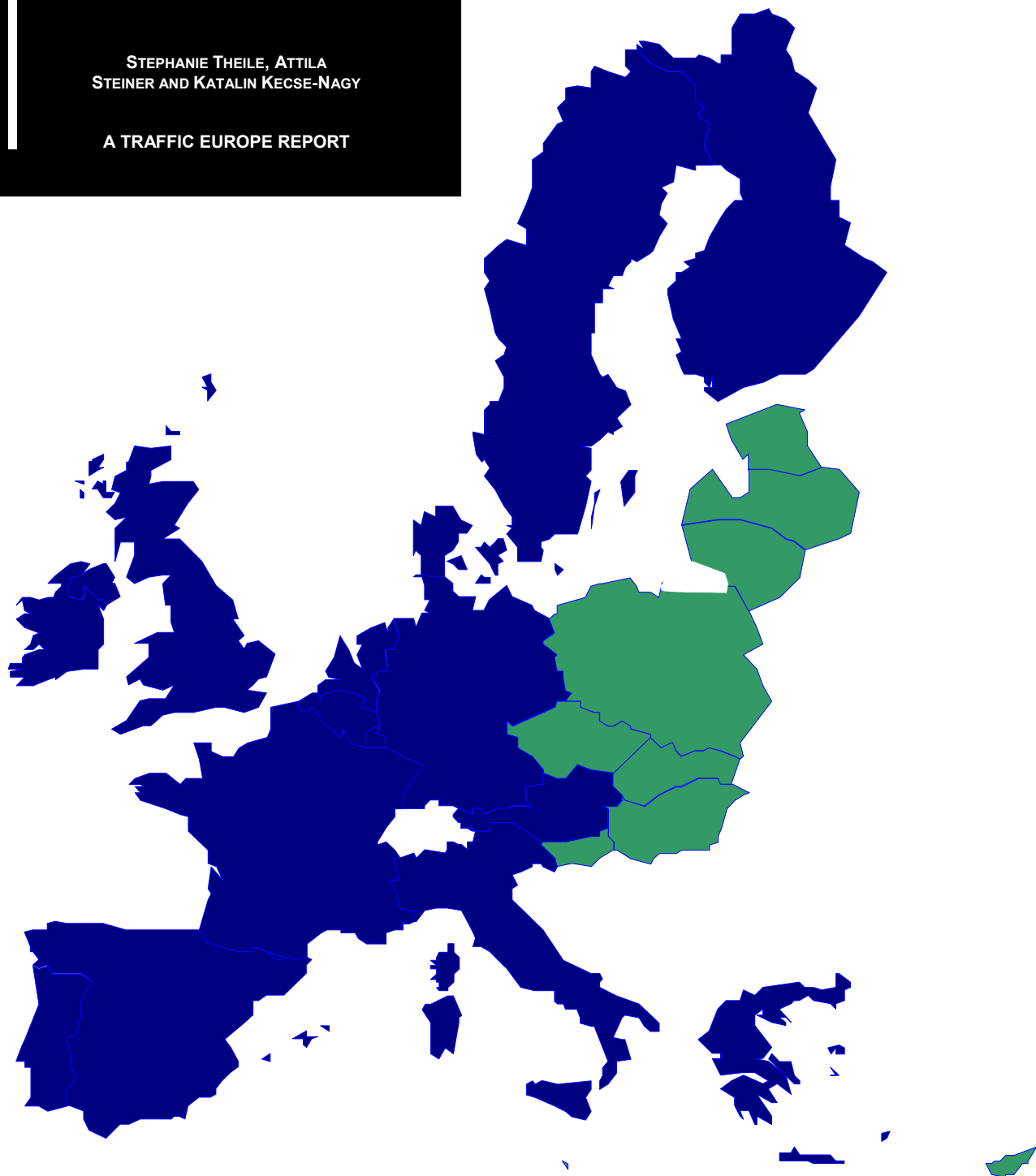


# EXPANDING BORDERS:

NEW CHALLENGES FOR  
WILDLIFE TRADE CONTROLS  
IN THE EUROPEAN UNION

STEPHANIE THEILE, ATTILA  
STEINER AND KATALIN KECSE-NAGY

A TRAFFIC EUROPE REPORT



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# **EXPANDING BORDERS:**

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by Stephanie Theile, Attila Steiner  
and Katalin Kecse-Nagy



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## EXECUTIVE SUMMARY

On 1 May 2004, 10 countries (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia) will join the European Union (EU). With its high standard of living and a total population of more than 370 million people, the current EU represents one of the largest and most diverse markets for wildlife and wildlife products in the world. Between 1996 and 2002, the 15 EU Member States imported, for example, six million live birds, 1.5 million live reptiles, around 10 million reptile skins, 21 million orchids and 572 t of sturgeon caviar. All such imports are subject to the EU Wildlife Trade Regulations, that implement the provisions of CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) in the EU.

The expansion of the EU will increase the size of the EU single market and the Union's role as a major wildlife consumer. Current border controls operating between the existing and acceding EU Member States will disappear and allow the free movement of CITES-listed species and their products inside the EU. The enlargement of the EU in May 2004 will also shift the Union's external borders further east, placing the 10 newest Member States on the frontline for controlling imports of regulated wildlife to the EU. The EU eastern land borders will increase in size by one-third (from 2400 km to 3300 km) and will be controlled by seven countries instead of just three. Accordingly, and in contrast, the countries that used to control the old borders will drastically reduce their Customs controls.

Since the fall of the Iron Curtain in the early 1990s, several of those countries due to join the EU in May 2004 (hereafter referred to as "Acceding States") have become globally significant transit points for wild animal and plant species and their products and derivatives from around the world. A large portion of this trade is driven by demand from western European countries. For example, around 70% of the reptiles legally exported by the Acceding States are imported by the current EU. Conversely, the EU Member States have exported significant volumes of CITES-listed specimens to the Acceding States: for example, almost one-third of all parrots imported legally by the Acceding States between 1996 and 2002 came from the EU. There is also a significant trade in wildlife between the Accession States, and of course, between existing Member States.

