

REPORT ON THE FEBRUARY, 1995
CITES IMPLEMENTATION WORKSHOP IN INDIA

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A PROGRAM OF THE OFFICE OF INTERNATIONAL AFFAIRS
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EXECUTIVE SUMMARY

The United States-Asia Environmental Partnership of the U.S. Agency for International Development and the Office of International Affairs of the U.S. Fish and Wildlife Service have joined in partnerships with the wildlife management agencies of five Asian countries to present workshops on the implementation of the Convention on International Trade in Endangered Species of Flora and Fauna (CITES). The CITES Secretariat joined this partnership in India and Indonesia and has expressed interest in doing so in The Philippines. In India the partnership was formed with the Ministry of the Environment and Forests. The purpose of this program is to provide basic, practical training in the provisions of CITES, the reasons why they were developed, and their implementation. An emphasis is placed on CITES administration, wildlife inspection, law enforcement investigation techniques and species identification.

The India workshop was held at the Vigyan Bhavan (conference center), New Delhi, from February 20 to 24, 1995. The Fish and Wildlife Service instructor team was in India from February 14 to 28. The days prior to initiation of the workshop were spent in meetings with officials of the Government of India involved with CITES administration and in workshop preparation. The workshop was attended by 46 persons drawn from the Ministry, Customs, Police, Coast Guard, Border Security Forces, TRAFFIC-India, Zoological Survey of India, Botanical Survey of India, Central Marine Fisheries Research Institute, Wildlife Institute of India, and the National Zoological Park.

The workshop was opened by Minister of Environment and Forests Shri Kamal Nath, Ministry Secretary Shri N.R. Krishnan and Additional Inspector General of Forests (Wildlife) and Director Wildlife Preservation Shri S.C. Dey. The first two days of training focussed on CITES administration, and included the history, structure and objectives of CITES; global, regional and Indian trade in CITES specimens; procedures for utilizing Appendices I, II and III; control of trade in artificially propagated and wild collected plants; India's CITES implementing legislation; the permit process; the function of the Management Authority and the use of the Annual Report. The third day of the program emphasized wildlife inspection techniques and included methods of document analysis; types of document fraud; types of inspections (e.g. passenger baggage, air/ocean cargo and land/border inspection); smuggler's techniques, safety techniques for inspectors; inhumane shipments; and disposition and use of confiscated specimens. The fourth day of the program focussed on law enforcement techniques and included an overview of an investigation program; conduct of a criminal investigation;

investigative techniques; case profiles; the U.S. Fish and Wildlife Service National Wildlife Forensic Laboratory and assistance it can provide to India; establishment of an international wildlife law enforcement program and discussions on international fraud. The final day of the workshop emphasized species identification and included use of the Canadian CITES Bird Identification Guide; use of the CITES identification manuals; and identification of key species of Indian concern.

The Government of India's commitment to CITES was evident in the high level of attention given to the workshop, and the excellent attendance and thoughtful presentations of the participants. During the workshop the Wildlife Institute of India announced their commitment to the annual presentation of a course on CITES implementation. This will ensure that the information and materials presented in this workshop are maintained and made available to more Indian CITES officials.

A major accomplishment of this workshop in addition to the training provided was the recognition by the participants of the need for increased interagency cooperation within India and the need for increased and continued international cooperation in CITES implementation. It is strongly recommended that the countries of the Indian subcontinent have a joint regional meeting to discuss common border trade problems and find solutions to prevent large scale smuggling operations. In addition, such a regional coordination meeting would provide individuals with the opportunity to meet with their counterparts in each agency.

The presentation of this workshop in India was a valuable contribution to the Ministry's efforts to lessen the illegal trade, particularly with respect to imports and exports. One of the goals of the CITES organization is to attempt to provide a strong uniform implementation of the CITES treaty. This type of training strives to meet that goal and additional training programs in other countries can only strengthen the treaty's effectiveness.

ACKNOWLEDGMENTS

The authors wish to thank Shri Kamal Nath, Minister of Environment and Forests; Shri N. R. Krishnan, Secretary-Ministry of Environment and Forests; Shri S. C. Dey, Additional Inspector General of Forests (Wildlife) and Director Wildlife Preservation; and Dr. Ranjitsinh for presenting the opening and closing addresses of the workshop. The attention they brought to this workshop made clear the Government of India's intentions to advance the implementation of CITES in India.

The Ministry is thanked for hosting and sharing the costs of the workshop. The Ministry personnel who planned and coordinated the logistics are thanked, especially Shri Kishore Rao and Shri Surindra Kumar. The personnel of the Ministry, other agencies of the Government of India and TRAFFIC-India contributed significantly to the workshops success through their lively participation in discussions and presentation of many excellent lectures.

Appreciation is expressed to the CITES Secretariat for the two days of excellent CITES administration training they provided and for their participation in the entire workshop. Their experience in the presentation of workshops similar to this one was a valuable asset. The Fish and Wildlife Service looks forward to further cooperation with the Secretariat in presenting other similar workshops in Asia.

We thank USAID's United States-Asia Environmental Partnership for their funding support. The U.S. Embassy's Science Office and the U.S. AID Mission-New Delhi are thanked for their assistance in facilitating the international communication necessary to coordinate the workshop. Environment Canada is thanked for provision of their CITES Identification Guide to Birds to the workshop participants.

Finally, the U.S. Fish and Wildlife Service's Office of International Affairs is recognized for their management of the CITES Implementation Training Program for Asia and is thanked for the international coordination of this workshop.

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PROGRAM DEVELOPMENT

The Ninth Conference of Parties (COP) to the Convention on International Trade in Endangered Species of Flora and Fauna (CITES) was held in November, 1994, in Fort Lauderdale, Florida. This permitted a November 8 meeting of representatives of the United States-Asia Environmental Partnership (USAEP) of the U.S. Agency for International Development (USAID), the Office of International Affairs of the U.S. Fish and Wildlife Service and the delegates from India, Bangladesh, Nepal, Indonesia and The Philippines. Their purpose was to discuss interest in joining a partnership to present training in CITES implementation in the delegates' countries. This training would be for personnel of each country's CITES Management Authority, Customs Department, and other appropriate agencies concerned with implementation of CITES. The country representatives expressed strong interest in the partnership.

As a result of the meeting at the Ninth COP the Service and USAEP entered into an agreement on November 14, 1994, to present this training to Bangladesh, The Philippines, India, Indonesia, and Nepal. This agreement recognized that the management of the CITES program by a country to produce an effective Management Authority, Scientific Authority, and port enforcement capability is a challenging task. It requires vigilance to ensure that policies are consistent with the CITES treaty, proper documentation is provided for permits and licenses, and enforcement of CITES provisions are effectively carried out in the ports. This challenge can only be met, in any country, through training. The partnership developed under the agreement would provide the needed in-country classroom and on-the-job training to assist these five countries in meeting this challenge and elevating the effectiveness of their CITES activities.

It was decided that USAEP would utilize its relationship with the World Environment Center to bring two officials from each of the five participating countries to a U.S. study tour. This tour would focus on U.S. CITES implementation techniques. It would impart CITES training appropriate for high level officials. A major objective would be to develop enthusiasm for providing the in-country CITES implementation training among the host country wildlife management agencies. Out of this would come a relationship with the participants of the study tour which would assist in presentation of the workshops.

The study tour was carried out from January 28 to February 4, 1995. The training provided was an overview of relevant topics such as air, passenger, mail and sea cargo inspection; use of local botanical and zoological institutions as species identification and

rescue center resources; and the domestic and international work of the National Wildlife Forensic Laboratory.

