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2

TRAFFIC

B U L L E T I N

REPORT OF 18TH CITES MEETING

**EU LIZARD IMPORTS FROM
AUSTRALIA, CUBA AND MEXICO**

**CITES AND VOLUNTARY
CERTIFICATION FOR WILD PLANTS**



OCTOBER 2019

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

The *TRAFFIC Bulletin* is a publication of TRAFFIC, a leading non-governmental organisation working globally on trade in wild animals and plants in the context of both biodiversity conservation and sustainable development.

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

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Sun Bear *Helarctos malayanus*
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BULLETIN

VOL. 31 NO. 2 OCTOBER 2019

CONTENTS

- Editorial** 45
A. Timoshyna
- TWIX: Connecting enforcement agencies across Europe and Africa** 46–47
M. Norwicz, D. Mahonghol, C. Ratsimbazafy, and M. Bürgener
- CITES CoP18: Facing the challenges of the post-2020 global biodiversity framework** 48–58
S. Zain, T. Oldfield, J. Compton and S. Broad
- The trade in nationally protected lizards from Australia, Cuba and Mexico and the EU's role as a main destination** 59–66
S. Altherr, K. Lameter and J.C. Cantu
- Revealing the online trade of Sun Bears in Indonesia** 67–71
L. Gomez, C.R. Shepherd and J. Morgan
- Seizures and prosecutions** 72–78
- CITES and voluntary certification for wild medicinal and aromatic plants** 79–88
A. Timoshyna, S. Furnell, and D. Harter





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

The following pages feature a selection of seizures and prosecutions cases based on media and other reports published between April and mid-October 2019 that are considered significant in terms of species/volumes seized, *modus operandi*, penalties imposed, or to highlight enforcement action. Sources are cited at the end of each country/territory section and have not been checked for accuracy and authenticity. They are not intended to represent TRAFFIC's policies, positions or opinions.

CITES Appendix-listings are placed in parentheses, where applicable.

BIG CATS

CAMEROON: On 26 May 2019, it was reported that a police officer responsible for the protection of wildlife in the hunting areas surrounding Bouba Ndjida National Park had been arrested in Odza, Yaoundé, after being found in possession of a Leopard *Panthera pardus* (CITES I) skin and five Lion *P. leo* (CITES II) skulls (and an elephant (CITES I) tusk). The officer allegedly transported the items to a hotel in Yaoundé with the aim of selling the products, but his activities were already under investigation by the park. He is alleged to have played a role in transporting illegal products and connecting buyers across the country, as well as activating a group of poachers and offering them protection and business opportunities. Shortly before his arrest, he had reportedly sold two fresh cat Felidae skins.

Alwidha: <https://bit.ly/36g6zFW>, 26 May 2019

SOMALIA: On 20 July 2019, it was reported that authorities in Somaliland had seized 29 Cheetah *Acinonyx jubatus* (CITES I) cubs.

Research by the Cheetah Conservation Fund indicates an estimated 300 Cheetahs are poached and smuggled into the Arabian Peninsula each year, to be sold in the illegal pet trade where demand for the cubs as status symbols is thriving, particularly in the Gulf States. The animals are believed to originate in Ethiopia, northern Kenya, Somalia and Somaliland. Somaliland is reportedly the main transit route for Cheetahs trafficked out of East Africa (see also *TRAFFIC Bulletin* 30(2):72).

The rescued cubs are being kept in a safe place with a long-term aim of reintroducing them into the wild, although following contact with humans this may pose a problem, particularly with Cheetahs under three months-old, it is reported.

News24: <https://bit.ly/2NmqQRB>, 20 July 2019

CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) establishes international controls over trade in wild plants and animals, or related products, of species that have been, or may be, threatened due to excessive commercial exploitation. Parties have their own legislative instrument by which to meet their obligations under CITES. The species covered by CITES are listed in three Appendices, according to the degree of protection they need:

APPENDIX I includes species threatened with extinction which are or may be threatened by trade. Trade in specimens of these species is permitted only in exceptional circumstances. An export permit from the country of origin (or a re-export certificate from other exporting countries) and an import permit from the country of importation are required.