From May 2004, the 10 Acceding States will have to implement and enforce *Council Regulation (EC) No. 338/97* and *Commission Regulation (EC) No. 1808/2001* (hereafter called "EU Wildlife Trade Regulations"), laws which are stricter than CITES requirements in several ways. There are concerns that, owing to such differences between CITES and the EU Wildlife Trade Regulations, traders in the Acceding States have been able to legally import species banned from importation in the EU for years. Such specimens (i.e., those already imported into Acceding States), and any that may have been illegally imported, will be able to be traded freely between EU Member States from May 2004. Conversely, the same will be the case for specimens that have been illegally imported into existing EU Member States that will be able to enter the markets of Acceding States. As some of the Acceding States have not had a requirement to mark specimens, or introduced such a requirement only recently, there are concerns that illegally obtained specimens will be laundered into the EU single market, for example, by declaring them as captive-bred or pre-Convention stock. Such practices are well known among enforcers in the EU and the control of such "white-washing" practices is particularly challenging as it requires special skills and expertise to detect. There is evidence that threatened and strictly protected CITES Appendix-I listed animals, such as the Saint Lucia Amazon *Amazona versicolor* or the endangered Madagascar Tortoise *Geochelone yniphora* have been smuggled into the Acceding States and evidence that the CITES Appendix-I listed Kleinmann's Tortoise *Testudo kleinmanni* has been imported illegally into Acceding States in quantities of several hundreds in recent years.

The report raises concerns about the lack of co-ordination and co-operation among the relevant enforcement agencies involved in controlling wildlife trade at EU level and urges the EU Member States to strengthen collaboration and co-ordination between themselves to meet the challenge of regulating wildlife trade in the enlarged EU.

The specific recommendations of the report are to:

**Strengthen inter-agency co-operation in, and co-ordination of, the enforcement of wildlife trade controls in the EU, by**

- providing the EU Enforcement Group with the equivalent level of financial resources as is now committed to the EU Wildlife Trade Committee and the Scientific Review Group;
- ensuring adequate representation in the EU Enforcement Group and nominating a national enforcement focal point for wildlife trade;
- seconding experienced wildlife trade enforcement staff to assist with the development and operation of an EU wildlife trade task force;
- co-operating and co-ordinating with other bodies and agencies working on the enforcement of wildlife trade laws;
- monitoring and controlling wildlife trade entering the EU via its new eastern borders, in particular in areas bordering Belarus, Romania, the Russian Federation (including Kaliningrad), Ukraine and the Balkan States, Serbia and Montenegro and Croatia.

**Assist new Member States in training and capacity building, by**

- ensuring the continuation, further development and funding of existing and new capacity-building and training initiatives aimed at assisting the Acceding States in building their expertise and knowledge in implementing and enforcing the EU Wildlife Trade Regulations;
- organizing a training workshop that deals with the practical application of the EU Wildlife Trade Regulations, in particular with the use and issuance of internal EU certificates and the control of intra-Union trade.

**Enhance the effectiveness of the EU Wildlife Trade Regulations, by**

- compiling non-confidential information on seizures and confiscations of CITES-listed specimens and information on the Annex-A listed species for which Article 10 certificates have been issued;
- undertaking a review of the marking methods and procedures in place in the 25 EU Member States and discussing ways in which a more harmonised system could be achieved;
- conducting a review of the legislative provisions in place in the 25 EU Member States to enforce the EU Wildlife Trade Regulations, in particular those that concern penalties for violations, to identify discrepancies and to provide guidance for more uniform application.

**Monitor effects of current enlargement and prepare for future enlargement of the EU, by**

- monitoring trends in wildlife trade and any emerging problems of illegal trade, to assess the impact of EU Accession on the implementation of the EU Wildlife Trade Regulations;
- providing technical assistance and financial support to countries that will accede to the EU in the future (Bulgaria, Romania and Turkey).



## INTRODUCTION

On 1 May 2004, 10 countries (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia) will join the European Union (EU). With its high standard of living and a total population of more than 370 million people, the current EU represents one of the largest and most diverse markets for wildlife and their products in the world. Between 1996 and 2002, the 15 EU Member States imported, for example, six million live birds, 1.5 million live reptiles, around 10 million reptile skins, 21 million orchids and 572 t of sturgeon caviar. All such imports are subject to *Council Regulation (EC) No. 338/97* and *Commission Regulation (EC) No. 1808/2001* (hereafter called “EU Wildlife Trade Regulations”), that implement the provisions of CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora).

The EU has a long history of enlargements: in 1967 six founding members signed the Treaty of Rome (Belgium, France, Germany, Italy, Luxembourg and the Netherlands) and four enlargements have followed (Denmark, Ireland and the United Kingdom in 1973, Greece in 1981, Portugal and Spain 1986 and Austria, Finland and Sweden in 1995). The enlargement facing the EU today is without precedent in terms of scope and diversity: the number of countries, the area and population.

The historic expansion of the EU will not only increase the size of the EU single market and the EU’s role as a major wildlife consumer but will also shift the EU external borders further east, placing the 10 new Member States on the frontline for controlling imports of regulated wildlife into the EU. At the same time, systematic trade controls between the existing and new EU Member States will disappear and allow the free movement of CITES-listed species and their products inside the EU. The EU eastern land borders will increase in size by one-third (from 2400 km to 3300 km) and will be controlled by seven countries instead of just three. In contrast, the countries that used to control the old borders will drastically reduce their Customs services. The effective control of the EU external borders is a crucial component in ensuring that the EU single wildlife trade market is legal and well regulated.

Since the fall of the Iron Curtain in the early 1990s, several of those countries now due to join the EU in May 2004 (hereafter referred to as “Acceding States”) have become globally significant transit points for wild animal and plant species and their products and derivatives from around the world. However, the majority of this trade is driven by demand from western European countries. Starting on 1 May 2004, the 10 new Member States will have to implement and enforce the EU Wildlife Trade Regulations that implement CITES in the EU and that are stricter than CITES in several ways. There have been concerns that differences between CITES and the EU Wildlife Trade Regulations have allowed traders in the Acceding States to legally import species that have been banned from importation into the EU for years. After 1 May, owing to the lack of internal border controls, many of these specimens will be able to be traded freely between EU Member States, as well as specimens that may have been illegally imported, some of them long before the enlargement of the EU borders.

