

Policy Brief

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Photo by Adrian Pua

Combating Illegal Wildlife Trade in Southeast Asia

Illegal wildlife trade (IWT) is a major global threat to biodiversity. It is also a potential route for the spread of zoonoses, which, as the COVID-19 pandemic has demonstrated, can bring severe negative health, economic, and social impacts.

The ASEAN region is considered an IWT hotspot where import, export, and other illegal trade transactions involving wildlife are conducted with relative ease. Insufficient public funding and expertise have led to a general lack of strict surveillance, inadequate wildlife protection laws, and weak enforcement in some areas in the region. Even when illegally traded animals are successfully retrieved, enforcement authorities are faced with the dilemma of where to house them as many wildlife rescue centres (WRCs) in the region are already struggling with the large number of confiscated animals that require care and rehabilitation.

Photo by Edward van Asch courtesy of USAID Biodiversity and Forestry



A two-month-old cub destined for Iran was rescued by agencies trained under the ASEAN-WEN at Bangkok's Suvarnabhumi International Airport in August 2010. The cub was sedated and hidden among stuffed tiger toys in the suspect's carry-on luggage but was revealed by x-ray scans. Tigers are listed under Appendix I of CITES, which prohibit their international commercial trade.

Regional Collaboration

Recognising the importance of collaborative effort in fighting IWT, ASEAN Member States (AMS) who are also Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) have launched the ASEAN Wildlife Enforcement Network (ASEAN-WEN). CITES is a global trade and conservation-related agreement among 183 countries and provides a legal framework to protect and regulate international trade in over 36,000 species of plants and animals. By facilitating intelligence sharing and capacity building, the ASEAN-WEN works to strengthen CITES implementation and national/regional wildlife protection law enforcement in the region. This integrated network includes various law enforcement agencies, CITES authorities, customs, police, prosecutors, and specialised governmental wildlife law enforcement organisations.

Several AMS (i.e. Cambodia, Indonesia, Lao PDR, Malaysia, Philippines, Singapore, Thailand, and Viet Nam) are also part of the Wild Animal Rescue Network Asia (WARN). As a network of WRCs, wildlife law enforcement groups and officials, and animal protection groups in East and Southeast Asia, WARN aims to enhance the region's capability to rescue, rehabilitate, and conserve wildlife as well as to educate the public to improve conservation awareness. The National Legislation Project

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Although these collaborative networks improve the region's ability to combat IWT, the Parties' commitment to CITES—as well as to their own targets to regulate trade in native species that are not in the CITES lists—cannot be successfully implemented without strengthening the policies and legal frameworks at the national level. Under the CITES National Legislation Project, Parties are encouraged and given support to create laws that provide them with the authority:

- To designate at least one management authority and one scientific authority responsible for CITES implementation;
- To prohibit trade in specimens in violation of the Convention;
- To penalise such trade; and
- To confiscate specimens illegally traded or possessed.

Progress in meeting these four minimum requirements to national legislation varies within the region (Box 1).

Legislative efforts at the national level are vital in the fight against IWT. A strong legal framework can improve how countries uphold animal welfare standards in the care and disposition of confiscated wildlife; recover the costs associated with the confiscation, custody, rehabilitation, and repatriation of animals recovered from IWT; and collect and use seizure data to inform and improve future efforts to stop wildlife trafficking.

Photo by Liemuel Pantuhan



Box 1. Status of ASEAN countries in meeting the minimum requirements to national legislation of CITES

Based on the assessment of the CITES Secretariat, the legislative status of ASEAN countries in terms of meeting the four minimum requirements to national legislation for effective CITES implementation are as follows (as of September 2018):

Category 1 (legislation that is believed generally to meet all four requirements): Brunei Darussalam, Cambodia, Indonesia, Malaysia, Singapore, Thailand, Viet Nam

Category 2 (legislation that is believed generally to meet one to three of the four requirements): Myanmar, Philippines

Category 3 (legislation that is believed generally not to meet any of the requirements): Lao PDR

Upholding Animal Welfare Standards

To uphold animal welfare standards consistent with the conservation objectives of CITES, a strong national policy and management framework on the rehabilitation of protected species is needed. All countries must have national regulations on animal welfare to ensure that confiscated animals meet their physical, psychological, and social needs through high standards of animal management, adequate veterinary care for the sick and injured, and effective prevention of ailments and diseases.

In many ASEAN WRCs, however, the level of animal care and the quality of facility management are below the acceptable standards as they are supported by limited public funding. The lack of related expertise and appropriate housing facilities where the captive animals can be placed make it difficult for WRCs in the region to provide the needed level of animal care. This is compounded by the seemingly weak national process through which to delist WRCs that do not meet the minimum animal care and operation standards.

The absence of suitable facilities to house intercepted animals and of clear government guidelines on how to properly deal with them have led to inadequate placement and disposition practices, especially during large volume seizures. Frequently, those rare and endangered species are re-traded and end up in unlicensed commercial breeding facilities or in the hands of unqualified private groups or individuals.

Majority of CITES Parties prefer to place confiscated animals in zoos rather than returning them to the country of export. Repatriation can be expensive and is often difficult because the information on the country of origin and site of capture are not always known. Many zoos also have limited capacity and financial resources, especially those in low-income countries, and do not accept species that are not rare, charismatic, or globally endangered. Species with low conservation value are thus sometimes summarily euthanised even if they are healthy. Others are randomly released to the wild without proper pre-release screening for pathogens and disease—a practice that can lead to highly detrimental consequences as animals that are carriers of infectious diseases can adversely affect not only existing wild animal populations but also domestic animals and the human populace. Poorly planned release may also result in the introduction of invasive species that displace native populations and compromise the ecological integrity of the release site.



