgian CITES Management Authority will look into the possibilities of transferring the Madagascar Boas to breeding centres.

Under CITES and Belgian Customs legislation the head of the company importing the animals, Mr Jansen, faces severe penalties.

\* \* \* \*

#### Ivory from Zaire

A Zairian citizen, Sikouto E. has been prosecuted by Belgian authorities for attempting to import worked ivory into Belgium from Zaire using forged export permits.

In June 1988, Sikouto E. arrived at Brussels National Airport with a suitcase containing worked ivory. The shipment was blocked by Customs because it was not covered by a Belgian import permit (required under EEC Regulations on CITES). The export permit was investigated by the Belgian CITES Management Authority and found to have been issued in 1987 for 8 kg worked ivory and altered to read 38 kg.

On 23 June Sikouto came to the Management Authority's office to obtain the Belgian import permit which was required for having the ivory released. He was immediately arrested and taken into custody. The shipment, which consisted of 80 statuettes and three small tusks, was confiscated. It had allegedly been purchased in Kinshasa for US\$8000.

Sikouto previously imported a shipment of worked ivory in 1987. The Belgian authorities have now discovered that the Zairian documents which had been accepted with the shipment, had been falsified as well.

The Belgian Management Authority intercepted two other falsified Zairian permits for worked ivory in the first two weeks of June; the Zairian dealers involved were arrested but vanished before they could be prosecuted.



#### Owls from Honduras

On 12 June 1988, nine live owls were confiscated at Brussels National Airport. They consisted of four species: Crested Owl *Lophotrix cristata*, Spectacled Owl *Pulsatrix perspicillata*, Mottled Owl *Ciccaba virgata* and an unidentified *Otus* sp. The shipment had come from Honduras with Honduran CITES export permits, but was without Belgian import permits.

The Spectacled Owl is a protected species in Honduras and its export from that country has been prohibited since July 1986.

In addition, all species of owl are listed in Annex C1 of EEC Regulation 3626/82, which means they are treated as CITES Appendix I species in the European Community.

\* \* \* \*

#### Lanner Falcon from Nigeria

One live Lanner Falcon *Falco biarmicus*, listed in CITES Appendix II and Annex C1 of EEC Regulation 3626/82, was seized on 5 April 1988 by Customs officers at Brussels National Airport. The bird, part of a shipment of 13 live birds arriving from Nigeria, was not accompanied by a CITES export permit.

\* \* \* \*

#### Turtles from the Maldives

114 shells of Green Turtle *Chelonia mydas* and Hawksbill Turtle *Eretmochelys imbricata* which were on sale in a second-hand shop in Brussels in May 1988, were seized by the Belgian Management Authority on the basis of information provided by TRAFFIC(Belgium). The shop owner had imported some 150 shells from the Maldives in 1979 but had failed to declare this stock at the time CITES came into force in Belgium on 1 January 1988. Inventories of Appendix I specimens had to be submitted to the Management Authority no later than 90 days after the date of entry into force.

### F.R. GERMANY:

#### Turtle scales from the Cayman Islands

In Remscheid, F.R. Germany, 18 tonnes of sea turtle scales have been confiscated by the regional CITES Management Authority and police, with the assistance of TRAFFIC(Germany). The scales are from at least 30 000 Green Turtles *Chelonia mydas* and Hawksbills *Eretmochelys imbricata* (Appendix I). Although the scales are allegedly pre-CITES, since 1 January 1988, Germany has prohibited not only the trade in pre-Convention Appendix I specimens, but also their storage for commercial purposes.

The company storing the products claimed that the scales had been there for years and had originated from captive-bred turtles in the Cayman Islands.