There have been concerns that the expansion of the EU will also create new opportunities for traders to smuggle wildlife into the EU, for example using border points that are less strictly controlled. Further, the lack of co-ordination and common application of the EU Wildlife Trade Regulations among existing Member States has been a concern. For example, in some countries, provisions for the marking of captive-bred specimens, the availability of forensic techniques and expertise for species identification and adequate sanctions for violations of EU’s Wildlife Trade Regulations are either lacking or are not implemented. Collaboration and co-ordination between all EU Member States needs to be significantly strengthened to meet the challenge of regulating wildlife trade in the enlarged EU.

Effective control and adequate enforcement of the EU Wildlife Trade Regulations throughout the EU are a crucial component in ensuring that wildlife trade in the new and enlarged EU is legal. Consequently, EU enlargement represents a challenge as well as a significant opportunity for the eventual 25 Member States to ensure that wildlife trade controls in the whole of the EU are effective.

This report examines some of the legislative and enforcement-related changes that enlargement will bring to wildlife trade regulation in the new EU. The report also examines some of aspects related to legal and illegal wildlife trade in the existing and acceding EU Member States and how these may be affected by enlargement. It tries to point out some of the areas that will need greater attention by all EU Member States and other relevant stakeholders to prevent increased trade and ensure that wildlife trade in the enlarged EU is well regulated and not a threat to wild populations.

## WILDLIFE TRADE REGULATIONS IN THE EUROPEAN UNION

CITES is one of the most important international conservation treaties. It regulates international trade in some 30 000 species of plants and animals through a system of certificates and permits. Species listed in CITES are accorded varying degrees of protection depending on their biological status and the impact that international trade may have upon this status. The countries that are signatories to the CITES treaty, known as CITES Parties, act together by prohibiting international commercial trade in an agreed list of species threatened with extinction which are or may be affected by trade. This list is known as Appendix I of the Convention. Trade is regulated through a permit system for specimens of species listed in Appendix II. These are species that may become threatened with extinction if trade is not strictly controlled. Appendix III includes species subject to regulation within a particular Party and for which the co-operation of other Parties is needed to control trade.

Although the EU is not yet a Party to CITES, all the provisions of CITES are implemented jointly in the EU through the EU Wildlife Trade Regulations: *Council Regulation (EC) No. 338/97* and *Commission Regulation (EC) No. 1808/2001*. These two Regulations constitute one law for all EU Member States and regulate international, as well as internal, trade in wild animals and plants in the Union. The EU Regulations are directly applicable in all Member States and do not have to be transposed into national law. However, the necessary enforcement provisions, including the measures to penalise violations, must be transferred into national legislation and supplemented with national laws, as these are matters that remain under the sovereignty of each Member State, which must ensure that infractions are punished in an appropriate manner.

The EU Wildlife Trade Regulations not only implement all the provisions of CITES and the bulk of currently applicable CITES Resolutions, but go beyond the requirements of the Convention in some respects.

### The main differences between CITES and the EU Wildlife Trade Regulations

- The EU regulations contain non-CITES-listed species. The EU regulations relate to four annexes, of which Annexes A, B and C largely correspond to Appendix I, II and III of CITES, but also contain some non-CITES-listed species. Annex D, for which there is no equivalent in CITES, contains species for which import levels are monitored.
- As with CITES, the EU regulations require import, export and re-export permits to authorize trade with non-EU countries in certain species listed in the annexes. However, the EU regulations have stricter import conditions than those imposed by CITES. Commercial imports of species in Annexes A and B require permits from the country of origin or re-export and the country of destination. The importation of species listed in Annexes C and D must be registered at the point of entry into the EU.
- Some species that are listed in Appendix II of CITES are listed in Annex A of the EU Wildlife Trade Regulations. (Commercial trade in Annex-A specimens is generally prohibited.) Examples are the Spur-thighed Tortoise *Testudo graeca*, Hermann's Tortoise *Testudo hermanni* or the European Chameleon *Chamaeleo chamaeleon*. In total, this applies to some 104 animal species (plus all cetaceans) and 11 plant species. Exemptions to the ban on commercial trade for Annex-A specimens can be granted, for example, for captive-bred specimens, but only on a case-by-case basis and special certificates (also called "Article 10" certificates) have to be issued before an Annex-A specimen can be sold (see also below).
- *Regulation (EC) 338/97* authorizes the EU to suspend imports of species from particular exporting countries, even if trade is allowed under CITES. Currently, this affects some 900 species and country combinations.

As of 1 May, the 10 Acceding States will have to implement the EU regulations. Until that date, however, most of these States have had to comply only with the provisions of CITES and any stricter domestic measures under their national laws, but are under no obligation to implement the stricter provisions of the EU Wildlife Trade Regulations. There are concerns that the differences between CITES and the EU Wildlife Trade Regulations, in particular the EU's stricter measures banning the import of several CITES-listed species, may have served as an incentive for traders in the Acceding States to legally import species that are in high demand in the EU. After accession, many specimens imported - legally or illegally - into the Acceding States before 1 May 2004 can be moved freely inside the EU. This will provide the opportunity to introduce any illegally obtained species into the EU's internal market. Conversely, the same will be the case for specimens that have been illegally imported into existing EU Member States that will be able to enter the markets of Acceding States.

Two of the main differences between the EU Wildlife Trade Regulations and CITES requirements and their potential impact on wildlife trade in the EU are examined in more detail below.