As a result of these efforts the USAEP, the Service and the wildlife management agencies of India, Bangladesh, Nepal, Indonesia and The Phillippines joined in partnerships to present CITES implementation training in each of these countries. The CITES Secretariat joined this partnership in India and Indonesia and presented essential information on CITES administration. The purpose of this program would be to provide basic, practical training in the provisions of CITES, the reasons why they were developed, and their implementation. An emphasis would be placed on the daily actions to be undertaken in the implementation of CITES, and the associated law enforcement procedures and techniques available for use.

CITES in INDIA

India became a member of CITES in 1976, and was once considered a major exporter of many wildlife species. However, with the amendment of its Wildlife Protection Act in 1991, hunting and trade in wild fauna has been more or less banned. Nevertheless, India has recognized that the legal authority restricting trade has not provided a large enough deterrent.

In May 1994, India formed a committee to study illegal trade in the country and suggest some ways and means to improve existing control measures to the Ministry. Several recommendations came from the results of this study. It was agreed that steps must be taken to ensure better coordination between the various enforcement agencies involved in reducing the illegal trade. One of these steps was to inform the various agencies of the wildlife laws. In addition it was agreed that a system must be established to design and provide a comprehensive training program to all customs staff at various levels in the field. Ultimately a major part of the strategy to protect and simultaneously curb the illegal trade in wildlife was to control the movement, storage and transport of wildlife products and take action with respect to the sale of these illegal items.

Organization: Wildlife Inspectors are stationed at specially designated Customs ports at Delhi, Bombay, Calcutta, and Madras for examining imports and exports containing wild fauna and flora. The Directorate of Revenue Intelligence, the Central Bureau of Investigation, the State Police, Forest Department, Coast Guard and other border patrol forces provide assistance in controlling illegal trade in wildlife.

The Inspector General Forests and the Director, Wildlife Preservation, both within the Ministry of Environment and Forestry have the lead roles as the Management Authority. Many duties have been delegated down to the field offices in New Delhi, Madras, Bombay and Calcutta. India has three Scientific Authorities: the Zoological Survey of India, the Botanical Survey of India, and the Central Marine Fisheries Research Institute.

Legal Authority: International trade in all wild fauna and flora in general, and the species covered by CITES in particular, is regulated jointly through the provisions of the Wildlife Protection Act (WPA), the Import and Export Policy, and the Customs Act (Appendix I, II, III, IV, and V). The incoming and outgoing Customs passenger declaration form clearly states that most wildlife is not allowed to be imported or exported.

No commercial export or import is permitted for any species covered by the WPA. With a few exceptions, it is necessary for an exporter to obtain a Legal Procurement Certificate from the Chief Wildlife Warden of the state concerned (Appendix VI, VII, and VIII). This is necessary to establish that the wildlife or plants or their derivatives have been legally obtained.

The Import and Export Policy of the Government of India contains information regarding the wildlife or plants which are either prohibited or permitted for import or export. It also contains the conditions (which include compliance with CITES) governing import and export of permissible species of wild animals and plants. The policy is decided in consultation with the Indian CITES Management Authority with respect to wild fauna and flora and is enforced through the Customs Act. The provisions of the policy are much more restrictive than CITES in their scope.

The Wildlife Protection Act does not provide Ministry Wildlife Inspectors with the authority to enforce the Act in Customs controlled areas. Customs officers are the major enforcing body for wildlife violations upon import or export. Ministry Wildlife Inspectors provide the technical expertise in identification and the particular aspects of the law. In addition, Customs law does not grant Customs officers the authority to enforce the Wildlife Protection Act unless it has been clearly shown that the wildlife is to be imported or exported.

WORKSHOP IMPLEMENTATION

Conduct of the workshop: In India the partnership was formed with the Ministry of the Environment and Forests. The workshop was held at the Vigyan Bhavan (conference center), New Delhi, from February 20 to 24, 1995. The Fish and Wildlife Service instructor team was in India from February 14 to 28 (Appendix IX). The days prior to initiation of the workshop were spent in meetings with officials of the Government of India involved with CITES administration and in workshop preparation. The workshop was attended by 46 persons drawn from the Ministry, Customs, Police, Coast Guard, Border Security Forces, TRAFFIC-India, Zoological Survey of India, Botanical Survey of India, Central Marine Fisheries Research Institute, Wildlife Institute of India, and the National Zoological Park (Appendix X).

The workshop was opened by Minister of Environment and Forests Shri Kamal Nath, Ministry Secretary Shri N. R. Krishnan and Additional Inspector General of Forests (Wildlife) and Director Wildlife Preservation Shri S. C. Dey (Appendix XI). The first two days of training focussed on CITES administration, and included the history, structure and objectives of CITES; global, regional and Indian trade in CITES specimens; procedures for utilizing Appendices I, II and III; control of trade in artificially propagated and wild collected plants; India's CITES implementing legislation; the permit process; the function of the Management Authority and the use of the Annual Report. The third day of the program emphasized wildlife inspection techniques and included methods of document analysis; types of document fraud; types of inspections (e.g. passenger baggage, air/ocean cargo and land/border inspection); smuggler's techniques, safety techniques for inspectors; inhumane shipments; and disposition and use of confiscated specimens. The fourth day of the program focussed on law enforcement techniques and included an overview of an investigation program; conduct of a criminal investigation; investigative techniques; case profiles; the U.S. Fish and Wildlife Service National Wildlife Forensic Laboratory and assistance it can provide to India; establishment of an international wildlife law enforcement program and discussions on international fraud. The final day of the workshop emphasized species identification and included use of the Canadian CITES Bird Identification Guide; use of the CITES identification manuals; and identification of key species of Indian concern.

The CITES Secretariat staff presented each student with a copy of the CITES treaty, the current listing of protected species and a student participation manual relating to the basic topics of CITES principles. The U.S. Fish and Wildlife Service provided a bound manual to each student with copies of materials presented as well

as more detailed inspection and investigative materials for further study. A copy of the CITES Identification Guide to Birds created by Environment Canada's Canadian Wildlife Service was given to each student. These materials have also been provided to the Wildlife Institute of India to assist in the development of a similar workshop that is to be presented on an annual basis.

A course evaluation form prepared by the CITES Secretariat was distributed at the close of the workshop. According to the comments, the workshop was well received. As part of the evaluation, attendees were asked which five topics were of most interest. It was clear that some portions of the workshop were more favorable to individuals than others, depending on the job duties of the individual. This was due to the diverse group of individuals attending the workshop, and the broad nature of the materials presented. The mix of the various agencies worked well for developing strong interagency coordination.

Financial Support: This workshop was made possible by cost-sharing expenses among the partners (Appendix XII). The Ministry funded rental of the workshop site, travel and per diem of participants, and other costs incurred in India for presentation of the workshop. USAEP funded the international travel costs and per diem for Service instructors while in India and air freight for handouts provided by Service instructors. The U.S. Fish and Wildlife Service funded the salary of the Service instructors and development of the law enforcement handouts and audio-visual materials. The Secretariat funded the salary, international travel costs and per diem for Secretariat instructors while in India and development of the CITES administration handouts. Additional assistance was provided by USAID/New Delhi and the U.S. Embassy's Science Office in workshop coordination and planning.

ACCOMPLISHMENTS

The major accomplishment of this workshop was the presentation of the CITES implementation training to all the necessary enforcement agencies involved in the illegal trade of wildlife. These individuals now have an increased awareness of the different roles that they and their agencies play in the implementation and enforcement of CITES. In addition to the recognition of the need for increased interagency cooperation within India, they realize the need for continued international cooperation in CITES implementation.

The workshop also provided the opportunity to launch media coverage regarding the importance of wildlife protection in India and the efforts being made to fulfill India's obligations as a member of

the international CITES treaty. An example of this coverage is provided in Appendix XIII.

Finally, the workshop provided the opportunity for the Service to advance its understanding of CITES related trade in wildlife in India (Appendix XIV and XV).

