

VOL. 20 NO. 2

2

TRAFFIC

B U L L E T I N

MARKET TRENDS FOR AMERICAN GINSENG

RESULTS OF 13TH CITES MEETING

SOUTH AFRICA'S ABALONE FISHING INDUSTRY

FEBRUARY 2005

The journal of the TRAFFIC network disseminates information on the trade in wild animal and plant resources

The *TRAFFIC Bulletin* is a publication of TRAFFIC, the wildlife trade monitoring network, which works to ensure that trade in wild plants and animals is not a threat to the conservation of nature. TRAFFIC is a joint programme of



The *TRAFFIC Bulletin* publishes information and original papers on the subject of trade in wild animals and plants, and strives to be a source of accurate and objective information.

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Cover illustration:

Leaf-tailed Gecko *Uroplatus fimbriatus*
(WWF-Canon / Martin Harvey)

This page, from top:

Hoodia sp. (K. Lochen / TRAFFIC)

American Ginseng *Panax quinquefolius* (D. Gagnon)

Euphorbia milii (K. Lochen / TRAFFIC)



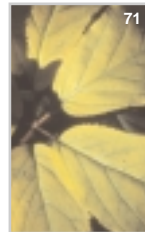
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February 2005

UNLIKE ELEPHANTS, medicinal plants rarely make the headlines. And when they do, it's usually because of the discovery of a possible 'miracle cure', not because of the threats they face. The low level of public attention given to the conservation of medicinal plants is extremely worrying: medicinal plants form the foundation of much of traditional and 'modern' healthcare practices, and are, quite literally, critical to the survival of a large share of the human population. This is something that cannot so easily be said for the wild animal species that typically dominate both headlines and conservation funding.

Medicinal plants also have a low profile at CITES meetings. Although numerous issues related to medicinal plants were on the agenda at the 13th meeting of the Conference of the Parties to CITES, discussion of these

EDITORIAL

was limited and the results largely failed to make the news. Instead, debate during the meeting and associated news coverage focused on animal species, particularly, and unsurprisingly, elephants.

In terms of CITES outcomes, however, many more people are likely to be directly affected by those related to medicinals. A proposal to include several Asian Yew *Taxus* species in CITES Appendix II, the needles and bark of which contain a potent anti-cancer compound, was agreed with no objections. Big news, arguably, as this should mean that greater efforts are made to bring trade within sustainable levels, and therefore secure the long-term availability of this important cancer treatment.

Also accepted was a proposal to list the southern African succulent plant genus *Hoodia* in CITES Appendix II. Unlike other medicinal species, *Hoodia* (specifically *H. gordonii*) has made headlines both in Africa and abroad as a possible source of a new 'blockbuster drug' to treat obesity (see page 56). The *Hoodia* proposal was an unusual one, as it was 'annotated' to exclude from CITES provisions any items bearing a label from the governments of Botswana, Namibia or South Africa stating that trade had been approved (see page 64). The three governments promised to ensure that trade in labelled items was maintained within sustainable levels, and argued that structuring the listing in this way would facilitate control of trade in extracts and other partially finished or finished pharmaceutical products. Some questioned this approach, which, it could be argued, sidesteps CITES for a significant component of the trade, and a working group met to consider other options. In the end, the proposal was accepted as submitted, with agreement to consider the annotation further at the next meeting.

Hoodia has also made the news in conjunction with the development of a benefit-sharing agreement with the San people of southern Africa, from whom knowledge of

the species' appetite suppressant qualities was obtained. In a departure from CITES norms, the *Hoodia* proposal made specific reference to the potential economic benefits of trade to the San and other indigenous peoples, and linked this to the case for CITES action. *Hoodia* is not unique in being a source of income. Millions of people depend on income from medicinal plant collection worldwide - an estimated half a million households in Nepal alone. What is unique, however, is that the socio-economic importance of the trade to holders of traditional knowledge and rural collectors has received international attention.

Whether CITES helps, hinders or has no impact on the flow of benefits to rural harvesters of *Hoodia* and/or other CITES-listed medicinal species remains to be seen. The same can be said of its conservation impacts. In

fact, given its focus on mitigating the negative conservation impacts of international trade, and that relatively few medicinal species are covered by CITES, the Convention is unlikely to be relevant for addressing either con-

servation or development concerns for the bulk of the medicinals trade.

This is why groups like TRAFFIC, IUCN-The World Conservation Union, WWF and others are also focusing more widely on the development, promotion and implementation of guidelines, criteria and standards to promote sustainable and ethical sourcing of medicinal plants. This includes collaboration with the World Health Organization to update the 1993 WHO/IUCN/WWF *Guidelines on the Conservation of Medicinal Plants*, and with a technical committee including the German Federal Agency for Nature Conservation and the Forest Stewardship Council to develop more detailed standards and criteria.

However, funding such work remains a constant challenge. Most conservation donors seem more interested in animals (recent interest in illegal logging being a notable exception), while development donors often focus on cultivation, which currently is viable for a relatively small number of species, and can shift benefits away from people benefiting from wild harvest.

Even once developed, the effectiveness of guidelines and standards for wild harvest will depend as much on the understanding and support of consumers as it will on that of producers. However, although growing, the 'ethical consumer' market is very small in the USA, somewhat stronger in western Europe, and almost non-existent in the developing world.

In order to spur greater investment in securing the future of medicinal plants - and of those who depend on them - greater attention must be given to their importance and the threats they face. Medicinal plants, it seems, are in need of a 'miracle cure' themselves.

Teresa Mulliken, Research and Policy Co-ordinator,
TRAFFIC International

Crawford Allan leaves his position as Regulation & Enforcement Co-ordinator at TRAFFIC International, where he has been based for the past 11 years, to take up the post of Deputy Director at TRAFFIC North America. This position was formerly held by Craig Hoover who left TRAFFIC in August 2004 after eight years following his appointment as supervisor of the intelligence unit at the US Fish and Wildlife Service Office of Law Enforcement.

bulletin board

Ximena Buitrón, Programme Officer at TRAFFIC South America and the lead on plant and timber trade issues in this region since she joined TRAFFIC in 1996, left in August 2004.

Eugene Lee was appointed Senior Programme Officer at TRAFFIC Southeast Asia in October 2004.

Anita Sancho, Research Officer at TRAFFIC South America and instrumental in the development of a marine programme for that office, left TRAFFIC in December 2004 to co-ordinate the Invasive Species Programme at United Nations Development Programme, based in the Galapagos Islands.

On 1 September 2004, Wang Shasha was recruited as the assistant of the TRAFFIC East Asia China Programme office, Beijing.

Claire Nugent, Programme Administration and Evaluation Officer at TRAFFIC International since March 2000, left in August 2004.

Caroline Gill was appointed Funding Development Officer at TRAFFIC International in October 2004.

Following the enlargement of the European Union, the former TRAFFIC Europe-Candidate Countries Programme continues its work on CITES and wildlife trade issues in the region. To reflect the expanded geographical scope of the project to cover the new EU Member States, as well as, among others, Bulgaria, Croatia, Romania and Turkey, the programme has changed its name to TRAFFIC Europe-Central Eastern Project Office.

The former Co-ordinator of the programme, Attila Steiner, left TRAFFIC in July 2004. In October 2004, Dorottya Papp was appointed a Programme Officer of the project, together with Katalin Kecse-Nagy, who has rejoined the TRAFFIC team after a period working with the CITES Scientific Authority of Hungary.

traffic websites

<http://www.traffic.org> (English)
<http://www.trafficindo.org> (English)
<http://www.wwf.ru/traffic> (Russian)
<http://www.wwf.org.mx/traffic.asp> (Spanish)
<http://www.wwfchina.org/traffic> (Chinese)
<http://www.wow.org.tw> (Chinese)
<http://www.trafficj.org> (Japanese)

This issue of the *TRAFFIC Bulletin* is available on <http://www.traffic.org>

Asia's wildlife trade needs concerted action

Mounting evidence that Asia's trade in wild animals and plants has escalated to unsustainable levels is forcing governments, donors and civil society to work together in a more co-ordinated fashion to address a biodiversity conservation challenge of unprecedented magnitude. This was the topic of a TRAFFIC-led workshop at the recent IUCN World Conservation Congress, held in Bangkok in November 2004.

Asia's wildlife trade involves thousands of animal and plant species sourced from terrestrial, marine and fresh-water biomes. The region acts not only as a producer and re-exporter, but increasingly as a consumer of wildlife products sourced from around the globe. Economic development in this dynamic region - which includes the world's two most populous countries, China and India - along with associated transport infrastructure, is facilitating newly-streamlined trade corridors.

The high volume trade in tropical timber for furniture and construction, freshwater turtles and snakes for food, musk deer and pangolins for traditional medicine, and luxury goods like ivory and shahtoosh frequently involves a mixture of illegal, unregulated and unsustainable trade. In many cases, management frameworks do not exist at all, or suffer from a lack of monitoring and enforcement.

Participants in the workshop *What Future For Asia's Wildlife Trade?* concluded that efforts to address wildlife trade management gaps are often acting in isolation and are not achieving high-level impact on securing positive outcomes for both human livelihoods and biodiversity conservation.

However, there are several positive signs that political and economic drivers can be engaged to help solve the often complex set of problems. New initiatives, such as regional commitments from the Association of Southeast Asian Nations (ASEAN) to address wildlife trade, increased CITES implementation, and greater engagement by China with producer countries, show hope for the future.

Along with the need for better legislation, implementation and law enforcement, participants remarked on the importance of appropriate incentives for community and civil society participation in managing resources from which they receive tangible benefits.

To address the persistent demand for animal- and plant-derived products, more emphasis should be placed on understanding why consumers consume, in order to guide innovative interventions that change consumption patterns where they are not sustainable. This is particularly true in Asia where there is a long history of wildlife use for medicines, food and cultural traditions.

"Effective action requires systematic interventions across entire trade chains, particularly focused on market drivers and increasing our understanding of how to mobilize consumer choice towards sustainable alternatives," says Dr Craig Kirkpatrick, Director of TRAFFIC East Asia.

James Compton, Director, TRAFFIC Southeast Asia

Samoa: the 167th Party to CITES

The Independent State of Samoa deposited its instrument of accession on 9 November 2004. The Convention entered into force for Samoa on 7 February 2005.

<http://www.cites.org/eng/news/party/samoa.shtml>

Sea Change Needed to Save Fishing Industry

Some 30% of UK waters must be turned into marine reserves and closed to commercial fishing if the UK fishing industry is to survive. This is the conclusion of the Royal Commission on Environmental Pollution (RCEP) - a body that advises the government - in an influential report that it has recently published.

The report focuses on the impacts of fishing in the north-east Atlantic, particularly the fisheries regulated by the EU Common Fisheries Policy and to the waters around the UK. It recommends that deep-sea trawling taking place in UK waters or being carried out by UK vessels be stopped immediately. In order to realize the report's recommendations, the UK Government will need to press the European Commission for a ban on the use of bottom trawling, gillnetting and long-lining for deep-sea species in EU waters.

The RCEP wants the UK to adopt a decommissioning scheme to reduce the capacity of the UK fishing fleet to an environmentally sustainable level, and ensure similar reductions are made in EU fleets that fish in UK waters. It is estimated that half of the fish landed by the UK fleet under the current quota system comes from sources that are unsustainable or borderline. Further, many more fish are caught at sea than are actually landed and are either discarded because they are too small, are the wrong species, or are over the fishing vessel's catch quota.

UK Fisheries Minister Ben Bradshaw has said it would be premature to implement the measures recommended by the RCEP before radical measures that have already been taken have an impact. However, he does not rule out the possibility of having to take radical action in the future.

A summary of the RCEP's report *Turning the Tide: Addressing the Impact of Fisheries on the Marine Environment* is available at www.rcep.org.uk/fisheries/englishsummary.

<http://news.bbc.co.uk/1/hi/sci/tech/4072503.stm>



K. LOCHEN / TRAFFIC

- A reduction in the taking and sale of birds of prey in the UK is believed to have occurred due to the success of DNA testing, the deterrent effect of custodial sentences and the development of captive breeding. These are the findings of a study undertaken by The Royal Society for the Protection of Birds which found that there were 68 incidents involving trade in live or dead wild birds in 2003, compared with 74 in 2002. Of these, 28 related to the possession or sale of birds of prey, 34 to the possession or sale of other species and four to the possession of dead birds for taxidermy purposes. These figures are all below the five-year means for the period 1998-2002.

Birdcrime 2003. Offences against wild bird legislation in 2003. Royal Society for the Protection of Birds (RSPB)

briefly

- Sales of products containing, or labelled as containing endangered species, is to become illegal in New York City, the first municipality in the USA to approve such a ban. New York City is a significant market for products derived from endangered species, particularly packaged traditional Chinese medicines containing or claiming to contain Tiger bone and rhino horn. TRAFFIC North America highlighted the scale of this trade in its report *A Tale of Two Cities: A Comparative Study of Traditional Chinese Medicine Markets in San Francisco and New York City*.

TRAFFIC International

- An international ban on the finning of sharks in the Atlantic has been agreed to by more than 60 nations. The agreement was drawn up by members of the International Commission for the Conservation of Atlantic Tunas (ICCAT) at its 14th Special Meeting in New Orleans in November 2004, in response to a proposal by the USA. With effect from 21 November 2004, the practice of removing a shark's fin (considered a delicacy in some Asian countries) and throwing the carcass overboard is banned in the Atlantic Ocean. ICCAT, which has 63 member-nations, has also agreed to collect more data on shark catches and identify nursery areas. A call from the USA for a reduction in the number of fishing vessels that hunt sharks was not adopted.

The Commission is responsible for the conservation of tunas and tuna-like species in the Atlantic Ocean and adjacent seas. It also undertakes work in the compilation of data for other fish species that are caught during tuna fishing ("bycatch", principally sharks) in the Convention area, and which are not investigated by another international fishery organization. There are few international restrictions on shark fishing and trade. The USA banned shark finning in the Atlantic in 1993 and in the Pacific Ocean in 2002. In 2003, Palau outlawed shark fishing and banned the practice of shark finning.

South Korea remains the only ICCAT member to resist the ban on shark finning and has six months to consider whether it will sign the agreement.

WWF-Canada press release, 22 November 2004; www.iccat.es

New Biodiversity Legislation for South Africa

Until very recently, biodiversity conservation legislation in South Africa - incorporating wildlife trade related laws and policies - has been characterized by a potpourri of provincial and national Ordinances, Acts, Decrees and Proclamations which are, in numerous aspects, inconsistent, incomplete, outdated and overly complex. Provincial restructuring in 1994, combined with a failure to repeal nature conservation legislation of the former Independent States and Self-governing Territories, served to exacerbate an already fragmented legal environment. There has accordingly been an urgent need for national biodiversity legislation to ensure uniform decision-making, national oversight of biodiversity use and conservation, and national standards for natural resource-management.

Following a lengthy development process, the *National Environmental Management: Biodiversity Act* was promulgated on 31 March 2004 and came into force on 1 September of the same year. The aims of the Act are to provide for the management and conservation of South Africa's biodiversity, the protection of species and ecosystems that warrant national protection, the sustainable use of indigenous biological resources, the fair and equitable sharing of benefits arising from bio-prospecting and the establishment of a new institution - the South African National Biodiversity Institute.

The Act contains a chapter on threatened or protected ecosystems and species that includes specific provisions on wildlife trade. Within the context of this chapter, the Act makes provision for the development of national lists of threatened and protected species - a welcome development as it includes all CITES-listed species and will ensure that South African species are accorded the same conservation status throughout the country. Other relevant chapters cover alien invasive species and bio-prospecting and access and benefit-sharing.

South Africa is listed as a Category 2 country in terms of the CITES National Legislation Project, meaning that its laws comply with most but not all of the requirements of the Convention. The new Act, while an extremely positive development, takes South Africa only part of the way towards achieving Category 1 status. As the Act is framework legislation, enabling regulations are required to ensure that the Act is implementable, and incorporation of all of the provisions of the Convention will require regulations specific to the implementation of CITES. A comprehensive programme, harnessing the assistance of organizations and experts, including TRAFFIC, is currently under way to ensure that adequate regulations are implemented by 1 April 2005.

*Markus Burgener, Senior Programme Officer
TRAFFIC East/Southern Africa*

H*aliotis midae* is one of three abalone species endemic to South Africa. This mollusc species is known in South Africa as Perlemoen, the name being derived from the Dutch term 'Paarlemoer', meaning mother-of-pearl, which refers to the hard iridescent substance that forms the inner layer of the shell. No other abalone species of any commercial value occurs in the Southern African sub-continent and it is accordingly the only abalone species targeted in this region. Commercial divers are licensed to harvest wild abalone according to an annual quota and consignments from South Africa in international trade must be accompanied by import and export permits. Poaching, however, is a major threat to wild populations of this species.

SOUTH AFRICAN ABALONE: A C

Perlemoen attain a shell length of up to 230 mm and approximately 24% of their total weight is meat. The meat is highly valued and considered to be a delicacy and even an aphrodisiac in some East Asian countries. Its shells are also sought as ashtrays, soap holders and food platters. As a result of its demand the species began to be over-exploited in the late 1960s and illegal harvesting as well as environmental change have had a severe impact on the resource. Of particular concern is the fact that the average size of illegally harvested Perlemoen is becoming increasingly smaller and the area of operation is expanding. Considering that Perlemoen recruit inshore, and that it is those individuals which are now being harvested illegally, the scope for population growth is limited. Current projections indicate that the resource can only sustain harvest of approximately 14% of the levels possible before illegal harvesting began to escalate in the early 1990s.

The growth in illegal harvesting and trade appears to be related to political changes in post-apartheid South Africa. Following the establishment of a new government in 1994 and greater emphasis being placed on individual constitutional rights, expectations were raised among the residents of previously disadvantaged coastal communities who demanded formalized access to the abalone resource previously denied them. Transformation of the country's fisheries was, however, considered too slow by many members of coastal communities and illegal harvesting and trade increased. Other factors contributing to the rise in unlawful activity include the declining South African rand against major foreign currencies, budget cuts for many relevant government departments and continued unemployment and poverty. With enforcement services unable to contain the illegal harvesting, it has expanded and consolidated, resulting in the formation of sophisticated marketing networks, reportedly with connections to the drug trade and organized crime.

There is very little domestic consumption of Perlemoen and over 90% of the resource harvested is exported. Farming of Perlemoen in South Africa is successful - there are currently 11 farms producing Perlemoen for export, mainly to Asia. The major importers are Hong Kong, China, Japan, Malaysia, South Korea, Philippines, Singapore, and Taiwan, with the majority of abalone going to Hong Kong. An examination of import data for Hong Kong also reveals imports of abalone from other countries in the region including Mozambique, Tanzania, Swaziland and Zimbabwe. As there is no known market for Perlemoen in other African States and South African Perlemoen exporters do not export any product to African States for processing, it is almost certain that all of the

CITES APPENDIX III CANDIDATE?

Perlemoen imported into Hong Kong from these countries has been illegally harvested in South Africa and then smuggled into neighbouring States, from where it is re-exported to Hong Kong.

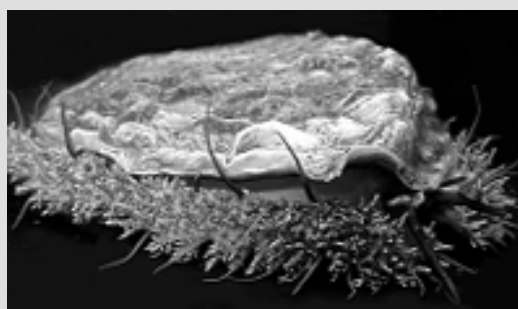
Despite having adequate legislation, strict regulation of the legal fishery and the adoption of numerous enforcement measures - including the closure of the recreational fishery in 2003 - South Africa has been unsuccessful in addressing the illegal harvesting of Perlemoen. With trade in this commodity being almost entirely international, it has accordingly become necessary to explore the use of tools that would involve the assistance of consumer States in tackling illegal trade in the species.

The South African Government is accordingly considering the option of listing Perlemoen in Appendix III of CITES. Appendix III is a list of species included at the request of a Party that already regulates trade in the species and that needs the co-operation of other countries to prevent unsustainable or illegal exploitation. International trade in specimens of species listed in this Appendix is allowed only on presentation of the appropriate permits or certificates. While progress on a listing has been disappointingly slow, an informal meeting on this issue was held at the 13th meeting of the Conference of the Parties to CITES, in October 2004, where a number of abalone exporting States as well as the key consumer - China - met with delegates from South Africa to discuss the implications of an Appendix III listing. It is hoped that this meeting will provide some impetus to the listing process and that the potential use of CITES as a regulatory and monitoring tool is fully considered in strategies to conserve this threatened species.

Markus Burgener, Senior Programme Officer
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PERLEMOEN commercial divers operate from small boats using a hookah system (whereby an air compressor pumps air to the diver via a length of hose). The Perlemoen are collected in mesh bags that are sent to the surface where they are checked by crew to ensure that they are within the legal size limit. Catches are sealed by fisheries control officers or marine resource monitors. They are then usually prepared for export, since there is very little domestic consumption. Some Perlemoen are exported live and the rest is transported by road to factories where they are processed (usually by hand) and either frozen, canned or dried.

The amount of Perlemoen harvested illegally is estimated to equal between 25% and 100% of the commercial quota. It cannot be conclusively determined to what extent the increased number of confiscations is due to enhanced law enforcement efforts or to an increase in poaching. Almost 700 000 specimens were seized in 2003, and in 2002 almost one million.



Live Perlemoen *Haliotis midae*.

ROB TARR



Dried Perlemoen confiscated in South Africa.

FCO K. THOMPSON

STOP PRESS Four extra vessels will assist with surveillance efforts to curb abalone poaching along South Africa's coastline. In a substantial breakthrough against abalone poachers, South African police seized 14 t of abalone from two storage facilities in Blackheath, Western Cape, in early January 2005. Four people were arrested.

Business Day (South Africa), 11 January 2005

TRACKING SANDALWOOD BY SATELLITE

The trade in sandalwood is one of the most lucrative in India but the huge Sandalwood *Santalum album* forests are dwindling as a result of heavy demand. In order to monitor the remaining Sandalwood populations, the Forest Department of the State of Kerala is planning to plant satellite tracking devices inside the trees.

© THOMAS SCHÖPKE



Sandalwood smuggler killed in India

One of India's most notorious criminals was killed during a shoot-out with police in the southern State of Tamil Nadu on 18 October 2004. Koose Muniswamy Veerappan, of Gopinatham, Karnataka, had been sought



Despite strict laws on when trees can be felled and planting to replenish the forests, implementation of the laws is poor. In 2001, there were 62 000 Sandalwood trees in Kerala's Marayur Forest. In 2004 there were 55 000. Deforestation is a serious problem for India's people. The stripping away of the forests has contributed to several successive years of drought.

A properly managed and sustainable trade in sandalwood is considered vital to the region's economy. Under the satellite tracking plan, microchips will be embedded inside the trees which will allow officials to detect any attempt to cut them down as well as trace the movements of any smugglers who try to take timber out of the area.

The Sandalwood tree has been prized for centuries for its natural scent: its oil is used worldwide in the manufacture of perfumes and incense and the wood is used for carving, and in some traditional medicines. The last sizeable sandalwood forests in the world are in southern India, spread across Kerala, Karnataka and Tamil Nadu. Sources elsewhere have been overexploited. In Australia, most of the few remaining stands are protected and Indonesia's stocks are almost exhausted.

The Independent (UK), 12 November 2004

SANDALWOOD SMUGGLERS REHABILITATED

A group of 27 former sandalwood smugglers who operated in forests along the Kerala-Tamil Nadu border have been trained to act as tourist guides by Kerala's forest department and Tamil Nadu police. The five-month training programme is an attempt to rehabilitate the men. Two leading tourist resorts have invested in the enterprise.

www.hindustantimes.com, 16 October 2004

by police for 17 years for killing more than 120 people and for kidnapping. He was also wanted for poaching elephants and smuggling ivory and sandalwood. Veerappan's activities came to national attention in the mid-1980s following the killings of several Karnataka forest officials. In 1986 he was briefly imprisoned but escaped, killing four policemen and an unarmed forest official. In the early 1990s, Tamil Nadu and Karnataka formed a combined task force of nearly 2000 police officers to comb the forests in an attempt to apprehend him. They were unable to penetrate the wide network of Veerappan's followers, however, and he repeatedly evaded capture.

Undercover policemen sent to infiltrate Veerappan's gang set a trap for him and he and three associates are reported to have been shot after refusing to surrender.

Over the years, Veerappan was involved in the profitable illegal trade in sandalwood and is reported to have killed some 2000 elephants and smuggled more than 36 000 kg of ivory.