### ***EU import restrictions and differences EU Wildlife Trade Regulation listings and those of CITES***

As explained above, *Regulation (EC) 338/97* authorizes the EU to suspend imports of species from particular exporting countries, even if trade is allowed under CITES. The 900 species/country combinations to which this situation applies include, for example, around 64 parrot species, 85 lizard species and 30 tortoise taxa from various countries of origin. The importation to the EU of some of these specimens has not been allowed for several years and they may therefore be in high demand among traders and hobbyists in the EU markets. This has created a market opportunity for traders and has led to the importation by some traders in Acceding States of species which are banned from import to the EU. Some traders in the Acceding States have reportedly "stockpiled" species (in particular those which are not commonly found in trade and/or which are banned from import to the EU) with the intention of selling these in the EU after their country becomes a Member State (Anon., 2004a; Pavla Rihova, Czech Environmental Inspectorate, *in litt.* to TRAFFIC Europe, April 2004). In several cases, traders in the EU are said to have co-operated with trading partners in the Acceding States, for example the Czech Republic and Slovakia, and have placed orders to import and store specific specimens until the accession date (Anon., *in litt.* to TRAFFIC International, March 2004). As the Acceding States had no obligation to implement the stricter EU provisions such practices were perfectly legal as long as the specimens have been imported in accordance with the provisions of CITES and other national legislation. However, demand in EU Member States may also provide an incentive for unscrupulous traders to trade in specimens that have been smuggled into the Acceding States or specimens that are of wild origin but that are declared as captive-bred. Owing to less stringent control mechanisms in some of the Acceding States, for example, the absence of a systematic marking system for live Annex-A specimens, there is a danger that illegally obtained specimens may enter the EU single market. Due to the absence of internal borders, the same will be the case for specimens that have been illegally imported into existing EU Member States that will be able to enter the markets of Acceding States after the accession.

### ***Internal EU trade in Annex-A specimens and marking requirements in the EU***

As a general rule, no permits or certificates are needed for the commercial use or the keeping or moving of a specimen of a species listed in Annexes B, C or D inside the EU. Species listed in Annex A are generally not permitted in trade for commercial purposes and their movement inside the EU is subject to specific regulations. Only captive-bred individuals are allowed in commercial trade and only if an EU sales exemption certificate ("Article 10" certificate) issued by the relevant CITES Management Authority accompanies the specimens. In addition, all live and captive-bred vertebrate species listed in Annex A that are used for commercial purposes have to be "uniquely marked", for example with a microchip implant for reptiles and mammals or a closed ring for birds. The details of the mark will be specified on the Article 10

certificate. Consequently, the certificate is only valid for a specific individual. The combination of a unique and unchangeable mark and a specimen-specific certificate allows for the easy identification and the establishment of the legality of an Annex-A specimen. However, certain specimens, such as juvenile tortoises or snakes, cannot be marked with microchips until they have reached a certain size. In these cases, a new certificate is needed for each sales transaction.

## **STATUS OF WILDLIFE TRADE REGULATIONS IN THE ACCEDING STATES**

All 10 Acceding States are Parties to CITES and have implemented the provisions of the Convention for some time. To prepare for accession most of the countries have recently adopted new legislation or will adopt new legislation in the near future (see Table A in Annex I). For example, Hungary, Slovakia and Slovenia have already adopted and enacted new wildlife trade legislation implementing and enforcing the requirements of the EU Wildlife Trade Regulations before the actual accession to the EU. Slovakia implemented its new legislation in July 2002 allowing the country 22 months to deal with the new elements of the legislation before EU accession. Hungary's CITES legislation entered into force in December 2002, 17 months before accession, and Slovenia started to implement its new legislation as of November 2003, six months before the accession date. The Czech Republic, Estonia, Lithuania and Poland have adopted new legislation, but the new laws will enter into force only on 1 May 2004, the day of accession.

In some countries, the national legislation has been stricter than that required under CITES. For example, in the Czech Republic, Hungary and Slovakia, import permits have also been required for species listed in CITES Appendix II and therefore these countries could implement the EU's import restrictions for certain CITES Appendix-II species already before accession. In some countries, the legislation even went beyond what is required under the EU Wildlife Trade Regulations, for example, in the Czech Republic, Hungary, Slovakia and Poland, registration of CITES-listed species has been compulsory for almost all specimens and in many countries (i.e. Czech Republic, Hungary and Slovakia) not only vertebrates listed in Annex A, but also some species listed in Annex B, C and/or D have to be marked. However, registration of CITES specimens is not always combined with a requirement for marking and is sometimes more an administrative burden, than a tool to control and monitor trade. For example, in Poland registration of CITES specimens has been compulsory since May 2002, but there is no requirement to mark the specimens or to prove their legality.

In the Czech Republic, all live vertebrates listed in CITES Appendix I and II, some wild-sourced plants and some dead specimens have had to be registered and marked since 1997 and inside the Czech Republic the specimen can only be sold with the relevant documents. Even though this system has helped to control trade inside the Czech Republic and provided the authorities with a system for checking the origin of specimens, it is not resistant to abuse. So far, only specially protected species native to the Czech Republic are required to be marked with closed rings and exotic bird species may be marked with open rings that can be easily changed. Therefore, legal specimens that have been registered can be replaced with illegally obtained specimens.

Despite the stricter measures in place in some countries, the application of the EU Wildlife Trade Regulations, especially those that apply to the control of internal trade in Annex-A specimens and the issuance of internal trade certificates, will be challenging for the authorities in the Acceding States.

## OVERVIEW OF LEGAL WILDLIFE TRADE IN THE EUROPEAN UNION AND THE ACCEDING STATES



The Orange-winged Amazon *Amazona amazonica*. Between 1996 and 2002 the EU Member States and the ten Acceding States imported more than 65 000 live specimens. © WWF UK / David Lawson

The EU is one of the largest and most diverse markets for live animal and plant species and their products. The enlargement of the EU from 15 to 25 countries will with no doubt increase the size and importance of the EU's single market globally. Since the fall of the Iron Curtain in the early 1990s, international trade involving the Acceding States has increased and several of the countries have become significant transit points for animal and plant species destined to EU markets from around the world. The majority of that trade is driven by the demand of western European countries, but Acceding States also import wildlife from EU Member States and are important consumers of wildlife themselves.

Table 1 presents an overview and comparison of the net imports of the main wildlife-importing markets: the EU Member States and the 10 Acceding States, Japan and the USA. Net imports of all other countries have been summarized into one category "Rest of the world". Import records are based on annual reports provided by CITES Parties. Trade between individual EU Member States in species listed in the CITES Appendices and/or EU Annexes is not reported in Table 1.