APPENDIX II includes species not necessarily yet threatened, but which could become so if trade is not strictly controlled. Species are also included in Appendix II if they are difficult to distinguish from other species in Appendix II, in order to make it more difficult for illegal trade to take place through misidentification or mislabelling. An export permit from the country of origin (or a re-export certificate from other exporting countries) is required, but not an import permit.

APPENDIX III includes species that any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation and as needing the co-operation of other Parties in the control of trade. Imports require a certificate of origin and, if the importation is from the State that has included the species in Appendix III, an export permit is required.

All imports into the European Union of CITES Appendix II-listed species require both an export permit/re-export certificate and an import permit.

VIET NAM: On 26 July 2019, three Vietnamese nationals were detained in Cau Giay District for involvement in the illegal trade in seven frozen Tiger *Panthera tigris* (CITES I) carcasses from Lao PDR. The men were part of a gang that had reportedly been trafficking tiger carcasses from Lao PDR to Viet Nam over several years; the chief operator allegedly used his business as a cover and travelled to Lao PDR to buy and freeze the tiger carcasses before transporting them to Viet Nam.

Xinhuanet: <https://bit.ly/2PrLHFL>, 26 July 2019;
VnExpress: <https://bit.ly/2MTaxYQ>, 26 July 2019

BIRDS

HONG KONG SAR: On 30 July 2019, a man was sentenced at the District Court to 32 months' imprisonment for smuggling into Hong Kong International Airport from Malaysia two air parcels containing 27 Helmeted Hornbill *Rhinoplax vigil* (CITES I) casques in January 2019.

Hong Kong Customs & Excise press release: https://www.customs.gov.hk/en/publication_press/press/index_id_2646.html, 30 July 2019

INDONESIA: On 26 June 2019, authorities arrested two people who were selling birds and other wildlife in their shops in Telangkah Village Katingan Hilir District. Among the 119 birds confiscated was the Common Hill Myna *Gracula religiosa*, Blue-crowned Hanging Parrot *Loriculus galgulus* (both CITES II) and Greater Green Leafbird *Chloropsis sonnerati*. According to the perpetrators, they have been trading since 2013; the birds would usually be sent to Surabaya and Semarang in the Sampit City of East Kotawaringin Regency (Central Kalimantan) and Banjarmasin, South Kalimantan.

On 17 July 2019, officials at Soekarno-Hatta International Airport foiled an attempt to

smuggle 72 Helmeted Hornbill *Rhinoplax vigil* (CITES I) casques that were bound for Hong Kong. One woman was arrested. The beaks had been wrapped in aluminium foil and placed under bread in a tin being carried in a tote bag.

PPID: <https://bit.ly/2owjHG>, 17 July 2019;
Mongabay: <https://bit.ly/2MW52x7>, 17 July 2019;
Kalteng Ekspres.com: <https://bit.ly/2MXDFTE>, 26 June 2019

PHILIPPINES: Jomar L. Toledo and Rompas M. Lumakore of General Santos City, arrested on 8 April 2019 for illegal trade in wildlife, including 345 birds (see *TRAFFIC Bulletin* 31(1):44), have each been fined P30,000 (USD580); the specimens, believed to be from Papua New Guinea, were being held in a warehouse in Mati City and the men were acting as caretakers. Species seized included Red-and-Blue Lories *Eos histrio* and Palm Cockatoos *Probosciger aterrimus* (both CITES I).

Manila News: <https://bit.ly/36fcpYb>, 9 April 2019

ELEPHANTS

The African Elephant *Loxodonta africana* is listed in CITES Appendix I, except the populations of Botswana, Namibia, South Africa and Zimbabwe, which are included in Appendix II; the Asian Elephant *Elephas maximus* is listed in Appendix I.

CHINA: On 28 May 2019, Changzhou Customs Anti-smuggling Branch of Nanjing Customs, Jiangsu province, broke up a gang that smuggled, processed and sold ivory; three suspects were arrested.

The investigation began in 2018, when Nanjing Customs received intelligence that criminal gangs were smuggling ivory by land to Changzhou for carving. They identified one person who reportedly had a close relationship with ivory smuggling gangs abroad



◀ **APOLLO BUTTERFLY**
Parnassius apollo (CITES II).
Two Danish nationals were apprehended with ca. 35–40 specimens of a subspecies of Apollo Butterfly in Jotunheimen, Norway, in August 2019.