The Independent (UK), 20 October 2004;
<http://newsvote.bbc.co.uk>; <http://news.bbc.co.uk>;
<http://us.rediff.com/news/2004>

CITES training in the Democratic Republic of Congo:

Sharing experience with one of the mega-biodiversity countries in French speaking Africa

While home to some of the most diverse fauna and flora in the world, the Democratic Republic of Congo's exports of wildlife during the last decade do not reflect the country's mega-biodiversity. Indeed, from 1995 to 2003, DRC's exports were limited to live specimens of five species of reptiles (Leopard Tortoise *Geochelone pardalis* and chameleons), two parrots (Grey Parrot *Psittacus erithacus* - 81 000 birds or 60% of all exports over the nine years - and Jardine's Parrot *Poicephalus gulielmi*), as well as products from two tree species (wood of *Afromosia Pericopsis elata* and bark of Red Stinkwood *Prunus africana*). The unstable political environment that has dominated the country since the late 1980s is considered to be the primary cause of DRC's limited legal trade in wildlife.

In Kinshasa, on 15 November 2004, the Minister of Environment of the Democratic Republic of Congo (DRC) declared open a four-day CITES training workshop aimed at providing an overview of CITES mechanisms and of the role of each authority, and to increase understanding of provisions related to wildlife trade issues. Among the 24 nationals selected to participate in the workshop were government officers, scientists and local wildlife trade stakeholders. The participants represented the CITES Management Authority of DRC, the CITES Scientific Authority of DRC composed of the Congolese Institute for Nature Conservation (ICCN) and the Institute of Botanical and Zoological Gardens of Congo (IJZBC), and the authorities in charge of CITES enforcement - the Office of Customs and Excise (OFIDA) and the Congolese Office of Control (OCC). Also in attendance were a veterinary in charge of quarantine at Kinshasa's international airport of N'Djili, a lawyer who introduced the audience to DRC's national legislation related to CITES, and traders in wildlife.

The workshop was organized by the TRAFFIC Europe regional office, with strong logistical support from WWF-DRC Project office. The Ministry of Environment of the Brussels-Capital Region (Belgium) was the main sponsor of the project that included provision of a desktop computer and reference materials in French, such as the *CITES Identification Manual for African Species* prepared and finalized recently by the CITES Secretariat with funds from the Roi Baudouin Foundation (Belgium).

The training programme was structured around a series of presentations and exercises that allowed hands-on practice by the trainees. Stephen Nash from the CITES Secretariat provided participants with a full set of reference materials in French, including standard lectures and a CD-ROM with all the information available on the CITES website. He was assisted by four trainers: Dr Georges Evrard, Director of the Belgian CITES Management Authority, Dr Hans Beekman of the Royal



C. RAYMAKERS / TRAFFIC EUROPE

^ REPRESENTATIVES OF THE CITES MANAGEMENT AND SCIENTIFIC AUTHORITIES OF THE DEMOCRATIC REPUBLIC OF CONGO, AND ALEXANDRE AFFRE, TRAFFIC EUROPE (SECOND FROM RIGHT), AT WORK DURING AN EXERCISE AT THE CITES TRAINING WORKSHOP.

Museum for Central Africa (Belgium) and Alexandre Affre and Caroline Raymakers of the TRAFFIC Europe Regional Office. Three types of exercise were carried out, their aims were: i) to highlight precisely the role of each authority; ii) to define the information needed, including data collected from the trading industry if necessary, and the approach required to undertake justifiable non-detriment findings; and, iii) to identify the CITES Appendix to which a given species belongs.

Trainees were given detailed descriptions of the CITES process and a schedule for targeted decisions that concern wildlife trade from and within DRC, as well as explanations on the legal basis and mechanism for implementation of stricter domestic measures applied by the EU. Time was made for all participants to generate ideas on how to address all outstanding recommendations by the chairman of the Plants or Animals Committees and the CITES Secretariat. The Action Plan on ivory sets out precise requirements and deadlines, including for all African countries to improve internal law enforcement as well as border control, improve and implement existing legislation and launch public awareness campaigns. Progress on these issues should be reported to the CITES Secretariat by 31 March 2005.

The workshop was also used as an opportunity to discuss specific issues of direct concern to DRC, such as questions raised in 2004 by the European Union (EU) on the increased level of the annual export quota for bark of Red Stinkwood - from 400 t in 2003 to 1000 t in 2004; the EU import suspension adopted for Grey Parrots; the review in progress of the Significant Trade of *Afromosia*; and, the action plan adopted at CoP13 to control domestic ivory markets in Africa. Creative ideas were put forward by participants, such as exploring the

feasibility of establishing an export quota for Grey Parrots at regional level based on national quotas (for Cameroon, DRC, Gabon, Republic of Congo and other range States). Concerns were raised about the CITES Action Plan on ivory, particularly with regard to controlling elephant poaching and the related illegal trade in ivory in specific parts of the territory such as along the Sudanese and eastern borders which are not under full control of the central government in Kinshasa. The need to work in collaboration with other ministries and institutions to raise awareness among all stakeholders that might be involved in processing or trade in ivory was recognized. Concern was also expressed about the impact of the purchase of ivory souvenirs by UN soldiers and the absence of Customs control of their luggage. The proceedings containing a record of these discussions were finalized in December 2004 and are available upon request to TRAFFIC Europe.

From 1995 to 2003, more than 80% of all Grey Parrots exported from DRC were destined for the EU. The increased understanding acquired by participants at the workshop on the EU decision-making process regarding the implementation of CITES Article IV (relating to “non-detriment findings”) is therefore of particular importance to DRC and was of immediate use in the preparation of discussions relating to Red Stinkwood at the 31st meeting of the EU Scientific Review Group on 13 December 2004.

Knowledge obtained from the workshop was already reaping benefits a week later with a training session proposed by three participants from OFIDA for their colleagues in charge of CITES controls at key ports of entry, particularly at N’Djili international airport. This will take place in March 2005. The dissemination of knowledge and workshop materials by trainees to their colleagues will increasingly become the main objective of the CITES workshops which, ultimately, could be designed for and aimed at the coaching of trainers.

Several newspapers promoted the event during the week of the workshop by publishing articles on wildlife and the use of biodiversity in DRC. The interest of the

media and the strong involvement of representatives of the Ministry of Environment as well as of all other participants to the workshop reveal the high potential that exists in DRC for government agencies, including the CITES Management Authority, to recover rapidly following years of political instability which left them weakened, and to make quick progress on CITES implementation in the country.

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C. RAYMAKERS / TRAFFIC EUROPE

GREY PARROTS *PSITTACUS ERITHACUS* (CITES II) IN A HOLDING FACILITY IN KINSHASA, AWAITING EXPORT.

To create awareness about the unsustainability of bushmeat in Ghana, the West African Primate Conservation Action (WAPCA) has set up an exhibition at Accra Zoo to promote knowledge about rearing bushmeat species domestically and to encourage people to get involved in this business. Free educational material on the unsustainable use of bushmeat species is available and the zoo now also keeps Greater Cane Rats *Thryonomys swinderianus* and Giant African Snails *Achatina achatina* in suitable breeding cages so that visitors can see how the animals are reared and cared for. The exhibition is designed to be entirely self-sustaining after one year as it will create income through the sale of surplus animals. It is hoped that this approach will not only stimulate the commercial rearing of bushmeat species in the country, but also lead to an increased understanding that the over-exploitation of wild bushmeat species is unsustainable and harmful to all of Ghana’s natural resources. The exhibition was financed by the European Union Microproject Programme, Ghana, in order to reduce poverty by promoting techniques which generate sustainable income. It was also supported by the German Technical Service (GTZ), Ghana, which provided free training for the animal keepers and donated the original breeding stock of cane rats.

A new approach to tackle the bushmeat crisis in Ghana, West Africa, Julia Trillmich, International Zoo News Vol. 51/6 (No. 335), September 2004.

Traditional Asian medicine guide yields results Expanded version launched at COP13

The **CITES GUIDE** to assist enforcement officers to recognize traditional Asian medicine in trade was first circulated to law enforcers worldwide in 2002. It has proven to be a useful tool to combat illegal trade in medicines that claim to contain CITES species. In particular, it has helped to achieve impressive results in Europe, as was demonstrated in the recent seizure of thousands of illegal traditional medicines in Italy (see page 83).

At the 13th meeting of the Conference of the Parties to CITES, an expanded and revised version of the guide - the *Traditional Asian Medicine Identification Guide for Law Enforcers Version II* - was launched and distributed to all CITES Parties on CD-ROM. The guide was produced by TRAFFIC and Her Majesty's Customs and Excise in the UK (HMCE), in co-operation with the CITES Secretariat who, with TRAFFIC, had requested new examples of traditional Asian medicines to be included in a revision of the guide. It was an international effort, with CITES authorities and enforcement agencies including those from the Netherlands, Taiwan, Germany and China, providing medicine samples and images of raw ingredients.

The Italian Government acquired many copies of the original guide to support efforts to combat the illegal trade in Italy. The Italian Enforcement Authority (Corpo Forestale dello Stato), with the co-operation of a Dutch enforcement agency and TRAFFIC Europe-Italy, started an investigation into the trade and use of traditional Asian medicines throughout Italy. The two-year investigation, entitled *Operation Marco Polo*, resulted in simultaneous raids in August 2004 in six Italian cities, including Rome and Milan, and led to the seizure of 9000 illegal medicinal products and ingredients. "We will continue towards removing the illegal aspects of the trade in Italy and aim to develop a national guide in Italian as well as a useful database. The guide by UK Customs and TRAFFIC has proved to be an invaluable tool," says Aldo Cosentino, Director General of the CITES Management Authority of Italy.

Inspecting shipments or domestic sales when checking for CITES-listed components of traditional Asian medicines is challenging. There is a huge range of dried plants, animal parts and packets of traditional medicines in trade that may include parts of animals or plants controlled or banned from trade. Typically these include Tiger bone, rhinoceros horn, bear bile or musk. "Although the guide cannot replace the need for an expert in every case, it certainly can assist in flagging potential problem shipments that may need more detailed inspection and allow other shipments to be cleared more quickly," says Crawford Allan, TRAFFIC's Regulation & Enforcement Support Co-ordinator, and one of the authors of the guide. Charles Mackay, head of HMCE CITES Team at Heathrow Airport, London, hopes the guide will help enforcers learn some identification skills and make the inspection process easier. "We know the guide is being used around the world and has resulted in detection of ille-

gal shipments and sales of traditional Asian medicines containing endangered species," he says.

The *Traditional Asian Medicine Identification Guide for Law Enforcers Version II* now gives enforcement officers access to nearly 1000 full colour images of traditional Asian medicine packaging and raw ingredients that are from or claim to contain species that are controlled in international trade. The CD-ROM provides a medicine 'profile' and includes a written description explaining the alleged contents of each medicine. The medicines are indexed by key identifiers that are easy to recognize by law enforcers. "Identification manuals like this are vital in efforts to support the tremendous challenges law enforcers working on wildlife trade are up against. The CITES Secretariat works together with government and NGO partners in order to provide the most up-to-date tools to help law enforcers do a difficult job," says the Chief of the Capacity Building Unit of the CITES Secretariat, Stephen Nash.

There has been a global co-operative initiative to update the Guide, and CITES is again calling upon enforcement officers or anyone with packaged medicines containing CITES-listed species to send the outer packaging (**N.B. do not send contents**) to Stephanie Pendry at the address below so that photographs of these packages can be included in a future revision of the guide.

Stephanie Pendry, UK Enforcement Officer
TRAFFIC International
219a Huntingdon Road, Cambridge CB3 0DL, UK

The CDs are available to law enforcers free of charge upon request to the CITES Secretariat:

Ger van Vliet, Capacity Building Unit
CITES Secretariat, International Environment House
Chemin des Anémones, CH-1219 Châtelaine, Geneva,
Switzerland. E-mail: cites@unep.ch
Tel: (+4122) 917 8139/40; Fax: (+4122) 797 3417

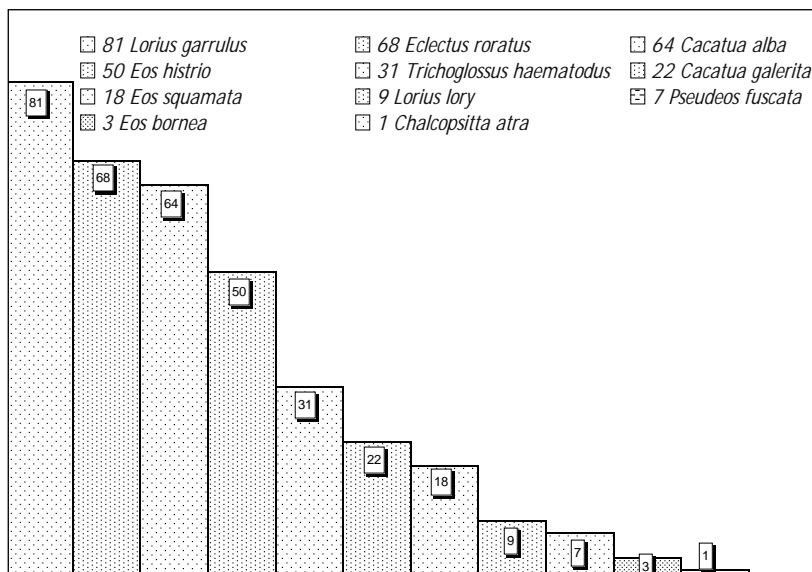
Work on the guide was generously supported by the CITES Secretariat, WWF-UK, the UK Partnership for Action Against Wildlife Crime and Taiwan Council of Agriculture.

Crawford Allan, Regulation & Enforcement Support
Co-ordinator, TRAFFIC International



Launch of the guide at CoP13.

YUAN LIU / CITES SECRETARIAT



< Figure 1. Number of Indonesian parrots and cockatoos confiscated and held by the Protected Areas and Wildlife Bureau-Wildlife Rescue Center (PAWB-WRC), the Philippines, 1996-2004. Source: PAWB-WRC, 2004

v Umbrella Cockatoos *Cacatua alba*



C.R. SHEPHERD / TRAFFIC SOUTHEAST ASIA

INDONESIA AND THE PHILIPPINES MEET TO CURB TRADE IN PARROTS

Hundreds of bird species, consisting of millions of individuals, are found in trade in South-east Asia, largely supplied by wild-caught specimens. Among the more popular and expensive of these are parrots and cockatoos, of which all species found in South-east Asia are listed in the CITES Appendices. Indonesia, home to more species of parrots and cockatoos than any other country in South-east Asia - including many endemic species - is the source of most of the birds found in trade. In order to prevent over-exploitation of parrots and cockatoos, Indonesia already protects many of them from trade, under national legislation. In 2000, in an unprecedented move to strengthen their protection, Indonesia imposed a ban on the export of all CITES Appendix II-listed bird species. Although capture quotas continue to be set for some Indonesian CITES Appendix II-listed bird species, these are for use in stocking captive breeding operations and are not for trade, and the numbers are relatively low.

However, illegal trade, both international and domestic, of wild-caught parrots and cockatoos continues on a large scale, which poses a serious threat to the survival of many wild populations. Birds continue to be smuggled out of Indonesia regularly and often in relatively large volumes to neighbouring countries and further afield. The Philippines plays a role in this trade both as a consumer and re-exporter of Indonesian species.

Together with Indonesia, the Philippines is taking steps to stop this illegal trade. The Haribon Foundation in the Philippines and BirdLife-Indonesia have carried out joint surveys on the illegal trade of parrots and cockatoos. A two-day meeting held on 25 to 26 June 2004 in Davao, the Philippines, between government and non-government agencies from the two countries, highlighted a need for greater implementation of both national and international wildlife regulations, and particularly the need for greater international co-operation. The meeting was organized by the Haribon Foundation and the Department of Environment and Natural Resources-Protected Areas and Wildlife Bureau (DENR-PAWB).

TRAFFIC Southeast Asia was invited to the workshop to present an overview of the parrot and cockatoo trade in South-east Asia, with a focus on Indonesian species, and to participate in the construction of an action plan to combat the illegal trade.

Delegates shared problems and searched for solutions through a series of presentations and open discussions. Recommendations resulting from the workshop included:

- increased and improved co-operation amongst enforcement agencies. An existing joint patrolling agreement between Indonesia and the Philippines for their shared maritime borders was first established to monitor illegal human movement between the two countries, but was expanded to look at illegal cross-border trade as well. Wildlife trade, including that in parrots and cockatoos, will hopefully become a primary target for these joint patrols in the near future;
- improved species identification skills amongst enforcement staff, as this lack of expertise is currently an obstacle in both countries;
- regular meetings between Indonesia and the Philippines focusing on wildlife trade issues;
- intelligence and data sharing between relevant enforcement agencies in each country;
- a plan for repatriation of confiscated specimens to Indonesia from the Philippines;
- practical and technical CITES implementation and enforcement training;
- monitoring and regulation of commercial captive breeding facilities to ensure compliance with national and international regulations;
- development of effective public awareness materials and sharing of these materials between the two countries.

TRAFFIC Southeast Asia applauds this co-operative initiative by Indonesia and the Philippines and strongly encourages other countries to take such approaches to control the international illegal trade of wild plants and animals.

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The precautionary principle and environmental governance: *sustainable development, natural resource management and biodiversity conservation*

The **PRECAUTIONARY PRINCIPLE** is an established principle of environmental governance that is found in law, policy and environmental management instruments at international, regional and national levels. The application of precaution is extremely important in the context of natural resource management and biodiversity conservation. This includes regulation of wildlife trade, the impacts of which can be both serious and irreversible.

Despite extensive endorsement of the principle in the context of biodiversity conservation, its meaning and application is highly contested. There have been strong debates and negotiations around the precautionary principle within the Convention on Biological Diversity and the World Trade Organization, at the World Summit on Sustainable Development, and within many other fora. The controversy is sparked by perceived conflicts with economic or development priorities, the potential for the principle to be used to disguise trade protectionism, the potential for its application to conflict with trade; and, the perceived ambiguity or impracticality of the principle.

Within the arena of biodiversity conservation and natural resource management, the various governance systems that incorporate precaution generally offer little or no guidance on how to deal with the controversies outlined above or how the principle should be applied. Recognizing the need for such guidance, IUCN-The World Conservation Union, Fauna & Flora International, ResourceAfrica and TRAFFIC launched an international initiative in 2003 entitled: 'The Precautionary Principle and Environmental Governance: Sustainable Development, Natural Resource Management and Biodiversity Conservation.' While the policy debate over precaution has been largely dominated by voices from developed countries, developing countries have expressed a number of concerns related to the principle such as the potential for conflict with development priorities. The "Precautionary Principle" project aims to examine and highlight perspectives and experiences of the principle from developing countries and subsequently develop 'best-practice' guidance that acknowledges the importance of both biodiversity conservation and sustainable development. The project is also analysing a number of issues such as assessing the risks of action versus the risks of inaction in the context of precaution; applying precaution when human resources and capacity are limited; the potential for provision of scientific and non-scientific technical assistance in risk assessment and management; and, the relationship between the precautionary principle and adaptive management.

A detailed analysis of the meaning, acceptance and application of the precautionary principle in the context



^ Vicuñas *Vicuña vicuña*

K. LOCHEN / TRAFFIC

of biodiversity conservation and natural resource management has been produced through the project and published by IUCN in their recently launched "Policy and Global Change" series. It was distributed at the IUCN World Conservation Congress in November 2004 in Bangkok, and is available electronically through www.pprinciple.net. A motion on the Precautionary Principle was also debated and adopted by the Congress.

In addition, 28 case studies have been commissioned and are currently being conducted by leading experts in natural resource management and conservation from a wide range of countries. They cover a breadth of relevant topics, including fisheries, forestry, protected area designation/management, and invasive alien species. Case studies on caiman management plans in Columbia and Venezuela and the evolution and impact of precautionary fisheries law and policy in Australia are currently being conducted by TRAFFIC South America and TRAFFIC Oceania respectively.

The case studies should provide a comprehensive reflection of the application and implementation of precaution in developing countries. Further input has been obtained through the organization of regional workshops on the precautionary principle in Tanzania and the Philippines, with a third workshop being planned for South America.

The project website (www.pprinciple.net) contains information about the precautionary principle and related issues, the project and project outputs and publications, and links to resources, relevant institutions, multi-lateral agreements, and project partner websites.

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Cooney, R. (2004). *The Precautionary Principle in Biodiversity Conservation and Natural Resource Management. An issues paper for policy-makers, researchers and practitioners*. IUCN, Gland, Switzerland and Cambridge, UK. xi + 51 pp.

Also available at: www.pprinciple.net.

Tourists in Viet Nam Bring Alternative Income to Illegal Loggers

Once reported to be a haven for illegal loggers, Phong Nha-Ke Bang forest in Quang Binh Province, Viet Nam, is now attracting a growing number of tourists to the forest, in particular to Phong Nha Cave, following a switch in trade by some loggers to the financial rewards of the tourism industry.

Logging often earned villagers more money than agriculture and, despite strict regulations governing logging activities, the illegal activity was nearly impossible to control, with only three ranger stations and 20 rangers to patrol the 275 000 ha park. The loggers' resistance was sometimes violent and often entire villages would be mobilized to blockade ranger teams attempting to seize the illegal timber.

Dang dong Ha, a former senior high school teacher in Dong Hoi Township, was one of the first to realize the cave's tourism potential and in 1994 began working for the provincial department of tourism's Phong Nha Eco-Tourism and Culture Centre. At that time the park's tourism infrastructure was poor due to lack of investment and as a consequence the reserve only attracted a small

number of tourists. Ha initially had difficulty hiring a boat to transport tourists to visit the cave as the local residents were more interested in transporting timber. While he worked to develop the infrastructure for tourism, forest rangers stepped up their patrols and confiscated timber and chain saws, causing the income from illegal logging to become unstable. Ha and the rangers collaborated in an effort to convince the villagers to stop their unlawful activities. The Centre launched a programme in 2000 to train former loggers to work as photographers taking pictures for tourists. In the past few years, as many as 1000 Xuan Son residents who might once have been logging illegally have become photographers and boatmen in the Phong Nha Cave. Their workload has increased since the cave was listed as a World Heritage site by UNESCO in 2003. The Centre now has 248 boats, creating jobs for 500 local residents. Every boat has two trained boatmen earning VND70 000 (USD4.5) a day.

Vietnam News Agency, 16 September 2004: <http://vietnam-news.vnagency.com.vn/2004-09/15/Stories/15.htm>

UK Birds Trapped Illegally for Export

An estimated 2000 wild finches and buntings are being caught each year in the UK for the European bird-keeping trade. Operations by wildlife officers and police in Scotland over the past year have fuelled concerns among conservationists that what was once believed a minority crime is increasing sharply. The birds, including Bullfinches *Pyrrhula pyrrhula*, Chaffinches *Fringilla coelebs*, Yellowhammers *Emberiza citrinella*, Siskins *Carduelis spinus* and Bramblings *Fringilla montifringilla* are highly prized for their colourful plumage. Experts believe that many of these specimens, which are being caught throughout the UK, are destined for countries such as Belgium and Malta, where the popularity of bird-keeping is such that demand cannot be met by birds bred legally in captivity. Although the breeding and possession of finches is not against the law provided the birds are legally held, the trapping, possession and sale of wild finches is illegal. The birds are trapped using bird lime, which involves smearing glue on twigs and bird tables, and by using seeds and caged birds as lures. Nets and spring-loaded traps are also used. In a recent raid, officers from Lothian and Borders force seized 22 wild finches thought to have been illegally trapped in the Borders area and destined for sale on the black market and, 14 men recently arrested for allegedly trading in wild finches have been bailed following the seizure of more than 100 birds - including Bullfinches and Greenfinches *Carduelis chloris* - in a police raid in east London.

The Independent (UK), 1/7 February 2005

Hoodia Deal Bears Fruit

The global consumer products company Unilever has signed a potential GBP21 million (USD40 million) deal with Phytopharm for the commercial rights to develop a new range of dieting aids that will contain extracts of *Hoodia gordonii*, a succulent plant species found in southern Africa. Phytopharm - which carries out research and development of pharmaceutical and functional food products based on clinical and pre-clinical data generated from medicinal plant extracts - has been developing the extract for incorporation into weight loss products. In clinical trials, overweight men given an extract of *Hoodia* consumed fewer calories and lost body fat over a period of two weeks. The extract was licensed exclusively by Phytopharm from the South African Council for Scientific and Industrial Research (CSIR).

Hoodia has been used by the San of southern Africa - particularly the Khwe, Xu and Khomani tribes, who number only a few thousand people - to suppress hunger when food is scarce or when hunting. A benefit-sharing agreement has been set up between the San and CSIR. Funds received by the San would be spent on education and buying back land that historically belonged to them.

A proposal to list *Hoodia* spp. in CITES Appendix II was adopted at the 13th meeting of the Conference of the Parties to CITES, in October 2004. Specimens labelled as having been produced through controlled harvesting and production are exempt from the listing (see pages 45 and 64).