**Table 1: Net imports of selected CITES-listed animal and plant groups between 1996 and 2002<sup>1</sup>**

	EU Member States	Acceding States	Japan	USA	Rest of the world	Total
Live mammals	53 497	3764	39 260	94 763	35 835	227 119
Live birds	5 941 141	162 849	288 841	62 853	668 135	7 123 819
Live reptiles	1 487 537	98 956	531 143	6 086 743	1 001 524	9 205 903
Live amphibians	40 365	902	25 857	1 321 982	17 394	1 406 500
Live invertebrates	2 181 872	49 864	405 524	6 965 376	423 529	10 026 165
Reptile skins	9 809 414	33 576	3 222 726	3 380 851	11 250 041	27 696 608
Live cacti	9 212 928	163 241	648 332	27 579 528	29 061 939	66 665 968
Live orchids	20 800 899	43 142	13 303 928	65 734 637	97 920 653	197 803 259
Sturgeon caviar <sup>2</sup>	572 t	7 t	119 t	356 t	192 t	1 246 t

**Notes:** These data represent the net imports of specimens by the 15 EU Member States (Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the UK), the 10 Acceding States (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia), Japan, the USA and all other countries ("Rest of the world") during the period. Net import figures were calculated subtracting total declared exports from the total declared imports. \*Sturgeon caviar was listed in CITES Appendix II in April 1998, so trade data presented in the table include trade reported between April 1998 and December 2002.

*Source:* CITES trade data provided by UNEP-WCMC, 2004.

As Table 1 shows, the EU Member States and the Acceding States account for 86% of live bird imports, globally, and for 46% of global imports of sturgeon caviar, and constitute the second-most important market for live reptiles (17%), live mammals (25%) and reptile skins (35%).

Among the live birds imported were almost 1.6 million **live parrots** (see Table B in Annex II). Portugal and Spain are the largest importers of live birds within the EU, whereas Malta and the Czech Republic are the main importers of CITES-listed birds among the Acceding States (see Annex II). Interestingly, there are strong trade links between the existing and Acceding EU Member States: almost one-third of the parrots imported by the Acceding States come from the EU, whereas the great majority (92%) of the parrots exported by the Acceding States (more than 75 000 specimens) went to the EU (mainly Spain, Italy, France, Greece and Portugal). After Accession, all of this trade will be considered internal EU trade and no import or export documents will be required.



The Iguana *Iguana iguana* is the reptile species imported in the highest numbers by the EU. © WWF Canon/ Martin Harvey

Similar patterns exist with regard to the trade in **live reptiles**. Since the early 1990s, the global trade in live reptiles has seen a remarkable boom and annual imports of CITES-listed reptiles into the EU have increased more than four times (from around 60 000 specimens in the early 1990s, to more than 250 000 in 2002). Almost 70% of the reptiles exported by the Acceding States were imported by the EU. The main reptile species exported by the Acceding States to the EU were tortoises of the genus *Testudo* spp. (22 731), of which 83% came from Slovenia.

#### ***Some figures on the live reptile trade in the EU Member States and the Acceding States***

- The EU Member States and the Acceding States combined are the second-largest global market for CITES-listed reptiles after the USA, importing almost 1.6 million live reptiles listed in the CITES Appendixes and/or EU Annexes between 1996 and 2002.
- Spain and Germany are the largest importers in the EU and the Czech Republic, Poland and Hungary are the biggest importers of CITES-listed reptiles among the Acceding States.
- 72 % of the reptiles imported were lizards (see Table D in Annex II); of which almost 850 000 were Green Iguanas *Iguana iguana* (EU Annex B/CITES Appendix II).
- Snakes, such as boas, pythons and vipers, are the second-largest group of live reptiles imported by the EU and the Acceding States: between 1996 and 2002 these States imported more than 250 000 specimens.
- 10% of all live reptiles imported by the 25 countries (EU Member and Acceding States) were tortoises and, between 1996 and 2002, a total of 165 000 live tortoises were imported.
- The EU and Acceding States imported more than 15 000 live crocodiles between 1996 and 2002.

Notably, Malta and Poland imported relatively high numbers (494 specimens) of *Testudo kleinmanni* in recent years. The EU, in comparison, imported only 14 specimens in the same time period. This species is listed in Annex A and CITES Appendix I and hence commercial trade in wild specimens of this species should not be allowed. The species is considered Endangered by IUCN (IUCN, 2003) and it is found only in Libya and Egypt, with a very small population still surviving in Egypt. The majority of the 494 specimens (470 specimens) were imported by Malta, all imported from Libya, which joined CITES only recently (January 2003). No information regarding the source and purpose of this trade has been provided.



The Egyptian Tortoise *T. kleinmanni* is rare and considered *Endangered* by IUCN. © *Stephanie Pendry/TRAFFIC International*



The EU is the largest importer of caviar © *TRAFFIC*

The EU Member States constitute the largest importer of **caviar**, importing a total of 572 t between 1998 and 2002 (Table 1). France and Germany, the largest importers, imported 210 and 197 t, respectively. The Acceding States reported total imports of around seven tonnes of caviar for the same period. However, for the same period, these States reported combined (re-) exports of four times that volume, of which the majority came from Poland. Whether the difference of 21 t originates from stocks that were acquired before the CITES listing (called ‘pre-Convention’), as claimed by Poland for instance, is doubtful and remains difficult to verify in retrospect.



## ILLEGAL WILDLIFE TRADE IN THE EUROPEAN UNION AND THE ACCEDING STATES

Although a great deal of wildlife trade is legal and likely to be conducted at sustainable levels that do not adversely affect the conservation status of the species in the wild, that which is illegal and unsustainable can pose a serious threat to the survival of some species in the wild. Of particular concern in this regard is the trade that exists to meet the demand of specialist collectors for some of the world's rarest species. These collectors, known sometimes as 'hobbyists', often specialize in particular groups of species, such as types of parrots, snakes, lizards or orchids, with a view to collecting the broadest range of species and particularly the rarest. It is such demand that fuels the illegal collection and smuggling of some of the world's most endangered animals.