MALAYSIA: On 18 May 2019, Sabah Wildlife Department seized 220 crocodiles *Crocodylia* spp. at a swamp in Kampung Pasir Putih, Tawau, believed to have been smuggled in from neighbouring Kalimantan. This was reported to be the first time that the authorities had uncovered crocodile smuggling from outside the State; the provenance (and intended purpose) of the animals was being investigated, including whether they were to supply local crocodile farms. Five had perished; the surviving specimens were released in the wild and two Malaysians and two Indonesians were arrested.

Under Schedule 2 of the *Sabah Wildlife Conservation Enactment*, it is illegal to hunt, collect the eggs or remove the crocodiles from the wild under any circumstances.

The *Jakarta Post*: <https://bit.ly/2WnA7Nm>, 20 May 2019

ZIMBABWE: On 2 August 2019, at Harare provincial magistrates' court, Blessed Morris of Beatrice was sentenced to the mandatory minimum nine years' imprisonment for possession of protected wildlife without the requisite permits. He was apprehended on 28 July while walking in Mbare in possession of a woman's handbag, prompting the police to investigate. Inside the bag, wrapped in cloth, were specimens later identified as a Yellow-throated Plated Lizard *Gerrhosaurus flavigularis*, a Mozambican Spitting Cobra *Naja mossambica*, two Olive Grass Snakes *Psammodphis mossambicus*, and a python *Pythonidae*, all protected species.

ZimLive: <https://bit.ly/2NiCblI>, 2 August 2019

RHINOCEROSES

All species of *Rhinocerotidae* are listed in CITES Appendix I except the South African and Swaziland populations of *Ceratotherium simum*, which are listed in Appendix II.

CHINA: On 16 August 2019 it was reported that Beijing Second Intermediate People's Court had rejected an appeal by four people sentenced to prison for up to 13 years for trading in 33 kg of African rhino horn.

Defendants Hou and Xin bought the horn through the online platform Wechat, which they sold to co-defendants Lin and Chen. On 26 April 2018, police arrested Hou, Lin and Chen in a vehicle and seized 19 pieces of rhino horns. Xin was arrested at a hotel in Huairou, Beijing.

The four had been sentenced in Xicheng District Court: Lin to 13 years and six months in prison, and fined CNY26,000 (USD3,600); Hou to 13 years, fined CNY26,000; Chen to 13 years in prison, fined CNY2,400, and Xin was sentenced to nine years in prison and fined CNY18,000.

Weixin: <https://bit.ly/2jwLAAa>, 16 August 2019

MOZAMBIQUE: On 26 August 2019, at Maputo City Court, Chinese national Pu Chiunjiang was sentenced to 15 years' imprisonment following his arrest at Maputo International Airport on 15 April 2018 with 4.2 kg of rhino horn pieces in a suitcase. Pu, who had been bound for Hong Kong via Doha, was also fined an undisclosed amount.

This is reportedly the first case of a foreign national imprisoned in Mozambique for a wildlife crime. The provenance of the horns has not been established.

On 2 September 2019, it was reported that two poachers had been given prison sentences of 17 and 16 years, respectively, for killing two rhinos in Kruger National Park, South Africa, and for the unlawful possession of unlicensed weapons. The duo, from Gaza Province, also received fines. It is reported to be the first conviction and sentencing in Mozambique for rhino poaching since 2008.

Club of Mozambique: <https://bit.ly/2NpwKI5>, 27 August 2019; AllAfrica: <https://bit.ly/2BQTDsb>, 27 August 2019; South African National Parks media release: <https://bit.ly/32XlIkI>, 2 September 2019

SOUTH AFRICA: During 12–16 August 2019, at Skukuza Regional Court, three people received prison sentences for rhino poaching in Kruger National Park. Adolph Ndlovu, convicted of trespassing, being in possession of an unlicensed firearm, unlicensed ammunition, and possession of a firearm with intent to commit a crime, was sentenced to 10 years' imprisonment. Abednigo Mahlabane, arrested in 2017, was convicted of trespassing, being an illegal immigrant, possession of and pointing an unlicensed firearm, and given an effective sentence of 10 years in prison. Jeffrey Mathebula, arrested in 2015, was fined R10,000 (USD678) or sentenced to two years' imprisonment of which half is suspended for five years.