Phytopharm press release, 15 December 2004; The Guardian (UK), 16 December 2004; TRAFFIC East/Southern Africa

The 13th Meeting of the Conference of the Parties to CITES



THE 13TH MEETING OF THE CONFERENCE OF THE PARTIES TO CITES took place in Bangkok, Thailand, from 2 to 14 October 2004, and was attended by 762 representatives from CITES Parties and 339 observers from inter-governmental, international and national organizations.

The following is a summary of what TRAFFIC considers to be the most salient features of the meeting. A summary record of the meeting can be found on the CITES Secretariat's website: www.cites.org.

Report by Julie Gray,
TRAFFIC International

PHOTO CREDITS, TOP, LEFT TO RIGHT: Bald Eagle *Haliaeetus leucocephalus* (WWF-Canon / Chris Martin Bahr); dried seahorse *Hippocampus* sp., (C. Allan / TRAFFIC); Leaf-tailed Gecko *Uroplatus fimbriatus* (WWF-Canon / Martin Harvey); Lion *Panthera leo* (S. Milledge / TRAFFIC); Southern Square-lipped Rhinoceros *Ceratotherium simum* (WWF-US); African Elephant *Loxodonta africana* (WWF-Canon / Martin Harvey).

In welcoming participants to the Queen Sirikit National Convention Centre, Thailand's Minister for Natural Resources and Environment, His Excellency Mr Suwit Khunkitti, informed the meeting that work had recently been undertaken in Thailand to improve implementation of CITES but noted that closer regional co-operation on wildlife trade issues was called for and that all 10 members of the Association of Southeast Asian Nations (ASEAN) were now Parties to CITES. The Executive Director of UNEP, Dr Klaus Töpfer, while endorsing CITES as a practical instrument linking conservation with economic development, believed that there was a limit to what it could do in isolation and encouraged co-operation with other organizations as the way forward. The Secretary-General of CITES, Mr Willem Wijnstekers, stressed the need for increased political will in implementing the Convention in most of the Parties to CITES. Both he and the Chairman of the Standing Committee, Mr Ken Stansell, noted that the budget was insufficient to finance all activities expected of CITES. The Prime Minister of Thailand, His Excellency Dr Thaksin Shinawatra, said Thailand was proud to be hosting this meeting of the Conference of the Parties. Proposing the establishment of a new regional law enforcement network to tackle wildlife crime, he offered to host a meeting in 2005 to pursue this. Following formal opening of the meeting, the Government of Thailand hosted a reception with traditional dancing and displays.

STRATEGIC AND ADMINISTRATIVE MATTERS

Financing and budgeting of the Secretariat

The budget for 2006-2008 was initially discussed with reference to **document CoP13 Doc. 8.3 (Rev. 1)**, prepared by the Secretariat, which proposed a budget for the triennium representing a 10.3% increase over the amount budgeted for 2003-2005. The Secretary-General pointed out that this increase was necessary to allow continuation of current functions. In line with requests from several delegations, a working group was established to consider the proposed budget. The group could not achieve consensus for acceptance of a 10.3% increase in Parties' contributions to the CITES Trust Fund and, as such, it devoted much effort to considering options for reducing the Secretariat's operating costs by 10.3%, so as to allow a zero increase in contributions. The working group recommended amendments to the draft resolution *Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties*, presented in Annex 7 of document CoP13 Doc. 8.3 (Rev. 1), to reflect adoption of the cost-cutting options, to reflect a new budget structure showing estimated total resources needed for the implementation of specific services, and to reflect decisions concerning the scale of assessment for contributions. The draft resolution, so amended, was initially agreed, but debate was re-opened in a plenary session of the meeting. Parties voted to abandon some of the cost-cutting options and, correspondingly, to increase their contributions by three per cent, as compared to contributions for the previous triennium. The draft resolution, revised to reflect this, was adopted (*Resolution Conf. 13.1*).

Strategic vision

The draft decision in the Annex of **document CoP13 Doc. 10**, prepared by the Secretariat, was to extend the time validity of the Strategic Vision for CITES and its Action Plan (otherwise due to terminate in 2005) until the end of 2007. It also provided a mandate for the establishment of a Strategic Plan Working Group, as a subcommittee of the Standing Committee, to develop a proposal for a Strategic Vision and Action Plan through to 2013, for presentation at CoP14. Following interventions in session, the draft decision was modified so that relevant inter-governmental organizations will be invited to contribute to the work of the Group with respect to possible synergies and so that work towards the target of the World Summit on Sustainable Development (WSSD) to reduce the rate of biodiversity loss significantly by 2010 is specified as an aim of the Vision and Plan. The draft decision was adopted (*Decision 13.1*).

Co-operation with other organizations

Document CoP13 Doc. 12.1.1 Achieving greater synergy in CITES and CBD implementation, submitted by the European Union (EU) and Kenya, contained a draft decision directed to the Secretariat in its Annex 1 (Rev. 1), designed to stimulate synergy in the implementation of CITES and the Convention on Biological Diversity (CBD). The draft decision set out possible actions in this regard, based on the recommendations of a meeting on CITES-CBD synergy held in Vilm, Germany, in April 2004, convened by TRAFFIC, IUCN-The World Conservation Union, Flora and Fauna International, the German Federal Agency for Nature Conservation (BfN), and the German Agency for Technical Co-operation (GTZ). The USA urged that Parties reflect on which of these recommendations were applicable to CITES. The proponents of document CoP13 Doc. 12.1.1 therefore consulted with the USA and other Parties before presenting a revised draft decision (**document Com. II. 2**). After further deliberation out of session, a revised version was adopted (subsequently formulated as *Decisions 13.2, 13.3, 13.4 and 13.5*), but with concerns formally noted by the USA (one of only two CITES Parties not also party to the CBD). The Decisions direct the Secretariat to identify the most relevant aspects of the Vilm report recommendations and to communicate these to the Parties. At its 53rd meeting, the Standing Committee is to make recommendations based on these for improved synergies between CITES and CBD in areas of common concern, in order to contribute to reaching the WSSD 2010 target, considering, “*inter alia*, sustainable use, the ecosystem approach and access and benefit-sharing”. On this basis, the Standing Committee is to guide the Secretariat in revising its Memorandum of Co-operation with the CBD Secretariat prior to CoP14.

Document CoP13 Doc. 12.1.2 Sustainable use principles and guidelines, put forward by Namibia, put the

case for expediting harmonization between CITES and the CBD on this theme. Annex 2 (Rev. 1) to the document contained a draft resolution entitled *Sustainable use of biodiversity, Addis Ababa principles and guidelines* and Annex 3 contained associated draft decisions directed to the Secretariat, and to the Animals and Plants Committees, detailing activities to bring CITES more in line with these principles and guidelines. After discussion of these texts, including interventions by Parties that believed further analysis was required to confirm that the Addis Ababa Principles and Guidelines were fully compatible with CITES, Namibia produced a revised version of the draft resolution (**document CoP13 Com. II. 3**). This draft was opposed by the USA, which found the preambular and operative parts too proscriptive. Namibia, countering the claims of the USA, proposed that debate on the matter be closed, prior to a vote on the resolution. A majority supported closure of the debate (40 in favour, eight against and 43 abstentions) and the draft resolution in document CoP13 Com. II. 3 was then adopted (*Resolution Conf. 13.2*) following a ballot with 78 votes in favour, six against and 10 abstentions. Namibia had also revised the draft decisions on the basis of discussions in committee and presented these in **document CoP13 Com. II. 4**. The draft decision directed to the Secretariat underwent a further revision (**document Com. II. 24**). Following discussion of this text, which directed the Secretariat to incorporate consideration of the Addis Ababa Principles and Guidelines into its work plan, a specific requirement that the Secretariat should prepare a report on how this could be done was deleted. This draft decision and that directed to the Animals and Plants Committees were then adopted (*Decisions 13.6 and 13.7*). The delegations of New Zealand and the USA recorded their concern that the Parties had acted precipitously in having incorporated the Addis Ababa Principles and Guidelines into CITES work without further consideration.

Japan introduced **document CoP13 Doc. 12.4 Co-operation with the Food and Agriculture Organization of the United Nations (FAO)**, with the aim of expediting conclusion of the Memorandum of Understanding (MoU) between FAO and CITES, especially in view of the fact that *Decision 12.7*, requiring the Standing Committee to work with FAO in the drafting of an MoU, had essentially expired. The Chairman of the Standing Committee updated the meeting on developments at the 51st meeting of the Standing Committee, held just prior to the CoP, and he and FAO reported that progress had been made towards completion of the MoU. As the Standing Committee’s working group on the MoU had not finalized its task, it was decided to defer further discussion of this subject until a later meeting of the Committee. Meanwhile, it was agreed to amend *Decision 12.7*, to provide validity to continued negotiations between the Standing Committee and FAO in the drafting of the MoU (*Decision 12.7 Rev. CoP13*).

Economic incentives and trade policy

The Secretariat had prepared **document CoP13 Doc. 13 (Rev. 1) Economic incentives and trade policy** pursuant to *Decision 12.22*. In view of the progress made in implementing that Decision, the Secretariat recommended either revising it or, alternatively, adopting four new draft decisions, that were set out in Annex 3 to the document. These new draft decisions would serve as the basis for the Secretariat's continuing work on exploring the application of economic instruments to achieve better CITES implementation. The first two draft decisions concerned a review of Parties' national trade policies with a view to analysing the impacts of these in terms of socio-economic and conservation benefits and costs. Several Parties spoke in favour of these, although New Zealand was concerned that some of the objectives went beyond the scope of CITES. Following reassurance from the Secretariat that the work referred to in these draft decisions was contingent on the provision of external funding, they were adopted (*Decisions 13.74 and 13.75*). The third draft decision directed the Secretariat to organize a second workshop to provide guidance to Parties about how economic instruments could be designed and used to encourage sustainable trade, but Parties felt another workshop was not justified. The EU offered a redrafted version of the decision (**document CoP13 Com. II. 7**), which directed the Secretariat to invite Parties and relevant organizations to provide information on their use of economic incentives to the 53rd meeting of the Standing Committee, and this was adopted (*Decision 13.76*). The fourth draft decision, concerning co-operation on incentive measures with the CBD and other organizations, was also adopted (*Decision 13.77*).

INTERPRETATION AND IMPLEMENTATION OF THE CONVENTION

General compliance issues

Enforcement matters

The Secretariat introduced its **document CoP13 Doc. 23**, which gave an account of Parties' reporting of seizures; presented the findings of an enforcement expert group meeting, convened in accordance with *Decision 12.88*; listed those Parties which had not designated a Scientific Authority; and reported on other matters relating to enforcement of the Convention. There was broad support for the three draft decisions in Annex 3 of the document, which reflected aspects of the recommendations of the enforcement expert group. The first two (*Decisions 13.84 and 13.85*) centred on a requirement for Parties to submit contact details of their law enforcement agencies responsible for CITES to the Secretariat, while the third (*Decision 13.86*) was for guidance to the Parties on submission of enforcement-related information to the Secretariat by the public and NGOs (see *Notification No. 2004/078*). Following initial discussion under this agenda

item, the EU and Fiji drafted further decisions, to direct the Secretariat to boost capacity-building and training of CITES enforcement officers, in developing countries in particular (**document CoP13 Com. II. 10/Decision 13.87**), and to direct the Secretariat to seek funding to convene a capacity-building workshop and regional meeting for the Oceanian region before the 54th meeting of the Standing Committee (**document CoP13 Com. II. 22/Decision 13.100**). All five draft decisions, in two cases with minor amendments, were adopted.

Revision of Resolution Conf. 11.3 on compliance and enforcement

Kenya introduced its **document CoP13 Doc. 24 (Rev. 1)** proposing a revision of *Resolution Conf. 11.3*, to reflect recommendations of the enforcement expert group (see *Enforcement matters* above). Following amendment in session of various parts of the document, draft revisions to *Resolution Conf. 11.3* were adopted by consensus, chiefly reflecting resolve for more concerted, and better funded, national and regional action to counter illegal trafficking in wild fauna and flora, which continued to be a major concern (*Resolution Conf. 11.3 (Rev. CoP13)*).

Guidelines on compliance with the Convention

Document CoP13 Doc. 25, submitted by the EU for discussion, contained document SC50 Doc. 27, also relating to guidelines for compliance with the Convention. The chairman (Norway) of the Working Group on Compliance, established by the Standing Committee at its 50th meeting, summarized its progress to date. He reported general approval of the revised draft guidelines for compliance set out in document SC50 Doc. 27 and invited those with particular comments to submit them in writing, to assist the Working Group in its work. With that, document CoP13 Doc. 25 was noted by the meeting.

Trade control and marking issues

Introduction from the sea

Document CoP13 Doc. 41, submitted by the USA, contained a proposal in its Annex 1 to add a section to *Resolution Conf. 12.3 Permits and certificates* on issuance of certificates for introductions from the sea. On reflection, the USA withdrew this proposal, on the grounds that more thought on this was needed. Annex 2 (Rev. 1) of the document contained a draft resolution providing a definition of the phrase "in the marine environment not under the jurisdiction of any State". It also urged Scientific Authorities to acquire the most accurate scientific advice on whether proposed introductions from the sea of specimens of a given Appendix-II species would be detrimental to the survival of that species. Japan and Saint Lucia were against the resolution, the former foreseeing legal and technical difficulties with its implementation. Other Parties supported the intent to

define terms relating to introduction from the sea, although Australia disagreed with the use of definitions that diverged from text used by the United Nations Convention on the Law of the Sea (UNCLOS). After listening to the debate, the USA withdrew the draft resolution, but draft decisions in **document CoP13 Com. II. 15** relating to introduction from the sea, prepared on the basis of the previously-circulated **document CoP13 Inf. 62**, were adopted, with minor amendment, following a ballot with 50 votes in favour, 22 against and 17 abstentions. These Decisions (*Decisions 13.18 and 13.19*) direct the Standing Committee, with assistance from the Secretariat and contingent on the availability of external funding, to convene a workshop on introduction from the sea involving representatives from the Parties, FAO, the World Customs Organization (WCO) and other relevant organizations. The Committee is also directed to prepare a discussion paper and draft resolution based on the outcome of the workshop for consideration at its 54th meeting, and subsequently at CoP14.

Exemptions and special trade provisions

Personal and household effects

Three documents submitted for consideration at CoP13 concerned amendment of *Resolution Conf. 12.9 Personal and household effects*. China submitted **document CoP13 Doc. 55.1 (Rev. 1)**, proposing to facilitate implementation by revising the Resolution to clarify that, by default, export or import permits, or re-export certificates were not required for specimens of personal and household effects listed in the Resolution. It was stressed, however, that Parties not applying this exemption should report this to the Secretariat, so that a list of such Parties could be maintained on the CITES website. With amendments to China's proposed revisions put forward by the USA and the EU, which respectively highlighted the principle of excluding most household effects from CITES regulations and the precautionary principle, the changes to *Resolution Conf. 12.9* set out in Annex (Rev. 1) of document CoP13 Doc. 55.1 (Rev. 1) were adopted (*Resolution Conf. 13.7*).

Also with the aim of minimizing the distraction caused to enforcement personnel by implementing the Convention for specimens whose trade has low conservation impact, the EU had prepared **Document CoP13 Doc. 55.2**. The document proposed adding certain types of coral and giant clam *Tridacnidae* spp. to the list of specimens in *Resolution Conf. 12.9* that do not require permits or certificates when traded as personal or household effects, under certain conditions. In response to comments received from Parties, the EU presented an amended version of these conditions for *Tridacnidae* spp. and coral, in **document CoP13 Com. II. 18**. As several Parties were concerned about exempting the specified corals, the EU withdrew its proposal to do so, while its proposal to add giant clams to the list of exempted specimens was adopted, with a further amendment to increase the number of

specimens exempted from one to three (with a corresponding increase in weight allowed). A draft decision based on Annex 2 of document CoP13 Doc. 55.2, directing the Standing Committee and others to consider which specimens of personal and household effects of Appendix-II species may need to have quantity limits set in order to be exempted from permitting requirements, was adopted (*Decision 13.71*).

On the same theme, Australia's **document CoP13 Doc. 55.3** sought to exempt specimens of seahorses *Hippocampus* spp. for personal use from permitting requirements, by amending *Resolution Conf. 12.9*. Its amendment, which was adopted, allows up to four seahorses per person to be carried without a permit.

Evaluation of the process for registration

Document CoP13 Doc. 56.1, submitted by the Animals Committee, concerned evaluation of the procedure for registering operations that breed Appendix-I species in captivity for commercial purposes. Specifically, the document concerned the deletion of *Decision 12.78* and the retention of *Resolution Conf. 12.10 Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes* as it stood. In its Annex, it offered recommendations for resolving the perceived problems limiting the use of the registration procedure laid out in *Resolution Conf. 12.10*. Several Parties supported the recommendation that the Standing Committee should examine the issue of international trade in Appendix-I species from non-registered captive-breeding operations, but several were opposed to the Secretariat's recommendation of examining whether registration was required at all. A working group was established to examine incorporation of these recommendations into formal outputs of the Conference of the Parties. The resulting **document CoP13 Com. I. 8** contained proposed amendments to the Resolution which were adopted (*Resolution Conf. 12.10 (Rev. CoP13)*).

Amendment of the Appendices

Criteria for amendment of Appendices I and II

Document CoP13 Doc. 57 on this subject was introduced by the Chairman of the Animals Committee. He advised adoption of the revisions to *Resolution Conf. 9.24 (Rev. CoP12) Criteria for amendment of Appendices I and II*, prepared by the Animals and Plants Committees and set out in the document's Annex 3. He further advised adoption of the Secretariat's recommendations in the document for settling four issues that the Committees had been unable to resolve. The draft revisions to the Resolution received general support and were adopted, as amended by the Secretariat's recommendations (*Resolution Conf. 9.24 (Rev. CoP13)*). Among other things, the new Resolution adds decrease in habitat area as a criterion to include species in Appendix I; adds the need for regulation to avoid heightened endangerment as a criterion to include

species in Appendix II; includes new considerations for the listing of higher taxa; includes new definitions of terms, for example of “species”, “affected by trade”, “decline”, and “vulnerability”; and gives new instructions for the formatting of proposals to amend the Appendices.

Other themes and issues

Bushmeat

Documents CoP13 62.1 (Rev. 1) and CoP13 62.2, submitted by the Secretariat on behalf of the CITES Bushmeat Working Group (BWG) and by the EU, respectively, were considered together. The BWG believed it had fulfilled the mandate it was given by the Conference of the Parties. The solutions it was tasked to identify were contained in the draft resolution in Annex 1 of the former document, which was adopted (*Resolution 13.11*). Amongst other things, this Resolution advises Parties to prohibit the harvest of Appendix-I species for food, to encourage sustainable use of Appendix-II and -III species for the same, and to identify ways of reducing the demand for bushmeat. Observing that the term “bushmeat” was extremely difficult to define, the Secretariat believed that the Resolution should be used for guidance only. Believing there was still much to be learned from the initiatives it had taken, the BWG also presented a draft decision to report on progress with these to CoP14 (Annex 2 of document CoP13 62.1 (Rev. 1)). This draft decision, which was adopted (*Decision 13.102*), renames the BWG the Central Africa Bushmeat Working Group. Annex 2 also contained a draft decision to draw in other organizations to support national plans to manage bushmeat trade, particularly as many issues in the bushmeat trade are not related to CITES. This was similarly the intent of the draft decision in document CoP13 62.2, which directs the Secretariat to urge the CBD to make recommendations to help address the bushmeat problem and to invite FAO to convene a workshop; both draft decisions were adopted (*Decisions 13.101 and 13.103* respectively).

TAXA-SPECIFIC AGENDA ITEMS

Whales

Document CoP13 12.2 CITES listing of whale stocks and the International Whaling Commission (IWC) contained a draft resolution, prepared by Japan, urging the IWC to complete and implement its Revised Management Scheme (RMS), so that amendments of the CITES Appendices related to whale stocks could be evaluated in line with *Resolution Conf. 9.24 (Rev. CoP12)* as they were for “any other animal or plant species”. Japan agreed to modify the draft resolution in accordance with some comments from the Secretariat, which were also set out in the document. Speaking on behalf of the IWC, Norway reported progress towards completion of the RMS, including adoption of a 10-point action plan, and noted that the intention was to have a draft text and tech-

nical details of the scheme ready for consideration, and possible adoption, in 2005. Observing that consensus would not be achieved, the Chairman called for a vote on Japan’s resolution, as amended by the Secretariat’s comments. In response to a request from Japan, this was done by secret ballot. With 57 votes in favour, 63 against and 13 abstentions, the resolution was rejected.

Japan’s **proposal CoP13 Prop. 4 to transfer the Okhotsk Sea-West Pacific Stock, the north-east Atlantic stock, and the north Atlantic central stock of Minke Whales *Balaenoptera acutorostrata* from Appendix I to II**, was rejected in a secret ballot, with 55 votes in favour, 67 against and 14 abstentions. Guinea, Namibia, Qatar, Saint Lucia, and the representative of Greenland on the Danish delegation spoke in favour of the proposal and Australia, Brazil, Georgia, the USA and the EU opposed it. Japan, seconded by Qatar, moved to re-open debate on the proposal in the final plenary session of the meeting, but this was rejected, with 28 votes in favour, 67 against and 18 abstentions.

Elephant *Loxodonta africana*

As in previous years since CoP9, deliberations on elephant issues commenced at a African Elephant Range States Dialogue meeting, held in Bangkok, from 28 to 30 September 2004, immediately prior to CoP13 (**document CoP13 Doc. 15**). Convened by the CITES Secretariat and chaired by Mali, the sixth meeting was attended by 28 of the 37 range States in Africa. During the course of the deliberations, consensus was reached on the action plan proposed by the CITES Secretariat to take a continent-wide approach in Africa towards eliminating unregulated domestic ivory markets and on South Africa’s proposal to allow commercial trade in elephant leather products; all other issues were unresolved in terms of reaching an African consensus.

In **document CoP13 Doc. 29.1**, the Secretariat presented a summary of its work, and that of the Standing Committee, to review actions taken by consumer States to improve legislation and enforcement measures for domestic trade in elephant specimens so that regulation of such trade complied with the requirements noted in *Resolution Conf. 10.10 (Rev. CoP12)*. This report addressed *Decision 12.39*, which had identified 10 countries with active domestic ivory markets for immediate attention through an intersessional review process under the direction of the Standing Committee. Following the decision of the 50th meeting of the Standing Committee to expand the scope of *Decision 12.39* to include all elephant range States in Africa, the Secretariat introduced an action plan for controlling trade in African Elephant ivory on a continental basis in Annex (Rev. 1) of CoP13 Doc. 29.1. The action plan was adopted as a *Decision (Decision 13.26)*. According to the agreed plan, all African Elephant range States should actively prohibit unregulated domestic sale of ivory, work closely with law enforcement and border control agencies to prevent

such trade and engage in public awareness campaigns in this regard. All affected Parties are obliged to report to the Secretariat, by 31 March 2005, on progress made for consideration at the 53rd meeting of the Standing Committee. In addition to African countries addressed by the action plan, China and Thailand, which were previously identified in Decision 12.39, will also remain under scrutiny of the Secretariat and the Standing Committee. There is also scope for additional countries to become targeted if they are identified as having unregulated domestic ivory markets by credible sources, especially the elephant monitoring systems under CITES.

Reports on the two CITES monitoring systems for elephants were considered. The report on the Elephant Trade Information System (ETIS) and the illicit trade in ivory in **document CoP13 Doc. 29.2** was presented by TRAFFIC, which manages ETIS. The general development and operation of the system since CoP12 was described and a comprehensive statistical analysis of the ETIS records relating to 9426 seizures of elephant products was presented. The report concluded that Cameroon, China, the Democratic Republic of the Congo, Ethiopia, Nigeria and Thailand were the most highly implicated countries in the illicit trade in ivory, and judged that this trade continued to be most directly linked to the presence of large-scale, poorly regulated, domestic ivory markets in Asia and Africa. The report also concluded that the trend in the volume of ivory seized from 1989 through 2002 closely reflected that presented in the ETIS analysis to CoP12, but that the increase since 1995 had become somewhat more gradual. It was also shown that the increasing trend continued to be driven by the Chinese market, but noted that China, as well as Ethiopia, were making positive efforts to control illicit trade in ivory. Acknowledging these improvements, TRAFFIC stated that, if sustained, these efforts could possibly lead to a downward trend in the volume of ivory seized.

