Illegal Wildlife Trade in India
An Overview

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**Wildlife as a resource**

- Ashoka’s rock edicts of 300 B.C. lay down laws for conservation.

- Elephants probably amongst the first species whose importance was realised by royalty and rules made for its conservation.

- Kautilya prescribed areas to be set aside for elephants from where elephants could be captured for the royal philkhana.

- Elephants could only be captured by royalty.
Wildlife as a pest

• In the autumn of 1873, after our successful employment of Strychnine, Capt. Caulfield was appointed tiger slayer by the Madras Govt.

• In 1874, with the able support of the Collector Mr. A Wedderburn, 93 tigers and 32 panthers were destroyed...

RC Morris J BNHS (1929). 33:973
Wildlife as a pest

Elephants considered pest and Madras Presidency offered rewards for their destruction in the 1860s
Wildlife as a pest

- 57 Tigers killed in Bengal Province in 1939, of which 31 were from the Sunderbans Div. comprising the Districts of 24 Parganas & Khulna

- Shooting is generally encouraged and a reward of Rs. 100/tiger is paid but sometimes the reward is raised to Rs. 150.
Wildlife as a Trophy

• Shikar was the privilege of the high and mighty

• Shooting used as a tool to oblige superiors

• Many of these erstwhile Hunting Grounds later became our first PAs
Finally....

- Ban on tiger hunting in most states of India in 1971
- Wildlife (Protection) Act 1972
- Project Tiger 1973
- Project Elephant 1992
Changing attitudes...

**Post Independence:**

- Free for all
- Liberal issue of crop protection guns
- Conversion of large patches of grasslands and forest land for Agriculture
- Breakdown of strict hunting regulations in place in most Princely states.
Understanding driving forces

PRODUCERS
primary-level traders
harvesters

TRADERS
consolidators
exporter/importer
processors

CONSUMERS
end users
retailers

Conflict with wildlife
Subsistence
Income/employment

Income/employment
Scale/process economies
Speculation
Need/image/interest
Concern: health > environment
Income/employment
Changing attitudes...

The laws have changed...

• But attitudes towards killing of wildlife largely remain the same

• And therein lies the challenge in curbing illegal wildlife crimes & trade
Evolution of Conservation Laws in India

• The first Indian Forest Act enacted in 1865

• The Madras Wild Elephant Preservation Act enacted in 1873: This was the first wildlife legislation in Modern India

• Govt. of India enacted the Elephant Preservation Act 1879
Evolution of Conservation Laws in India

• The Indian Forest Law Act VII enacted in 1878

• The Indian Forest Act enacted in 1927

• The Wildlife (Protection) Act enacted in 1972
Evolution of Conservation Laws in India

• The Wildlife (Protection) Act 1972 extends to the whole of India except Jammu & Kashmir

• Various species classified in Schedules I to VI
Evolution of Conservation Laws in India

- Species in Schedule VI are specified plants whose possession, collection, sale etc. is regulated Chapter III-A.

- Species in Schedule V are Vermin which can be hunted freely.
  - This includes:
    - Common crow
    - Fruit bats
    - Mice
    - Rats
Evolution of Conservation Laws in India

• Species in Schedule I can be hunted only in very special conditions if they are a threat to human life

• Species in Schedule II can be hunted if they are a threat to human life or property

• Trade of Species in Schedule I or Part II of Schedule II invites very stringent punishment
Evolution of Conservation Laws in India

- 3rd March 1973- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is signed
- 1st July 1975: CITES enters into force
- 18th October 1976- India joins the convention

- 1976- TRAFFIC established
Evolution of Conservation Laws in India

• 1976- CITES bans trade in Asian ivory

• Asian Elephant Specialist Group of IUCN formed in 1976

• Asian Elephant transferred to Schedule I of The Wildlife (Protection) Act 1972

• punishment
Evolution of Conservation Laws in India

- 1986-Trade in Indian ivory banned by Govt. of India

- 1989-CITES brings about a ban on all international trade in Ivory

- 1991-Govt. of India bans the import, export, carving and sale of African Ivory
Evolution of Conservation Laws in India

• Launch of **Project Elephant** in Feb. 1992

• 1992 - Ivory traders’ plea dismissed by Delhi High Court, making the ban on ivory complete
Extent of international trade in wildlife and its derivatives

• It is estimated that the annual value of non timber & non fish wildlife trade is about 15 Billion US$ (Broad 2001)

• Interpol says the trade in illegal wildlife products could be worth some US$12 billion a year.