Source: TRAFFIC(Germany)

Seizures in Belgium compiled by TRAFFIC(Belgium)



## Conviction of Indonesian Poachers on Ashmore Reef

by Debbie Callister, TRAFFIC(Oceania)

On 9 June 1988, the captain and five of the six crew of the sail-powered Indonesian fishing vessel the Karya Sama were convicted in Darwin Magistrates Court, Northern Territory, Australia, of offences relating to a poaching incident at Ashmore Reef, 840 km west of Darwin. They were charged with interfering with wildlife, injuring wildlife, and destroying wildlife, under Australia's National Parks and Wildlife Regulations of the National Parks and Wildlife Conservation Act 1975. All pleaded guilty and were placed on good behaviour bonds for two years and ordered to stay out of Australian territorial waters for the period of their bonds. The vessel was also forfeited to the Crown (Australian National Parks & Wildlife Service (ANPWS), pers. comm.). The captain and six crew were deported back to Indonesia on 15 June 1988 (Australian Federal Police, pers. comm.).

The boat was detected at Ashmore Reef on 20 May with 3000 to 4000 seabird eggs and 120 seabirds on board, all illegally taken (Hansard, 23 May 1988, p. 2763). Fifty of the birds were still healthy and were released. The rest were either dead or injured. The species of birds collected were Sooty Terns *Sterna fuscata*, Bridled Terns *Sterna anaethetus*, Crested Terns *Sterna bergii* and Common Noddies *Anous stolidus* (ANPWS, pers. comm.). The last three species are protected under 'The Agreement between Australia and Japan for the Protection of Migratory Birds and Birds in Danger of Extinction and their Environment' (JAMBA). Some *Trochus* spp. were also found on board (ANPWS, pers. comm.), however these were not taken illegally.

Traditional Indonesian fishermen are allowed to take certain marine species, including *Trochus* spp. and beche de mer, from the Ashmore and Cartier Reef areas under the terms of a Memorandum of Understanding (MOU) between the Australian and Indonesian governments (see 'Indonesian Poaching on Ashmore Reef', *Traffic Bulletin*, 7(3/4):61). However taking of seabirds and eggs is clearly in breach of the MOU terms. This is the first instance of a conviction for illegal actions in violation of the MOU. The decision to apprehend and convict the crew of the Karya Sama indicates the new tougher stance adopted by the Australian Government to breaches of the Ashmore Reef MOU. The announcement of these stricter measures by Australia, to apply from 1 March 1988, was published in Jakarta, Indonesia on 25 February 1988 (Anon., 1988). The Australian Government listed eight developments since the implementation of the MOU in 1974 which have combined to prompt the changes:

- The change in administration of the Ashmore and Cartier Islands from part of the Northern Territory to a separate Territory of the Commonwealth of Australia;
- The extension of the Australian Fishing Zone from 12 to 200 nautical miles;
- The increased number of visits by Indonesian fishermen. For example, in 1987 the number of motorised vessels visiting the reefs increased by 300% over the previous year;
- International obligations to protect wildlife - specifically, obligations under JAMBA and CITES;
- The declaration of the Ashmore Reef National Nature Reserve in 1983;
- The drying up and contamination of wells on Middle and East Islands, Ashmore Reef, where Indonesian fishermen were allowed to land to obtain water supplies;
- Destruction of flora and especially fauna;
- The increase in non-traditional fishing, with fishermen using motorised vessels and powered fishing gear.

The Government listed the arrangements for administering the MOU to apply from 1 March 1988, which included the following:

- Fishing in the areas designated in the MOU will be restricted to only traditional Indonesian fishermen in paddle or wind-powered boats using nets and lines;
- Fish and sedentary species can be taken within a 12-nautical-mile radius of the islands and reefs covered by the MOU i.e. Ashmore Reef (outside the Reserve), Cartier Island, Scott Reef, Seringapatam Reef and Browse Reef;
- Any person taking swimming fish species outside the areas mentioned above will be liable to conviction under the Fisheries Act 1952;
- Any person using a boat to search for or take sedentary organisms from the Australian Continental Shelf outside the 12-nautical-mile limit will be liable to conviction under the Continental Shelf (Living Natural Resources) Act 1968;
- No fishing of any kind may take place within the Ashmore Reef National Nature Reserve. In the Reserve it is an offence to interfere with, damage, injure, destroy or remove wildlife and nests; to use any firearm, trap, net, speargun or hunting bow; and to take fish. Offenders will be liable to conviction under the National Parks & Wildlife Conservation Act 1975.
- Any person taking migratory birds from Cartier Island, such as the Brown Booby *Sula leucogaster*, Lesser Frigatebird *Fregata ariel* or Common Noddy, is liable to conviction under the Migratory Birds Ordinance 1980 of the Territory of Ashmore and Cartier Islands.
- Any person taking giant clams (Tridacnidae) from Australia without permit is liable to conviction under the Wildlife Protection (Regulation of Exports & Imports) Act 1982. This includes clams taken from the Australian Continental Shelf.
- It is an offence under the National Parks & Wildlife Conservation Act 1975 to kill or interfere with all sea snakes, birds and seals beyond the limits of Western Australia and the Territory of Ashmore and Cartier Islands.

Many of the points above relating to liability for conviction were also applicable under previous MOU arrangements. Their specification by the Australian Government indicates a new willingness to apprehend and convict fishermen found illegally taking wildlife from the Ashmore and Cartier Reef areas. It is to be hoped that this stricter enforcement and implementation will eventually lead to a decrease in the number of Indonesian fishermen exploiting wildlife in the region, allowing it to recover from past disturbances and overcollection.

### Reference

- Anon., (1988). 'Note setting out the Australian Government's understanding on implementation of the 1974 Memorandum of Understanding from 1 March 1988, and Supplementary Notes'. Jakarta, 25 February 1988.



## Wildlife Prosecutions in Australia

compiled by TRAFFIC(Oceania)

### Federal:

#### Maximum penalty for psittacine smuggling

On 4 October 1988, an Austrian citizen, Hans Klein, became the first person to receive the maximum penalty under the Wildlife Protection (Regulation of Exports & Imports) Act 1982 (WPA) when he was sentenced to five years imprisonment by the Sydney District Court.

Klein was found guilty on charges under the WPA and the Quarantine Act 1901 of smuggling seven juvenile exotic parrots into Australia from Singapore on 26 August 1988. Four Blossom-headed Parakeets *Psittacula roseata* and three Moustached Parakeets *Psittacula alexandri*, which had been stuffed into stockings and hidden in an overnight bag, were found by Customs officers at Sydney airport. The bag, which was identified as belonging to Klein, had been abandoned by him when he apparently panicked upon arrival in Australia. Klein was arrested a few days later, on 1 September 1988, when he tried to board a flight for Singapore.

In court, the judge said that he was satisfied that Klein was involved in an international bird smuggling racket and sentenced him to five years on the wildlife charge and two years, to be served concurrently, on the quarantine charge. The judge recommended that Klein should serve a minimum of three-and-a-half-years.

\* \* \*

On 19 August 1988, a Canadian citizen, Randall McBride, was sentenced in the Sydney District Court to 12 months imprisonment for illegal importation of birds and to two-years imprisonment for attempted illegal export of birds; the sentences to be served concurrently.

McBride had been charged under the Wildlife Protection (Regulation of Exports & Imports) Act 1982 and had pleaded guilty to importing 3 Blue-and-yellow Macaws *Ara ararauna* and 8 Moustached Parakeets *Psittacula alexandri*, and attempting to export 23 Major Mitchell's Cockatoos *Cacatua leadbeateri*, 10 Gang-Gang Cockatoos *Callocephalon fimbriatum* and 4 Musk Lorikeets *Glossopsitta concinna*. The total market value of the birds was estimated to be in excess of A\$300 000 (US\$240 000).