The report in **document CoP13 Doc. 29.3** on progress in implementing the MIKE (Monitoring of Illegal Killing of Elephants) programme since CoP12 was presented by the director of the programme. The site-based system, encompassing some 85 locations in 42 elephant range States in Africa and Asia, is now operational in all six sub-regions. While the report stated that it was still too early to provide a trends analysis, the geographical scope and nature of the baseline data had been established and data collection was well-advanced in all sub-regions except South-east Asia. It is anticipated that the baseline would be established before the end of 2005, and that the first analysis could be undertaken a year later. The report also provided information on the mortality data generated to date, and highlighted concern for apparent poaching 'hotspots' in Central Africa and their link to the unregulated ivory markets in Africa.

Kenya submitted **document CoP13 Doc. 29.4 (Rev.1) Illegal ivory trade and control of internal markets**

which included a proposed revision of *Resolution Conf. 10.10 (Rev. CoP12)* in its Annex 2 and draft decisions for the implementation of the Resolution, if revised at CoP13, in Annex 3. Central to Kenya's desire to amend this Resolution was its view that a moratorium on ivory trade should be agreed, following the one-off sale of designated ivory stocks for three southern African countries approved at CoP12. In this regard, it initially suggested a duration of 20 years, which was later revised to six years and then stated as a non-specific "resting period" in subsequent amendments. Initial discussion of the Kenyan document at the African Elephant Range State Dialogue meeting saw some support, though a number of countries questioned its relevance in view of the consensus for the Secretariat's action plan to deal with unregulated domestic markets contained in Doc. 29.1. Votes on the proposed amendments to *Resolution Conf. 10.10 (Rev. CoP12)* failed to achieve the support of two-thirds of the Parties present and voting, and were therefore rejected.

Document CoP13 Doc. 29.5 Conditions for the export of registered stocks of ivory in the annotation to the Appendix-II listing of populations of African Elephant *Loxodonta africana* in Botswana, Namibia and South Africa, also submitted by Kenya, was withdrawn. This document would have reopened consideration of issues concerning the definition of what constitutes the MIKE baseline and how the Standing Committee would determine whether or not "detrimental impact" had occurred as a result of trade in ivory approved under CITES. Both of these issues had previously been decided at the 50th meeting of the Standing Committee.

Long-standing ivory stocks in Burundi were the subject of **document CoP13 Doc. 29.6**, and a mission by staff from TRAFFIC and MIKE in 2004 had verified that the stocks in question were the same as those held in the country since 1988. It was the desire of Burundi to find a satisfactory way of disposing of these stocks, representing some 84 tonnes, adding that traders from whom some of the ivory had been confiscated, were suing the Government of Burundi. It was acknowledged that Burundi was not an elephant range State at the time these stocks came into the country and the legality of this trade at its source was questioned. The Secretariat believed there was no viable solution at the present time, and the meeting simply noted the problem but offered no solution.

Namibia put forward **proposal CoP13 Prop. 7** to amend the annotation governing the Appendix-II listing for the Namibian population of African Elephants, to include i) an annual export quota of 2000 kg of raw ivory (accumulated from natural and management-related mortalities); ii) trade in worked ivory products for commercial purposes; and iii) trade in elephant leather and hair goods for commercial purposes. **Document CoP13 Doc. 60 Addendum** contained draft amendments to the annotation, based on Namibia's proposal, and also further changes to the annotation. These changes were to spec-

ify that the worked ivory products were limited to “individually marked and certified *ekipas* incorporated in finished jewellery items for commercial purposes” and that the proposed annual quota of 2000 kg of ivory would only be allowed after the safeguards relative to the one-off sale of ivory, already agreed at CoP12, had been satisfactorily met. Namibia presented its proposal, stressing that it was reluctant to wait until CoP14 to seek approval for an annual export quota for ivory, as drawing up proposals for meetings of the Conference of the Parties was costly and it had been seeking to reward its communities for exemplary management of elephants for many years. Namibia had thought the one-off, conditional ivory sale approved at CoP12 would already have transpired, thereby providing a recent precedent for, and feedback on, international trade in raw ivory. This trade, however, had not yet transpired and was still contingent upon MIKE establishing its baseline data and other conditions beyond Namibia’s control being met. The three elements of the proposal (relating to leather and hair, *ekipas* and raw ivory) were considered separately. The proposal to trade in leather and hair for commercial purposes was adopted while the proposed trade in raw ivory was rejected, with 35 votes in favour, 54 against and 23 abstentions. The proposed trade in *ekipas* was initially rejected, but debate was re-opened in the final plenary session. After Namibia proposed to restrict trade in *ekipas* to non-commercial transactions, this aspect of the proposal was adopted, following a secret ballot, with 71 votes in favour, 23 against and 35 abstentions.

South Africa’s **proposal CoP13 Prop. 8** for amendment of the annotation regarding their population of African Elephants to allow trade in leather goods for commercial purposes was designed to correct an error in the annotation following CoP12. Having previously been agreed at the African Elephant Range State Dialogue meeting by consensus, it was adopted without discussion in Committee I.

Saiga Antelope *Saiga tatarica*

The EU tabled **document CoP13 Doc. 32 Conservation of *Saiga tatarica***, which recommended the adoption of draft decisions contained in its Annex, to enhance conservation of the species. In response to an intervention from Germany, supported by the Russian Federation, a drafting group including Saiga Antelope range States was set up to work further on these draft decisions. The group produced five revised decisions (**document CoP13 Com. I. 6**) which, *inter alia*, directed range States to work with the Convention on Migratory Species towards signing the Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope *Saiga tatarica tatarica*, drafted in 2002, and urged Parties to implement those aspects of the action plan of the memorandum that were relevant to CITES. All five draft decisions were adopted (subsequently formulated as *Decisions 13.27, 13.28, 13.29, 13.30, 13.31, 13.32, 13.33, 13.34* and *13.35*).

Sharks

Document CoP13 Doc. 35 Conservation and management of sharks, submitted by the Animals Committee, provided an update on the tasks assigned in *Decisions 12.47, 12.48* and *12.49*, which included monitoring the implementation of the FAO International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks) and urging FAO to encourage implementation of the same. The Chairman of the Animals Committee explained that work under these Decisions had been completed but that further work was necessary to fulfil the requirements of *Resolution Conf. 12.6 Conservation and management of sharks*. The Chairman of the Shark Working Group of the Animals Committee bemoaned the sluggish rate of implementation of the IPOA-Sharks and emphasized the importance of improving collaboration between CITES and fishery management bodies. Regarding *Decision 11.151*, also relating to sharks, the Secretariat announced that no reply had been received from the World Customs Organization on promoting the use of specific, standardized, tariff classifications for shark products.

In its Annex 3, Document CoP13 Doc. 35 contained ten draft decisions which, among other things, encapsulated species-specific recommendations from the Animals Committee and set in motion plans for a technical workshop on sharks in 2005. Canada, Guinea, Iceland, Indonesia, Japan and Norway were against adoption of the draft decisions, variously stating that they would result in duplication of the work of FAO and other fisheries organizations, would go beyond the mandate of CITES, and would further constrain the budget. The USA questioned the practicality of the draft decisions and offered draft decisions of its own for consideration as more effective alternatives (**document CoP13 Inf. 53**). In particular, the USA believed that CITES was not intended to implement management measures for shark species not listed in its Appendices. While Brazil supported the draft decisions in document CoP13 Doc. 35, several Parties and IUCN-The World Conservation Union simply stressed the importance of collaboration between CITES and other bodies relevant to the conservation of sharks, and FAO believed any CITES venture for sharks would founder without this. A working group was established to amend the draft decisions as appropriate, in the light of the debate. The resultant two draft decisions in **document Com. I. 7** detailed remaining work considered necessary in order to fulfil the requirements of *Resolution Conf. 12.6*. The draft decision directing the Animals Committee to review various aspects of shark trade was adopted as it stood (*Decision 13.43*) and that directing the Parties, *inter alia*, to request that FAO convene a workshop on the conservation and management of sharks, including review of the IPOA-Sharks, was adopted after a few small amendments had been agreed in session (*Decision 13.42*).

Proposal CoP13 Prop. 32 to include the Great White Shark *Carcharodon carcharias* in Appendix II, submitted by Australia and Madagascar, was supported by Brazil, Ecuador, the EU, Kenya, Thailand and Uruguay, but other Parties believed that management of the species was more properly the remit of FAO and regional fisheries organizations. FAO drew attention to their review of the proposal in **document CoP13 Doc. 60** and stated that there was insufficient information on which to base a decision, but IUCN-The World Conservation Union countered that available data indicated that Great White Sharks were rare and becoming rarer and that this decline in populations could be at least partly attributed to trade. Following a vote, by a secret ballot requested by Japan, the proposal was adopted, with 87 Parties in favour, 34 against and nine abstentions.

Bigleaf Mahogany *Swietenia macrophylla*

The Bigleaf Mahogany Working Group provided its report, **document CoP13 Doc. 39**, in accordance with *Decision 12.21*. It reported on the recommendations from its second meeting, in Brazil, in 2003. The International Tropical Timber Organization (ITTO) alluded to a follow-up meeting, which it had supported, in 2004, in Peru, on capacity-building for implementation of the Appendix-II listing of Bigleaf Mahogany in South American range States, stating that there had been excellent collaboration with CITES, which it hoped would continue. Parties supported continuation of the Bigleaf Mahogany Working Group, comprising range States, principal importing countries and a member of the Plants Committee, beyond CoP13, providing that it was under the auspices of the Plants Committee. They also supported the Plants Committee's judgement that the recommendations emerging from the Group's meeting in 2003 should be expressed as Decisions of the Conference of the Parties (**document Com. I. 4**) (*Decisions 13.55, 13.56, 13.57, 13.58 and 13.59*). These included, in order of priority, determinations to adopt national and sub-regional mahogany management plans; to carry out forest inventories; to develop capacity-building for CITES procedures; and, to report on progress, including to CoP14.

Sturgeon *Acipenseriformes*

The Secretariat introduced **document CoP13 Doc. 65 Conservation of and trade in sturgeons and paddlefish**, which contained proposed amendments to *Resolution Conf. 12.7* on the same subject, since there had been difficulties in implementing that Resolution and clear time schedules for the recommended actions were needed. A working group set up to review the proposed changes in more detail produced a revision of these in **document CoP13 Com. II. 19**. *Inter alia*, these and other changes agreed introduced time-frames for the submission of information to the Secretariat, including the announcement of left-over stocks of sturgeon specimens

from previous years; urged range States to implement a regional conservation strategy; and specified that, from 2006, all caviar must be exported before the end of the quota year in which it was harvested. The changes, as reflected in **document CoP13 Com. II. 31 (Rev. 1)**, were adopted following a ballot with 47 votes in favour, four against and 37 abstentions, resulting in *Resolution Conf. 12.7 (Rev. CoP13)*. Draft decisions, concerning the establishment of a database on trade in sturgeons, were also contained in document CoP13 Com. II. 19. A slightly amended version of these, set out in **document CoP13 Com. II. 30**, submitted by the EU, was adopted (*Decisions 13.44, 13.45, 13.46 and 13.47*). In the meeting's final plenary session, China and the Russian Federation reported their dissatisfaction with the outcome of discussions under this agenda item, the former referring to the fact that it would not be able to adhere to the scheduling required by the new Resolution.

OTHER SPECIES

Proposal CoP13 Prop. 33 to include the Humphead Wrasse *Cheilinus undulatus* in Appendix II, submitted by Fiji, the EU and the USA, was adopted. Its adoption was supported by Iceland, Indonesia, Kenya, Norway and Palau, while FAO stated that available evidence showed that the species met the criteria for inclusion in Appendix II in accordance with Article II, paragraph 2 (a) of the Convention. The proposal was opposed by China and the Seychelles; China highlighted the implementation difficulties anticipated in controlling trade in specimens introduced from the sea.

Proposal CoP13 Prop. 37 to include *Hoodia* spp. in Appendix II, was submitted by Botswana, Namibia and South Africa, with an annotation such that the listing would not apply to parts and derivatives labelled as having been produced through controlled harvesting and production in collaboration with the CITES Management Authorities of those countries. Discussion of the proposal focused on the proposed annotation, which related to only three of the five range States, and differed significantly from plant annotations previously accepted by the Parties. A drafting group established to consider the annotation further was unable to revise it in a manner that did not result in expansion of the proposal's scope, which is not allowed. The proposal was therefore re-presented in its original form, with an undertaking to submit a revised annotation to CoP14, if the proposal were accepted. The proposal was adopted following a vote of 49 in favour, 10 against and 42 abstentions. The high number of abstentions seems likely to reflect confusion and/or concerns regarding the annotation rather than the listing of the genus within Appendix II.

Proposal CoP13 Prop. 40, submitted by Thailand, **proposal CoP13 Prop. 41**, submitted by Switzerland, and **proposal CoP13 Prop. 42**, submitted by Switzerland as Depositary Government, at the request of the Plants

Committee, were to amend the Appendix-II listing of Orchidaceae. Although differing somewhat in scope and approach, each of the proposals was intended to exempt from CITES provisions artificially propagated hybrids of certain Appendix-II species traded in accordance with specific conditions. Concerns were expressed by several Latin American countries regarding the possibility that such exemptions would increase illegal trade in their native species. A working group was established to develop a single text based on proposals 40 and 41; discussion on proposal 42, which related to *Phalaenopsis* spp. only, was to be deferred until discussion of the previous proposals was concluded. As the working group failed to reach consensus, the proposals were considered separately.

Thailand amended its proposal during the meeting (**document CoP13 Doc. 60 Addendum 2**), so that the genera *Cattleya*, *Cypripedium*, *Miltonia*, *Odontoglossum*, *Oncidium*, *Paphiopedilum*, *Phragmipedium* and *Selenipedium* were excluded from it. This reflected in part the concerns mentioned above and concerns regarding the unregulated trade in hybrids of Appendix-I species, e.g. *Paphiopedilum* spp., that would have been allowed under the proposal as originally submitted (Resolution Conf. 11.11 on regulation of trade in plants, states that artificially propagated hybrids derived from one or more unannotated Appendix-I species or other taxa shall be regarded as being included in Appendix II and entitled therefore to all exemptions applicable to artificially propagated specimens of species listed in Appendix II). The amended proposal also specified a minimum number of specimens per container and required that the number of plants of each hybrid be stated. Following a vote with 60 Parties in favour, 20 against and 11 abstentions, the proposal was accepted in Committee I. There was confusion over the relationship between Thailand's amended proposal and the Swiss proposal (CoP13 Prop. 41). The EU suggested amending the Swiss proposal so that it reflected the Thai proposal with regard to *Miltonia*, *Odontoglossum* and *Oncidium* (i.e. excluded them from the proposal). The Swiss proposal, so amended, was adopted, following a ballot, with 33 votes in favour, 16 against and 45 abstentions and proposal CoP13 Prop. 42 was then withdrawn.

In the final plenary session of the meeting, Mexico reopened debate on the amended Thai proposal, which it thought would create significant enforcement problems. The proposal was subsequently voted on and this time was rejected, with 67 votes in favour, 36 against and 27 abstentions. The USA then suggested amending the proposal so that only certain artificially propagated specimens of *Cymbidium*, *Dendrobium*, *Phalaenopsis* and *Vanda* hybrids would be exempt from CITES controls for Appendix-II species. Following a vote, proposal CoP13 Prop. 40, as amended in document CoP13 Doc. 60 Addendum 2 and by the suggestions of the USA, was adopted, with 105 votes in favour, three against and 17 abstentions. According to a declaration of intent in

Document CoP13 Doc. 60 Addendum 2, subsequently formulated as *Decisions 13.98* and *13.99*, Parties should monitor the implementation of this proposal and the Plants Committee should report on this issue at CoP14. It appears that it will also be necessary to address the differences between the two Orchidaceae proposals adopted which, although they both now exclude the same four genera from the provisions of the Convention, apply different criteria for their exemption.

Proposals CoP13 Prop. 47 and **Prop. 48** were submitted jointly by China and the USA. The former was for amendment of the annotation for *Taxus wallichiana* such that chemical derivatives would no longer be excluded from the listing. The latter was for the inclusion in Appendix II of *Taxus chinensis*, *T. cuspidata*, *T. fuana*, *T. sumatrana* and all infra-specific taxa of these species, with an annotation such that seeds, pollen and finished pharmaceutical products would not be included in the listing. The EU suggested text to amend the proposal for *T. wallichiana* so that artificially propagated horticultural specimens would also be excluded from the provisions of the Convention. As the Chairman ruled that this widened the scope of the proposal, it could not be considered and the proposal was adopted in its original form. The other *Taxus* proposal was adopted, but with an amendment also to exclude from the provisions of the Convention whole, artificially propagated plants in small containers, named and labelled "artificially propagated".

Indonesia's **proposal CoP13 Prop. 49** was to include agarwood-producing species *Gyrinops* spp. and remaining *Aquilaria* spp. in Appendix II (*A. malaccensis* having been included at CoP9). The proposal was submitted unannotated, but Indonesia stated when introducing it that, if accepted, the proposed listing should be annotated with Annotation #1. Discussions of the proposal centred on concerns regarding difficulties with enforcement, voiced primarily by consumer countries in the Middle East, and on whether Indonesia's request that Annotation #1 be applied widened the scope of the proposal, a query raised by the USA. A working group was established to consider the proposal, particularly with regard to implementation and enforcement. The group produced a draft decision (**document CoP13 Com. I. 11**) directing the Secretariat to assist in obtaining funds for a capacity-building workshop before CoP14. This workshop would aim to improve implementation of the Convention for *A. malaccensis* and other agarwood-producing species, including by addressing labelling and identification issues. The draft decision was adopted (*Decision 13.65*). The working group did not reach consensus over the proposal which, amended to apply Annotation #1, was put to a vote and adopted, with 71 votes in favour, nine against and 23 abstentions. Thirty-one Parties expressed support for the proposal (**CoP13 Prop. 50**) from Indonesia to include ramin *Gonystylus* spp. in Appendix II. Indonesia, which had already listed the tropical hardwood in CITES Appendix

HOODIA SPP. ARE LISTED IN APPENDIX II EXCEPT THOSE SPECIMENS LABELLED AS HAVING BEEN PRODUCED FROM MATERIAL OBTAINED THROUGH CONTROLLED HARVESTING AND PRODUCTION IN COLLABORATION WITH GOVERNMENTS OF BOTSWANA, NAMIBIA AND SOUTH AFRICA.

INTERSPECIFIC HYBRIDS AND INTERGENERIC HYBRIDS WITHIN THE GENERA PHALAENOPSIS ARE NOT SUBJECT TO THE PROVISIONS OF THE CONVENTION WHEN THEY DO NOT EXHIBIT CHARACTERISTICS OF WILD ORIGIN SUCH AS DAMAGE BY INSECTS OR OTHER ANIMALS.

SPECIMENS OF ARTIFICIALLY PROPAGATED HYBRIDS OF CYMBIDIUM ARE EXEMPT FROM CITES PROVISIONS WHEN ACCOMPANIED BY LABELS INDICATING TRADE NAME, COUNTRY OF ARTIFICIAL PROPAGATION OR COUNTRY WHERE SPECIMEN WAS LABELLED.

AQUILARIA SPP. AND GYRINOPS SPP. ARE LISTED IN APPENDIX II. SPECIMENS ARE TRADED IN THE FORM OF WOOD CHIPS, POWDER, OIL, OR INCENSE/PERFUME.

SEEDS, POLLEN, FINISHED PHARMACEUTICAL PRODUCTS AND ARTIFICIALLY PROPAGATED HORTICULTURAL SPECIMENS OF TAXUS CHINENSIS, T. CUSPIDATA, T. FUJANA AND T. SUMATRANA AND ALL INFRASPECIFIC TAXA OF THESE SPECIES ARE EXEMPT FROM APPENDIX II.

ARTIFICIALLY PROPAGATED SPECIMENS OF EUPHORBIA MILII ARE NOT SUBJECT TO CITES PROVISIONS WHEN TRADED IN SHIPMENTS OF 100 OR MORE PLANTS AND/OR READILY RECOGNIZABLE AS ARTIFICIALLY PROPAGATED SPECIMENS.

ARTIFICIALLY PROPAGATED SPECIMENS OF PHALAENOPSIS ARE NOT SUBJECT TO CITES PROVISIONS WHEN TRADED IN CONTAINERS EACH CONTAINING 20 OR MORE PLANTS OF THE SAME HYBRID.



III in 2001, was concerned with declining populations of ramin and continued illegal logging of ramin in protected areas. It noted that illegally-logged ramin was still entering the world market and, in proposing the Appendix II listing, hoped for enhancing greater international co-operation in addressing this problem. Indonesia also stressed the importance of listing the entire genus owing to the difficulty of distinguishing different species of ramin.

Other Parties, including the EU and USA, stressed that the listing should include all parts and derivatives as the overwhelming proportion of ramin products in international trade is of finished or semi-finished products. Malaysia expressed concern that a listing of the entire genus would result in implementation difficulties with look-alike species. In addition, Malaysia cited enforcement difficulties in implementing a listing designating all parts and derivatives and suggested an annotation limited to logs, sawn wood and veneer sheets to allow Parties time for capacity building. After listening to the debate, however, Malaysia agreed to join consensus in supporting the proposal as it stood. Both Indonesia and Malaysia highlighted the recent establishment of a Tri-National Task Force comprising Indonesia, Malaysia and Singapore. The aim of the Task Force is to increase law enforcement co-operation in combating illegal trade in ramin and promote effective implementation of CITES. Malaysia noted that the first meeting of the Task Force had already taken place in September 2004. The proposal was adopted by consensus.

CONCLUSION OF THE MEETING

Determination of the time and venue of the next regular meeting of the Conference of the Parties

The Parties accepted an offer from the Netherlands to host CoP14, in 2007. Exact dates are to be determined.

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Note: The European Union (EU) is not a Party to the Convention in its own right but many interventions at CoP13 were made by the Netherlands (which held the EU Presidency at the time), and other Member States, on behalf of all Member States of the EU. For the sake of simplicity, these comments are attributed to the "EU" in this article.

THIRTEENTH MEETING of the CONFERENCE of the PARTIES to CITES

The following pages summarize the proposals that were adopted, rejected and withdrawn at the 13th meeting of the Conference of the Parties to CITES held, from 2 to 14 October 2004, in Bangkok, Thailand. The decisions entered into force on 12 January 2005. The countries that put forward the proposals are named in parentheses.