Similar to legal traders, illegal traders adapt quickly to changing laws and markets - targeting new species for which demand is high, shifting to new markets or sources, or developing new smuggling methods and routes to avoid detection. Often smugglers will identify routes where the risk of detection is minimal and specifically target countries with weak border controls. This is of particular significance with regard to controlling wildlife trade in the EU, where systematic controls take only place at the EU external borders. Consequently, wild animals or plants that have been smuggled into one EU Member State can be transported to other Member States without a high risks of further controls.

The size of the illegal wildlife trade is unknown, but globally it must certainly involve many thousands of specimens worth billions of euros every year. However, the very nature of wildlife smuggling is such that no reliable data are available to confirm such an estimate, although reported seizures and confiscations can provide an important indication of illegal wildlife trade in Europe, including indications of trade routes and methods used.

Unfortunately, to date, no comprehensive data on seizures and confiscations are currently available for the EU, as Member States are not obliged to collect such information systematically and report it – either to the CITES Secretariat or to the European Commission. In addition, individual Member States have different systems and formats in place to record such information and in some countries the information is not centrally compiled. Table 2 presents an overview of the numbers of specimens of CITES-listed species seized in the Acceding States and, where available, information from EU Member States is also included. Reported seizures of caviar are presented in Table 3.

**Table 2: Number of EU and CITES-listed specimens seized in selected EU Member States and Acceding States between 2000 and 2002.** (Note: seizures reported in kg or other units have been excluded)

Country	2000		2001		2002		Total
	Animals	Plants	Animals	Plants	Animals	Plants	
<b>Austria</b>			633	-	1187	414	<b>2234</b>
<b>Germany</b>	19 101	21 778	13 694	18 755	20 114	17 420	<b>110 862</b>
<b>Italy</b>	23 960	2041	20 598	4936			<b>51 535</b>
<b>Czech Republic</b>	1783	31 457	116	1347	279	2452	<b>37 434</b>
<b>Hungary</b>	78	-	909	-	125	12	<b>1124</b>
<b>Malta</b>	129	5299	122	1683	923	3950	<b>12 106</b>
<b>Poland</b>	1730	2	1363	46	9369	10 000	<b>22 510</b>
<b>Slovakia</b>	115	16	69	-	3	3	<b>206</b>
<b>Slovenia</b>	-	-	-	-	76	-	<b>76</b>

**Notes:** Blank field = no data available; - = no seizures reported.

*Source:* CITES annual reports 2002, 2001 and 2002; biennial reports of EU Member States, 1999-2002; Steiner and Kecse-Nagy (2004); and information provided to TRAFFIC *in litt.* by relevant authorities of the Acceding States.

To illustrate some of the patterns, trade routes and techniques used by smugglers and the species involved in illegal wildlife trade in the EU some selected cases of illegal wildlife trade from the EU Member States and Acceding States involving live reptiles, birds and caviar are presented in Annex III.

In recent years, the Acceding States have seized an increasing number of live parrots and reptiles, including some rare and strictly protected species. For example, between 2000 and 2002, 248 parrots were seized in the **Czech Republic** and 172 in **Slovakia**. Among them were several EU Annex-A/CITES Appendix-I listed species such as the Moluccan Cockatoo *Cacatua moluccensis* and the Cuban Amazon *Amazona leucocephala*, which is not commonly found in trade and which can fetch very high prices among hobbyists. According to **Czech** authorities there are several specimens of the rare Saint Lucia Amazon *Amazona versicolor* (EU Annex A/CITES Appendix I) being illegally kept in the Czech Republic (Anon., 2002). These birds are only found on the Caribbean island of Saint Lucia and the total population in the wild is estimated at not more than 300 to 350 birds (Juniper and Parr, 1998). The species is strictly protected in Saint Lucia (Anon., 2004b) and, according to CITES trade data, only 14 live specimens have been reported in international trade between 1975 and 2002; no imports to the Czech Republic have been reported.



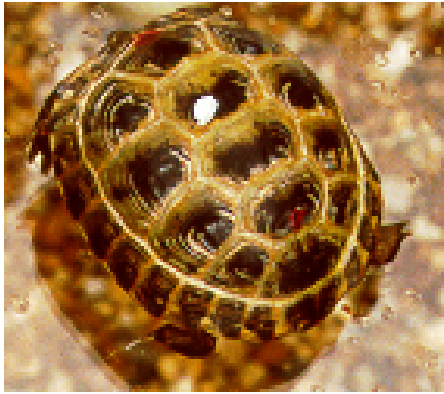
Several specimens of the Saint Lucia Amazon *Amazona versicolor* (EU Annex A/CITES Appendix I) are allegedly illegally kept in the Czech Republic. Of this species only 300-350 birds remain in the wild. © Saint Lucia Government Information Service.



The Madagascar Tortoise or Angonoka *Geochelone yniphora* is one of the rarest tortoises in the world and is considered *Endangered* by IUCN. © WWF Canon/ Martin Harvey

According to information received from anonymous sources, several rare species of tortoises are also being kept in the **Czech Republic** and have been offered for sale to traders in the EU; these include, for example, two specimens of the Madagacar Tortoise *Geochelone yniphora*, 80 Radiated Tortoises *Geochelone radiata*, more than 60 Burmese Tortoises *Geochelone platynota*, 30 Kleinmann's Tortoises *Testudo kleinmanni* and 28 Flat-backed Spider Tortoises *Pyxis planicauda*, offered in 2003 by two traders alone. The legal status of these animals is unclear.

**Malta** seized 792 live tortoises (including 718 specimens of the Appendix-I listed *Testudo kleinmanni* illegally imported from Libya) and more than 360 bird bodies, among them many birds of prey illegally imported from Egypt (see also Annex III), between 2000 and 2002. **Polish** authorities seized between 2000 and 2001 a total of 2237 Horsfield's Tortoises *Testudo horsfieldi* (EU Annex B/CITES Appendix II) on the Polish-Ukrainian border alone and according to Smielowski, (2004) several hundred specimens of the EU Annex A and CITES Appendix I listed Kleinmann's Tortoise *Testudo kleinmanni* have been annually smuggled into Poland in recent years. Kleinmann's Tortoises are considered *Endangered* by IUCN and wild populations occur only in Egypt and Libya (IUCN, 2003). Horsfield's Tortoises are popular pet species



Horsfield's Tortoises *Testudo horsfieldii* have a wide distribution in central Asia. © Stephanie Pendry/TRAFFIC International.

among European hobbyists and adults can fetch prices of around € 200 in the EU. Live specimens of these tortoises originating from the wild have been banned from import into the EU since 1999, owing to the high mortality rates of this species in captivity. It is assumed that a significant portion of tortoises smuggled into Poland are destined to be traded to neighbouring EU countries. **Hungary** seems to be another important transit country for tortoises, most of which are being imported from the Balkan countries and other eastern Mediterranean countries. It is likely that most of these are intended for (illegal) re-export to western Europe. Between 2000 and 2002, Hungarian authorities confiscated 837 live specimens of *Testudo hermanni* that had been illegally imported from Serbia and Montenegro, Macedonia and Romania.