South African National Parks media release: <https://bit.ly/2B0xzi1>, 16 August 2019

USA: On 1 October 2019, Richard Sheridan, an Irish national, pleaded guilty to trafficking a "libation cup" carved from the horn of a Black Rhinoceros *Diceros bicornis* and was sentenced to 14 months in prison, with two years of supervised release.

Sheridan was extradited to the USA in August following his indictment in May charging him and an accomplice, Irish national Michael Hegarty, with "conspiracy to traffic in a libation cup made from the horn of protected rhinoceros". Sheridan was also charged with smuggling the cup out of the USA. He was arrested in the UK as part of an ongoing criminal investigation.

Sheridan and Hegarty were alleged to be members of an organised crime gang accused of carrying out raids on museums and auction houses to steal rhino horn and high-value artefacts from UK museums and from European countries, Hong Kong SAR and the USA. Both have previously served prison sentences in connection with related offences (see *TRAFFIC Bulletin* 28(1):33; 30(1):32).

NY Daily News: <https://bit.ly/2BTyT36>; The Irish Sun: <https://bit.ly/2Nn0WgzI>, 3 October 2019; *TRAFFIC*

VIET NAM: On 16 May 2019, in a Lao Cai courtroom, three men received prison sentences for attempting to smuggle rhino horn across the border into China. The sentences were prosecuted under the country's recently amended penal code, which includes a provision for higher penalties for those convicted of wildlife crime.

Two of the men, Duong Van Thanh and Duong Van Sang, were arrested in May 2018 in Lao Cai after police received information that they would be transporting the horn over the border. They were caught in a car with 20 kg of rhino horn concealed in vases and a nylon bag. Police later arrested the owner of the rhino horn, Duong Van Chiem.

Duong Van Thanh and Duong Van Sang were each imprisoned for 8.5 years, while Duong Van Chiem received a 10-year sentence.

On 25 July 2019, authorities at Hanoi's Noi Bai airport seized 55 pieces (125 kg) of rhino horn that had been encased in plaster. The provenance of the horn, which was bound for the United Arab Emirates, was not known.

TRAFFIC: <https://bit.ly/36cl39U>, 17 May 2019; *Haiquan Online*: <https://bit.ly/2WnCDmM>, 27 July 2019; *Herald Live*: <https://bit.ly/2ow3HE0>, 28 July 2018

ZIMBABWE: A man serving 10 years in jail for poaching a rhino in Beitbridge has been jailed for a further nine years for poaching another rhino at a safari lodge in Chipinge. Godknows Mashame was found guilty at Chipinge Magistrates' Court after a witness provided evidence against him. He will finish serving one sentence before serving the second term.

It is alleged that Mashame entered the safari lodge area in July 2011 without a permit and poached a Black Rhinoceros *Diceros bicornis* (CITES I) using a gaming GPS monitor, with intentions to sell the horn to foreign buyers. He fled after committing the crime.

The Herald: <https://bit.ly/3493CVV>, 21 May 2019

FLORA

CHINA: In July 2019, a raid involving 100 wildlife law enforcement officers resulted in the seizure of many tonnes of teak *Tectona* spp. and rosewood *Dalbergia* (CITES II) logs and the dismantling of a major crime syndicate involved in the smuggling of timber from Myanmar to Yunnan Province. The timber was seized from eight warehouses around Nongdao. Anticipating resistance from workers and villagers employed by the timber smuggling syndicates, helicopters were used for initial surveillance and power was cut to the town to disable CCTV cameras and prevent news of the raid spreading.

Several major operators involved in the syndicate, one of whom owned a wood processing factory in Ruili, on the border with Myanmar, were arrested and await trial.