CONCLUSIONS AND RECOMMENDATIONS

The workshop provided a valuable, basic course for representatives of the Indian wildlife authority and the various enforcement agencies responsible for regulating the wildlife trade (Appendix XVI). This program and the presentation of the materials for use in future training will be useful to India in efforts to increase interagency coordination and comprehensive training. Although representatives were present from all the different agencies potentially responsible for wildlife enforcement, it became clear that more training of this nature had to be made available for the personnel who had not attended the workshop. Because Customs has the major burden of the enforcement of imports and exports, the wildlife authorities must ensure that more training on the Wildlife Protection Act and wildlife identification be made available. During the workshop the Wildlife Institute of India announced their commitment to the annual presentation of a course on CITES implementation. This will ensure that the information and materials presented in this workshop are maintained and made available to more Indian CITES officials. The Government of India's commitment to CITES was evident in the high level of attention given to the workshop, and the excellent attendance and thoughtful presentations of the participants.

The presentation of this workshop in India was a valuable contribution to the Ministry's efforts to lessen the illegal trade, particularly with respect to imports and exports. One of the goals of the CITES organization is to attempt to provide a strong uniform implementation of the treaty. This type of training strives to meet that goal and additional training programs in other countries can only strengthen the treaty's effectiveness.

Because of the global nature of the illegal wildlife trade, it is strongly recommended that the countries of the Indian subcontinent (India, Bangladesh, Nepal, Pakistan, Sri Lanka, and Bhutan) have a joint regional meeting to discuss common border trade problems and find solutions to prevent large scale smuggling operations. In addition, such a regional coordination meeting would provide individuals with the opportunity to meet with their counterparts in each agency.

GOI/US FWS WORKSHOP ON CITES IMPLEMENTATION
CITES

"NATIONAL LEGISLATION FOR CITES IN INDIA"

(Discussion Paper)

Introduction

What CITES is: Incorporated into the United Nations Environment Programme nearly 20 years ago, CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) plays a major role in controlling the international wildlife trade. Over one hundred countries are party to the convention which aims not to eliminate the trade but to encourage rational and sustainable utilization of living resources for human development. In other words, the objective of the conservation is the protection, through international cooperation, of certain species of flora and fauna against over exploitation through international trade. CITES is, therefore mainly a conservation convention that requires the cooperation of both importing and exporting countries for an effective implementation of trade controls.

This convention came into force from 1st July, 1975 and India became party to this convention from 18th October, 1976.

How CITES Work: CITES operates on a system of permits specially designed to regulate international trade in wildlife. The system also provide issue of some certificates for pre-convention period, trade with non party etc. All such certificates and permits are operated by the member countries (party to the convention) and CITES Secretariat providing assistance where required and also providing security stamps to check fraud or falsification of the documents.

Each party nation is required to designate one or more national level authority to execute the convention i.e. **MANAGEMENT AUTHORITY** who is empowered to issue permits and certificates and also one or more national level **SCIENTIFIC AUTHORITY** to monitor the

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CITES operation. Accordingly, under Art. IX of the convention, India has notified following authorities:

- A. Management Authority: (M.A.)**
- (i) Inspector General of Forests, Govt. of India.
 - (ii) Director, Wildlife Preservation, Govt. of India.

(Since beginning the Director, Wildlife (Preservation), Govt. of India has been the operative M.A. and IGF has used his powers only on few cases).

- B. Scientific Authority: (S.A.)**
- (i) Botanical Survey of India.
 - (ii) Zoological Survey of India.
 - (iii) Central Marine Fisheries Institute.

M.A. CITES in India has delegated his powers to four regional Deputy Directors stationed at Delhi, Bombay, Calcutta and Madras for their regions and also to Deputy Director, Project Tiger with no special mention of his jurisdiction.

Broadly M.A. has two functions:

- (a) To grant permit and certification (Art. IX. 1. [a]).
- (b) To communicate with other parties and the Secretariat (Art. IX. 2.).

Following is the summary of certifications and permits:

- (a₁) **Export Permit** - Art. III, IV & V :
when M.A. of state of export is satisfied:
- that the specimen was not obtained in contravention of the laws of fauna and flora (Art. III 2 (b), IV 2 (b) and V 2 (a) i.e. Legal Procurement Certificate (L.P.C.) is necessary.

- that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment (Art. III 2 (c), IV 2 (d) and V 2 (b)).
 - that an import permit has been granted for the specimen Art. III 2 (d).
- (a₂) **Import Permit** - Art. III.
When M.A. of state is satisfied:
- that the specimen is not to be used for primarily commercial purposes. (Art. III 3 [c]).
- (a₃) **Re-export Certificate** - Art. III, IV and V.
When M.A. of state of re-export is satisfied :
- that the specimen was imported into that state in accordance with the provisions of convention - (Art. III 4 (a) and IV 5 [a]).
 - that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment - (Art. III 4 (b) and IV 5 [b]).
 - that the specimen was processed in that state or is being re-exported (Art. V 4).
- (a₄) **Certificate of acquisition before entry into force of the convention:** - Art. VII 2.

- (a₅) **Certificate for breeding in captivity or artificial propagation:** - (Art. VII 4 and 5).
- (a₆) **Certificate of origin.**
- (a₇) **Certificate for introduction from sea:** (Art. III 5 (b), III 5 (c), IV 6 (b) and XIV 5).
- (b) The other functions of M.A. pursuant to Art. IX 2 are as under:
- (b₁) - elaboration and issuance of identification devices.
- mark used for identification of specimens - (Art. VI 7).
- labels used for the trade between scientists and scientific institutions - (Art. VII 6).
- (b₂) - **Registration.**
- Registration of scientists and scientific institutions - (Art. VII 6).
- Registration of specimens belonging to Zoo, Circus, menageries - (Art. VII 7).
- (b₃) - **Periodic reports.** - (Art. VIII 7)
- (a) Annual report on trade in endangered species Art. VIII. 7. (a).
- (b) Biennial report on legislative regulatory and administrative measures - Art. VIII. 7(b).
- (b₄) **Enforcement proceedings in case of contravention** - (Art. VIII).
- confiscation or return to state of export - (Art. VIII. 1. [b]).
- designation of rescue centres - (Art. VIII.5).
- disposal of confiscated materials/specimens.

- (b₅) - Communications with other parties and the secretariat - (Art. XIII. 1 & 2).
- (b₆) - Participation in meetings of the conference of parties:
 - adoption of national provisions for the implementation of CITES with amendments to text or Appendices.
- (b₇) - Implementation of decisions taken by the conference of parties (COP) which require follow up action.
- (b₈) - Preparation of amendment proposals - (Art. XV.2).
- (b₉) - Organizing national consultation on proposal submitted by other parties.
- (b₁₀) - Information and Education Functions.

FUNCTIONS OF SCIENTIFIC AUTHORITY:

- one of the fundamental principles underlying the convention is that implementing actions be based upon scientific information . The Scientific Authority (SA) as such can be expected to play following key role in the implementation of the convention:
 - (a) Granting of permits or Certificates (in conjunction with Management Authority - decision making):
 - (i) Export Permit - Art. III 2(a) and IV 2(a)
 - (ii) Import Permit - Art. III 3(a) and III 3(b)
 - (iii) Certificate for specimens introduced from sea - (Art. III 5(a) and IV 6(a) .

- (b) Monitoring of export permit granted for specimens of species included in appendix II (Art. IV 3).
- (c) Scientific preparation of amendment proposals concerning appendices I & II.
- (d) Participation in the national committee meeting to consider amendment proposals.
- (e) Preparation of identification kit and materials and review of such material available for the enforcement staff.
- (f) Participation in the training of enforcement staff.
- (g) Evaluation of Annual Reports.
- h. Advice when export of certain species be limited (fixing quota).

