

WHAT HAS THE REPUBLIC OF CHINA DONE TO CURTAIL TRADE IN RHINO PRODUCTS?

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For some reason, the Republic of China has lately been depicted by the world's media as a country filled with purveyors of illicit products from endangered wildlife species. Isolated cases have been blown out of all proportion to give Taiwan a black eye.

Hardly any attention is given to the tremendous efforts, by both the Government and the people alike, to combat this problem with everything at their disposal, from total banning of the sale as well as obligatory registration of all existing ivory and rhino horn products, to the vigorous prosecution and imposition of prison terms and stiff fines against any person using or displaying for sale of such items.

Why has this rather unfair state of affairs come into being in the first place? The pack mentality of many journalists certainly was one reason. And the confusion in people's minds over the Republic of China on Taiwan, and the People's Republic of China on the mainland was another.

I have had a South African lady who has already written me three times, each time enclosing a newspaper article reporting on maltreatment of bears in China or in Vietnam, demanding to know what my Government is doing about that. I wrote back to say that it happened in the other China, that Taiwan is so crowded, averaging 586 persons per square kilometre, so that there simply is no room any more for bears, except the few that are in zoos. But her spirit is indomitable, and she does not give up very easily. Somehow, I get the feeling that I may hear from her again.

Another reason, of course, is that my Government is not a member of CITES (Convention on International Trade in Endangered Species) because of Beijing's objection. Thus we cannot send delegations or even an unofficial observer to any international conference or organization on wildlife preservation, resulting in much of the misunderstanding and mistrust that exist today.

Let me from the outset admit that in traditional Chinese herb medicine, rhino horn was considered to be an effective cure for high fever for whatever cause. The way it is used is to grind it into very fine powder form, mixed with other herb medicine, boiled into a brew and given to the patient running a very high temperature. The amount used is very small, only a grain or two, so one horn could be used for thousands of patients. Whether it really works or not, I have no idea, since most of the people in Taiwan today, including myself, consult western-style physicians when we get sick, and they do not believe in the curative power of rhino horn at all.

The truth is that Taiwan has done more than many other countries, South Africa not excluded, have ever done in wildlife preservation. Since this symposium deals only with rhino, let me enumerate for you, in chronological order, the measures undertaken by the Government of the Republic of China so far.

There are two laws concerned with wildlife conservation in the Republic of China: the *Cultural Assets Preservation Law* of 1981, and the *Wildlife Conservation Law*, enacted in 1989. The first law creates a system of nature reserves in the country, and the second sets up protection for plants and animals classified under three levels of protection. All five species of rhinoceros come under the first, that is the highest, level of protection for rare and endangered animals.

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As early as 16 August 1985, the Government of the Republic of China, through its Board of Foreign Trade (BOFT), announced a total ban over the import of any rhino product, whether it is the horn or any other part of this endangered species. This measure came on the heel of an order three months before, placing the import of such items under strict control.

Unfortunately, both these measures proved not enough to stop the smuggling and sale of rhino horns in particular. To effectively stop the smuggling, we reluctantly concluded that prison terms and monetary fines were necessary. Thus, four years later, such punishments were prescribed under Article 33 of the *Wildlife Conservation Law*.

However, questions remained in its implementation: for example, how is the police to act if they find a rhino horn but the medicine shop proprietor contends that he bought it before 23 June 1989, the date on which the law came into effect? This is like the situation in South Africa today: trading in ivory may be illegal, but how does the police prove that the ivory tusk in the window of an African crafts store was obtained *after* it became illegal and not before?

I saw a complete leopard skin, with a stuffed head, in a duty-free shop at the international departure lounge of Jan Smuts Airport a few months ago, enough to drive Brigitte Bardot up the wall. I went in and asked the sales lady how could I bring it into any country, be it the United States or France or the Republic of China. She said no problem, they would give me a certificate to prove that the animal was killed in the 1970's, when it was perfectly legal. I didn't take her on the offer because I had no intention to do so in the first place.

The only way to deal with such problems, my Government then decided, was to register all rhino horns, whether in whole or in powder form, in the entire country. On 8 November 1989, the Department of Health ordered all traditional medical and pharmaceutical associations in Taiwan to ask all their members to declare the amount and weight of rhino horns in their possession.

A registration campaign followed. By 30 November 1990, it was found that, in all Taiwan, there were a total of 1 470kg of rhino horn in every form in private hands. Their exact weight, and name and address of their owners could now be found in the files of the medical authorities.

1992 was the watershed year. Prior to 1992, the emphasis was on controlling the use of rhino horn or its powder in traditional medicine. In February 1992, the Council of Agriculture invited delegates from the Worldwide Fund for Nature (WWF), as well as officials from Endangered Species Protection Units of Hongkong and South Africa to a workshop in Taipei on problems of domestic rhino management, especially on the investigation and control of illegal trade. The issue was hotly debated. At the end, the workshop recommended the outright banning of rhino horn or its powder in medicine.

My Government seriously considered the recommendation, and agreed that drastic measures were called for. On 19 November 1992, a total ban was announced, based on Article 23 of the *Wildlife Conservation Law*, on the trade, use, exchange, sale or even display of rhino horn or its powder. The illegal import, export, trade, exchange, display for sale of rhino horn or powder, or making medicine containing this ingredient, is punishable by up to one year in prison, or a fine equivalent to R 1 200, or both. Repeat offenders will be subject to three years in prison, or a fine equivalent to R 3 600 or both. Even a purchaser for non-commercial, that is medical, use is liable to be fined up to R 1 200.

To tighten the screw further, on 3 December 1992, the Department of Health under the Cabinet announced that henceforth, if a herb medicine practitioner prescribes rhino horn powder for a patient, the doctor himself will be subject to up to one year of suspension or, for repeat offenders, revocation of his license to practise.