WRC accreditation

There is clearly a need for ASEAN countries to create policies that not only enable the establishment and designation of WRCs but also allow for their licensing/accreditation to ensure that updated standards on animal care are being met. In setting minimum standards for all established and designated WRCs, the policy should not only detail the licensing mechanism but must also focus on the following:

- WRC oversight and regular assessment of rehabilitation practices and services,
- Actions to be taken in case of license breaches,
- Responsibilities and accountabilities of officers responsible for the implementation of the policy, and
- Regular policy review and improvement of management practices.

An independent accreditation entity that can provide mandatory “auditing” services to assess the status of WRCs and offer advice on best practice management could then be created.

Code of practice

Implementing a code of practice together with the adoption of relevant legislations and guidelines on animal welfare standards is also crucial in sustaining the ethical and moral obligations of animal carers. WRCs must be maintained by professional veterinarians and animal carers with professional training in wildlife biology, animal care procedures, and animal welfare standards. An approved and workable manual on standard operating procedures, which outlines the day-to-day protocols on the care and safety of animals and the overall management of WRC facilities should be developed. Such a manual should outline, among others, the following:

1. Protocols for a well-managed triage process to ensure proper animal care prioritisation and allow for more resources to be available for saving animals;
2. Guidelines and operational protocols, consistent with the tenets of the One Health approach, in performing medical assessment and routine clinical check-up of captive animals in order to assist with biosecurity assessment and to facilitate the surveillance, detection, and management of new and emerging diseases;
3. Pre-release procedures for preparing animals for translocation as well as post-release monitoring strategies to determine rehabilitation success; and
4. Conditions where euthanasia is considered acceptable and the suitable procedures by which it can be undertaken.

Addressing Lack of Public Funding

The high cost of animal care and rehabilitation is a primary challenge for countries of import because they are currently expected to shoulder all associated costs, which is a heavy economic burden for those with limited government funds. Some countries have been considering the sale of the seized specimens, including live animals, to partly recoup the costs of confiscation, transport, rehabilitation, reintroduction, and repatriation. However, the sale of seized wildlife and wildlife by-products (e.g. skins, meat, horns) may create a negative public perception that the government is benefitting from illegal trade.

It is also possible for the confiscated specimens to re-enter illegal markets and further perpetuate IWT. Additionally, international law is unsettled on the rightful ownership of confiscated items, and a government selling specimens originating from another country might itself be complicit in trading in stolen goods.



Green sea turtles breed on the beaches of Southeast Asia, India, islands in the Western Pacific, and Central America. They are classified as endangered and are threatened by overharvesting of their eggs, hunting of adults, being caught in fishing gear, and loss of nesting beach sites.

Sea turtle products are in high demand in the illegal wildlife trade. In particular, the green sea turtle is targeted for its meat. It is estimated that more than 100,000 green sea turtles continue to be killed annually for their meat.

Cost recovery provision

A provision regarding recovery of confiscation, custody, and disposal costs should be stipulated clearly in the national legislation and in the implementing rules and regulations. CITES urges Parties to incorporate in their national laws a provision that requires illegal traders:

1. To meet the costs of confiscation, rehabilitation, custody, or other disposal methods as required;
2. To meet the costs of repatriation; and
3. To seek financial assistance from the country of origin or last re-export to facilitate return.

Improving Data Collection and Use

Comprehensive trade data is necessary to understand the scale, scope, trends, and dynamics of IWT in terms of species, commodities, and countries involved as well as the spread and movement of invasive species and emerging diseases. Unfortunately, the CITES Parties' annual reporting compliance is generally poor, with reports being either incomplete or inconsistent. The costs involved in transporting, holding, and caring for confiscated live animals, the lack of knowledge in the proper disposal of specimens, and the corruption among enforcement officers, among others, have led to under-reporting of wildlife seizure information. Taxonomic bias is also of concern, with data on the trade of those less charismatic and lesser-known species tending to be underreported. This could undermine the conservation value of these species, and most likely increase the risk of their exploitation, unsustainable use, and eventual extinction.

WRC registry development

Developing an official national registry of WRCs can significantly improve IWT data gathering. The registry should include information that are systematically gathered by WRCs on animal admission, treatment procedures, final disposition, and outcomes. It could also provide data on the provenance of illegally acquired and traded specimens, which can help in preventing illegal re-trading and 'animal laundering'. Such a database will facilitate national and regional exchange of information, experiences, expertise, and technology on the proper WRC management and animal care.

Analysis of cases

Additionally, a thorough examination of IWT cases brought before a country's Court of Justice could be conducted to examine the strengths and weaknesses of the existing national legislations on IWT. Such an analysis will allow for the development of more specific recommendations on how to improve the handling of wildlife offenses.

National Legislation is Crucial

As a problem that requires transboundary cooperation, the success in combatting IWT in the ASEAN can best be achieved by increasing member states' capacity to advocate for animal welfare and to generate and share actionable information. Both regional efforts to combat IWT and local efforts to conserve wildlife and rehabilitate confiscated animals for release can be greatly enhanced by strengthening policies and processes at the national level. Although regional collaboration offers a barometer for international perspectives and acceptable standards in the rescue, rehabilitation, care, and placement/disposal of confiscated wildlife within the ASEAN, national legislative efforts indicate the level at which illicit wildlife trafficking is politically recognized as a serious crime.

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Disclaimer: The content of this article is the sole responsibility of the author and does not necessarily reflect the views of either the ACB or the EU.

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