SPECIES COVERED

The convention contains no restrictions as to the taxonomic groups which can be made subject to CITES provision. Any animal species, whether vertebrate or invertebrate or any plant species may, therefore be listed provided it meets the necessary criteria. The species or higher taxa to which the convention applies are listed in three appendices.

APPENDIX - I includes species threatened with extinction which are or may be affected by trade.

APPENDIX - II includes species which are although not necessarily threatened with extinction, may become so unless their trade is strictly regulated in order to avoid utilization incompatible with their survival. This appendix may also contain species not in trade but for look alike reasons with species listed.

APPENDIX - III includes species not listed in other two appendices, which may be listed on the request of any individual party who needs international cooperation and no such species will be imported in countries of other state unless otherwise accomplished by country of origin certificate.

Listing of Appendix I or/and II may be amended at meetings of the conference of parties or between meetings by postal vote by 2/3 majority of parties present and voting and amendment is effective after 90 days of the adoption date.

Listing in appendix III may be done at any time.

Any party may have **RESERVATION** in respect of any listing and for that purpose the party will be deemed to be non-party in relation to trade in that species is concerned. Reservation may be withdrawn at the discretion of the parties that have entered them.

The updated listing of species in CITES Appendices may be obtained from office of M.A. or from any of the regional offices of Wildlife (Preservation) Govt. of India. currently there is no reservation against any of the species listed by India nor India has shown reservation for any listed species.

POLICY AND LAW CONCERNING CITES IN INDIA.

For the purpose of implementing provisions of CITES no separate law was made. Though about 10 years back a draft bill for new law concerning implementation was drafted but it was decided that concerning the volume of International trade and problem now being faced the new law may not be necessary and provisions of CITES are being regulated through following laws and regulations:

- (i) - Wildlife (Protection) Act, 1972 as amended.
- (ii) - Customs Act, 1962.
- (iii) - Rules regarding post parcels and packets from Foreign Posts IN/OUT of India.
- (iv) - Imports and Exports policy of Govt. of India.
- (v) - Marine Products Export Development Authority Act of 1972.

Other laws and regulations which may also be used are

- (vi) - Prevention of cruelty to Animals Act 1960.
- (vii) - IATA and CITES guide lines for transportatin of live animals.
- (viii) - Plant/animal quarantine Act etc.

However, CITES provisions are mainly implemented by (i) to (iv) as mentioned above and are discussed below:

WILDLIFE (PROTECTION) ACT, 1972

Chapter V and V-A of the Act deals with trade or commerce in Wild Animals, Animal Articles and Trophies. The Act provides issue of certificate of ownership under Sec.42 but this should not be confused with legal procurment certificate (LPC) which is a requirement under export control order for purposes of export of wild animal articles or plants.

After 1991 amendment of the Act hunting of wild animal is not permitted and licences are granted only in following cases:

- (i) a manufacturer of or dealer in any animal article;
- (ii) dealer in trophy or uncured trophy;
- (iii) taxidermist;
- (iv) dealer in captive animal etc.

It may be mentioned here that "Captive animal" as defined in Wildlife (Protection) Act and bred in captivity as clarified in CITES are different and hence a weak points under the present arrangement and can create enforcement problem.

Similarly exports and imports policy of the Government of India has taken "wild animal" as defined in the Wildlife (Protection) Act 1972 and not "Wildlife" as defined in the said Act and thus, weak point has been made as regards trade in butterflies and insects etc. Necessary correction is required to be made in the policy document.

Where as Wildlife (Protection) Act allows cultivation of "Specified Plants" under licence, but at present captive breeding of wild animals have not yet been allowed for commercial purposes.

Though trade in tail feathers of peacock does not attract the provision of the Wildlife (Protection) Act 1972 the export of such items are subjected to quota system.

CUSTOM'S ACT, 1962

Sec. 11 (k) and (u) of this act at present takes care of violation of Imports-Exports policy in general and provisions of CITES in particular. However, provisions made for confiscation of goods and conveyances and imposition of penalties are not fully meeting the requirement of CITES and very often some misunderstanding amongst the personnel of department who are associated with it and the custom department may take place. Such difficulties may be identified and if required suitable solution or measures be found out.,

IMPORT-EXPORT POLICY

The policy document is announced now every five years and policy on wild flora and fauna is decided in consultation with the Management Authority and the Foreign Trade (Development & Regulation. Act, 1992 has repealed the Imports and Exports (Control Act of 1947 is largely meeting the requirement of CITES including baggage rules and sale of articles in the duty free shops.

SPECIAL CONDITIONS FOR IMPORTS AND EXPORTS

India has recognized four ports for purposes of Imports and Exports and they are Delhi, Bombay, Calcutta and Madras and have also developed facilities for preshipment/release examination and quarantine facilities and this step is as per requirement of the convention. The policy document has specifically mentioned where ever imports or exports of wild flora and fauna, its parts and

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derivatives are concerned that CITES requirement is required to be followed i.e. Appendix I species are in prohibited items and in other cases CITES permit and certification etc. are also required alongwith other export/import documentation.

EFFECT OF CITES ON DOMESTIC LEGISLATION

As per Article XIV of CITES any member country can have stricter provisions and currently legal provisions available are more strict than what is required by the convention. This however is considered by some parties that such restrictions should be considered as violation of spirit of CITES. But it should be clearly understood that provisions of the present convention shall in no way affect the right of parties to adopt strict domestic legislation.

WHAT IS THE SOLUTION:

Education is the only way to check the worst abuse of wildlife laws. Further, strict laws can not be enforced effectively with poorly trained and ill equipped staff.

Practically no monitoring, research or fact finding has been done. Poor financial allocation and staffing pattern has probably encouraged unscrupulous traders to take advantage of the situation. Though India's performance for CITES requirement has been noteworthy the increase in illegal wildlife trade is quite worrying and all concerned are required to gear themselves and work in proper cooperation to combat the situation.

INDIA/INDE
 Government of India
 Ministry of Agriculture
 Forestry & Wildlife Division

Appendix II

Wildlife Regional Office

- CERTIFICATE UNDER RULES

No.

DATE.

Shipping Bill/Post Parcel No.....

Name of Cargo/Post Office.....

Date of Entry in Cargo/post Office.....

Legal Procurement Certificate/Import/Export Permit/Exemption/Re-Export

Certificate No.....Dated.....issued by.....

I.....on behalf of Assistant Director,
 Wildlife Regional Office.....herby certify that

I have examined the following animal/animal products of Consignor.....

.....

Consignee.....

today the.....199 and found in order.

There is no objection for export/import of this Consignment
 if other relevant documents are in order.

No. of Cags/Pkts.	Name of Article	Number Weight	Value CIF/FOB	Sex	Remarks
-	-	-	-	-	

on Behalf of Assistant Director
 Wildlife Preservation

GOVERNMENT OF INDIA
MINISTRY OF AGRICULTURE
FORESTRY AND WILDLIFE DIVISION

.....
*
* ZPSIEM *
*
.....

MANAGEMENT AUTHORITY - CITES

.....
* Space for Seal of *
*
* Office *
.....

Export Permit No.....

.....

Packet No.....

Signature & |
Designation |
of Officer |
Sealing the |
Consignment |

Appendix III

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED
SPECIES OF WILD FAUNA AND FLORA

(Application for Export Permit - Orchids)

To

The Management Authority,
(Director of Wildlife Preservation)
Government of India,
Ministry of Agriculture & Irrigation,
(Department of Agri. & Cooperation),
Krishi Bhavan,
NEW DELHI.