Other live reptiles seized in **Poland** included pythons, caimans, chameleons and spiny lizards, many which had been imported from the Czech Republic. Market surveys conducted in Poland between 2001 and 2003 have shown that around 12% of the CITES-listed species in pet shops in Warsaw were offered without the necessary CITES documents (Smielowski, 2004). CITES-listed reptiles are the most numerous group of exotic animals offered in the Polish market and the range of species has been increasing in recent years. According to Smielowski (2004), rare species such as the Puerto Rican Boa *Epicrates inornatus* or the Virgin Island Tree Boa *Epicrates monensis* (both EU Annex A/CITES Appendix I) have recently been illegally offered in the Polish market. It is thought that these specimens had been smuggled into Poland from the Czech Republic (Smielowski, 2004).

**Table 3: Caviar seizures (kg) reported by selected EU Member States and Acceding States between 2000 and 2002**

Country	2000	2001	2002	Total
<b>Austria</b>	316	91.3	58.3	465.6
<b>Germany</b>	590	432	286	1308
<b>Luxembourg</b>	18			18
<b>France</b>	312		238	550
<b>Netherlands</b>	24	25		49
<b>Spain</b>	20	0.6		20.6
<b>Czech Republic</b>		8.6	0.3	8.9
<b>Poland</b>	607	61	43	711
<b>Slovenia</b>	-	-	6	6

**Notes:** Blank field = no data available, - = no seizures;

**Source:** CITES annual reports 2000, 2001 and 2002; biennial reports of EU Member States, 1999-2002; Steiner and Kecse-Nagy (2004).

Between 2000 and 2002, **Polish** authorities seized a total of 710 kg of caviar (Table 3). Most of the caviar (around 79%) originated from the Russian Federation or was smuggled into Poland through the Ukraine. The majority of it was destined for western Europe, mainly Germany. The amount of caviar seized equals approximately 20% of the total volume of caviar legally imported by Poland between 1998 and 2002 (Steiner and Kecse-Nagy, 2004).

## Different types of illegal wildlife trade in the context of EU enlargement

As illustrated by the examples in Annex III, there are several different types and ways in which protected wildlife can be traded illegally across international borders. These may be influenced by various factors, such as the trade route and means of transport, the type of wildlife and the form in which it is traded, motivation of the traders, regulations and enforcement efforts in place, and so on. The main different smuggling methods and techniques can be summarised as follows (Menon and Kumar, 1999; Dee Cook and Lowther, 2002).

- **Concealment:** hiding specimens in luggage, false compartments, clothes etc.
- **Mis-declaration:** providing false information to Customs and/or for permit applications
- **Permit fraud:** using falsified documents or permits that have been stolen
- **Laundering through re-export:** re-exporting illegally obtained specimens
- **Internet trade and postal routes:** using the internet and/or post services for illegal trade
- **Diplomatic baggage:** trade of protected specimens in diplomatic baggage to avoid Customs inspections

Several of the requirements of the EU regulations are stricter than existing comparable regulations in the Acceding States, for example, those requiring the marking of Annex-A specimens or certificates for internal EU trade (Article 10 certificates). Consequently, there is a risk that some methods of illegal trade, such as mis-declaration and permit fraud, are likely to occur more often in the EU after accession.



Often smugglers try to conceal live animals in their baggage. These birds of prey were found in July 2000 at Heathrow Airport, UK, in the luggage of a passenger travelling from Thailand. © HM Customs and Excise.

**Mis-declaration:** The fraudulent entering of incorrect information into Customs declarations and/or CITES permits is a common form of illegal wildlife trade. Detection of such fraud often requires specific skills, as well as experience, on the part of Customs officers, for example, to identify species or assess the likelihood of illegal trade. There are different ways in which mis-declaration can be used (e.g. mis-declaration of the origin or source of the specimen, mis-declaration of the species, value, purpose of trade, etc.). Probably the most common form of mis-declaration in the EU is mis-declaration of the source and/or origin of specimens,

for example, when an Annex-A listed animal of wild origin is claimed as captive-bred, a means often used to “white wash” illegally obtained specimens. This is of particular relevance in the EU, where trade inside the EU in Annex-A specimens is allowed only if these have been captive-bred. Detecting such deception is particularly difficult, requiring, for example, expertise in distinguishing between wild and non-wild specimens – a skill which enforcement officers normally do not have. In 1999, Austrian authorities seized eight Golden Eagles *Aquila chrysaetos*, six Greater Spotted Eagles *Aquila clanga* (both EU Annex A/CITES Appendix II) and one Augur Buzzard *Buteo augur* (EU Annex B/CITES Appendix II), all of which were declared as captive-bred, from a commercial raptor centre. DNA-fingerprinting revealed that the individuals were not captive-bred, but of wild origin. The commercial value of the birds was estimated to be €95 000 (Anton *et al.*, 2001). A similar case of mis-declaration of the origin of specimens was discovered in 1998 in Belgium, when authorities seized 282 live and 92 dead reptiles, including several rare and strictly protected species. Among these were, for example, three Madagascar Tortoises *Geochelone yniphora*, one Radiated Tortoise *Geochelone radiata*, 17 Kleinmann’s Tortoises *Testudo kleinmanni* (all three species are EU Annex A/CITES Appendix I), 20 Marginated Tortoises *Testudo marginata* (EU Annex A/CITES Appendix II), five Spider Tortoises *Pyxis arachnoides* (EU Annex B/CITES Appendix II) and four Horsfield’s Tortoises *Testudo horsfieldii* (EU Annex B/CITES Appendix II). The majority of the tortoises had been imported illegally from the Czech Republic and false documents had been used to legalize the transactions prior to their distribution to buyers in the EU. The illegal trader had declared the tortoises as captive-bred to the Belgian authorities and applied for Article 10 certificates to legitimize the sale. Madagascar Tortoises are the rarest tortoises in the world with only several hundred remaining in the wild in Madagascar (Pendry and Allan, 2002). In Europe, prices of up to €30 000 may be paid for a specimen (Auliya and Berkhoudt, in prep.) (see Table E in Annex II).