• **Illegal Wildlife Trade is World’s Second Largest Illegitimate Business after Narcotics**
  
  Roth & Merz (1997)

• However due to it’s nature, very limited information about the scale of this Illegal trade
The Wildlife Trade Scenario
Wildlife wealth of India

- India ranks 6th among the 12 mega biodiversity countries of the world.
  - 430 species of mammals
  - 530 species of reptiles
  - 207 species of amphibians
  - 1228 species of birds
Elephant

Legal Status:
- WPA – Schedule – I
- CITES – Appendix – I
- IUCN – Endangered

Parts Traded: Ivory, meat

Used For: Carved Ivory articles, Jewelry, Hankos (signature stamps used by Japanese)

Delhi, Mumbai, Calcutta are major trade hub

Reaches Europe, Middle east, Far east, China and Myanmar
Human Elephant Conflict

This has emerged as a major threat across most elephant habitats. This is sometimes used as a justification for illegal killing of elephants and such products may find their way into trade.
Asian Ivory trade routes

- Japan
- Myanmar
- China
- Thailand
- Hong Kong
- Middle-East
**Tiger**

**Legal Status:**
- WPA – Schedule – I
- CITES – Appendix – I
- IUCN – Endangered

**Parts Traded:** Virtually whole body

**Used For:** Skins for Fashion, other body parts for Traditional Chinese Medicine

Delhi is a major trade hub

Traded through porous Indo-Nepal Borders to reach TAR and Mainland China
On 8.12.1999 sales tax inspectors inadvertently uncovered and seized

- 3 tiger skins, 50 leopard skins and 5 otter skins.

- The skins were meticulously packaged, numbered and concealed in a consignment of cloth in a truck bound for Siliguri, West Bengal.
Khaga, Uttar Pradesh

On 12.01.2000, police seized

- 4 tiger skins, 70 leopard skins, 18,000 leopard claws
- 150 kg of leopard and tiger bones
- 132 tiger claws, 2 leopard teeth and one dried leopard penis
- 221 blackbuck skins
This was followed by yet another police raid on 15.01.2000 in the nearby village of Eatgaon, which resulted in the seizure of 150 kgs of leopard and tiger bone.
• Customs officers at a temporary checkpoint at Sansan, a small township at Angren County, southwest of Lhasa in the Tibet Autonomous Region found a truck carrying a consignment of 31 tiger skins, 581 leopard skins, 778 Eurasian otter skins and 2 lynx skins, as well as one fake tiger skin.

• Investigators found the Delhi edition of the daily newspaper, The Times of India, stuck to the backs of the skins. All three of the arrested traders had spent some time in a town just across the border from Ladakh.
Seizure on 1st Feb. 2005
by Delhi Police

Raid on the basement of a warehouse in Patel Nagar
The haul consisted of:

- 39 leopard skins (including one snow leopard)
- 2 tiger skins
- 42 otter skins
- 3 kg of tiger claws
- 14 tiger canines,
- 10 tiger jaw bones,
- About 135 kg of porcupine quills,
- 60 kg of tiger and leopard paws,
- 20 small pieces of bone that appear to be tiger and leopard 'floating' clavicle bones.
Four people were arrested, including the niece and another relative of the notorious wildlife trader Sansar Chand, and two employees at the warehouse.
On 2nd September 2005 the Royal Nepal Army seized five tiger skins, 36 leopard skins, 238 otter skins and 113 kilograms of tiger and leopard bones in the Rasuwa district of Nepal, bordering the Tibetan Autonomous Region. The goods were coming from Delhi and supposed to be sent to Tibet.

On 10th August 2007 One Tiger skin & 2 Leopard skins seized in Nepal. The ten foot long tiger skin, which was soft and supple, was wrapped in sheets of the Times of India.
• Special Task Force of the Uttar Pradesh Police seized three tiger skins and three tiger skeletons in Allahabad.

• Sixteen people were arrested, including wildlife trader Shabeer Hasan Qureshi who is an accused in at least four major wildlife cases. In particular, Qureshi is the prime accused in the January 2000 case in Khaga, UP, when four tiger skins, 70 leopard skins, and a huge haul of other wildlife products were seized. Three other traders were arrested along with two tiger poachers and ten women couriers of the Baheliya community.
STOP PRESS
15th April 2008

• Police recover 22 skins from the baggage of a retired Indian army soldier and a civilian accomplice on Monday in Pratapgarh, Uttar Pradesh

• Includes skins of eight tigers, eight leopards, three snow leopards and three pythons
The European Parliament has called for a new strategy to prevent the tiger from becoming extinct.