Sir,

I/We want to export the cultivated/nursery
grown Orchids of following species and number: to

The species and number now mentioned form
a part of the stock already declared has been/will be
incorporated in the returns submitted/to be submitted
to you as required under the Convention on International
Trade in Endangered Species of Wild Fauna and Flora.

Kindly issue export permit in my/our favour.

Yours faithfully,

Signature of the exporter or his
authorised agent.
(Registration No. allotted by the
Wildlife Registration office)..

Address _____

Dated _____

Day of _____

LIST OF ORCHIDS

<u>S.No.</u>	<u>Species</u>	<u>Number</u>
--------------	----------------	---------------

CERTIFICATE

The Orchids as per list above, proposed to be exported, are
nursery grown/cultivated and are available now in the nursery
of the applicant.

Signature of the authorised officer
of the State/Union Territory.

10/11

Appendix IV

CERTIFICATE OF ORIGIN

Valid until _____

COUNTRY OF ORIGIN: INDIA

This certificate is issued to _____ who declares that he/she is aware of the provisions of the Convention, for the purpose of exporting Rose ringed parakeet (Tricholophops batesii) birds listed in Appendix III of the Convention as specified below.

Male _____ Female _____ Star _____

These specimens are consigned to _____

THIS PERMIT IS ISSUED BY _____

Director, Wildlife Management Society, India

Place: _____ Date: _____

Signature of the Applicant for the Certificate

EXPORT ENDORSEMENT

Quantity _____

LPC No. _____ dt _____
Jt. CCI&E Quota No. & _____
Date _____
Shipping Bill No. _____
Wildlife Inspection Certificate No. _____
Signature _____
Official Stamp & title _____

Date _____

FORMS OF PERMITS/CERTIFICATES

1(a) EXEMPTION CERTIFICATE
GOVERNMENT OF INDIA

DEPARTMENT OF ENVIRONMENT FORESTS & WILDLIFE PRESERVATION

Valid upto _____
Export Through _____

CERTIFICATE UNDER CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF
WILD FAUNA AND FLORA

Being satisfied that the ivory articles numbering (_____) pieces Gross Weight _____ Kg. being exported by M/s _____ vide GSP No. Dated _____ of the _____ is of African Elephant (*Loxodonta africana*) and was acquired before the provision of the present Convention applied to that specimen, as Management Authority, in terms of Para 2 of Article VII of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, issue this certificate permitting export of the articles as above.

(Signature & Stamp of
applicant for the permit)

Place:

Date:

Dated _____

(Signature & Stamp of Asst. Management Authority)

NOTES: Original Copy should be surrendered to the Management Authority of the State of Import.

A stamped copy of invoice is attached with the original certificate.

Signature and Stamp of the the Authorities inspecting.

(a) On exportation (b) On importation

FORM OF APPLICATION FOR LEGAL PROCUREMENT CERTIFICATE

To
Divisional Forest Officer

Dated _____

I/We secured the live animals/live plants/wildlife product detailed below through legal means as indicated below. Kindly issue in my/our favour a Legal Procurement Certificate for direct export/for obtaining an Export Permit in terms of CITES. *

1. Details of the export consignments:

Description of the item (also state scientific name)	Common name	Quantity No. of packages/ crates.	Weight Net/Gross (in Kg.)	Identification **
1	2	3	4	5

** In case of live animals/birds, state in last column number of male/female of each species

2. Declaration regarding source of the material: *

- i) If the material is of nursery origin or captive bred, give details regarding the nursery/zoo/aviary etc. as the case may be, with any other supporting documents.
- ii) If the material/live animal/plant is collected from the wild indicate number, date and authority of issue of the trapping licence/ collection permit.
- iii) If the material is obtained from another 'dealer' duly licenced under the Wildlife Act, give details of the Licence No., Authority of issue and date of this transaction.

3. a) Export point * Delhi Calcutta Madras Bombay
 b) Mode of Export By sea By Air By Post Parcel

Signature, name and full postal address of the exporter or his authorised representative.

Licence No. _____
 Issued by _____

LEGAL PROCUREMENT CERTIFICATE
(FAUNA/FLORA/DERIVATIVES)

CONVENTION ON THE INTERNATIONAL TRAD. IN ENDANGERED *
SPECIES OF WILD FAUNA AND FLORA

CERTIFICATE NO. _____

VALID UPTO _____

Details of earlier LPC(s) cancelled
by this (No., and date, issued by...)

1. This certificate is hereby issued in favour of
M/S./Sri/Smt. _____
(Give full postal address with pincode and Sta

Holder of Licence No. _____ in terms of Wildlife
(Protection) Act-1972 for export of Wild Fauna/Flora/
Parts/Derivatives from fauna/flora as detailed below:

2. I hereby certify that the fauna/flora or their derivatives
of which export is permitted was bred in captivity/
procured in the wild.

3. Details of fauna/flora/derivatives:

Description of the item (also state scientific name)	Common name	Quantity No. of packages/ crates.	Weight Net/Gross (in Kg.)	Identification Mark of package
--	-------------	-----------------------------------	---------------------------	--------------------------------

1	2	3	4	5
---	---	---	---	---

Date of Issue _____

Signature, Designation with seal & full postal address of issuing officer.

Signature & Designation of officer sealing the consignment _____

NOTE: Delete if not applicable. If LPC is obtained for a CITES Export Permit, please, apply in prescribed form together with this LPC to CITES Management Authority.

** In case of live animals/birds the consignment need not be sealed but state in last column number of male/female of each species.

Appendix VIII

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED
SPECIES OF WILD FAUNA AND FLORA

FORM FOR ISSUE OF LEGAL PROCUREMENT CERTIFICATE
(To be filled in by the State Government Authority)

CERTIFICATE NO. _____ VALID UPTO _____

A. This certificate is hereby issued in favour of
Messrs/Sri/Smt. _____
Son/Daughter/Wife _____
Village _____
P.S. _____
Post Office _____
District _____
State _____

For export of Flora listed below:-

B. I do hereby declare:-
that the flora for which this export permit is
recommended was bred/artificially propagated and
cultivated in nurseries.

C. List of the Flora:

Packet No.	Name of the Species Scientific name Common name	Quantity or Number	How collected	Remarks
------------	--	--------------------------	------------------	---------

D. Sealed in my presence.

E. Impression of the seal used.

Signature of the Officer
issuing the certificate

GOVT. OF ASOKE
STAMBHA SEAL

CERTIFICATE NO. _____

PACKET NO. _____

Signature and Designation
of the Officer Sealing
Consignment.

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Appendix IX

U.S. FISH AND WILDLIFE SERVICE INSTRUCTOR SCHEDULE

Feb. 14, 1995

Special Agent (SA) Brooks and Wildlife Inspector (WI) Einsweiler arrive in India. Impromptu meeting with the Assistant Collector for Customs Mr. Balesh Kumar after being detained for customs inspection. Discussion of recent customs seizures of wildlife, and a request for additional training with customs officials at the passenger terminal. SA Brooks made observations in the city center as to what type of wildlife and/or wildlife products were being offered for sale. SA Brooks and WI Einsweiler meet with an NGO group regarding wildlife trade issues in India.

Feb. 15, 1995

SA Brooks and WI Einsweiler meet with the representatives of the Ministry of Environment (Surender Kumar, Deputy Director- Northern Region; Kishore Rao, Additional Director Wildlife; S.C. Dey, CITES Management Authority) and Wildlife Consultant Ashok Kumar.

Feb. 16, 1995

American Embassy contact with Kira Glover
Organization of workshop materials

Feb. 17, 1995

Meeting with CITES Representatives (Deputy Secretary Jaques Berney; Infractions Prevention Officer Jean Patrick LeDuc; CITES Plant Officer Ger Van Vliet). Team finalized details on individual teaching responsibilities.