PROPOSAL NO. & SPECIES	PROPOSALS (PROPONENT)	RESULT
1.	Inclusion of a new paragraph after paragraph 4 in the Interpretation section of the Appendices, to read as follows (with the following paragraphs being renumbered): "5. The following are not subject to the provisions of the Convention: a) <i>in vitro</i> cultivated DNA ² that does not contain any part of the original from which it is derived; b) cells or cell lines ³ cultivated <i>in vitro</i> that theoretically at a molecular level do not contain any part of the original animal or plant from which they are derived; c) urine and faeces; d) medicines and other pharmaceutical products such as vaccines, including those in development and in process materials ⁴ , that theoretically at a molecular level do not contain any part of the original animal or plant from which they are derived; and fossils." (Ireland ¹)	WITHDRAWN
2.	Inclusion of a new paragraph after paragraph 4 in the Interpretation section of the Appendices, to read as follows (with the following paragraphs being renumbered): "5. The following are not subject to the provisions of the Convention: a) <i>in vitro</i> cultivated DNA that does not contain any part of the original; b) urine and faeces; c) synthetically produced medicines and other pharmaceutical products such as vaccines that do not contain any part of the original genetic material from which they are derived; and d) fossils." (Switzerland ⁵)	WITHDRAWN
3. Irrawaddy Dolphin <i>Orcaella brevirostris</i>	Transfer from Appendix II to Appendix I. (Thailand)	ACCEPTED
4. Minke Whale <i>Balaenoptera acutorostrata</i>	Transfer from Appendix I to Appendix II of the Okhotsk Sea - West Pacific stock, the North-east Atlantic stock and the North Atlantic Central stock. (Japan)	REJECTED
5. Bobcat <i>Lynx rufus</i>	Deletion from Appendix II. (USA)	WITHDRAWN
6. Lion <i>Panthera leo</i>	Transfer from Appendix II to Appendix I. (Kenya)	WITHDRAWN
7. African Elephant (Appendix II) <i>Loxodonta africana</i>	Amendment of the annotation regarding the population of Namibian population: an annual export quota of 2000 kg of raw ivory (from natural and management-related mortalities); trade in worked ivory products for commercial purposes; and, trade in elephant leather and hair goods for commercial purposes. (Namibia)	ACCEPTED as amended to allow trade in leather and goods for commercial purposes, and trade in individually marked and certified <i>ekipas</i> incorporated in finished jewellery for non-commercial purposes.
8. African Elephant (Appendix II) <i>Loxodonta africana</i>	Amendment of the annotation regarding the population of South Africa to allow trade in leather goods for commercial purposes. (South Africa)	ACCEPTED as amended
9. Southern Square-lipped Rhinoceros <i>Ceratotherium simum simum</i>	Transfer from Appendix I to Appendix II of the population of Swaziland with the following annotation: For the exclusive purpose of allowing international trade in: a) live animals to appropriate and acceptable destinations; and b) hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly. (Swaziland)	ACCEPTED as amended
10. Bald Eagle <i>Haliaeetus leucocephalus</i>	Transfer from Appendix I to Appendix II. (USA)	ACCEPTED
11. Lesser Sulphur-crested Cockatoo <i>Cacatua sulphurea</i>	Transfer from Appendix II to Appendix I. (Indonesia)	ACCEPTED

12. Peach-faced Lovebird <i>Agapornis roseicollis</i>	Deletion from Appendix II. (Namibia, USA)	ACCEPTED
13. Lilac-crowned Amazon <i>Amazona finschi</i>	Transfer from Appendix II to Appendix I. (Mexico)	ACCEPTED
14. Painted Bunting <i>Passerina ciris</i>	Inclusion in Appendix II. (Mexico, USA)	REJECTED
15. Spider Tortoise <i>Pyxis arachnoides</i>	Transfer from Appendix II to Appendix I. (Madagascar)	ACCEPTED
16. Snail-eating turtle <i>Malayemys</i> spp.	Inclusion in Appendix II. (USA)	WITHDRAWN
17. Malayan Snail-eating Turtle <i>Malayemys subtrijuga</i>	Inclusion in Appendix II. (Indonesia)	ACCEPTED
18. Flat-shell turtle <i>Notochelys</i> spp.	Inclusion in Appendix II. (USA)	WITHDRAWN
19. Malayan Flat-shelled Turtle <i>Notochelys platynota</i>	Inclusion in Appendix II. (Indonesia)	ACCEPTED
20. Soft-shell turtles <i>Amyda</i> spp.	Inclusion in Appendix II. (USA)	ACCEPTED as amended to include <i>Amyda cartilaginea</i> only
21. Carettochelydidae spp.	Inclusion in Appendix II. (USA)	WITHDRAWN
22. Fly River Turtle <i>Carettochelys insculpta</i>	Inclusion in Appendix II. (Indonesia)	ACCEPTED
23. Roti Snake-necked Turtle <i>Chelodina mccordi</i>	Inclusion in Appendix II. (Indonesia, USA)	ACCEPTED
24. American Crocodile <i>Crocodylus acutus</i>	Transfer of the population of Cuba from Appendix I to Appendix II. (Cuba)	ACCEPTED
25. Nile Crocodile <i>Crocodylus niloticus</i>	Transfer from Appendix I to Appendix II of the population of Namibia. (Namibia)	ACCEPTED
26. Nile Crocodile <i>Crocodylus niloticus</i>	Maintenance of the population of Zambia in Appendix II, subject to an annual export quota. (Zambia)	WITHDRAWN
27. Leaf-tailed geckos <i>Uroplatus</i> spp.	Inclusion in Appendix II. (Madagascar)	ACCEPTED
28. Leaf-nosed Snake <i>Langaha</i> spp.	Inclusion in Appendix II. (Madagascar)	WITHDRAWN
29. Tree Snake <i>Stenophis citrinus</i>	Inclusion in Appendix II. (Madagascar)	WITHDRAWN
30. Mt Kenya Bush Viper <i>Atheris desaixi</i>	Inclusion in Appendix II. (Kenya)	WITHDRAWN
31. Kenya Horned Viper <i>Bitis worthingtoni</i>	Inclusion in Appendix II. (Kenya)	WITHDRAWN
32. Great White Shark <i>Carcharodon carcharias</i>	Inclusion in Appendix II. (Australia, Madagascar)	ACCEPTED
33. Humphead Wrasse <i>Cheilinus undulatus</i>	Inclusion in Appendix II. (Fiji, Ireland ¹ , USA)	ACCEPTED
34. Birdwing butterflies <i>Ornithoptera</i> spp., <i>Trogonoptera</i> spp. and <i>Troides</i> spp. in Appendix II	Deletion of the annotation “ <i>sensu</i> D’Abrera”.(Switzerland ⁶)	ACCEPTED
35. Date Mussel <i>Lithophaga lithophaga</i>	Inclusion in Appendix II. (Italy and Slovenia ¹)	ACCEPTED
36. Helioporidae spp., Tubiporidae spp., Scleractinia spp., Milleporidae spp.and Stylasteridae spp.	Amendment of the annotation to these taxa to read: “Fossils, namely all categories of coral rock, except live rock (meaning pieces of coral rock to which are attached live specimens of invertebrate species and coralline algae not included in the Appendices and which are transported moist, but not in water, in crates) are not subject to the provisions of the Convention.”. (Switzerland ⁷)	WITHDRAWN
37. <i>Hoodia</i> spp.	Inclusion in Appendix II. with an annotation to read as follows: Designates all parts and derivatives except those bearing the label “Produced from <i>Hoodia</i> spp. material obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of Botswana/Namibia/South Africa under agreement no. BW/NA/ZA xxxxxx”. (Botswana, Namibia South Africa)	ACCEPTED as amended

38/39. Euphorbia Euphorbiaceae (Appendix II)	Adopted as amended to include: artificially propagated specimens of crested, fan-shaped or colour mutants of <i>Euphorbia lactea</i> when grafted on artificially propagated root stock of <i>Euphorbia neriifolia</i> and artificially propagated specimens of cultivars of <i>Euphorbia</i> 'Mili' when they are traded in shipments of 100 or more plants and readily recognizable as artificially propagated specimens. (Thailand)	ACCEPTED as amended
40. Orchids Orchidaceae in Appendix II	Annotation adopted as amended to read as follows: artificially propagated specimens of hybrids of the genera <i>Cymbidium</i> , <i>Dendrobium</i> , <i>Phalaenopsis</i> and <i>Vanda</i> are not subject to the provisions of the Convention when: 1) specimens are traded in shipments consisting of individual containers (ie., cartons, boxes or crates) each containing 20 or more plants of the same hybrid; 2) the plants within each container can be readily recognized as artificially propagated specimens by exhibiting a high degree of uniformity and healthiness; and 3) the shipments are accompanied by documentation, such as an invoice, which clearly states the number of plants of each hybrid. (Thailand)	ACCEPTED as amended
41. Orchids Orchidaceae in Appendix II	Annotation adopted as amended to read as follows: artificially propagated specimens of the following hybrids: <i>Cymbidium</i> : Interspecific hybrids within the genus and intergeneric hybrids; <i>Dendrobium</i> : Interspecific hybrids within the genus known in horticulture as "nobile-types" and "phalaenopsis-types", <i>Phalaenopsis</i> : Interspecific hybrids within the genus and intergeneric hybrids; and <i>Vanda</i> : Interspecific hybrids within the genus and intergeneric hybrids are not subject to the provisions of the Convention when: 1) they are traded in flowering state, i.e. with at least one open flower per specimen, with reflexed petals; 2) they are professionally processed for commercial retail sale, e.g. labelled with printed labels and packaged with printed packages; 3) they can be readily recognized as artificially propagated specimens by exhibiting a high degree of cleanliness, undamaged inflorescences, intact root systems and general absence of damage or injury that could be attributable to plants originating in the wild; 4) plants do not exhibit characteristics of wild origin, such as damage by insects or other animals, fungi or algae adhering to leaves, or mechanical damage to inflorescences, roots, leaves or other parts resulting from collection; and 5) the labels or packages indicate the trade name of the specimen, the country of artificial propagation or, in case of international trade during the production process, the country where the specimen was labelled and packaged; and the labels or packages show a photograph of the flower, or demonstrate by other means the appropriate use of labels and packages in an easily verifiable way. Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents." (Switzerland)	ACCEPTED as amended
42. Orchids Orchidaceae in Appendix II	Amendment of the annotation regarding <i>Phalaenopsis</i> hybrids to read: "Artificially propagated specimens of hybrids within the genus <i>Phalaenopsis</i> are not subject to the provisions of the Convention when: a) specimens are traded in shipments consisting of individual containers (i.e. cartons, boxes or crates) containing 20 or more plants each; b) all plants within a container are of the same hybrid, with no mixing of different hybrids within a container; c) plants within a container can be readily recognized as artificially propagated specimens by exhibiting a high degree of uniformity in size and stage of growth, cleanliness, intact root systems and general absence of damage or injury that could be attributable to plants originating in the wild; d) plants do not exhibit characteristics of wild origin, such as damage by insects or other animals, fungi or algae adhering to leaves, or mechanical damage to roots, leaves, or other parts resulting from collection; and e) shipments are accompanied by documentation, such as an invoice, which clearly states the number of plants and is signed by the shipper. Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents." (Switzerland ⁸)	WITHDRAWN

43. Christmas Orchid <i>Cattleya trianaei</i>	Transfer from Appendix I to Appendix II. (Colombia)	ACCEPTED
44. Blue Vanda <i>Vanda coerulea</i>	Transfer from Appendix I to Appendix II. (Thailand)	ACCEPTED
45. Desert-living Cistanche <i>Cistanche deserticola</i> (Appendix II)	Addition of Annotation #1, i.e.: Designates all parts and derivatives except a) seeds, spores and pollen (including pollinia); b) seedling or tissue cultures obtained <i>in vitro</i> , in solid or liquid media, transported in sterile containers; and c) cut flowers of artificially propagated plants. (China)	ACCEPTED
46. Butterfly Palm <i>Chrysalidocarpus decipiens</i>	Transfer from Appendix II to Appendix I. (Madagascar)	ACCEPTED
47. Himalayan Yew <i>Taxus wallichiana</i>	Amendment of the annotation (currently Annotation #2), to read: Designates all parts and derivatives, except: a) seeds and pollen; and b) finished pharmaceutical products. (China, USA)	ACCEPTED
48. Yew <i>Taxus chinensis</i> , <i>T. cuspidata</i> , <i>T. fuana</i> , <i>T. sumatrana</i>	Inclusion in Appendix II with the following annotation: Designates all parts and derivatives, except: a) seeds and pollen; and b) finished pharmaceutical products. (China, USA)	ACCEPTED as amended to exclude artificially propagated horticultural specimens.
49. Agarwood <i>Aquilaria</i> spp. ⁹ and <i>Gyrinops</i> spp.	Inclusion in Appendix II. (China, USA)	ACCEPTED
50. Ramin <i>Gonystylus</i> spp.	Inclusion in Appendix II. (Indonesia) Designates all parts and derivatives, except: a) seeds, spores and pollen (including pollinia); b) seedling or tissue cultures obtained <i>in vitro</i> , in solid or liquid media, transported in sterile containers; and c) cut flowers of artificially propagated plants.	ACCEPTED with an annotation designating all parts and derivatives except: seeds, spores, and pollen; seedling or tissue cultures obtained <i>in vitro</i> ; and cut flowers of artificially propagated plants.

¹on behalf of the Member States of the European Community. ²that is DNA that is assembled from its constituent materials, not solely extracted directly from plants and animals. ³that is cultures of plant or animal cells, that are maintained and/or propagated in artificial conditions and do not contain any significant part of the original plant or animal from which they are derived. ⁴that is products subject to a research or manufacturing process such as medicines, potential medicines and other pharmaceuticals such as vaccines that are produced under conditions of research, diagnostic laboratory or pharmaceutical production and do not depend for their production in bulk solely on material extracted from plants or animals and do not contain any significant part of the original plant or animal from which they are derived. ⁵as Depositary Government, at the request of the Standing Committee. ⁶as Depositary Government, at the request of the Nomenclature Committee. ⁷as Depositary Government, at the request of the Animals Committee. ⁸as Depositary Government, at the request of the Plants Committee. ⁹*Aquilaria malaccensis* is already included in Appendix II.

Annotation #1. Designates all parts and derivatives, except: seeds, spores and pollen (including pollinia); a) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers; and b) cut flowers of artificially propagated plants.

Annotation #2. Designates all parts and derivatives, except: a) seeds and pollen; b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers; c) cut flowers of artificially propagated plants; and d) chemical derivatives and finished pharmaceutical products.



Adrianne Sinclair

Canada is the largest supplier of cultivated American Ginseng roots, and the USA the largest supplier of wild American Ginseng roots, 95% of which is exported to Hong Kong for use in medicinal preparations. Four types of roots are produced: wild, wild-simulated, woods-grown, and cultivated. The species is listed in CITES Appendix II. Canada issues CITES permits for cultivated roots only. In order to determine the potential impact of the North American trade on Canadian wild populations, American Ginseng root exports from Canada and the USA were analysed for the years 1997 to 2003. The data show that Canada's exports peaked in 2001 and 2002 but otherwise were around 1.5 million kilogrammes with a value of CAD30/kg (USD24) for most years, increasing recently to almost CAD50/kg (USD35). US wild ginseng exports during this period were much lower - at between 150 000 kg and 185 000 kg (corresponding to 76 to 93 million roots), but had a higher value of USD130 to 180/kg. As there are no complete and reliable data on wild populations and because woods-grown and wild-simulated exports are reported as wild, there is a risk that false conclusions are being made that wild populations are not declining. A further concern is the potential impact of disease and genetic alteration on wild populations from wild-simulated and woods-grown ginseng. Continued monitoring of trade and of wild populations is important, including the production and export of wild-simulated and woods-grown ginseng, and the sources and amount of seeds used.

INTRODUCTION

American Ginseng *Panax quinquefolius* is one of the most heavily traded North American medicinal plants (Robbins, 1998). The largest and dominant ginseng

market is in East Asia. Canada is the largest supplier of cultivated American Ginseng roots and the USA is the largest supplier of wild American Ginseng roots to overseas markets. Currently more than 95% of American Ginseng roots from Canada and the USA goes to East Asia. However, there is a growing ginseng market in North America and a growing number of herbal products containing ginseng available worldwide (Robbins, 1998; Small and Catling, 1999; BC Ministry of Agriculture, Food and Fisheries, 2003). American Ginseng is a top selling herb among first time herbal users (Wood, 1997) and has ranked third - after Echinacea *Echinacea* spp. and garlic *Allium* spp. - in sales of herbs in US health food shops (Johnston, 1997). In 1998 and 1999, ginseng was ranked the third top-selling herb in the mainstream US market (i.e., food, drug and mass market, but not convenience shops and warehouse buying clubs¹) (Blumenthal, 2000).

The purpose of this paper is to assess export trends for American Ginseng grown in North America and the potential impact on Canadian wild populations in relation to trade monitoring required by CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora). North America produces four types of American Ginseng: wild, wild-simulated, woods-grown and cultivated (BC Ministry of Agriculture, Food and Fisheries, 2003) (Table 1). CITES recognizes only wild and artificially propagated ginseng. Both wild-simulated and woods-grown ginseng are considered wild under CITES and the same export and import requirements apply (CITES Secretariat, 2000). Export trends will indicate whether Canadian wild populations are under pressure to supply the market or are being adversely

¹a co-operative which stocks large volumes of goods that may be purchased at wholesale prices.

affected by production. The assessment will enable the Canadian CITES Scientific Authorities to determine, with increased reliability, whether harvest and trade is non-detrimental to the survival of wild American Ginseng. The study was initially carried out in early 2002, covering the period 1997 to 2001, and has since been updated for this publication with 2002 and 2003 data.

BACKGROUND

American Ginseng is a slow-growing woodland herb of the Araliaceae family. The root of the plant has been used in Asian medicine for perhaps 5000 years and is widely used as a preventive medicine and to maintain good health. It is said to have healing properties, provide energy, lower blood pressure, slow the ageing process, cure neurological disorders, speed recovery from illness, enhance digestion, stimulate blood circulation, relieve fatigue, cure blood diseases, and in general have a stimulating tonic effect (Small and Catling, 1999).

In Chinese medicine, American Ginseng is believed to help develop what is called the *yin*, to help clear heat from the body (Cai, 2003), relieving stress and calming the body (Novelli, 2003). *Yin* is defined as one of the two complementary principles of Chinese philosophy (the other being the *yang*) which represents the negative, dark and feminine (Anon., 1991).

The BC Ministry of Agriculture, Food and Fisheries (2003) defines wild ginseng as “growing in areas where it has always grown with no interference from man”; wild-simulated ginseng as that which “occurs where man takes seed and scatters it randomly where ginseng used to grow or might grow”; woods-grown ginseng as that which is planted in areas where “more effort is done to

space out the forest canopy, remove interfering brush, etc. and often build beds for planting. This can be virtually the same as cultivated except trees are used for shade instead of the man-made shade canopy”; and, cultivated ginseng “where man supplies all the needs of the crop from shade to mulch”. The USFWS classification of ginseng types also depends on habitat and degree of human influence as well as origin (Table 1). Under this classification, wild ginseng includes wild and wild-simulated and artificially propagated ginseng includes cultivated and cultivated woods-grown (Table 1).

Wild ginseng root has the greatest perceived medicinal value of all the ginseng types. It is generally believed in East Asia that the roots of plants cure the human organs they resemble and that they possess a spiritual dimension, passing on the benefits of their experience to the user (Dey, 1996; Haber, 1990). A branched ginseng root (a “hand”), usually only formed in the wild, can resemble a human body or body parts; thus, ginseng grown in the woods under natural shade (wild, wild-simulated and woods-grown ginseng) is valued more than ginseng grown in fields under artificial shade (Dey, 1996; Adam, 2002). According to Novelli (2003), woods-grown ginseng is in high demand in China and can command on average five times the price of field cultivated roots. Adam (2002) emphasizes that prices for cultivated ginseng depend on how closely the production method simulates the growing conditions of wild ginseng. Perfect “hands” of ginseng have been used as expensive gifts in China and it is suggested that exporters pay more attention to protecting the “hands” from damage in shipment rather than just shipping them in barrels as a commodity (Adam, 2002).

There are procedures for extracting and determining the quantity of the active chemical content of ginseng

	WILD		ARTIFICIALLY PROPAGATED	
	Wild	Wild-simulated	Cultivated woods-grown	Cultivated
ORIGIN	Naturally occurring	Seeds or roots planted in natural habitat	Cultivated seed or roots	Cultivated seed or roots
HABITAT	Within natural range, in suitable ginseng habitat	Within natural range, in suitable ginseng habitat	Grown in woods similar to natural habitat	Grown in fields
CULTIVATION	None	Planting of seeds or roots only	When planted, largest rocks removed and drainage ditches may be dug around the beds	Intensive
FUNGICIDE	None	None	Extensive	Extensive
HARVEST METHODS	Dug by hand	Dug by hand	Dug by hand	Often dug by mechanical means

Table 1. USFWS definition of Ginseng types. *Source: USFWS, 2004.*

root (ginsenosides) (e.g., Assinewe *et al.*, 2003) and there is some move today by manufacturers of ginseng products to purchase root by the ginsenoside content, but this is not a common practice (BC Ministry of Agriculture, Food and Fisheries, 2003). Buyers primarily grade roots according to physical characteristics. These include size (the bigger the better), shape (the thicker, more barrel-shaped, more man-shaped the better), age (the older the better), rings (the more the better), texture (the coarser the better), exterior colour (golden brown or dark brown), and interior colour (creamy white) (Fulder, 1993; Dey, 1996; Robbins, 1998). The degree of processing is also a factor in determining efficacy, as whole root is considered more potent than powdered root, which, in turn, is considered medicinally superior to extracts. Extracts are considered superior to teas, which are superior to cosmetics (Fulder, 1993). Other influences on ginseng prices include the world supply and demand as well as the control imposed by importers and exporters who may alter the quantity and availability of ginseng on the market by changing their inventories, the flow to market, and the timing of auctions (Dey, 1996).

DISTRIBUTION AND STATUS

American Ginseng has a widespread distribution in eastern North America. It occurs from southern Ontario and southwestern Quebec in Canada, south to Oklahoma, Louisiana, and northern Florida, in the USA. In Quebec, American Ginseng is most highly concentrated in the Monteregian region, south of Montreal, and in Ontario it is noticeably concentrated along the Niagara Escarpment and the eastern edge of the Precambrian Shield (Nault and White, 1999). The Nature Conservancy (which has designated status rankings for wild plants: global (G), national (N) and provincial (S)) has applied a global ranking to American Ginseng of G3G4, and national rankings in the USA and Canada of N3N4 and N2N3 respectively (G/N2=imperilled; G/N3=vulnerable; G/N4=apparently secure). These rankings are not legal designations but assigned by natural heritage programmes (conservation data centres) and scientific experts based on a variety of factors such as abundance, distribution, population trends, and threats (NatureServe, 2004). A rank of four indicates that the species is apparently secure: uncommon but not rare, and usually widespread with typically more than 100 existing occurrences. However, American Ginseng is considered rare or occurring infrequently throughout most of its natural range: in Ontario and Quebec, where the plant naturally occurs, it is ranked S2, indicating that it is imperilled or very rare; in the 34 States in the USA where it occurs naturally, it is considered, variously, as endangered, threatened, vulnerable, critically imperilled, imperilled, extremely rare, very rare, rare, or uncommon (Robbins, 1998).



TOP: Large four-leaved American Ginseng plant (a ginseng plant has compound leaves consisting of five leaflets, hence the name "*quinquefolius*"), with ripe cluster of fruit (September), in natural habitat (Quebec, Canada).

BELOW: Freshly harvested root of wild-grown American Ginseng. The numerous carrot-like roots strung along a rhizome (with scars left each year by the aerial shoot) indicate great age. An age of 40 to 50 years can be attributed to this specimen by a rough estimate of the number of annual scars on the rhizome. The base of the current aerial stem can be seen on the right.

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LEGISLATION

American Ginseng was listed as threatened in Canada in 1988 and re-evaluated as endangered in 1999 by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) (Nault and White, 1999). Based on the assessment by COSEWIC, American Ginseng is listed as endangered in the List of Wildlife Species at Risk (Schedule I) of Canada's *Species at Risk Act* (SARA). Under SARA, as of June 2004, it is an offence to kill, harm, or take an individual; possess, collect, buy,

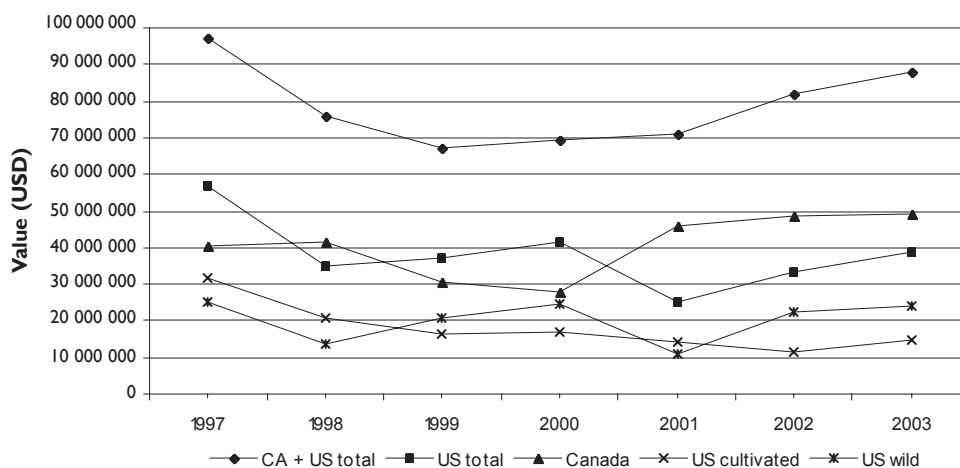


Figure 1. Value (USD) of North American Ginseng exports from 1997 to 2003.
CAD per USD: 1.4015 (2003); 1.5704 (2002); 1.5484 (2001); 1.4852 (2000); 1.4858 (1999);
1.4831 (1998); 1.3844 (1997) (Bank of Canada, 2004).

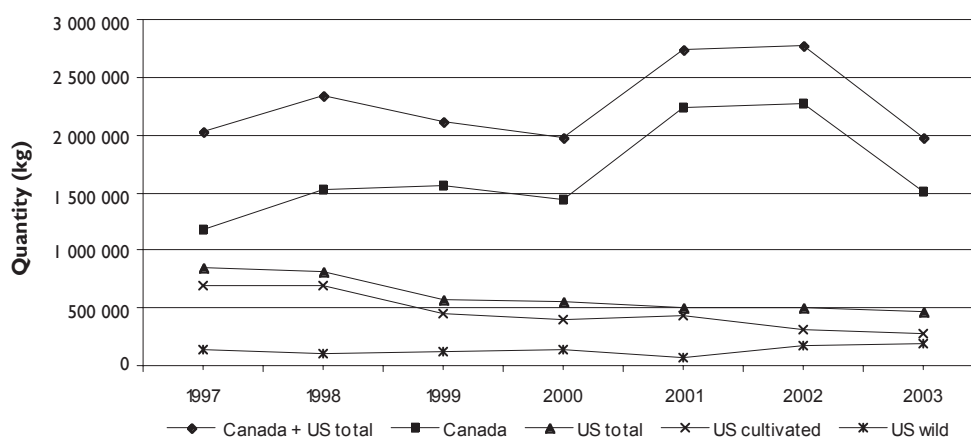


Figure 2. Quantity (kg) of North American Ginseng exported from 1997 to 2003.

sell or trade in an individual, or its part or derivative; and, damage or destroy the critical habitat of one or more individuals. These restrictions apply to American Ginseng where it is found or listed on federal lands. For American Ginseng on other lands, the provinces and territories are given the first opportunity to protect the plant through their laws (SARA Public Registry, 2004). A prohibition on the export of wild American Ginseng roots from Canada is based on export bans established by Ontario and Quebec, the provinces having wild populations (Nault and White, 1999). The plant was listed as threatened in Quebec in 1999 under the *Act Respecting Threatened or Vulnerable Species* (the highest level of risk of extinction (Nault, 1998)), and subsequently trade of specimens gathered in the wild in that province is prohibited.