The organisation's India delegation is holding a "Tiger Day" at the European Parliament in Brussels.

Wildlife activists blame poaching and urbanisation for the decline and say the authorities must do more.

16th April 2008
Rhino

Legal Status:
- WPA – Schedule – I
- CITES – Appendix – I
- IUCN – Endangered

Parts Traded: Horn

Used For: Used as traditional medicines, rings, dagger handles, lucky stone, as cutlery to detect poison

Traded through porous Indo-Nepal Borders and Northeastern borders to reach Thailand, Hong Kong, Taiwan via Myanmar, Thailand
Leopard

Legal Status:
- WPA – Schedule – I
- CITES – Appendix – I
- IUCN – Endangered

Parts Traded: Skins, Bones, other body parts as substitute to tiger parts

Delhi is a major trade hub

Traded through porous Indo-Nepal Borders to reach TAR and Mainland China
In October 2003, customs officers at a temporary checkpoint in the Tibet Autonomous Region found, to their horror, a truck carrying a consignment of 31 tiger skins, 581 leopard skins and 778 otter skins.

These were being transported into the region. The haul, on the route to the Tibetan capital Lhasa, believed to be a major hub for this trade, was clearly coming from India.

Investigators found the Delhi edition of the daily newspaper, The Times of India, stuck to the backs of the skins. All three of the arrested traders had spent some time in a town just across the border from Ladakh.
The 2004 TRAFFIC-North America report on medicine markets in San Francisco found that:

• Shops continued to sell products made from wild animals.

• In the New York area, 41 percent of the shops surveyed sold tiger bones and seven percent sold rhino horn products (also banned).

• The report concluded that the Rhino and Tiger Product Labeling Act, passed in 1998 in the US to ban the trade in these products (and even their labeling), was having a nominal effect.
Seizure on 1st Feb. 2005 by Delhi Police

Raid on the basement of a warehouse in Patel Nagar

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- 2 tiger skins
- 42 otter skins
- 3 kg of tiger claws
- 14 tiger canines,
- 10 tiger jaw bones,
- About 135 kg of porcupine quills,
- 60 kg of tiger and leopard paws,
- 20 small pieces of bone that appear to be tiger and leopard 'floating' clavicle bones.
Four people were arrested, including the niece and another relative of the notorious wildlife trader Sansar Chand, and two employees at the warehouse.
• A painting brush manufacturing unit at Janak Puri, N.Delhi raided

• about 11 kg mongoose hair, over a kg of handle-less brushes tips and over 2000 brushes, filled with the mammal's hair seized
Legal Status:
- WPA – Schedule – IV (all)
- CITES – Appendix – III (all)
- IUCN – Varied but not endangered!

Parts Traded: Hair

Used for making premium quality Paint brush and Shaving brush

Traded in high volume locally as well as exported throughout the world
• Ordinarily, a mongoose produces 40 grams of hair from which only about 20 gram can be used. Mostly used in painting brushes, mongoose hair are also used in garments, hand-woven seats etc.

• For one kilo of mongoose hair about 50 mammals have to be killed. In this case, over 1,000 mammals might have been killed.

• In the international market mongoose’ fine hair is sold at about Rs 12,000 a kg.

• The mammals are mostly killed during April and May when they come out of cover.
Otters

Legal Status:
- WPA – Schedule – II Part II
- CITES – Appendix – None
- IUCN – Vulnerable (Indian Smooth-Coated Otter, Near Threatened (Rest))

Parts Traded: Skins

Used as trimmings in collars of garments and other fashion accessories

Usually forms part of bigger consignments of tiger and leopard parts
Tibetan Antelope

Legal Status:
- WPA – Schedule – I
- CITES – Appendix – I
- IUCN – Endangered

Parts Traded: Wool - Shahtoosh

Used for weaving shawls. Major demand for shawls are in Europe, USA, Japan. Also affluent Indians. A shift in markets to East Asian countries is being noticed recently.