McBride had flown into Sydney from Bangkok, Thailand, on 16 July 1988 with the macaws and parakeets, encased in plastic tubing, concealed in a suitcase. When stopped in a routine Customs check, McBride said he had picked up the wrong bag. He returned it to the carousel and lodged a missing baggage claim, before leaving the airport. The original suitcase was later opened and found to contain the birds. When, two days later, on 18 July 1988, McBride tried to depart on a flight to Auckland, he was arrested. His two bags were off-loaded from the aircraft and found to contain the 37 Australian native birds.

In court, McBride claimed that he was to be paid A\$6000 by the people he met in Thailand. The judge accepted that he was a courier, rather than a principal, but concluded that McBride, despite guilty pleas, had not been helpful to police in identifying the "Australian connection" or in accounting for his movements within Australia. The judge felt that a stiff sentence would deter others.



New Zealand Quarantine Officer with Long-billed Corellas in mesh cylinders, smuggled in from Australia.

Courtesy of Australian Customs Service

### Federal ctd.

On 21 June 1988, in Sydney's District Court, an Australian citizen, Sydney Dickinson, was convicted under the Wildlife Protection (Regulation of Exports & Imports) Act 1982 of illegally exporting 32 Long-billed Corellas *Cacatua tenuirostris* to New Zealand. Dickinson had taken the Corellas in two suitcases on a flight to New Zealand in February 1987. Each of the birds was encased in either a wire mesh tube or a plastic tube, and packed tightly into the cases. An electric fan was fitted in the bottom of each case to provide ventilation for the birds.

In New Zealand, Dickinson had been charged, under the Animals Act, with illegal importation and making a false declaration. He had been released on bail of NZ\$2000 (US\$1250) and his passport was retained by the police, however, he failed to appear in court. It was not until 17 April 1988 that he was located back in Australia, and arrested.

In convicting him, the judge considered the fact that Dickinson had already spent two months in custody, and released him on a recognizance in the sum of A\$500 (US\$350) to be of good behaviour for 12 months.

Enquiries by TRAFFIC(Oceania) indicate that Long-billed Corellas would sell for approximately NZ\$800 each on the New Zealand market.

\* \* \*

Two Australian citizens, David Holmes and Peter Phippen, appeared in Sydney District Court on 11 February 1988, charged with importing animals (live birds) in contravention of the Quarantine Act 1908. The two men had been apprehended on 15 September 1986 with Red-crested Finches *Coryphospingus cucullatus*, Paradise Whydahs *Vidua paradisaea* and Pintail Whydahs *V. macroura* at Sydney airport (see *Traffic Bulletin* 8(3):53 for details). Both men pleaded guilty but they were discharged, under Section 19B of the Crimes Act 1914, without a conviction being recorded. Mr Holmes and Mr Phippen were each obliged to enter into a recognizance, in the sum of A\$1000 (US\$800) and A\$2000 respectively, to be of good behaviour for two years. The Crown is appealing.



## Wildlife Prosecutions in Australia etc.

### State:

#### Queensland

On 26 May 1988, at Mareeba Magistrates Court, Peter Krauss of Queensland, was convicted under the Fauna Conservation Act 1974-1985, of keeping protected fauna (snakes), contrary to Section 54(1)(a) of the Act, and of failing to maintain a Register, contrary to Section 17. He was fined a total of A\$350 (US\$278) on the two charges, plus A\$76.50 court costs, and was ordered to pay A\$540 in royalties. The following species were seized from Krauss' premises: 1 Diamond Python *Morelia spilota*, 1 unidentified monitor lizard *Varanus* sp., 1 Lace Monitor *V. varius*, 3 Merten's Monitors *V. mertensi*, 12 Eastern Brown Snakes *Pseudonaja textilis*, 8 Eastern Blue-tongued Lizard *Tiliqua scincoides* and 1 Western Blue-tongued Lizard *T. occipitalis*. All the animals were released back into the wild, except for the Diamond Python which was donated to a zoo.

Krauss has been previously convicted in Western Australia of illegal possession of reptiles (see *Traffic Bulletin* 8(1):11).