American Ginseng has also been included in CITES Appendix II since 1975. The Appendix II-listing designates whole and sliced roots and parts of roots, excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionery. The designation requires that shipments of American Ginseng be accompanied by a CITES export permit or a certificate

of artificial propagation. In Canada, CITES is implemented by the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA) (CITES-Canada, 2004).

METHODS

Export figures for the period 1997 to 2003 are based on data obtained from Statistics Canada, International Trade Division, through the Agri-food Trade Service, Agriculture and Agri-food Canada. Export data for this period were also sourced from the US Census Bureau, Foreign Trade Statistics, through the Foreign Agricultural Service, United States Department of Agriculture, for comparative purposes and to assess potential pressure on wild populations from trade in wild roots. Data from recent ginseng industry analyses and industry experts were also used. It is important to note that industry data represent actual yearly production whereas the federal data are skewed by the fact that a crop in one year may be sold or exported in the following year(s)

(A. Oliver, industry specialist, BC Ministry of Agriculture, Food and Fisheries, pers. comm., September 2002). For example, according to the Ontario Ginseng Research and Services Subcommittee, approximately 1.45 million kg were harvested in 2002 compared to 1.27 million kg exported from Ontario reported by Statistics Canada (Table 3). The inconsistency may also be due to domestic sales, which are not presented here.

RESULTS AND DISCUSSION

Markets

American Ginseng grown in Canada is exported primarily to Hong Kong and China. Each year during the period 1997 to 2003, Canada exported ginseng to between seven and 10 countries (Table 2). Hong Kong was the largest importer every year, followed by China. From 1997 to 2002, the USA was the third largest importer (replaced by Taiwan in 2001, and dropping to the fifth largest importer after Singapore during that year). Singapore became the third largest importer in 2002 and 2003, followed by the USA and Taiwan (Table 2). Other countries that have imported Canadian-grown American Ginseng in various years include Australia, Croatia, France, Germany, Honduras, Italy, Japan, Latvia, Malaysia, New Zealand, Pakistan, Poland and Russia.

Hong Kong is the world trading centre for ginseng and is Canada's largest market for ginseng root (Xiao, 2000; AAFC, 2003; Novelli, 2003). Each year, about 80% of all Canadian-grown American Ginseng is exported to Hong Kong (Table 2). It is sold in bulk to major buyers in Hong Kong, where it is sorted, graded, and shipped to China and other destinations for further grading and processing (Novelli, 2003). The Chinese community is the ultimate end user of ginseng from North America, and statistics show that China is the destination of 96% of all ginseng exports from Canada (AAFC, 2003).

Production Regions

Canada is the world's largest grower of American Ginseng, accounting for more than 60% of world production, and the third largest *Panax* producing country, after China and South Korea (Xiao, 2000; AAFC, 2003). Ontario and British Columbia continue to be the top producers of cultivated ginseng in North America. Since 1997, Ontario has represented just over 60% of Canada's total exports while British Columbia has represented just under 40% (Statistics Canada, International Trade Division). Ginseng from British Columbia is considered solely cultivated (A. Oliver, industry specialist, BC Ministry of Agriculture, Food and Fisheries, pers. comm., September 2002) whereas ginseng from Ontario is cultivated and woods-grown. For example, it was estimated that there were between 400 and 800 hectares of woods-grown cultivated ginseng in Ontario in 1999 (OHCRSC, 2000). The export of ginseng from Quebec and Alberta has been comparatively minimal, but regular, over the past seven years, with the exception of 1999 in Quebec and 2002 in Alberta (Table 3). Nova Scotia and Manitoba reported exports in 1997 only (723 kg and 93 kg, respectively). New Brunswick has demonstrated irregular export over the past seven years, with 1081 kg reported in 1999 and 2 kg in 2003 (Statistics Canada, International Trade Division).

Export

The value per kilogramme of Canadian cultivated American Ginseng and US cultivated American Ginseng exports has been similar based on number of dollars, but has been consistently lower based on the difference in dollar value. The value per kilogramme of exports, in terms of number of US and Canadian dollars, has declined since 1997 - from the mid 40s to the low 30s - but the year 2003 shows a return in value to the mid 40s to low 50s (Table 5). The value of Canadian exports dropped from CAD64.25/kg in 1996 (Statistics Canada,

Fresh, confiscated, wild-grown
ginseng roots, illegally harvested
from Great Smoky Mountains
National Park (Tennessee and
North Carolina, USA).



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Year	Total (kg)	Countries	Hong Kong %	China %	USA %	Singapore %	Taiwan %
1997	1 178 402	10	80.5	8.2	3.8	2.5	3.8
1998	1 532 956	10	84.3	5.3	2.3	0.6	0.8
1999	1 552 074	9	85.3	8.4	2.5	1.3	1.8
2000	1 430 839	7	79.9	12.8	3.9	0.9	2.2
2001	2 234 208	10	73.9	22.3	0.6	0.8	1.8
2002	2 274 926	8	87.1	9.5	0.5	1.1	0.4
2003	1 507 715	9	76.6	17.6	1.6	1.9	1.0

Table 2. Total quantity (kg) of American Ginseng exported from Canada, number of destination countries, and percentage of the total exported to Hong Kong, China, USA, Singapore and Taiwan. Source: Statistics Canada, International Trade Division.

Year	B. COLUMBIA		ALBERTA		ONTARIO		QUEBEC	
	Value CAD	\$/kg (kg)	Value CAD	\$/kg (kg)	Value CAD	\$/kg (kg)	Value CAD	\$/kg (kg)
1997	16 082 095 (354 183)	45.61	10 061 (1 896)	5.31	39 898 356 (820 767)	48.61	19 611 (740)	26.50
1998	23 410 041 (626 881)	37.34	420 102 (609)	689.82	36 850 977 (883 832)	41.69	582 563 (21 634)	26.93
1999	22 012 498 (845 923)	26.02	78 558 (2 610)	30.10	22 906 160 (701 348)	32.66	75 391 (1 112)	67.80
2000	16 558 915 (634 288)	26.15	194 928 (8 069)	24.16	24 857 375 (788 482)	31.53	0	0
2001	30 880 400 (1 051 642)	29.36	17 679 (982)	18.00	37 552 627 (1 178 426)	31.87	118 585 (3 158)	37.55
2002	29 431 907 (1 007 007)	29.23	0	0	45 629 859 (1 266 015)	36.04	259 447 (1 904)	136.26
2003	18 848 879 (468 088)	40.27	22 154 (120)	184.62	50 369 012 (1 039 298)	48.46	17 673 (207)	85.38
Total Value (kg)	157 224 735 (4 988 012)		743 482 (14 286)		258 064 366 (6 678 168)		1 073 270 (28 755)	

Table 3. Exports of American Ginseng from Canada by province, 1997 to 2003. Source: Statistics Canada, International Trade Division. Value is in Canadian currency (CAD). Quantity (in parentheses) is in kg.

Year	CANADA Cultivated	USA Cultivated	USA Wild	USA TOTAL	N. AMERICA TOTAL	% Wild USA	% Wild NA
1997	1 178 402	699 700	143 500	843 200	2 021 602	17.0	7.1
1998	1 532 956	702 200	108 700	810 900	2 343 856	13.4	2.8
1999	1 552 074	447 800	117 100	564 900	2 116 974	20.7	5.5
2000	1 430 839	405 500	144 200	549 700	1 980 539	26.2	7.3
2001	2 234 208	434 000	71 200	505 200	2 739 408	14.1	2.6
2002	2 274 926	320 600	173 800	494 400	2 769 326	35.2	6.3
2003	1 507 715	284 000	188 600	472 600	1 980 315	39.9	9.5

Table 4. Total exports of wild and cultivated American Ginseng roots (kg) for Canada (CAN), USA (US), and North America (NA) from 1997 to 2003. Wild percentage of total export is provided for the USA and North America. Sources: Statistics Canada, International Trade Division and US Department of Commerce, US Census Bureau, Foreign Trade Statistics/US Department of Agriculture, Foreign Agricultural Service.



TOP: A single three-leaved American Ginseng plant (showing compound leaves of five leaflets), growing in the wild in deciduous hardwood forest, Quebec, Canada. This plant has a cluster (umbel) of green, unripe fruit (July).

MIDDLE: Typical mixed hardwood forest, the natural habitat of American Ginseng in the southern Appalachians (North Carolina, USA).

BOTTOM: Part of a large natural American Ginseng population in the understory of its deciduous hardwood forest habitat (Quebec, Canada). Some plants are showing signs of early autumn senescence (yellowing leaves) and have ripe clusters of fruit (September).

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Year	Canada-Cultivated CAD/kg	US-Cultivated USD/kg	US-Wild USD/kg
1997	47.56 (USD34.35)	45.19	176.59
1998	39.96 (USD26.94)	29.78	127.38
1999	29.07 (USD19.57)	36.57	175.90
2000	29.10 (USD19.59)	41.73	169.88
2001	30.69 (USD20.66)	33.21	150.73
2002	33.11 (USD21.38)	35.43	127.80
2003	45.94 (USD32.78)	51.33	127.72

Table 5. Value (CAD) per kg for Canadian-grown American Ginseng root exports (HS Code 12112000) and value (USD) per kg for ginseng root exports from USA, 1997 to 2003. HS Code 12112000 refers to ginseng roots used primarily in pharmaceuticals, perfumes, insecticides, fungicides or for similar purposes.

Sources: Statistics Canada, International Trade Division and US Department of Commerce, US Census Bureau, Foreign Trade Statistics/US Department of Agriculture, Foreign Agricultural Service. CAD per USD: 1.4015 (2003), 1.5704 (2002), 1.5484 (2001), 1.4852 (2000), 1.4858 (1999), 1.4831 (1998), 1.3844 (1997) (Bank of Canada, 2004).

International Trade Division), the year when ginseng prices “skyrocketed” (Adam, 2002) to CAD47.56/kg in 1997, dropped again in 1998, and then appears to have remained stable, at around CAD30/kg until 2003 with a return to CAD45.94/kg (Table 5). Value per kilogramme obtained for exports varies by province, but, as expected, a similar pattern occurs in the main producing provinces, Ontario and British Columbia (Table 3). Ginseng produced in Ontario has a higher value than that from British Columbia, which may be due to a longer history of production in Ontario associated with a stronger reputation on the market, an association of wild ginseng in the province, higher sales for woods-grown ginseng, and/or other factors. The Ontario Ginseng Research and Services Subcommittee reports prices in the high CAD20s to mid 30s per pound for cultivated American Ginseng, which corresponds to the mid CAD40s to mid 60s per kilogramme (Reeleder, 2004). As pointed out by the Market Analysis Division of Agriculture and Agri-food Canada, which presented the ginseng export data from Statistics Canada from 1988 through 2001 (Novelli, 2003), it is important to note that the prices per kilogramme presented here are annual averages of mostly, if not exclusively, large shipments of ginseng exports. Prices for American Ginseng roots can vary greatly and can be much higher on the domestic retail market.

The value of wild ginseng has dropped but it continued to be four to five times more expensive than cultivated ginseng from 1997 (Duke, 1997; Sheldon *et al.*, 1997), until 2003, when it was two to three times as expensive (Table 5). This is a consequence of the higher price obtained for cultivated American Ginseng, which may be due to increased woods-grown production. Xiao (2000) noted the trend in both Canada and the USA to decrease American Ginseng production due to lower prices fetched for cultivated specimens. The average price of cultivated ginseng dropped from CAD112/kg in 1992 to CAD40/kg in 1998, while the average price of wild-simulated root dropped from

American Ginseng *Panax quinquefolius* field-grown under artificial shade (70% shade, compared to more than 90% shade in natural habitat understory), on raised beds mulched with straw, in southern Ontario, Canada (June). The density of these plants is very much higher than occurs in the wild. The roots of these cultivated plants reach a size in three years (typically, harvest is at the end of three growing seasons) that can only be attained by 15-30 years of growth under natural forest conditions. Cultivated roots are very pale compared to wild-grown roots.

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USD243/kg to USD127/kg during the same period. According to the export data for 1997 to 2003, the trend in value per kilogramme for wild ginseng has been more sporadic than changes in value for cultivated specimens. The value dropped by almost USD50 to about USD130/kg in 1998, increased again to its former value, dropped slightly over the following two years, dropped by almost USD25 in 2002 to USD128/kg (Table 5), and held this value in 2003.

The data on total value obtained for North American exports indicate a stable trend (Figure 1). The value of Canadian exports increased in 2001 and has remained stable (Figure 1). In general, dollars earned for Canadian exports have remained stable over the past three years at between USD40 and 50 million. Following a decrease in value for US-produced American Ginseng in 1997 (and a further decrease to USD25 million in 2001), dollars earned for ginseng exports from the USA during 1998 and 2003 was around USD40 million. The value obtained

for US wild and US cultivated ginseng exports has been similar, fluctuating at around USD20 million. The similar value obtained for both wild and cultivated exports indicates that more cultivated ginseng is exported than wild since wild ginseng is four to five times more valuable (Figures 1 and 2).

The data on cultivated American Ginseng exports from Canada indicate a peak in a stable trend between 2001 and 2002 to approximately 2 250 000 kg, after a stable period from 1997 to 2000, fluctuating at between 1 250 000 and 1 500 000 kg. This trend is virtually the same for North America, with a peak at 2 750 000 kg, after fluctuating at between 2 000 000 kg and 2 250 000 kg between 1997 and 2000. This similar trend for Canada and North America is expected since Canada makes up the majority of cultivated exports from North America. The increased trend did not continue, as the quantity dropped to the previous amount of approximately 1 500 000 kg (Figure 2). The quantity of ginseng exported from the USA has been much lower than that from Canada and stable over the past seven years, particularly between 1999 and 2003, fluctuating at around 500 000 kg. The USA exported about five times more cultivated ginseng than wild ginseng in 1997 and 1998, about four times more between 1999 and 2001, and about twice as much between 2002 and 2003. The quantity of cultivated exports has remained around 450 000 kg between 1999 and 2001, dropping to around 300 000 kg in the last two years, and the quantity of wild exports has remained in slight flux at around 150 000 kg since 1997 (Figure 2).

A dense bed of three-year-old cultivated American Ginseng *Panax quinquefolius* plants. All specimens are very large, each aerial stem bearing four leaves; the majority of plants also have two aerial stems, which is almost never seen in the wild. In Canada, the umbel of small whiteish flowers are produced at the end of June/early July. Commercial growers will sell the fruit produced (by weight) to other growers. Ginseng seed must not be allowed to dry out and must be sown in the same autumn period in which it is produced.

CAPTION AND PHOTOGRAPH: DANIEL GAGNON



Xiao (2000) projected that the total Canadian and US production may stabilize at between 2000 t and 2500 t (2 000 000 to 2 500 000 kg) within a few years, approaching production levels where prices would be economical. The total amount of wild and cultivated ginseng exported from Canada and the USA in 2000 (1 980 539 kg), 2001 (2 739 408 kg), 2002 (2 769 326 kg), and 2003 (1 980 315 kg) corresponds with this projection (Figure 2).

WILD AND CULTIVATED EXPORTS

An examination of the proportion of American Ginseng exported from North America that consists of wild roots allows for an evaluation to be made of the pressure exerted on wild populations to supply the market. According to Schippmann (2001), wild ginseng roots accounted for 30% of the total ginseng exports from North America in the late 1970s, whereas in 2001, only 3.5% of exports were wild-harvested. The export data used here suggest a slightly lower amount of 2.6% in 2001 and this is the lowest wild proportion that has occurred over the past seven years. During this period, the percentage of North American export that was wild harvested reached a maximum of almost 10% last year. For the USA alone, the proportion of exports that were wild-harvested reached a low of 14% in 2001 but is currently at its highest at almost 40% (Table 4).

The impact on wild populations can also be evaluated using the number of roots. The average number of wild roots per pound reported by US States in 2000 and 2001 to the USFWS was 233 roots/lb and 229 roots/lb (=0.5 kg), respectively (USFWS, 2002). Using the most recent average of 229 roots/lb (=0.5 kg), and the total quantity of wild roots exported, it is estimated that from 1997 to 2003, approximately 478 million wild roots (plants) were harvested from the wild (Table 6). The number of wild roots exported ranged from 55 to 73 million, from 1997 to 2000, increasing to approximately 88 million in 2002 and over 95 million in 2003. These numbers include wild-simulated roots, that is, roots that were grown from wild seed in suitable ginseng habitat within the natural range for ginseng (Table 1), and possibly woods-grown ginseng which may be incorrectly classified as wild on harvest and/or export declaration forms. The numbers are extremely large and difficult to interpret in terms of the impact on wild populations owing to lack of data on the abundance of the species from direct population surveys and the fact that most States do not report wild-simulated and woods-grown ginseng separately from truly wild ginseng (USFWS, 2003). Furthermore, the numbers may underestimate the actual number of wild roots or plants harvested since they do not account for roots that were not exported due to poor quality and/or roots sold domestically. On the other hand, the root numbers may be overestimates since the roots may be woods-grown or wild-simulated and not from naturally occurring wild populations. It is an advantage to those in the industry to sell ginseng as wild,

as opposed to woods-grown, based on the difference in value and this is possible since wild ginseng is not differentiated from woods-grown on CITES permits and may not be differentiated on Customs declaration forms. The 1999-2004 USFWS findings as to whether export of American Ginseng is detrimental to the survival of wild populations report that it is possible that the amount of truly wild ginseng being harvested has decreased, potentially due to a host of factors (decrease in abundance, increase in herbivory, habitat destruction), whereas the amount of wild-simulated and woods-grown ginseng has increased, thus compensating for and masking a decline in truly wild ginseng. The effects of reporting these quantities together may indicate erroneously that wild populations within a particular State have remained stable or have increased, allowing a greater harvest. (USFWS, 2003).

Year	Quantity US wild (lb)	Number of roots (at 229/lb)
1997	316 364	72 447 356
1998	239 643	54 878 247
1999	258 162	59 119 098
2000	317 907	72 800 703
2001	156 969	35 945 901
2002	383 164	87 744 556
2003	415 793	95 216 597
Total	2 088 002	478 152 458

Table 6. Estimated number of wild roots exported from the USA between 1997 and 2003. Number is based on the most recent data reported by 16 States on roots per pound [2.2 lb per kg] harvested in 2001. Source: USFWS, 2002

Wild-simulated ginseng is recognized as another segment of the market. According to Xiao (2000), wild-simulated ginseng commands on average 10 times the price of cultivated root at the retail consumer level. With respect to the data presented here indicating that truly wild roots are only four to five times the value of cultivated root, it must be remembered that this estimate is based on the average sale of bulk exports and not on the retail prices that can be obtained for truly wild roots. North American wild-simulated ginseng root exports - primarily US production - peaked at 191 000 kg in 1996, but dropped to 108 000 kg in 1998 (USD13.8 m). These data were obtained from a 1999 USDA study on field cultivated and wild-simulated ginseng exports (USDA, 1999). CITES requirements for wild ginseng also apply to wild-simulated ginseng; therefore, specific data on wild-simulated ginseng are not available from CITES export permits. Canada and US Customs do not distinguish trade in wild-simulated ginseng from truly wild ginseng. US and Canadian Customs data use one code for cultivated and another code for wild ginseng roots. Data on the amount of ginseng produced in woodland (woods-grown or wild-simulated) are needed to assess more fully the potential impact on wild populations. However, the best method to determine the status of

wild populations (growing, stable, or declining) is to carry out a survey of their habitat and determine population size. The USDA study indicates that great quantities of seed are spread in the habitat of wild populations. The estimate of 229 wild roots per pound (=0.5 kg) (USFWS, 2002) suggests that almost 55 million wild-simulated roots were exported in 1998. The estimate that each seed in a wild population has only a 0.55% chance of reaching maturity (Lewis and Zenger, 1982) suggests that about 10 billion seeds were planted within the habitat of wild populations (seeds are likely from cultivated sources if such large quantities are used).

CONCLUSIONS

The market avenues for ginseng have remained relatively constant over the past seven years. Hong Kong remains the major trading centre for American Ginseng grown in North America, as well as being the main route

Each year, 80% of all Canadian-grown American Ginseng is exported to Hong Kong where it is sold in bulk. It is sorted, graded and shipped to China and other destinations for further grading and processing.

to China, and there has been little change in the number of countries importing American Ginseng from Canada. Canada continues to be the world's largest producer of cultivated American Ginseng, British Columbia and Ontario the main producing regions, with relatively stable proportions of total Canadian exports at 40% and 60%, respectively. The value per kilogramme of Canadian cultivated ginseng dropped after 1997 but remained stable at around CAD30/kg until the 2003 increase to CAD47/kg. The value per kg of wild American Ginseng from the USA has been dropping since 1999 but is still more expensive than cultivated - two to three times more expensive in 2003. Overall, the trend in total dollars earned for Canadian exports appears stable, at around USD40 to 50 million, despite a drop in 1999 and 2000. The value earned for US wild exports has remained stable at around USD10 to 25 million. As expected, based on the trend in total dollars earned, the quantity of cultivated ginseng from Canada increased in 2001, but otherwise demonstrates a stable trend of around 1.5 million kg per year. The quantity of wild exports from the USA appears stable at around

150 000 kg to 185 000 kg per year, which corresponds to 76 million to 93 million roots (on a 229 roots/lb (=0.5 kg) basis). The pressure on North American wild populations to supply the market fluctuates greatly from year to year according to the wild proportion of total exports, but can reach as high as 10%, and the pressure on US wild populations alone is much higher since these populations supply virtually all of the wild roots on the market. Further harm to wild populations may be caused by the millions of seeds planted in ginseng habitat, posing a threat of disease introduction and genetic "pollution".

RECOMMENDATIONS

The recent trends in the ginseng market with respect to Canadian cultivated ginseng and US wild ginseng suggest that Canadian wildlife managers should continue to monitor trade in this species and monitor Canadian wild populations. Exports remain high and, based on trends demonstrated over the past seven years, it appears that recent export levels will continue. The monetary value of wild ginseng continues to be higher than cultivated, and this factor, combined with the impact on wild populations of extensive seed planting during wild-simulated production, may be placing wild ginseng populations at greater risk. Thus, monitoring the ginseng trade and wild populations in Canada should not only continue but should aim to include collection of annual production figures, quantity and value of wild-simulated and woods-grown exports, as well as the source and amount of seeds used in production. It is also critical that accurate information be collected on woods-grown and wild-simulated ginseng in the USA, as well as on the abundance and distribution of wild populations, where harvesting is permitted.

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Tackling the Ivories: The Status of the US Trade in Elephant and Hippo Ivory

Douglas F. Williamson. TRAFFIC North America. September 2004. 54pp.

Despite a ban on the international trade in elephant ivory, many countries, including the USA, continue to allow trade in antique ivory products, subject to strict conditions. This study found that the principal source of worked ivory in the USA - in the form of jewellery, carvings and piano keys - is Europe, in particular the UK. Elephant tusks derived from sport hunting in certain African countries also continue to be imported legally - some 2656 between 1995 to 2002. The domestic trade of elephant ivory is not closely monitored and there is a continuing illegal trade, including over the internet. A small-scale domestic ivory carving industry was also discovered. Hippo ivory, in the form of carvings as well as tusks, teeth, trophies and to a lesser extent jewellery, is entering the country on an even greater scale than elephant ivory but in fewer shipments, and the illegal trade in hippo ivory appears to be less substantial than that of elephant ivory. The primary range States listed as countries of origin for hippo ivory are Tanzania, Uganda, South Africa and Zimbabwe. Most of the worked hippo ivory enters the USA via Hong Kong.

Collection, Trade, and Regulation of Reptiles and Amphibians of the Chihuahuan Desert Ecoregion

Lee A. Fitzgerald, Charles W. Painter, Adrian Reuter and Craig Hoover.