Feb. 18, 1995

Team viewed classroom facilities, set-up audiovisual equipment, and group exercise tools. SA Brooks attempted contact with Indian Customs for further training program.

Feb. 19, 1995

Organization of workshop materials by Team members

Feb. 20, 1995

Opening inaugural ceremony, and 1st day of workshop (see Appendix XI for workshop details).

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Feb. 21, 1995

2nd day of workshop

Meeting by SA Brooks and Deputy Secretary Berney with Minister Nath. Meeting by same with Minister and traders on Shahtoosh issue. Evening briefing session with Team regarding Ministry meetings.

Feb. 22, 1995

3rd day of workshop

Feb. 23, 1995

4th day of workshop

WI Einsweiler and J.P. LeDuc present a brief program to Customs passenger baggage inspectors regarding the size of the illegal wildlife trade, smuggling methods used, and possible wildlife being traded.

Feb. 24, 1995

5th day of workshop

Closing ceremonies

SA Brooks and WI Einsweiler meet with Indian Customs Directorate of Revenue Intelligence officials regarding the extent of the illegal wildlife trade in India, and to provide a contact base in the United States. SA Brooks presents a brief program to Customs passenger baggage inspectors regarding profiling passengers involved in the wildlife trade.

Feb. 28, 1995

SA Brooks and WI Einsweiler depart New Delhi.

Appendix X

CITES IMPLEMENTATION WORKSHOP

20-24 February, 1995

Vigyan Bhavan, New Delhi

LIST OF PARTICIPANTS

FACULTY FISH AND WILDLIFE SERVICES AND CITES

		<u>Phone No.</u>	<u>Residence</u>
		<u>Office</u>	
1.	Mr. Jaques Berney, CITES Secretariat	022-9799139/40	
2.	Mr. John Leonard Brooks, USF&WS	703-358-1949 Fax 703-358-2271	703-525-8431
3.	Ms. Sheila Strand Elnswiler, USF&WS	703-358-1949	
4.	Mr. Fred Mason Bagley, USF&WS	703-358-1760	301-916-9889
5.	Mr. Van Vliet, CITES Secretariat	(41) 022-9799139/140	
6.	Ms. Jean Patrick Le Duc, CITES Secretariat	(41) 22-9799130 Fax: 227973417	(41) 227856168
7.	Shri S.C. Dey, Management Authority CITES, Govt. of India New Delhi	4362785	3011604
8.	Shri V. Ramarao, Joint Director, Director General of Foreign Trade Ministry of Commerce		
9.	Comdt. A.K.S. Chauhan Coast Guard Hq. National Stadium Complex New Delhi	384423	-
10.	Comdt. R.M. Sharma Coast Guard Hq. National Stadium Complex New Delhi	384425	4363439

11.	Shri A.K. Narainan Asstt. Comdt. 21 ITBP c/o 56 APO	2391	2398
12.	Shri Dhaneshwar Kumar Sharma Jt. Assistant Director, BSF 89, Saakshara Apt, A-3 Paschim Vihar, New Delhi 110063	4361488/463	5582810 5688144
13.	Shri Amitabh Kumar Asstt. Director D.R.I F-1 Kaka Nagar Customs & Excise Flats New Delhi 110003	4362990	4620984
14.	Shri G.M. Chakrabarti Dy. Commr. (Calcutta) 18, Lal Bazar Street Calcutta 700001	255900	-
15.	Shri V. Ranganathan ACP, Crime, Delhi., W-4/2 Andrewsganj Police colony New Delhi 49	670796	6444485
16.	Shri Sushil Kumar Inspector, Delhi Police		
17.	Shri Nanasaheb Hiranmanrao Chawan Asst. Commr. of Police, Bombay		
18.	Shri P. Dhandapani, Deputy Director Marine Biological Station Zoological Survey of India 100 Santhome High Road Madras 28	4942680 4943191 4941577	4919845
19.	Dr. M.S. Pradhan, Deputy Director Zoological Survey of India Western Regional Station 1182, F.C. Road, Shivajinagar Pune 411005	345213/325018	
20.	Dr. Y.P. Sinha, Scientist 'B' Gangetic Plains Regional Station Zoological survey of India Handloom Bhawan, 4th Floor Patliputra Path, Rajindra Nagar Patna 800016 (Bihar)		

21. Shri J.P. Sati, Asstt. Zoologist
Zoological Survey of India
218, Kaulagash Road,
Dehradun 248195
22. Shri Girija Sankar Giri
Scientist 'SD'
Botanical Survey of India
P-8. Brabourne Road, Calcutta
2424922/2423881
Fax: 0332429330
23. Dr. S.P. Goyal
Wildlife Institute of India
P.O. Box 18
Dehradun.
620912-620915
Fax: 0135-620917
24. Shri Vivek Menon
TRAFFIC-India,
WWF India, 172-B
Lodhi Estate, New Delhi
4611258
25. Brig. Ranjit Talwar
Administrator, TRAFFIC-India
WWF India, 172 B, Lodhi Estate
New Delhi
4611258
26. Shri R.Venkataraman
Assistant Collector Custom
D/17 Income Tax Quarters
Nungambakkam High Road
Madras 34
5221918
8282113
27. Dr. M.S. Rajagopalan
Principal Scientist,
Central Marine Fisheries Research
Institute
P.B. 1603, Cochin 6832014
369867
3199611
28. Shri Sujit Chakrabarty
Deputy Director,
Zoological Survey of India,
535, Next Alipur Road,
Calcutta 700053
033-4786892
29. Shri S.K. Mukherjee
Director, Wildlife Institute
of India
P.O. Box 18, Dehradun
91-0135620912
to 620915
Fax: 91-0135620917
620326

30. Shri Suresh Chugh, Deputy Director, Wildlife M/o Environment & Forests Paryavaran Bhawan, CGO Complex New Delhi	4363972	2202799
31. Shri Kishore Rao Additional Director, Wildlife M/o Environment & Forests Paryavaran Bhawan, CGO Complex New Delhi	4360957	4360446
32. Shri Surender Kumar Deputy Director, Wildlife Preservation, Norther Region Bikaner House, Barrack No. 5 Shahjahan Road, New Delhi	384556	2511855
33. Shri M.L. Sharma Director, Animal Welfare M/o Environment & Forests Bikaner House, Barrack No. 6 Shahjahan Road, New Delhi	386277	521446
34. Shri S.C. Sharma Member Secretary, Central Zoo Authority Bikaner House, Barrack No. 4 Shahjahan Road, New Delhi- 11	381585	2917139
35. Shri D.P. Bhankwal Joint Director, National Zoological Park New Delhi	4618500	
36. Shri Lakhwinder Singh DIG, Fire Fighting M/o Environment & Forests Paryavaran Bhawan, CGO Complex New Delhi	4362612	4362810
37. Shri F.S. Jaffrey DCF (WL) LBS Road, Thane Mahrashttra 400602	022-502522	5391967
38. Shri N.V. Trivedi Babu Conservator of Forests Agasthyavanam Biological Park Forest Head quarters Vazhuthacaud, Trivandrum 695014	0471-65385	342058