Imported to India through porous Indo-Nepal Borders to the state of J&K. Barter trade in Shahtoosh and Tiger Parts have often been mentioned.
Reported seizures:
1999-2001: 6 cases- 52 shawls & 244 kg (wool)

• As many as three Chirus are gruesomely slaughtered to stitch together one Shahtoosh shawl.
• Less than 70,000 Chirus exist today
• Since the species is not reported to occur in India, should our concern be any less?
Musk Deer

Legal Status:
- WPA – Schedule – I
- CITES – Appendix – I
- IUCN – Endangered

Parts Traded: Musk pods

Used for making perfumes, soaps and oriental medicines

Traded through Delhi, Kolkata, Amritsar to Pakistan, Middle East, Hong Kong, Japan, Myanmar
Legal Status:
WPA – Schedule –I (Brown Bear), II (Black Bear, Sloth Bear)
CITES – Appendix – I (Black Bear, Sloth Bear) II (Brown Bear)
IUCN – E (Black Bear), Vulnerable (Sloth Bear)

Parts Traded: Gall Bladders, Sloth Bears are used as performing animals in India and Pakistan

Gall bladders, Bile extracts and bile salts are traded through Delhi, Kolkata, Amritsar to Pakistan, Middle east, Hong Kong, Japan, Myanmar
Medicinal Plants

Podophyllum, Kutki, Sarpgandha, Dioscorea, Jatamansi, Himalayan Yew etc.

Legal Status:
- CITES Appendix – II
- EXIM – Negative List. Export permitted for value added products only from the cultivated variety

Mostly collected as live plants, roots and leaves for commerce from the wild in North east, Western Himalayas and the Western Ghats
Live Birds

Falcon: Peregrine, Laggar, Saker
Parakeets: Red Breasted, Roseringed, Alexandrine, Plum headed
Eurasian eagle, Great Pied Hombill
Munias: Whitethroated, Red, Green, Blackheaded
Common Hill Myna

Around 250 native species are trapped and traded for Pet, Food, Release, Falconry, Zoos, Black Magic, Medicine and Taxidermy

Exported mainly to the Middle East as well as to Europe
Turtles & Tortoises

Ganges Soft Shell Turtle, Common Soft Shell Turtle, Star Tortoise

Legal status:
WPA – Schedule –I
CITES – Appendix – I (Ganges Soft Shell)
II (Common Soft Shell)
IUCN – E (Common Soft Shell)

Parts Traded: Shell, Carapace, meat and live

Used for Show pieces, medicines, pets and food
Seizures

• Chennai: A total of 1406 live tortoises were seized from the baggage of a Malaysian citizen at the Chennai airport on 12th Dec 2006.

• Chennai: A “kingpin” of tortoise smuggling was arrested “in connection with a drug smuggling case” who admitted to have purchased over 1660 Star tortoises and tried to smuggle these to Malaysia through carriers. Both consignments however were seized at the airport.
The master minds

Three persons arrested for wildlife trade in Delhi on 6th April 2005

• A total of 59 trophies of wild animals were recovered.
• These consisted of 45 Leopard skins
• 14 Otter skins.
• These trophies were to be transported to Nepal.
It is alleged that Sansar Chand has supplied over 350 tiger skins, 2350 leopard skins and 3800 otter skins to the buyers of Tibet and Nepal Origin.
Conservation is a war...

- Multiple roles are required to contribute to this war effort.....

- Most importantly, Informed Public opinion must rise in support of conservation.
For wildlife crimes committed for commercial purposes....

- Usually the strings are pulled by big traders who operate far away from the actual scene of crime.
- Transborder Wildlife traders are likely to have links or stakes with other crimes such as illegal arms, illegal liquor, drugs etc.
- Media, by sensationalising value and uses of wildlife derivatives, is also sometimes responsible for driving such crime.
Major Penalties for violation of Wild Life (Protection) Act, 1972

- Imprisonment up to 3 years and fine up to Rs 25,000 for any infringement of Act.

- Offences related to hunting of Sch. I and Part II of Sch. II animals, hunting in National Parks and Sanctuaries and alteration of their boundaries - imprisonment of at least 3 years extendable up to 7 years and fine of at least Rs 10,000.

- Repetition of offence – min 3 yrs imprisonment and fine at least Rs 25,000.

- Provision of forfeiture of properties gained through illegal trade of wildlife.
Wildlife (Protection) Amendment Act 2006

• Notified on 4th Sept. 06
• Creation of National Tiger Conservation Authority
• Wildlife Crime Control Bureau
  – Director Wildlife Preservation- Director
  – IGP Addl. Director
  – DIG Police Jt. Director
  – Addl. Comm. (Customs & CA) Jt. Director
• Offence related to Core Area of a Tiger Reserve or Hunting or Boundary alteration in a Tiger Reserve

  - First Conviction: Minimum 3 yrs term which may extend to 7 years and fine not less than 50 thousand which may extend to Rs. 2 lakh

  - Second or subsequent conviction: Not less than 7 yrs. term and fine not less than 5 lakh which may extend to Rs. 50 lakh.
• Sec 25 of the Indian Evidence Act 1872 provides that Confession made before a police officer is not to be proved.

• Before the Indian Evidence Act, a Forest Officer is NOT a Police officer.