#### New South Wales

On 23 February 1988, at Inverell Magistrates Court, Lance Faulkner of Queensland, was prosecuted for possession of protected fauna contrary to Section 101 of the New South Wales National Parks & Wildlife Act 1974 and for related offences under the New South Wales Fisheries & Oyster Farms Act 1935. Faulkner, who had allegedly been found in possession of six Platypus *Ornithorhynchus anatinus* skins near Ashford, New South Wales, was found guilty of the offences and convicted. Sentence was not handed down until 11 March 1988 when Faulkner was fined a total of A\$650 (US\$520) for possession of gill nets and non-prescribed nets and sentenced to two-months imprisonment for each of the Platypus skins, to be served concurrently. The prosecution was taken by New South Wales State Police.

## New Legislation in Victoria, Australia

by Debbie Callister, *TRAFFIC(Oceania)*

On 5 May 1988, a new piece of legislation - the Flora and Fauna Guarantee Act 1988, was passed by the Victorian State Government, Australia. The Flora and Fauna Guarantee (FFG), as it is commonly known, has been hailed as a landmark in conservation legislation. It has broad conservation objectives particularly aimed at protecting and managing flora and fauna threatened with extinction. Individual taxa, communities and potentially threatening processes are all covered by the FFG. In addition, keeping, taking and trading in all protected plants and FFG-listed fish will now be regulated through the FFG Act. (Plant trade was previously regulated under the Wild Flowers and Native Plants Protection Act 1958 (WFNPP Act). The regulation of activities affecting protected fauna continues under the Wildlife Act 1975.)

Threatened taxa of fauna and flora and communities, and potentially threatening processes will be listed in the Schedules of the FFG Act following recommendations by a Scientific Advisory Committee. Following listing,

further conservation planning, action and management measures will be implemented. These could include Public Authority Management Agreements, Land Management Co-operative Agreements, incentives and compensation. Opportunities for public scrutiny and comment are also provided for most actions taken under the Act.

An important enforcement provision of the FFG is the power to place an Interim Conservation Order (ICO) on the "critical habitat" either of listed taxa (if on private land) or of taxa and communities (if on public land). An ICO allows for short-term (two years and 90 days maximum) legally enforceable protection of the specified areas. This immediate protection will provide breathing space, during which time long-term management options can be negotiated and implemented. If there is a need for further regulation beyond this period, this is available under the Planning and Environment Act 1987.

In addition to protecting threatened species, the FFG will also regulate the taking, trading, keeping, moving and processing of protected flora. The powers previously existing under the WFNPP Act have been incorporated into the new Act, and important new powers added, including:

- FFG provisions may also apply to flora not indigenous to Victoria. This is intended to allow co-operation in conservation efforts with overseas and interstate authorities. Species which are covered by other States' legislation or conventions such as CITES can be declared "protected" under the FFG, although only those species carried over from the WFNPP Act are covered at present.
- Landholders will need authorisation to take flora from their land if it has been determined to be critical habitat for that flora.
- Rather than blanket controls over taking, keeping, trading, etc., the FFG allows for an appropriate mix of controls to be developed for each species. This means there may be instances where, for example, artificially propagated specimens of protected plants can be kept and traded without permit. Under the FFG, a permit, licence or authorisation will not be needed to take the progeny of plants which have been lawfully obtained and kept. This appears to provide a loophole, whereby unscrupulous plant traders could supplement their supply of artificially propagated plants with wild-collected specimens, claiming them to be artificially propagated. The Victorian Department of Conservation, Forests & Lands (the enforcing body for the Act) claims that controls are flexible enough to overcome such enforcement problems (FFG Unit, pers. comm.), for example by prohibiting the keeping of such plants regardless of their origin. Whether in practice such controls will be effective, or practical, remains to be seen.

To date only a few sections of the Act are in operation. These are the sections which allow the establishment of the Scientific Advisory Committee and the preparation of regulations relating to its activities. The remainder of the Act will come into operation once administrative procedures have been put in place, on a date to be proclaimed. This is not expected to be before the end of 1988.

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