39. Shri G. Hari Kumar
Conservator of forests (Wildlife)
Forest Head quarters
Vazhuthacaud, Trivandrum 695014
40. Shri N.Krishna Kumar
Wildlife Warden,
Indira Gandhi Wildlife
Sanctuary, Pallichy,
Coimbatore, Distt. Tamil nadu
41. Shri P. Kannan
Regional Deputy Director,
Wildlife Preservation, Southern Region
C-5, Brownstone Apartments
Mahalingapuram
Madras 34 8253977 4826802
42. Shri M. Ramalingam
Wildlife Inspector
Wildlife Regional Office, Southern Region
C-5, Brownstone Apartments
Mahalingapuram, Madras 34 8253977 417074
43. Shri V.K. Sinha
Regional Deputy Director
Wildlife Preservation, Western Region
11, Air Cargo Complex
Sahar, Bombay 400099 8328529 3612855
44. Shri V.K. Dixit
Wildlife Inspector (WR)
11, Air Cargo complex
Sahar, Bombay 400099 8328529
45. Shri S.K. Das
Regional Deputy Director
Wildlife Preservation, Eastern Region
234/4 AJC Bose Road
Nizam Palace, Calcutta 20 2478698 373251
46. Shri Abhijit Roy Chowdhury
Wildlife Inspector
Wildlife Preservation, Eastern Region
234/4 AJC Bose Road,
Nizam Palace, Calcutta 20 2478698
47. Shri A.C. Chaubey
DIG(SU)
M/o Environment & Forests
Paryavaran Bhawan, CGO Complex
New Delhi 4362875 3782779

48. Shri B.S. Gurm Assistant Director Sub-regional Wildlife Preservation Office 115-A, Abrol Nagar Pathankot.	26761	26761
49. Shri G.L. Purohit Wildlife Inspector Wildlife Preservation, Northern Region Bikaner House, Barrack No. 5 Shahjahan road, New Delhi	384556	
50. Shri K.N. Singh Wildlife Inspector Wildlife Preservation, Northern Region Bikaner House, Barrack No. 5 Shahjahan Road, New Delhi	384556	
51. Shri M.C. Thakur Addl. collector of customs Sahar International Airport Bombay.	8326016	
52. Shri Kuldeep Saini Jt. Asst. Director, BSF Srinagar		

AGENDA

PROGRAMME

CITES IMPLEMENTATION WORKSHOP
(WILDLIFE SECTION)
VIGYAN BHAWAN ANNEXE, CONFERENCE ROOM " B "
(20-24, February, 1995)

20-2-95

I. Inauguration

- 0900 hrs. : Registration of Participants
1000 hrs. : Welcome Address-Sh.M.F.Ahmed IGF
1005 hrs. : Address by Chief Guest Hon'ble MEF
Sh.Kamal Nath
1025 hrs. : Vote of Thanks-Sh.S.C.Dey Addl.IGF

1030 hrs. to 1100 hrs. TEA

II. Introduction (First Day Presentation by CITES Sectt.
except as noted otherwise)

- 1100 hrs. A : Opening Remarks : India-Sh.S.C.Dey ;CITES
Secretariat & FWS
1120 hrs. B : Presentation-CITES/FWS-Objectives &
Methodology
1140 hrs. C : CITES history & objectives /Video film-
optional)
1200 hrs. D : Global,Regional and Indian trade in CITES
Specimens-TRAFFIC India Representative
1230 hrs. E : CITES in India-An overview-Sh.P.kannan
(DD,SR)

III. CITES Administration

- 1245 hrs.F : Definition of a species and specimen in
CITES
1300 hrs G : Presentation of the species included in
Appendices
1320 hrs.H : How to read CITES Appendices & Exercise I

1400 hrs. to 1430 hrs. LUNCH

- 1430 hrs.I : Principles of Appendices
1450 hrs.J : Procedure for Appendices in general
1530 hrs.K : Procedure for Appendices in India
Shri Surender Kumar (DD, NR)

1550 hrs. to 1615 hrs. TEA

- 1615 hrs.L : Exercise II
1715 hrs.M : Pre Convention Specimens & Exercise III

21.2.95

(Second Day presentation by CITES Sectt. except as noted otherwise.)

- 0900 hrs.A : Specimens bred in captivity, definition & procedure.
0930 hrs.B : Control of breeding operation
0950 hrs.C : Exercise- IV & correction of Ex.- II
1050 hrs.D : Trade in plants Artificial Propagation & Exercise V

1130 hrs. to 1145 hrs. TEA

- 1235 hrs.E : Legislation in India- Sh.S.K. Mukherji
(Dir, WII)
1250 hrs.F : Quotas & Reexport

Lunch 1330 hrs. to 1415 hrs.

- 1415 hrs.G : Personal effects & Exercise- VI and Correction Ex.- V
1500 hrs.H : Permit Process & reading CITES Document
1530 hrs.I : Presentation of CITES Document- India
Sh. Lakhwinder Singh (DIG,FF)
1545 hrs.J : Exercise VII
1600 hrs.K : Functions of the Management Authority

1615 hrs. to 1630 hrs. TEA

- 1630 hrs.L : Annual Report How to use it.
1645 hrs.M : Functioning of Management Authority in India
Sh. S.C. Dey (Addl. I.G.F.)
1700 hrs.N : Functions of Scientific Authority
1715 hrs.O : Scientific Authority in India-Director,
BSI/ZSI
1730 hrs.P : CITES Structure and CITES projects & Exercise VIII

22.2.95 (Presented by USF & WS)

I. Introduction to Law Enforcement and Inspection

- 0900 hrs.A : Overview of the situation in USA

II. Methods of Document Analysis

- 0930 hrs.B : Document Analysis & Exercise I/X
1030 hrs.C : Types of Document Frauds & Exercise- X

1115 hrs. to 1130 hrs. TEA

1130 hrs.D : Document Frauds- Video Film

III 1200 hrs E : Types of Inspections
IV 1230 hrs F : Smuggling- slides

1330 hrs. to 1415 hrs. LUNCH

V 1415 hrs G : Smuggling video film
VI 1445 hrs H : Safety 51 slides and Equipment Techniques
VII 1515 hrs I : Inhumane Shipment

1545 hrs to 1600 hrs TEA

VIII 1600 hrs J : Disposition and use of confiscated
specimens slides & Live Wildlife

IX 1630 hrs K : Discussion

Investigative Programme

X 1715 hrs L : An Overview
i) Wildlife- Legislation
ii) Training- Video

23.2.95 (Fourth day presentation by USE & WS)

XI 0900 hrs A : Conducting a criminal investigation
i) Phases of investigation
ii) Investigative tools
iii) Investigative Techniques

1130 hrs. to 1145 hrs TEA

XII 1145 hrs. B : Conducting an Investigation

1330 hrs. to 1415 hrs. LUNCH

1415 hrs.C : Conducting Investigation Contd.

XIII 1515 hrs. D : Case Profiles video

1600 hrs. to 1615 hrs. TEA

1615 hrs. E : Overview of the USFWS/LE Forensic lab.
1630 hrs F : Establishing an International Wildlife
Law Enforcement Program
1715 hrs G : International fraud CITES SEC.

24.2.95

I 0900 hrs A : Species Identification Guides/Mannuals
(FWS/LE)

1100 hrs. to 1115 hrs. TEA

II 1115 hrs B : Identification of Key Species of India-
ZSI/BSI/WII

1330 hrs. to 1415 hrs. LUNCH

III 1415 hrs C : Discussion- CITES/INDIA/FWS/ LE

IV 1530 hrs D : Final Excercise

1630 hrs. to 1645 hrs. TEA

V Valedictory session'

1645 hrs E : Summing up of the WS & concluding remarks
Representation of US FWC/CITES

1705 hrs F : Distribution of certificates - Secretary,
(E&F)

1715 hrs G:- Address by Secretary (E&F).

1730 hrs H: Vote of Thanks.

XXXXX

Appendix XII

EXPENDITURES FOR PRESENTATION OF
CITES IMPLEMENTATION WORKSHOP IN INDIA
(U.S. DOLLARS)

Item	United States-Asia Environmental Partnership	U.S. Fish and Wildlife Service	CITES Secretariat	India's Ministry of Environment and Forests
Salaries		16,690.00	XXXXX	XXXXX
Airline tickets and per diem	10,082.00		XXXXX	
Air freight	1,040.00			
Training Supplies		2,475.00	XXXXX	
Training site rental and domestic travel of students				XXXXX
Copying/Communications		1,500.00		
TOTALS	11,122.00	20,665.00	XXXXX	XXXXX

XXXXX indicates that the identified agency assumed responsibility for these expenses. Information on the exact cost was not exchanged.