Environmental Investigation Agency: <https://bit.ly/2PtIOWj>, 2 September 2019

INDIA: On 10 September 2019, authorities in Mumbai disrupted an international smuggling racket and arrested three people in possession of 1,556 kg of Red Sandalwood (Red Sanders) *Pterocarpus santalinus* (CITES II). The consignment had been transported from Chennai and was bound for Hong Kong via contacts in Goa.

On 27 September 2019, at Indira Gandhi International Airport, Delhi, authorities arrested three people for illegal possession and an attempt to smuggle to Hong Kong 160 kg of Red Sandalwood. Bundles of sandalwood were detected in the luggage of one suspect; he was allowed to check in while being kept under surveillance, during which time it was evident that two other passengers were accompanying him; all three were apprehended. Others are believed to be involved and the case is under investigation.

During two separate incidents at Chhatrapati Shivaji Maharaj International Airport, Mumbai, on 4 October 2018, officials seized a total of 87 kg of Red Sandalwood chips from two Sudanese nationals. The first man, flying to Addis Ababa, was carrying 75 kg of the wood in his carry-on luggage (9 kg) and checked-in baggage (66 kg); the second case involved 10 kg of sandalwood chips in plastic packets in the possession of a passenger bound for Doha, Qatar.

Over 60,000 specimens of Conophytums Conophytum spp. were among two separate seizures of succulents illegally collected in the Western Cape, South Africa, in recent months. These plants form clusters and grow largely on inhospitable rocky slabs, sheltering from the sun in cracks and crevices. The clusters are not large and it is easy to destroy entire populations at a local level.



Conophytum ernstii

Hindustan Times: <https://bit.ly/2MWlzkY>, 11 September 2019; <https://bit.ly/343QLEu>, 28 September 2019; *India Today*: <https://bit.ly/32SDChg>, 8 October 2019; *The Hindu*: <https://bit.ly/2WxCrSh>, 6 October 2019

PERU: On 8 August 2019, at Second Unipersonal Penal Court of Maynas, Rubén Antonio Espinoza, director of Cacao del Perú Norte SAC, a company charged with the illegal trade in timber and obstruction, was sentenced to eight years' imprisonment; Ernesto Vega Delgado and Giovanni Cubas Ramírez of the same company, were given a four-year suspended sentence for related offences.

The three are linked to a Czech-American businessman, who since 2010 established a network of companies for the large-scale cultivation of oil palm and cocoa in the country. Cacao del Perú Norte SAC (now called Tamshi SAC), was one of these companies, accused of deforesting more than 13,000 ha of forests in Loreto and Ucayali, in the Peruvian Amazon, and for the illegal trade in timber forest products. The company prevented inspections of the deforested areas leading to a charge of obstruction.

On 2 September 2019 the company was also ordered to pay the State the equivalent of USD4,626,750 within the first year of the sentence as compensation for the transformation of 1,950 ha of forest in Tamshiyacu, in the district of Fernando Lores, in Loreto. Images and testimony presented during the trial showed what the area had looked like before the arrival of the company and the subsequent extent of deforestation; it was also able to prove that the wood had been extracted and later processed and illegally traded commercially without a permit.

The accused, who did not attend the hearing, have appealed their sentences.

SERFOR Ministry of Agriculture and Irrigation: <https://bit.ly/332Ljli>, 9 August 2019; *Mongabay*: <https://bit.ly/2MX06ID>, 30 July 2019

SOUTH AFRICA: On 12 September 2019, at Cape Town Regional Court, Czech nationals Jaromir Chvastek and Tomas Malir were sentenced to prison for two years, suspended for five years, and each fined ZAR500,000 (USD33,500).

The duo was apprehended in Rietpoort, Western Cape, on 7 August 2019 after more than 1,000 plants were found in their possession. The specimens had been collected near Bitterfontein, including several "critically rare" plants and more than 900 vulnerable or protected plants, predominantly *Conophytum* and *Adromischus* spp., as well as some aloe *Aloe* spp. (CITES II) and *Haworthia* spp. Also in their possession were collection bags and GPS co-ordinates to pinpoint the location of these commercially valuable plants. It is reported that Chvastek operated a website in the Czech Republic in which a wide variety of succulent plants, including South African species, were offered for sale. The men were ordered to be deported once the case was completed.