TRAFFIC North America. August 2004. 76pp + Appendices 28pp. (Executive Summary also in Spanish)

The collection and trade of reptile species in the Chihuahuan Desert to supply the demand for food, pets, leather, and curios, were examined for this study, which is divided into separate sections covering Mexico and the USA. In Mexico, most of the trade is targeted at nationals seeking pets or for resale. However, there is also an international, illegal trade in Mexican reptiles, such as specimens from the genera *Abronia*, *Xenosaurus*, and *Crotaphytus*, which are sold at pet shops and "shows" in the USA. Demand for live rattlesnakes, skins and parts for use in traditional medicine appears to have led to significant population reduction in some areas though comprehensive data are scarce. While the trade does not appear to be a significant threat for the vast majority of reptile and amphibian species in the desert regions in the USA, over-collection of a select number, among them the Gila Monster *Heloderma suspectum* (CITES II), turtles in general, and the Prairie Rattlesnake *Crotalus viridis*, may be locally vulnerable.

Shark Product Trade in Hong Kong and Mainland China and Implementation of the CITES Shark Listings

S. Clarke. TRAFFIC East Asia. September 2004. 53pp.

An examination of the types of shark products in trade in these two jurisdictions (including meat, fins, skin, oil, cartilage and jaws), their value and the source fisheries, and an assessment of the prospects for effective management and monitoring of this trade through the recent listings under CITES of three shark species: Basking Shark *Cetorhinus maximus*, Whale Shark *Rhincodon typus* (both CITES II), and the Great White Shark *Carcharodon carcharius* (listed in CITES III at the time the report was written but transferred to Appendix II at CoP13).

Framing the Picture: An Assessment of Ramin Trade in Indonesia, Malaysia and Singapore

Lim Teck Wyn, Tonny Soehartono, and Chen Hin Keong. TRAFFIC Southeast Asia. August 2004. 129pp.

Ramin is a lightweight to moderately heavy hardwood used in the production of, in particular, picture frames, building materials, blinds and snooker cues. The genus *Gonystylus* comprises over 30 tree and shrub species that range throughout most of the Malesian region, with the greatest diversity occurring in Borneo, followed by Peninsular Malaysia and Sumatra. Much of the timber trade is in only six species, all under the trade name ramin, with the dominant species in trade being *G. bancanus*. This report evaluates the effectiveness of current implementation measures established for CITES Appendix III trade controls pertaining to ramin *Gonystylus* spp., in Indonesia, Malaysia and Singapore since August 2001. (The genus was transferred to Appendix II at CoP13).

Demand Driven: The Trade in Indian Star Tortoises *Geochelone elegans* in Peninsular Malaysia

Chris R. Shepherd, Elizabeth A. Burgess, Maple Loo. TRAFFIC Southeast Asia. July 2004. 11pp.

The pet trade in Malaysia has become a prime driving-force for the illegal exportation of the Indian Star Tortoise (CITES II) out of India and Sri Lanka, from where exports of this species are banned. Among action urged in this report is the closing of a loophole in Malaysia's legislation which is currently enabling chelonian species listed in CITES to enter trade, even when they have entered the country illegally. Observations and results show a significant, unregulated trade in this species, with a huge and increasing number of seizures occurring.

No Licence To Kill: The Population and Harvest of Musk Deer and Trade in Musk in the Russian Federation and Mongolia Volker Homes (ed.). TRAFFIC Europe. July 2004. 100pp.

Building on previous TRAFFIC reports relating to the use of musk in consumer countries, this report focuses on musk deer status and trade in two key range States, and in South Korea - one of the primary consumer countries of musk for use in traditional medicine. Musk pods, the glands that secrete the musk, are harvested by killing the deer. Although there is a quota for the legal hunting of musk deer in the Russian Federation, the report estimates that between 1999 and 2000 about 400-450 kg of raw musk from Russian musk deer were traded illegally each year, corresponding to about 17 000 to 20 000 male musk deer killed. Despite the fact that hunting of musk deer has been illegal in Mongolia since 1953, a minimum average of 2000 male musk deer are estimated to have been poached annually in the country between 1996 and 2001. As with Russia, musk deer poaching in Mongolia represents an enforcement problem on a significant scale.

ALL REPORTS AVAILABLE FOR GBP10 (USD16) (EUROPE) AND GBP12 (USD19) (REST OF WORLD) TO COVER HANDLING AND POSTAGE COSTS. SOME REPORTS AVAILABLE ON-LINE (WWW.TRAFFIC.ORG). CONTACT RELEVANT TRAFFIC OFFICE (DETAILS BACK PAGE).



TRAFFIC BULLETIN SEIZURES AND PROSECUTIONS IS SPONSORED BY THE FORESTRY BUREAU, COUNCIL OF AGRICULTURE, TAIWAN: COMMITTED TO SUPPORTING CITES ENFORCEMENT

The cases reported below represent a selection of recent seizures and prosecutions that have taken place worldwide. The sources of this information are cited at the end of each country section.

EUROPE

BELGIUM

The Anti-Drug team at Zaventem airport have made the following seizures in recent months:

20 July 2004: more than 100 ivory (CITES I) statues (10 kg total) concealed in wooden statues from Kenya. Declared as handicrafts. A further 100 statues found during a house search. The suspect will stand trial.

16 September 2004: some 13 Bell's Hinged Tortoises *Kinixys belliana* (II), from Hollywood, Florida, concealed in a legal shipment of reptiles destined for Brussels. No links to other airwaybills, and origin of animals unknown. The turtles are now in Antwerp Zoo.

21 October 2004: CITES II-listed Flaming Poison Frogs *Dendrobates pumilio* (580) and Green Poison Frogs *D. auratus* (22) hidden in the canisters of more than 200 film rolls. Each container held two to three frogs. Ten per cent of the frogs died during transport. Three Belgian citizens, who had arrived from Panama, via Madrid, were arrested.

28 October 2004: about 2 kg of caviar in four registered post parcels sent from an individual in Turkey to another in Belgium. The caviar had been placed in plastic bags and hidden in towels. Together with the caviar, metal covers, cans in glass and a special machine to seal the covers on the cans were discovered.

In December 2004: a shipment from Dubai containing 800 kg of caviar, in cans ranging in size from 1.8 kg, 0.5 kg and 0.095 kg. The caviar, from the Republic of Kazakhstan, was accompanied by a re-export CITES licence (which contained errors) issued in Dubai but there was no import licence and the health certificates were not valid for Europe. The Ministry of Public Health refused entry of the shipment, a decision endorsed by the CITES Management Authority in Belgium. The caviar was returned to Dubai on 24 December.

In January 2005: 10 birds of prey from Cameroon declared on paperwork as Tawny Eagles *Aquila rapax* (CITES II) on further investigation were found to be Black Kites *Milvus migrans* (CITES II). IATA regulations had also been contravened. The birds were to be returned to Douala in new cages, paid for by the importer. The shipment was destined for Portugal, via the Netherlands.

Belgian Customs Airport News, CITES 09-16;18 2004; GAD (Anti-Drug Customs) team

FRANCE

On 15 September 2004, Customs drug squad officers at Roissy Airport seized one skin and one skull of Leopard *Panthera pardus* (CITES I) that had arrived on a flight from Bangui, Central African Republic. The items formed part of a consignment from a trophy hunting expedition. CITES documents presented to Customs were not applicable.

On 22 September 2004, 14 pieces of worked ivory (CITES I) and one rhinoceros horn (I) were seized by Customs officers.

On 6 October 2004, Customs drug squad officers at the airport seized 1100 kg of corals arriving from Indonesia. Items were distributed among 51 packages. The requisite import documents could not be presented. A week earlier, 1017 kg of corals were seized by the same Customs service and were sent to the Nausicaa centre, Boulogne-sur-Mer.

Direction Générale des douanes et des Droits Indirects - Bureau de l'Information et de la Communication

ITALY

Between 2002 and July 2004, the State Forest Corps (CFS) carried out an investigation into the trade and use of Asian medicine products that may have entered the country illegally. With the co-operation of the Dutch authorities, the INTERPOL-Wildlife Crime Group and with technical support from TRAFFIC Europe-Italy, the process culminated in *Operation Marco Polo*, which, in August 2004, saw joint police raids take place in shops in Rome, Prato, Bologna, Reggio Emilia and Milan and the seizure of some 9000 products said to contain parts and derivatives of CITES-listed species. These included musk deer *Moschus* (CITES I/II), rhinoceros (I/II), Leopards *Panthera pardus* (I), Saiga Antelope *Saiga tatarica* (II), pangolin *Manis* (II), Kuth *Saussurea costus* (I), Red Ginseng *Panax ginseng* (II), and *Cibotium baronetz* (II).

The investigation into illegal trade in wildlife for traditional medicine will continue and there are plans to develop a database and a national guide to parts and derivatives and medicinal products in trade, in Italian, for all



TEN BLACK KITES *MILVUS MIGRANS* (CITES II) BOUND FOR PORTUGAL WERE SEIZED IN BELGIUM IN JANUARY 2005. THEY HAD BEEN INCORRECTLY LABELLED AS TAWNY EAGLES *AQUILA RAPAX* (CITES II).

the investigators involved in this field. The guide will be based on TRAFFIC's *Traditional Asian Medicine Identification Guide for Law Enforcers* (see page 53), which was of vital assistance to the authorities during *Operation Marco Polo*.

Operation Marco Polo: an Italian investigation on the illegal trade in Asian traditional medicine, CoP13 Inf. 45; TRAFFIC Europe

KAZAKHSTAN

On 21 June 2004, Customs officials seized 1500 Horsfield's Tortoises *Testudo horsfieldii* (CITES II) that were being smuggled into Russia on a passenger train. The tortoises were found sewn into sacks and stuffed into a ventilation pipe on the Moscow-bound train after it was stopped at the Kazakh-Russian border. No documents accompanied the consignment. The case is being investigated.

23 June 2004; <http://www.terraily.com>

KYRGYZSTAN

On 27 October 2004, 127 Saker Falcons *Falco cherrug* (CITES II) contained in wooden crates were discovered being loaded onto a civilian plane on a runway at a military airbase outside the capital Bishkek. The plane was bound for Syria. The birds were wearing high quality leather hoods and were to be used in falconry in the Middle East, where they are traditionally used for hunting Houbara Bustards *Chlamydotis undulata* (I).

Members of NABU-Kyrgyzstan assisted with identification, ringing, expertise in handling the falcons, and in giving advice. Within a week, 114 of the birds had been released into the wild, leaving just a few poorly individuals being treated in captivity. One man was detained and an investigation is being carried out.

The total Kyrgyzstan Saker population is estimated at 60 individuals, indicating that the birds had either been trapped on migration or brought into Kyrgyzstan, possibly from Kazakhstan.

World Birdwatch 26(4):8, December 2004. *BirdLife International; Institute for War and Peace Reporting; www.iwpr.net/index*

MALTA

On 19 January 2005, Customs officials at Malta International Airport seized some 500 animal skins from four suitcases in what has been described as one of the largest hauls involving illicit wildlife trade in the country. The cargo, from Cairo, via Italy, and which had been abandoned at the baggage claims hall, was found to consist of animal carcasses, mainly birds. These included egrets, eagles, ducks, a kingfisher, as well as an Egyptian Mongoose *Herpestes ichneumon* and a Jungle Cat *Felis chaus* (CITES II). Two people were questioned in connection with the case. Further investigations showed that the owners of the suitcases had arrived in Malta a few days earlier. A Customs spokesman said the perpetrators probably had a short connection time and the bags never made it to the same flight. Realizing they could land themselves in trouble, they never reported the lost luggage to the airline.

> BirdLife Malta president Joseph Mangion said he hoped the haul would alert the authorities to the extent of the illicit wildlife trade and the number of bird poachers. In August 2003, some 700 dead birds being transported from Egypt were seized at the airport (see *TRAFFIC Bulletin* 19(3):149). Mr Mangion said such skins were likely used by taxidermists.

<http://www.timesofmalta.com>

RUSSIA

Two citizens of Mongolia were detained by officials at Altai on the border with Mongolia, after being found in possession of the skins of 15 Snow Leopards *Uncia uncia* (CITES I).

www.gazeta.ru, 1 June 2004

UK

In June 2004, a shipment of living rock from Indonesia was examined at Heathrow Airport. As a result, 136 kg of readily identifiable hard corals were confiscated as the coral was not shown on the accompanying CITES documents, and 72 pieces of live coral were confiscated as the species were misdescribed.

In September 2004, a shipment of traditional medicines from Hong Kong destined for the UK was examined at Felixstowe. 690 kg of traditional medicine advertised as containing the plant *Kuth Saussurea costus* (CITES I) were confiscated as no CITES export or import documents were available.

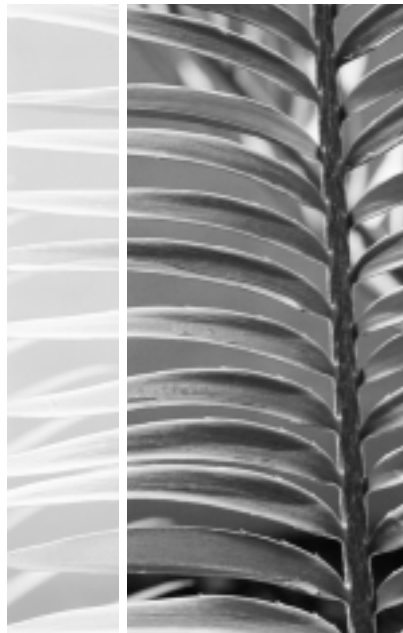
On 15 November 2004, police officers carried out simultaneous warrants on a number of premises believed to be involved in the manufacture and sale of personal grooming items made from ivory and tortoiseshell (both CITES I). Based on information provided by TRAFFIC, the operation, spearheaded by the Metropolitan Police Wildlife Crime Unit, and involving Gloucestershire and Avon and Somerset Constabularies, involved the seizure of 174 worked elephant ivory items and a substantial amount of unworked and partially worked ivory (estimated at 125 kg). The HM Customs and Excise CITES Team, based at Heathrow, and TRAFFIC, also assisted the police with the search warrants. Enquiries are continuing.

HM Customs & Excise; TRAFFIC International

AFRICA

SOUTH AFRICA

On 22 June 2004, at Krugersdorp Magistrates' Court, Andre Viljoen of Krugersdorp was found guilty of smuggling cycads (specially protected plants) into Gauteng Province from Mpumalanga Province and sentenced to three months' and three years' imprisonment for transgressing, respectively, Sections 95 and 96



K. LOCHEN / TRAFFIC

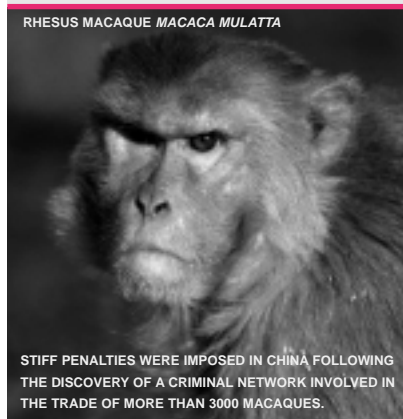
CYCAD ENCEPHALARTOS SPECIMENS SMUGGLED INTO GAUTENG PROVINCE FROM MPUMALANGA PROVINCE, SOUTH AFRICA, HAVE BEEN REPLANTED AT WALTER SISULU BOTANICAL GARDENS.

CYCADS ARE KNOWN AS 'LIVING FOSSILS' BECAUSE THEY HAVE REMAINED UNCHANGED FOR MILLIONS OF YEARS. STUDY OF THE FOSSIL RECORD REVEALS THAT THESE PLANTS FLOURISHED SOME 280-135 MILLION YEARS AGO. THEY ARE SCIENTIFICALLY IMPORTANT BECAUSE THEY MAY REPRESENT A LINK IN THE EVOLUTION FROM FERNS TO FLOWERING PLANTS. THEY HAVE BEEN IN DECLINE PERHAPS EVER SINCE THE FLOWERING PLANTS BECAME DOMINANT, SOME 100 MILLION YEARS AGO. MOST SPECIES ARE NOW RARE.

THE NAME ENCEPHALARTOS IS DERIVED FROM THE GREEK [EN (IN), CEPHALE (HEAD), ARTOS (BREAD)] AND MEANS 'BREAD IN THE HEAD'. THIS REFERS TO THE HOTTENTOTS' PRACTICE OF REMOVING THE PITH FROM THE CYCAD'S STEM AND BURYING IT IN THE GROUND FOR TWO MONTHS BEFORE KNEADING IT INTO BREAD AND BAKING IT IN EMBERS. DURING THE TWO-MONTH BURIAL, TOXINS WITHIN THE PITH ARE DESTROYED.

(Reproduced with the permission of the Trustees of the Royal Botanic Gardens, Kew).

RHESUS MACAQUE *MACACA MULATTA*



WWF-CANON / MARTIN HARVEY

STIFF PENALTIES WERE IMPOSED IN CHINA FOLLOWING THE DISCOVERY OF A CRIMINAL NETWORK INVOLVED IN THE TRADE OF MORE THAN 3000 MACAQUES.

of the *Nature Conservation Ordinance 12* of 1983. He was given an option of paying a fine of R45 000 (USD6900) for both offences. Viljoen had been apprehended on 10 June in Krugersdorp in possession of 57 plants following three days of close monitoring by officials of the Special Investigation Unit of the Gauteng Department of Agriculture, Conservation and Environment (GDACE) who are conducting a campaign to thwart the smuggling of wildlife and wildlife products. The plants - specimens of *Encephalartos altensteinii*, *E. humilis*, *E. inopinus*, *E. lanatus* and *E. villosus* - were treated and have been replanted at Walter Sisulu Botanical Gardens.

In June, the Bellville Regional Court imposed fines of R320 000 (USD49 000) on an Indonesian and two Japanese who tried to smuggle 37 live Armadillo Girdled Lizards *Cordylus cataphractus* (CITES II) out of the country. A month earlier, three Japanese men were arrested at the airport in Cape Town trying to smuggle out 37 Armadillo Girdled Lizards in their hand luggage and pockets. One of the men had already been arrested in March trying to smuggle out 57 Armadillo Girdled Lizards but was released after paying a fine of USD18 300.

On 1 July 2004, at Vredendal Regional Court, Czech national Erik Covacs and brothers Bohus and Marian Simek from Slovakia, were convicted of illegally collecting 94 Angulated Tortoises *Chersina angulata* (CITES II) and transporting 13 of them without permits. They had intended to courier all specimens out of the country. They were each sentenced to five years' imprisonment or ordered to pay a fine of R130 000 (USD20 000). The men were gaoled as they were unable to pay the fine. Petr Motycka, who was convicted of possessing 13 tortoises and transporting them without a permit, was sentenced to a fine of R48 000 or three-years in gaol. In his defence he stated that he had merely been taking nature photographs in the area and had not been aware that his companions were hunting tortoises. He has paid his fine and been released from custody.

While there have been a number of visiting foreigners convicted of attempting to smuggle reptiles out of South Africa, it is the first time any are serving a gaol sentence. The three had been stopped in their car by police outside Doringbaai on 11 May. Thirteen tortoises were found in the boot of the car and the other 65 specimens were found wrapped in cloth bags in holes in the veld in the same area.

The Angulated Tortoise is protected under the Western Cape's *Nature Conservation Ordinance*. No tortoise may be collected from the wild, possessed, imported or exported without a permit.

Gauteng Department of Agriculture, Conservation and Environment, 9 July 2004; 25 January 2005; South African Press Agency SAPA, 25 June 2004; <http://iafrica.com/news/sa/331066.htm>; The Star (South Africa), 2 July 2004; Khaleej Times Online (AFP), 18 July 2004

ASIA

EAST ASIA
CHINA

On 26 May 2004, forestry officials in Yunnan province, at the border with Myanmar, seized a 500 kg shipment of shells of tortoises and freshwater turtles coming into the country. These are estimated to derive from some 5000 specimens, including Elongated Tortoise *Indotestudo elongata* (CITES II), Malaysian Giant Turtle *Orlitia borneensis*, and Bengal Eyed Terrapin *Morenia ocellata* (I). They were reported to have been destined for sale in Chengdu city in Sichuan province. The biggest TCM market in south-east China is located in Chengdu city.

On 13 August 2004, at the Middle People's Court in Xi'an City, Shanxi Province, the manager of Beijing Xie'er Company was given a 14-year gaol term and fined RMB200 000 (USD24 000). Eight accomplices were sentenced to between three and 14 years' imprisonment and fined between RMB30 000 (USD3500) and RMB100 000 for their part in the illegal trade of macaques *Macaca* spp.

The judgement follows the confiscation of two macaques, in November 2002, by Shanxi forest police at Xi'an railway station and the subsequent discovery of a criminal network involved in the illegal purchase, transport and sale of more than 3000 macaques between November 2001 and May 2002.

In a landmark judgement, on 5 October 2004, the intermediate court at Lhasa, Tibet, sentenced two people to death and another person to life imprisonment for smuggling skins of 31 Tigers, 581 Leopards and 778 otter skins (see *TRAFFIC Bulletin* 20(1):36). The skins, from India, and on route to Lhasa, were seized by the Anti-Smuggling Bureau from a lorry on 8 October 2003. The Chinese leader of the group, Wang Jie, was sentenced to death, Gongby (Gonpo), a native Tibetan, was sentenced to death with a two-year reprieve, and Laba Ciren, also of Tibet, was gaoled for life.

According to a recent report by the Environmental Investigation Agency - which documents the trade in cat skins between India, Nepal and China - Tiger and Leopard skins are often seized with huge volumes of otter skins. It reports that Leopard and otter skins are used as trim on traditional costumes worn by Tibetans, and that whole Leopard skins are sewn into the backs of traditional costumes worn by Tibetans in Zorgei market, Sichuan Province, China. Around 10 otter pelts are used to make a warm jacket called a "bhat-ta" which is also sold in Tibet.

TRAFFIC East Asia China Programme: <http://big5.china.com.cn/Chinese/law/634757.htm>; Wildlife Protection Society of India, 11 October 2004; The Tiger Skin Trail, Environmental Investigation Agency, October 2004

HONG KONG
SPECIAL ADMINISTRATIVE
REGION

On 1 March 2004, Customs officials discovered 307 live Indian Star Tortoises *Geochelone elegans* (CITES II), and some live soft-shelled turtles (non-CITES), while examining two unclaimed bags that had arrived from Malaysia. A joint operation between the Agriculture, Fisheries and Conservation Department and Customs and Excise Department was carried out to investigate the case. The following day, a man was arrested as he was about to leave Hong Kong. He was later prosecuted and fined HKD29 000 (USD3700) for the illegal importation of endangered species, HKD1000 for cruelty to animals, and two months' imprisonment, suspended for two years.

Fort Worth Zoo, USA, is caring for 157 of the tortoises and 112 have been sent to Rotterdam Zoo, Netherlands. These specimens will be used for conservation and education purposes.

On 27 June 2004, Customs officials at Kwai Chung Terminal examining an unclaimed container from Malaysia found 3580 dead turtles (including Malaysian Box Turtle *Cuora amboinensis* (CITES II), Black Marsh Turtle *Siebenrockiella crassicollis* and Giant Asian Pond Turtle *Heosemys grandis*). Since the owner could not be traced, the Agriculture, Fisheries and Conservation Department applied for a court order to forfeit the specimens.

On 9 September 2004, Customs officers at Kwai Chung Terminal intercepted a shipment of 939 frozen pangolin *Manis* carcasses and 1005 kg of pangolin scales that had arrived from Malaysia. The case was under application for a court forfeiture order.

On 4 November 2004, Customs officials apprehended a local resident who had arrived from Thailand. In his baggage were 23 Radiated Tortoises *Geochelone radiata* (CITES I), 7 Indian Star Tortoises *G. elegans* (II), 3 Leopard Tortoises *G. pardalis* (II) and 1 monitor lizard. He was later prosecuted and fined HKD30 000 (USD3800).

On 6 December 2004, Customs officials at Kwai Chung Terminal intercepted a consignment of 97 cartons containing 1973 kg black coral *Antipatharia* spp., in transit from Indonesia to mainland China.

On 5 January 2005, a shipment of 11 cartons holding 428 kg of stony coral from mainland China, destined for Malaysia, was seized. Both cases are under investigation.

Agriculture, Fisheries and Conservation Department, Hong Kong Special Administrative Region, 20/26 January 2005

SOUTH ASIA
INDIA

Sansar Chand, who has been pursued by the police in India for many years for a string of poaching offences, was finally apprehended and sentenced to five years' of "rigorous imprisonment" on 29 April 2004. This is the highest punishment ever awarded under *The Wild Life (Protection) Act 1972*. However, Chand appealed the conviction and was granted bail on 19 May. He has subsequently been connected with another wildlife case in Jaipur but has eluded capture (see below).

Chand has been associated with wildlife crime since at least 1974, when he was first arrested in connection with a seizure which included Tiger and Leopard skins. He was sentenced in this case, in 1982, to 18 months' imprisonment. However, he appealed to the Delhi High Court and was bailed. He returned to gaol in 1994 following a petition lodged by the Wildlife Protection Society of India (WPSI). He appealed, was fined, but released after he had served six months on the grounds that he was under age at the time the crime was committed. Since then, Sansar Chand has been connected to, implicated, or named in about 21 wildlife cases throughout India (see *TRAFFIC Bulletin* 15(3):102).