Kamal Nath pleads for end to wildlife market

NEW DELHI - The Minister of State for Environment and Forests, Mr Kamal Nath, on Monday asked the developing nations to ensure that no markets for wildlife items existed in their countries and made a forceful plea for destroying the nexus between smugglers of narcotics and wildlife, reports PTL.

The dangerous nexus between the smuggling of narcotics and wildlife could be broken by stepping up the level of sophistication, techniques and equipment used by enforcement agencies, Mr Kamal Nath said, adding that the task had become more difficult because trade in wildlife items had become very lucrative following a rise in their demand

all over the world.

The Minister was inaugurating a five-day international workshop on the implementation of the Convention on International Trade in Endangered Species of wild flora and fauna (CITES) organised by the Ministry, CITES and the United States Fish and Wildlife Service, an official press release said.

The developed countries must not only ensure they do not provide markets for wildlife items, they must help developing nations to conserve not only the threatened species but also their forests, habitats of countless species and the entire biodiversity for the benefit of the world community.

Appendix XIV

OBSERVATIONS ON WILDLIFE TRADE

SA Brooks had the opportunity to visit many of the local tourist shopping areas around the city. Shop vendors were clearly aware of the items that were not allowed to be sold (much of the native wildlife). Ministry Officials and NGO contacts provided information on shops suspected of selling leopard and tiger skins and their products.

After visiting many of the shops it was clear that business was tailored towards Eastern Europeans (signs were written in Russian and Hindi). The shop owners were leery of dealing with Americans, and alerting them to the illegal trade because of the American pro-environment and anti-fur attitude. The majority of illegal wildlife trade in New Delhi had been driven underground. Illegal items were not readily available for sale in the tourist shops.

Appendix XV

MEETINGS ON INTERNATIONAL ILLEGAL WILDLIFE CONCERNS

The Indian Wildlife Authorities expressed concerns about several species that were believed to be in international trade, wondering if the United States could provide some enforcement help. The species of major concern is the endangered (CITES Appendix I) Tibetan antelope (*Pantholops hodgsoni*) whose wool is used extensively in the manufacture of women's woolen shawls. In Kashmir, the wool from this antelope is considered to be one of the finest wools in the world. The wool is being smuggled into India from China (Tibet) where it is being manufactured in the Kashmir state of India. The shawls then are being exported to the major industrial countries. It was believed that some of the shawls were making their way to the United States.

Several meetings were held with Ministry officials to discuss the controversial trade issue. At this time it is legal to sell the shawls within India (mostly because of political pressure with respect to the Kashmir region). It was strongly suggested that the sale should be made illegal. Minister Nath advised that he had met with members of the wool garment community who market the various shawls manufactured in the Kashmir area. The Minister was told by the traders that the wool was collected by hand, off bushes found by Tibetan people during the time period that the antelope is shedding its winter wool. Members of the Minister's staff stated that the collection of wool from bushes was not possible from the region of the Himalayan mountain range in which the antelope live. An official complaint lodged by the People's Republic of China indicated that the antelopes were being unlawfully taken by Tibetan traders. The pelts and/or wool from these animals were then sold to Indian traders, who in turn sold them to the shawl dealers in Kashmir. The Chinese government had formally asked India to assist in protecting the antelope by cracking down on the unlawful exportation of its wool and products. The Ministry presented a slide show depicting the area in which the antelope lived, the physical characteristics of the antelope, and footage of one of the antelope being skinned by native Tibetan people. The Minister called for a complete halt to the manufacture of the shawls. The Kashmir dealers refuted this information and stood by the story of collection of wool off the bushes.

Both the Secretariat and the United States expressed great concern regarding the legal sale of these items. Information was gathered regarding the countries receiving the woolen shawls. Inquiries at several local shops revealed the names of importers in the United States, France, and Switzerland. Both the Secretariat and the U.S. stated that they would be following up on this information.

The Wildlife Institute of India was working on attempting identification of the wool. They had sent samples to the National Fish and Wildlife Forensics Lab for further investigation. SA Brooks stated he would look into the forensic work being conducted.

The second species of concern was the plant *Taxus wallichiana* that is used in the manufacture of Taxol. The Indian Wildlife Authorities were concerned about the increased pressure upon this species. It was being exported in the manufactured form for the most part. Under CITES, these manufactured drugs do not require any CITES documentation.

India was concerned about the vast quantity being exported without being regulated. The majority of Taxol is imported into the United States. SA Brooks stated he would look into the quantity that is being imported. The CITES Secretariat stated that India must create its own system for monitoring the exports as CITES exempts the drug from permit requirements. CITES parties at the last meeting were unwilling to add permit requirements for manufactured drugs.

During the week of the workshop, several seizures of live wildlife were made at IGI Airport by Indian Customs. One shipment consisted of Indian Ring-necked Parakeets and Hill Mynas. The birds had been overpacked in several burlap-covered crates that were being shipped as excess baggage. Several other shipments of these same birds had been caught previously. These two species are the most commonly smuggled birds.

A second seizure was of two live Rhesus monkeys that had been openly displayed by the exporter in the airport. The exporter repeatedly told customs and police officials that she was just waiting for an incoming plane. Because nothing had been declared as an export, customs officials could not act. Once the woman attempted to board, the monkeys were seized. Apparently there is a common trade in live monkeys to Eastern Europe.

Chartered planes from Eastern Europe (primarily Moscow) regularly arrive. The passengers buy large quantities of all types of items available in the marketplaces. The large bundles of goods are then declared as excess baggage. The chartered planes sit at the airport, often for days, waiting until they are full before taking off. It became clear that this was a very good avenue for smuggling goods out of India. Customs officials had recently changed much of their inspection routines to emphasize outbound passengers and cargo.

From the wildlife perspective, India must concentrate on export. The two major trade routes out of India are to Eastern Europe (via Moscow) and to Dubai in the United Arab Emirates. Connections were

made from these two places for the rest of the world. Suspect shipments to the United States from Dubai may well have originated in India. Both Customs and Coast Guard officials felt it was very easy to smuggle items out to Dubai either by plane or across the water.



मन्त्री
पर्यावरण एवं वन
भारत
MINISTER
ENVIRONMENT & FORESTS
INDIA

D.O. No. 4-6/92-WL.I

3 MAY 1995

Dear *Bruce Babbitt*

Many thanks for your letter regarding the last meeting of the Conference of Parties (CoP) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). We are grateful for the support of the United States delegation which ultimately led to the withdrawal of the proposals to downgrade the South African elephant population to Appendix-II and to trade in the Sudanese stockpiles of ivory. We feel that this is a major achievement towards conservation of this beleaguered species.

I would also like to thank you for your assistance in facilitating the CITES Implementation Training Workshop which was held in Delhi in February 1995. The team of officials from the U.S. Fish & Wildlife Service did an excellent job of explaining CITES administration and enforcement procedures. We hope to receive your continued support for these and other conservation efforts in India.

We had a very interesting and useful visit by Tim Wirth last month. I am happy that he was able to find the time to visit one of our National Parks (and even do some wildlife tracking and watching on elephant back!). As you are probably aware, Tim's visit culminated in the signing of the Indo-US Common Agenda on Environment, which has been very well received in India and abroad. We have already begun working on concrete programmes related with it.

I look forward to meeting you on my next visit to the United States.

With personal regards,

Yours sincerely,

[KAMAL NATH]

Mr. Bruce Babbitt,
The Secretary of the Interior,
WASHINGTON DC
UNITED STATES OF AMERICA