1993 was the year of publicizing the penalties for, and stimulating public awareness of, the illegal use of rhino horn powder. Some 39 explanatory workshops were held across the island to explain to the public the need for rhino preservation and the punishments under the law. Traditional

medicine shop owners were exhorted to sign joint statements, pledging compliance with the law and refusal to sell rhino horn or its powder to any patient.

The judicial authorities issued instructions to all public prosecutors and courts, urging that priority be given to bring such cases to speedy trial, and that severe sentences be meted out to offenders. The Council of Agriculture instituted in June 1993 a reward program, under which a person who provides information leading to the conviction of anyone in illegal possession of rhino horn or its products, will receive an amount equivalent to R2 500. The maximum reward was raised to R12500 in September of 1993.

You might ask: what happens to the illegal rhino horns seized by the police? To show its determination to combat the smuggling of wildlife products, my Government does not put them into warehouses, but burns them in public, and the South African ambassador in Taipei is usually invited to witness the incineration as an honoured guest, since he represents the country where the ivory and rhino horns very likely came from. Starting from 1990, six such massive burnings have been held in public, the last one was on 4 June 1993.

To give teeth to any law, there must be enforcement measures, and that's where the police and the judiciary come in. A special police unit was established on 1 September 1993 whose sole duty is to protect endangered species. All cities earlier had been ordered to set up task forces to crack down on illegal trade of wildlife products. To cite some random figures, between June 1989 and December 1992, 205 cases of violation of the *Wildlife Conservation Law* were referred by the police to the prosecutors.

Just during the first half of 1993, 45 persons received heavy sentences under the *Wildlife Conservation Law*. In all, up to May 1993, 2 246 investigations had been conducted by the task forces, of which 274 cases resulted in indictments, while another 278 cases resulted in police fines. The special unit then took over from there.

After its establishment, wildlife and public health officers, in conjunction with the police, searched a total of 4 368 traditional herb medicine shops across Taiwan by the end of September 1993. The effect of the special police unit, which received wide publicity upon its inception, could clearly be seen. Because from that time onward, violations of the *Wildlife Conservation Law* dropped dramatically. In that large-scale operation, all they could find were part of a horn weighing 50 grams in one herb medicine shop, and what appeared to be rhino horn powder in another.

Now that led to a new problem: how can one tell if it is rhino horn powder, or just Chinese water buffalo horn ground into powder form, which is perfectly legal to prescribe? The seized sample was sent in December 1992 to the United States Fish and Wildlife Service's Forensic Laboratory for analysis. The reply was that they couldn't tell the difference either. The Republic of China now plans to set up its own forensic laboratory. The funds are no problem, but technical expertise and the qualified personnel to run it are something else again.

To cite one example of our determination to crack down on law-breakers, on September 17 last year, customs inspectors at the Taipei International Airport found the largest haul ever in the history of the country: 22 rhino horns in the luggage of a member of the royal family of Bhutan, who carried a diplomatic passport. Normally, luggage of such persons are exempt from customs inspection. But princess or no princess, she was thrown into jail, and the horns confiscated, making Her Royal Highness the most celebrated rhino horn smuggler ever apprehended in Taiwan.

The fact is that the Republic of China has spared no effort in its campaign to stop the smuggling of rhino horn, as a part of its overall objective of wildlife conservation. Time does not permit me to go into the educational activities designed to stimulate awareness among school children as well as the general public, or cooperation with international organizations for wildlife conservation and foreign police authorities on the part of the Republic of China.

To sum up, the CITES Standing Committee urged all governments to pursue three objectives, namely: to prohibit all sales and commercial trade in rhino parts and derivatives; to destroy all

government and parastatal stocks of rhino horns; and to take firm action against middlemen and poachers involved in trafficking in rhino horns. I can truthfully declare that the Government of the Republic of China has complied with all three, more than many other governments have done.

However, we cannot do anything about poaching, which only takes place in Africa, by persons who are not ethnic Chinese. Instead of blaming those who illegally kill the rhinos for monetary gain, people now blame the Republic of China for the centuries-old practice of using rhino horn as medicine. We are doing all we can to educate the people on the one hand, and to stop its use in traditional medicine on the other.

There was a Reuters report carried by the *Cape Times* last month quoting Mr Clive Walker of the SA Rhino and Elephant Foundation as saying that the sale of rhino horn has been banned for the last 18 years without any visible effect, while the number of rhinos in the country shrank drastically from 20 000 head then to 1 500 today. It is time to reconsider the ban, and come up with some other measures more effective, Mr Walker concluded.

I am not going to express an opinion on that, nor have I any intention of joining the debate on what is the best way to prevent poaching and let the number of rhinos multiply more quickly in Africa. My Government has only one purpose in mind, which is to effectively stop the use of rhino horn powder as medicine, thereby to curb the smuggling of rhino horns into Taiwan, and restore the good name of the country.

We are in the process of amending the *Wildlife Conservation Law*, to make it so expensive for law breakers that they would *have* to stop doing it. The Cabinet has approved the amendments, which are now awaiting approval of the Legislative Yuan, our Parliament. Under the new rules, illegal hunting or killing of protected species will be punishable by up to five years of imprisonment, and fines of up to R125 000, or both. The illegal import, export, trade, exchange and display for sale of rhino horn or powder may get the offender prison terms up to five years, and fines up to R200 000, or both. Even falsely labelling buffalo horn powder as rhino horn powder will subject the shop owner to fines up to R7 000.

Before closing, let me pose one question: Can any one of you think of something which could have been done, or should have been done, by the Government of the Republic of China, but which has not been undertaken as yet? Instead of a penny for your thought, you will receive our undying gratitude and ample reward as well, if you can come up with a workable idea beyond all what I have described to you today.