According to Belinda Wright, Executive Director of WPSI, Sansar Chand is probably responsible for more Tiger and Leopard deaths than any one else in India.

On 18 July 2004, at Anna International Airport, Chennai, a Bangkok-bound passenger attempting to smuggle more than 600 live Indian Star Tortoises *Geochelone elegans* (CITES II) was apprehended by CISF (Central Industrial Security Force) personnel. The tortoises were discovered during an x-ray scan of the suitcase in which they had been concealed. The passenger was arrested.

A week earlier, on 12 July 2004, airport officials seized 450 Indian Star Tortoises from a man as he attempted to board a flight to Kuala Lumpur. Investigations by officials revealed that the person was acting as a conduit for a much larger scheme that operated out of Burma Bazaar in the city.

In July 2004, the Directorate of Revenue Intelligence seized a consignment of seahorses *Hippocampus* spp. from a vessel at Chennai port, arriving from Guntur, Andhra Pradesh. The vessel had already arrived in Singapore, before being recalled on discovery of the violation. On inspection, the two tonnes-consignment was found to consist of 76 bags of dried seahorses. These had been concealed behind bags of chillies, which were used both as a camouflage and to disguise the odour of the seahorses.

In July 2004, police in Chennai investigating a statewide racket in the sale of Tiger *Panthera tigris* (CITES I) skins, arrested a smuggler and

seized skins of 4 Tigers, 2 Leopards *P. pardus* (I) and 21 pairs of Tiger nails. The suspect told police that he used to smuggle cosmetics and fancy items from Chennai to Andhra and his contacts there gave him Tiger skins in return. The case is under investigation.

On 16 August 2004, approximately 16 kg of raw shahtoosh wool (of Tibetan Antelope *Pantholops hodgsonii*, CITES I) were seized by police in the remote Uttaranchal town of Dharchula, near the border with Nepal, following a routine check of a vehicle. It is believed that the shahtoosh was hidden among 66 kg of pashmina. The driver, who had been bound for Delhi, was arrested. He revealed that the shahtoosh belonged to a local trader, who had absconded.

On 16 October 2004, police in Rajasthan arrested a man in North Jaipur who was in possession of Leopard *Panthera pardus* (CITES I) claws. After the man claimed to be working for the notorious wildlife trader Sansar Chand (see above), Rajasthan police raided Chand's house on 18 October and arrested some members of his family. His wife and son are still in custody, while Chand has absconded. The Rajasthan police have promised a detailed investigation of the *modus operandi* of this illegal trade network.

On 4 November 2004, enforcement officials of Uttaranchal State Forest Department seized 14 bear gall bladders weighing 1130 g and one musk pod weighing 30 g from an international smuggler at Munsiyari near Dharchula, near the border with Nepal. The person is in custody and the case is under investigation.

On 27 December 2004, at Katni Magistrates' Court, Madhya Pradesh, Lala Qureshi and Lallan Pardi were each sentenced to three years of "rigorous imprisonment" and fined Rs10 000 (USD230) following their involvement in the illegal trade in 7 Leopard *Panthera pardus* (CITES I) skins, seized in June 2004, in Shahdol. Three others were acquitted owing to lack of evidence. Following the seizure, WPSI co-ordinated raids with enforcement personnel in Uttar Pradesh and Madhya Pradesh to try to get the suspects in the case arrested.

Lala Qureshi is believed to be an important supplier of another trader who was accused, in 2000, of the illegal trade of, among other items, 70 Leopards skins, 18 000 Leopard claws and 4 Tiger skins (see *TRAFFIC Bulletin* 18(2):74). That case is pending in the courts.

On 1 February 2005, a huge consignment of wildlife products was seized by Delhi police from a warehouse in Patel Nagar. Items included skins of 39 Leopards (CITES I) (including a Snow Leopard *Uncia uncia* (I)), 2 Tigers (I) and 42 otters; 3 kg of Tiger claws, 14 Tiger canines, 10 Tiger jaw bones, 60 kg of Tiger and Leopard paws, 20 small pieces of bone that appear to be Tiger and Leopard

'floating' clavicle bones, and about 135 kg of porcupine quills. Four people were arrested, including the niece and another relative of Sansar Chand (see above), and two employees at the warehouse. The accused were remanded in custody and the case has been handed over to the Delhi Forest and Wildlife authorities.

Wildlife Protection Society of India, 12 June/18 August/19 October/28 December 2004: www.wpsi-india.org; B. Wright, WPSI, in litt., 1/2 February 2005; The Hindu (India), 19 July 2004; Chennai online news service, 12 July 2004; The Times of India, 12 July 2004; The Tribune (India), 19 September 2004; The Independent (UK), 20 October 2004; http://newsvote.bbc.co.uk; http://news.bbc.co.uk; http://us.rediff.com/news/2004; Shri K.N. Thakur, Assistant, CITES Management Authority, India

SOUTH-EAST ASIA INDONESIA

On 6 August 2004, the Bali Natural Resources Conservation Body (BKSDA) raided four houses and a meat processing factory in Sanur and Denpasar belonging to a well-known businessman in Bali and seized 164 rare species in what is believed to be the single largest seizure of rare animals in Bali to date.

The businessman claimed to have the requisite licences but stated that some had expired. The seized animals included Lions *Panthera leo* (CITES I), Tigers *P. tigris* (I), Malayan Sun Bears *Helarctos malayanus* (I), Orang-utans *Pongo pygmaeus* (I), New Guinea Crocodiles *Crocodylus novaeguineae* (I/II), Hill Mynas *Gracula religiosa* (II), Burmese Pythons *Python molurus* (I/II), deer *Cervus timorensis*, Sea eagles Pandionidae, all of which are being held at BKSDA's animal rehabilitation centre in Tabanan.

In August 2004, at a court in Rengat, Riau province, Sumatra, five people were convicted of poaching and illegal trade in the Sumatran Tiger *Panthera tigris* (CITES I) (see *TRAFFIC Bulletin* 20(1):37). Five were sentenced to six years' imprisonment and fined 70 million Rupiah (USD7750). A sixth person, and alleged buyer of the bones and pelts, is awaiting trial. This case is the first to be fully prosecuted under *Conservation Law No 5/1990* in this region of Sumatra. The activities of the defendants were uncovered by the Department of Forestry and Sumatran Tiger Conservation Program operating across Riau and Jambi provinces of Sumatra following investigations by the police, park rangers and Tiger Protection Units into the poisoning of the Tigers in Bukit Tigapuluh National Park. A further four traders have been arrested. Intelligence suggests that at least 60 wild Tigers have been sold through this network over the last 10 years.

On 11 September 2004, 21 Jakarta-bound *Leucocephalon yuwonoi* were reportedly confiscated from a trader in Sulawesi. The turtles were handed over to the Tasikoki Wildlife Rescue Center in North Sulawesi.

The Star online [http://thestar.com.my], 22 July 2004; The Jakarta Post (Indonesia), 7 August 2004; The Tiger Foundation-Sumatran Tiger Trust; The Asian Turtle Conservation Network (Ha Noi, Viet Nam); www.asianturtle-network.org

MALAYSIA

On 20 July 2004, 103 pangolins *Manis* were seized from a Thai-registered cargo lorry at a checkpoint in Padang Besar, at the border with Thailand. The animals, reportedly bound for southern Thailand, were seized and handed over to the state wildlife authorities. The lorry driver was detained for further interrogation.

On 25 July 2004, a syndicate tried to smuggle 33 t of ramin *Gonystylus* logs via Sungai Batu Pahat after unloading them from Indonesian vessels at a well-guarded and isolated spot. With the co-operation of the Customs Department and the Malaysian Timber Industry Board (MTIB), the timber was seized from two lorries at a sawn log processing factory in Pontian.

The factory owners have been fined RM35 000 (USD9000) under the *Customs Act 1967* for keeping smuggled timber. In May 2004, MTIB and Selangor Customs seized 32 m² of ramin from a private jetty in Port Klang.

At the time of the seizure, ramin was listed in CITES Appendix III and imports had to be accompanied by an Indonesian CITES permit. At CoP13, the genus *Gonystylus* was transferred to Appendix II.

MTIB is reported to have offered to return the logs to the Indonesian CITES authorities but would destroy them if no response is received by an agreed date.

The Malaysian Government banned the importation of logs from Indonesia in 2002.

On 26 October 2004, 49 pangolins *Manis* and a python were discovered during a routine police check on a lorry at a roadblock at Jalan Segamat. The animals were believed to be destined for the food trade. Two people were arrested and the animals released at Taman Negara Salai.

The two suspects, from Batu Pahat, were released after posting RM5000 (USD1300) bail and were due to be charged in court at a later date.

This is the second such incident in Segamat in less than six months. In June, wildlife enforcement officers seized 280 pangolins from a lorry and arrested two men and a Thai woman following a tip off. The suspects were believed to be members of an international syndicate of poachers and suppliers of the protected species.

In January 2005, the National Parks and Wildlife Protection Department seized 999 Bengal Monitors *Varanus bengalensis* (CITES I) as they were about to be smuggled on board a plane to Hong Kong. The reptiles, which weighed a total of over 4000 kg, were packed in 70 wooden boxes. The species is protected in Malaysia and may not enter trade.

Utusan Malaysia, 12 August 2004; http://www.utusan.com.my/utusan/content.asp?y=2004&dt=0813&pub=Utusan_Express&sec=Home_News&pg=hn_07.htm; New Straits Times (Malaysia), 29 October 2004/27 January 2005

SINGAPORE

Three seizures containing a total of 56 t of Red Sandalwood *Pterocarpus santalinus* (CITES II) were made by Customs officials in 2004. All shipments had arrived from India.

In September 2004, authorities seized 6555 eggs of Green Turtle *Chelonia mydas* (CITES I) and Hawksbill Turtle *Eretmochelys imbricata* (I), concealed with the day's catch of fish on board a vessel from Indonesia, bound for Jurong fishing port.

In October 2004, Customs officers seized 40 000 skin pieces of Reticulated Python *Python reticulata* (CITES II) and Water Monitor Lizard *Varanus salvator* (II) hidden among plywood products on board an Indonesian tugboat. The skins were believed to have originated from the Indonesian province of Jambi, Sumatra. The captain of the vessel was fined SGD5000 (USD3000) and gaoled for three months.

TRAFFIC Southeast Asia

VIET NAM

On 22 September 2004, police in Nghe An Province stopped a bus on its way to Vinh City carrying wildlife including 277 kg of turtles, possibly representing 10 species. The police suspect that the turtles came across the border from Laos, though based upon the species composition, it is probable that the shipment originated further south. Many of the turtles have been released in Pu Mat National Park though some are being held in captivity in the park pending a decision as to their disposition. The species comprised Malaysian Box Turtle *Cuora amboinensis* (CITES II) (4.4 kg), Indochinese Box Turtle *Cuora galbinifrons* (II) (unknown amount), *Cyclemys dentata* complex (44 kg), Giant Asian Pond Turtle *Heosemys grandis* (24 kg), Yellow-headed Temple Turtle *Hieremys annandalii* (97.7 kg), Malayan Snail-eating Turtle *Malayemys subtrijuga* (21.6 kg), Keeled Box Turtle *Pyxidea mouhotii* (4 kg), Black Marsh Turtle *Siebenrockiella crassicolis* (21 kg), Elongated Tortoise *Indotestudo elongata* (38 kg) (II), and Impressed Tortoise *Manouria impressa* (15 kg) (II).

On 4 December 2004, police confiscated 730 kg of ivory tusks at a warehouse in the Long Bien District of Hanoi City. Most of the tusks had been cut into pieces and placed in 40 bags. The driver declared that the owner of the ivory tusks was the manager of an import and export company who had fled that morning. Major General Cao Ngoc Oanh, Vice-Head of the National Police Department under the Ministry of Police states that this is the biggest ever confiscation of ivory in Viet Nam. Based on an initial examination, investigators have concluded that the ivory came from outside the country. The case is being investigated.

The Asian Turtle Crisis Bulletin (Asian Turtle Conservation Network), Vol. 1 Issues 1/2, September/October 2004
The Pioneer Newspaper (Viet Nam), 6 December 2004
(translated by Education for Nature - Vietnam)

OCEANIA

AUSTRALIA

In an unprecedented move, all 40 crew members of a vessel found fishing illegally in Australian waters have been charged.

On 9 September 2004, at Perth District Court, Charles Thomas Pena of Uruguay and Manuel Torres Regueira of Spain were each fined AUD30 000 (USD22 000) after pleading guilty to poaching Patagonian Toothfish *Dissostichus eleginoides* from Australian waters. The judge said he would have imposed bigger fines if he thought the men could pay.

The Australian Navy boarded their vessel, *Maya V*, on 21 January 2004 from a helicopter in Antarctic seas 4000 km southwest of Perth. On board they found 202 t of the fish.

Pena, the ship's captain and first mate Regueira, pleaded guilty at an earlier hearing to one count each of having a foreign boat equipped for fishing in Australia's fishing zone and intentionally using a foreign boat for fishing in the area. The men were repatriated after paying their fines.

The master and fishing master of the vessel also received AUD30 000 fines and three crew members were each fined AUD1500 and given AUD6000 five-year good behaviour bonds. A further 32 crew members were also fined (see *TRAFFIC Bulletin* 20(1):38). Three junior crew who pleaded not guilty are still facing court proceedings.

On 17 October 2004, Customs officers at the Post Handling Unit at Sydney Airport found 50 Shingleback Lizards *Tiliqua rugosa* wrapped in socks and towels inside 10 postal packages destined for Japan. The reptiles were to be held at the Veterinary and Quarantine Centre at Taronga Zoo, Sydney, while their future is determined. Customs has been unable to determine the senders' identity and investigations are continuing.

A number of attempts to import bird eggs illegally have been uncovered at Sydney and Brisbane airports. An Australian national arriving in Brisbane from Singapore was found to be concealing 52 bird eggs inside a body vest. He was charged with importing regulated live specimens without a permit and was bailed to appear at Brisbane Magistrates' Court at a later date. A passenger due to leave Sydney on a flight to Zurich on 12 November 2004 was detained by Customs officers at Sydney Airport for a frisk search. Twenty-three bird eggs were discovered hidden in the passenger's underwear. He was charged under the *Environment Protection and Biodiversity Conservation Act 1999* with attempting to export regulated native specimens.

The detection follows two bird smuggling attempts in October in which Customs officers at Sydney Airport detained two passengers. A resident of Adelaide arrived on a flight from Johannesburg, South Africa, with nine eggs concealed in pockets sewn into the inner lining of his underwear; three were crushed. Two



CUSTOMS OFFICERS AT SYDNEY AIRPORT DISCOVERED BIRD EGGS CONCEALED IN THE UNDERWEAR OF A PASSENGER ARRIVING FROM SOUTH AFRICA (TOP), AND 50 SHINGLEBACK LIZARDS *TILIQUA RUGOSA* IN POSTAL PACKAGES BOUND FOR JAPAN.

PHOTOGRAPHS: AUSTRALIAN CUSTOMS SERVICE

days later, another man was allegedly attempting to leave the country for Johannesburg, with 24 eggs concealed in a body vest. Only two eggs remained viable. Both men were charged under the *Environment Protection and Biodiversity Conservation Act 1999* with attempting to import and export, respectively, regulated wildlife. They were bailed to appear in court at a later date.

Associated Press, 14 September 2004; Australian Fisheries Management Authority; Australian Customs media releases, 11/12 September; 17/19 October/13 November 2004

AMERICAS

CANADA

On 3 November 2004, in Vancouver provincial court, Joseph Ho was fined CAD50 000 (USD40 000) following a year-long investigation by fisheries officers into the poaching of Northern Abalone *Haliotis kamtschatkana* in the southern coastal area of British Columbia. Ho, an operator of a Vancouver seafood wholesale/retail company, pleaded guilty to purchasing and selling abalone illegally. Of the fine, CAD22 500 will go to Bamfield Huu-ay-aht Community Abalone Project Society and CAD22 500 to the West Coast Vancouver Island Aquatic Management Board for the conservation and protection of abalone.

In October 2004, at Western Communities provincial court, near Victoria, British Columbia, David McGuire of Victoria was fined

CAD25 000 after pleading guilty to 13 counts of fishing for, possessing and selling Northern Abalone. His fishing gear and vehicle were forfeited and a 10-year diving ban was imposed. A number of individuals are also awaiting trial for allegedly harvesting, buying and selling abalone.

The abalone fishery in British Columbia has been closed since 1990 with the intention of halting the decline of the wild Northern Abalone population. Illegal harvest is considered to be one of the main factors affecting recovery of this species.

*Fisheries and Oceans Canada news releases,
1/8 November 2004*

USA

On 6 October 2004, at Florida District Court, George Norris, of Spring, Texas, was sentenced to 17 months' imprisonment, followed by two years of supervised release after pleading guilty to attempting to smuggle protected orchid specimens into the country from Peru, including species of tropical lady's slipper orchids *Phragmipedium* (CITES II). Norris conspired with Manuel Arias Silva of Lima, Peru, to import orchids in falsely labelled packages between January 1999 and October 2003. Both admitted in their pleas that they used invalid permits for the shipments and falsely labelled many of the plants to cover up the lack of a valid permit. Silva was previously sentenced to 21 months in gaol, three years' supervised release and ordered to pay USD5000.

An Arizona reptile dealer is facing federal charges for the second time for allegedly importing nearly 130 rare reptiles such as tortoises and pythons, some of which died after they were hidden in Federal Express packages that passed through the company's Oakland facility.

The suspect, of Buckeye, Arizona, ran a wildlife import-export business from his home, and was part of an international smuggling ring busted in 1998 in a five-year sting called *Operation Chameleon*. Most of the gang were charged and convicted, including the defendant, a herpetologist who was sentenced to three years in gaol. However, a federal appeals court reversed the conviction in November 2003 for failing to grant him a speedy trial.

Federal prosecutors in San Francisco refiled charges against the defendant in June 2004, saying he had been paid in 1997 and 1998 to illegally import and resell 126 reptiles, including Indian Star Tortoises *Geochelone elegans* (CITES II), Radiated Tortoises *G. radiata* (I), Fly River Turtles *Carettochelys insculpta* (CITES II with effect from 12 January 2005), a False Gharial *Tomistoma schlegelii* (I), Boelen's Pythons *Morelia boeleni* (II), Green Tree Pythons *M. viridis* (II) and Gray's Monitors *Varanus olivaceus* (II). The suspect faces charges of conspiracy, smuggling, sale and purchase of illegal wildlife and money laundering. The animals were shipped by Federal Express through Oakland in packages with false invoices and

NINETY PARROTS - INCLUDING LILAC-CROWNED AMAZONS AND RED-CROWNED AMAZONS - WERE SEIZED BY THE AUTHORITIES AT OTAY MESA, ON THE US/MEXICO BORDER AS THEY WERE ENTERING THE USA FROM MEXICO (SEE UNDER USA).

THE LILAC-CROWNED AMAZON *AMAZONA FINSCHI* WAS TRANSFERRED FROM CITES APPENDIX II TO APPENDIX I AT COP13, IN OCTOBER 2004. RECENT INFORMATION INDICATES THAT THE SPECIES COULD QUALIFY AS GLOBALLY THREATENED, WITH A SMALL DECLINING POPULATION OF FEWER THAN 10 000 INDIVIDUALS. IN 1983 ITS CAPTURE WAS BANNED IN MEXICO BUT SINCE 1999 INTERNATIONAL TRADE HAS REOPENED WITH MORE THAN 600 BIRDS EXPORTED IN 2000-2001 ALONE (ALL BUT THREE WILD CAUGHT). THERE IS EVIDENCE OF CONSIDERABLE ILLEGAL (NATIONAL AND INTERNATIONAL) TRADE, AND CAPTURE FOR TRADE IN GENERAL HAS BEEN IDENTIFIED AS THE PRINCIPAL THREAT.

THE RED-CROWNED AMAZON *AMAZONA VIRIDIGENALIS* INHABITS LUSH AREAS IN ARID LOWLANDS AND FOOTHILLS IN MEXICO, ESPECIALLY GALLERY FOREST, DECIDUOUS WOODLAND AND DRY, OPEN PINE-OAK WOODLAND ON RIDGES UP TO 1000 M. SMALLER NUMBERS OCCUR IN AGRICULTURAL LANDSCAPES WITH A FEW LARGE TREES. IT IS NOMADIC IN WINTER. TRAPPERS DAMAGE NESTS WHEN EXTRACTING CHICKS (SOMETIMES FELLING ENTIRE TREES), REDUCING NEST-SITE AVAILABILITY AND LEADING TO PERMANENT SITE ABANDONMENT. MANY GALLERY FORESTS HAVE BEEN CLEARED OR DEGRADED, WITH OVER 80% OF TAMAULIPAS LOWLANDS CLEARED FOR AGRICULTURE (ESPECIALLY SORGHUM) AND PASTURE. HABITAT IS NOW PATCHILY DISTRIBUTED ON CATTLE-RANCHES, WHERE TRAPPING PRESSURE IS GREATEST. THE COMBINATION OF HIGH LEVELS OF EXPLOITATION FOR THE CAGE-BIRD TRADE, LONG-TERM HABITAT LOSS AND REDUCED DENSITY ESTIMATES INDICATES THAT THIS SPECIES IS DECLINING VERY RAPIDLY. IT IS LISTED AS ENDANGERED IN THE RED LIST 2004.

BirdLife Species Factsheets: <http://www.birdlife.net/datazone/species>

shipping documents, with the help of an employee of the shipping company.

A key figure in the ring, Ken Liang "Anson" Wong of Malaysia, was sentenced in 2001 to 71 months in gaol and fined USD60 000 after pleading guilty to 40 felony charges (see *TRAFFIC Bulletin* 19(1):48).

On 14 November 2004, Optimus, Inc., a Miami-based gourmet company doing business as Marky's Caviar and the International Food Emporium, and one of the largest importers of sturgeon caviar in the USA (see *TRAFFIC Bulletin* 19(3):112), pleaded guilty to purchasing approximately 5.9 t of smuggled caviar. Under the terms of a plea agreement, Optimus, Inc. will pay a USD1 million fine. The company is also being required to develop a stringent wildlife compliance plan and remain subject to government and court supervision while serving five years of probation. The plea agreement is subject to approval by the court.

Most of the criminal activity of which the company is accused occurred between late 1999 and early 2000. Among the charges, Optimus, Inc. directed its suppliers to provide invoices stating that the caviar had been lawfully imported into the USA, even though there were indications to the contrary. Sentencing has yet to take place.

On 20 December 2004, 90 parrots that had been smuggled into the country from Mexico for the pet trade were returned by the federal authorities at Otay Mesa, on the US/Mexico border. The parrots - which included 68 Lilac-crowned Parrots *Amazona finschi* (transferred from CITES II to Appendix I at CoP13, effective

12 January 2005) and 22 Red-crowned Amazons *Amazona viridigenalis* (CITES I) - are species native only to Mexico. They were among specimens seized in two separate foiled smuggling attempts. In the first case, the defendant, who has pleaded guilty to smuggling and wildlife trafficking charges, was under surveillance by Service special agents before his arrest. US Customs and Border Protection (CBP) inspectors stopped the suspect at the San Ysidro border crossing on 28 August 2004 as he was returning from an overnight trip to Mexico; they discovered 128 birds hidden in the side panels and under the rear seats of his vehicle, including 48 Lilac-crowned Amazons, Orange-fronted Conures *Aratinga canicularis* (CITES II), cardinals *Cardinalis* spp., and mockingbirds. During investigation the subject admitted smuggling birds on as many as 20 different occasions.

In the second incident, CBP stopped a Los Angeles resident returning from Mexico via Otay Mesa on 30 October 2004. The man had 45 parrots (including Lilac-crowned Amazons and Red-crowned Amazons) concealed behind the rear seat of his car. He pleaded guilty to charges. Both defendants await sentencing.

After being seized by the Service, the birds returned to Mexico all completed the required quarantine period.

TRAFFIC North America: US Fish & Wildlife Service Press Release, <http://news.fws.gov/NewsReleases/R2/48DBBF48-65B8-D693-772A93C6A6C7CEF8.html>; San Francisco Chronicle (USA), 7 July 2004 US Fish and Wildlife Service news release (news.fws.gov/NewsReleases), 23 December 2004; http://www.lawfuel.com/index.php?page=press_releases&handler=focus&pressreleaseid=1944&category=&return=list-publications&sortBy=timestamp&screen=1, 14 November

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TRAFFIC, the wildlife trade monitoring network, works to ensure that trade in wild plants and animals is not a threat to the conservation of nature. It has offices covering most parts of the world and works in close co-operation with the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

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