• Section 50 (9) of the WLPA 1972 provides that any evidence recorded and received by an officer not below the rank of ACF shall be admissible in trial provided it has been taken in the presence of the accused.
Forest Range Officer vs. Abbobacker & other, Cr. Appeal No. 317 of 1988
Justice K.T.Thomas, Kerala High Court

• ....there is no rule of law that no evidence should be relied on unless there is corroboration.... Forest is an area where human activities are scanty except the clandestine adventures of poachers....Hence it would be pedantic to insist on the rule of corroboration by independent evidence in proof of offence relating to forest and wildlife.
• ....The admissibility of the confession made to the Forest Range Officer is not open to doubt since the embargo contained in Sec. 25 of the Indian Evidence Act is not applicable to forest officers. Forest officers, though they are invested with some of the police powers are not police officers. Hence they can give evidence before court regarding admissions or confessions made to them by accused persons, whether or not such persons were then in custody.
State of Karnataka vs. K.Krishnan

When any vehicle is seized on the allegation that it has been used for committing a forest offence, it shall normally not be returned to the party till the culmination of the proceedings in respect of such offence.

If for any exceptional reasons, a Court is inclined to release the vehicle during such pendency, furnishing a bank guarantee should be the minimum condition.

Reiterated in Ran Veer Singh v/s State of U.P., Crl. Appeal 737 of 2000
Some Recent International Trends in Organised Wildlife Crime

- Involvement of Diplomats

- Convergence of Smuggling interests - Barter of products

- Involvement of Insurgents
The response

What needs to be done

• Regular study and monitoring of emerging trade issues, trade routes etc.

• Close Coordination amongst all enforcement agencies

• International cooperation, as most key markets lie outside the country’s borders
  – *When the buying stops, the killing will...*

• Capacity building
  – Training & Retraining
  – Equipment

• Regular Follow up of cases in court
What is TRAFFIC?

- The TRAFFIC network is a joint conservation programme of WWF and IUCN-The World Conservation Union.

- TRAFFIC’s goal is to ensure that trade in wild plants and animals is not a threat to the conservation of nature.

- TRAFFIC's vision is of a world in which trade in wild animals and plants will be managed at sustainable levels without damaging the integrity of ecological systems.
Our strengths

• Objective, multi-disciplinary and knowledge driven analysis of issues

• Interface with a large number of National and International agencies both within and outside governments.

• Working with Governments
How can we contribute?

• By studying and analysing wildlife trade trends and providing a regular feedback

• By supporting Capacity Building for the Forest Department and other Enforcement Agencies

• By interfacing with State and Central Governments, supporting Policy changes, as may be appropriate

• By encouraging cooperation between different countries to curb markets and killing/collection
• The roar of the tiger, a compilation on the Tiger debate at CoP 14 brought out and widely circulated.

• In the pipeline
  - Don’t Buy Trouble series of posters
From the desk

Welcome to the first issue of the TRAFFIC Post – a quarterly newsletter of TRAFFIC India. This newsletter marks a new chapter in the activities of TRAFFIC India.

The TRAFFIC Network is a joint conservation programme of WWF and TRAFFIC, the World Conservation Union. TRAFFIC was established in 1976, when the World Wildlife Fund and CITES took action to curb illegal wildlife trade.

TRAFFIC India was set up in India in 1990, operating as a division of WWF-India. It works closely with the National and State Governments and various agencies to help identify, monitor and influence the flow of illegal wildlife trade. For various reasons, the office had to shut down in 2002. It resumed work on 11 July 2009. WWF and TRAFFIC are committed to working together with government agencies, NGOs, and all like-minded individuals to curb illegal wildlife trade that has become a growing threat to our natural resources.

As a specialist organisation monitoring wildlife trade issues, TRAFFIC India has an important contribution to make in the country. TRAFFIC Post is a TRAFFIC India’s quarterly newsletter committed to highlight the emerging issues related to illegal wildlife trade. It also aims to update the readers on TRAFFIC India’s efforts in this cause. You can also look forward to reading about emerging issues on wildlife trade trends through the sections called TRAFFIC Alert and In Focus.

We look forward to your valued inputs on how to make this publication even better. If we work together, we can ensure that trade in wild plants and animals is not a threat to the conservation of nature in India.

Yours in conservation,
Rajiv Singh
SII CEO
WWF-India
Are you committing a CRIME?
Think before you buy
TRAFFIC India is ready and willing to assist towards this Common Cause

Together ..... Let’s make a difference

Let us join hands NOW,
Or else.......
Thank You