**Permit fraud:** This type of illegal trade occurs when CITES permits or EU certificates are forged or stolen, giving the false impression that a consignment has been permitted or the specimen allowed for trade. This type of document fraud is particularly pernicious, because relatively small-scale (and perhaps less serious) “paper” crimes can result in very large numbers of items being illegally taken and traded. Alternatively, permits or certificates may be recycled. For instance, dealers may sell captive-bred stock but retain the associated documentation, which is then re-used to launder wild-caught animals as captive-bred. This may occur when traders use transaction-specific Article 10 certificates again and again, taking advantage of buyers who are not aware of the legislation which states that a transaction-specific Article 10 certificate is valid for one transaction only, or that the Article 10 certificate should be an original not a photocopy. As the specimens referred to on a transaction-specific Article 10 certificate are not marked, there is nothing to tie that particular specimen to the certificate and so the certificate can be reused again and again to launder wild caught specimens and claim them as captive-bred.

## **ENFORCEMENT OF WILDLIFE TRADE CONTROLS IN THE ENLARGED EUROPEAN UNION**

A harmonized and common approach to the implementation and enforcement of wildlife trade regulations throughout the EU is of great importance to guard against traders taking advantage of weak enforcement in certain areas. This is particularly true with regard to the absence of internal border controls in the EU. This emphasizes the importance of strict control at EU external borders and the need for strong and active co-operation, including information exchange, among enforcement officers throughout the EU, in order to control illegal trade into, from and within the EU.

The structural changes accession will bring are of particular concern, for example the number of border control staff will be greatly reduced in some of the existing and acceding Member States due to the elimination or reduction of the EU's external borders. This is for example the case in Austria, Germany, Hungary, Italy, Poland, Slovakia, Slovenia and the three Baltic States Estonia, Latvia and Lithuania (see Table 4). In Germany, for example, a wide range of tasks carried out by the Customs services at the borders with Poland and the Czech Republic will be eliminated when these countries join the EU. This will mean the closure of eleven main Customs offices, 65 frontier Customs offices and reduction of some 4500 employees. Around 700 employees will work in the future in mobile units along the former border to Poland and the Czech Republic (Birgit Felgentreu, WWF Germany, *in litt.* to TRAFFIC Europe, March 2004; Mr Geuenich, Ministry of Finances, *in litt.* to WWF Germany, April 2004). In Austria, between August 2003 and May 2004, around 1400 of the 3800 Customs officers working in the country will be transferred to different services, for example the police force (Gerald Dick, WWF Austria, *in litt.* to TRAFFIC Europe, April 2004). In the Czech Republic, the only country of the 10 Acceding States that will have no external EU borders after accession, a total of 2354 Customs officers will be transferred to different services (Mr Kubart, General Directorate of Customs of the Czech Republic, *in litt.* to TRAFFIC Europe-Candidate Countries Programme, April 2004). Prague airport will be the only port of entry for wildlife regulated under the EU Wildlife Trade Regulations (Jan Kucera, Czech CITES Management Authority, pers. comm. to TRAFFIC Europe, March 2004). The removal of controls at the borders and hence the border control staff will greatly alter the way in which the Acceding States control wildlife trade to and from their territory and decrease the capacity of the EU and Acceding States to detect and detain illegal wildlife trade across common borders. After accession, other agencies such as "environmental inspection services" or the police will have to compensate for these changes.

### **Co-ordination and co-operation between wildlife trade enforcers at EU level**

The effective enforcement of the EU Wildlife Trade Regulations is the responsibility of each individual Member State and generally falls within the tasks of the customs (for border controls) and police services (for internal trade controls) and the relevant CITES Management Authorities (for controls of permit applications, certificates, marking, etc.). In some countries, so-called environmental inspection agencies or services or customs inspections units exist that are also responsible for investigating wildlife crime cases and controlling compliance with the relevant legislation. In addition, veterinary and phytosanitary services play a role in inspection and controlling shipments that contain animals and plants. Normally all of these enforcement bodies work under the mandate of different ministries and environmental crime, or illegal wildlife trade, is seldom a priority in any of them. Consequently, effective co-ordination and information exchange among the different enforcement bodies involved in the control of wildlife trade at national level can be challenging (Anton *et al.*, 2002). Similar problems to these which exist within Member States also exist at EU level. The different governmental agencies involved in enforcing wildlife trade controls in the EU often have limited authority to interact with agencies of other EU Member States. Therefore, information regarding illegal wildlife trade is often exchanged on an informal basis among enforcers from different EU Member States.

**Table 4: Total number of Customs officers (CO) in Accessing States and selected EU Member States, before and after accession**

Country	Total No. of CO	No. of CO working on territory and border control	No. of CO trained in to CITES/wildlife trade controls	Changes in No. of CO owing to EU accession
<b>Germany</b>	34 595	4500 (on border with Czech Republic and Poland)	No information	All 4500 officers working at the border with Czech Republic and Poland will be transferred. 700 will work in mobile units along the eastern German border
<b>Austria</b>	3800	1500	No information	1300-1400 fewer
<b>Cyprus</b>	318	184	No information	None
<b>Czech Republic</b>	9444	3 500	50% trained in CITES (approximately 100 specialists)	By January 2005: 2056 fewer officers By January 2006: 2354 fewer officers
<b>Estonia</b>	1000	500	5-10% trained in CITES	100 fewer officers after 1 May 2004
<b>Latvia</b>	1834	1156	15-20% trained in CITES	Not known yet, but restructuring is planned.
<b>Lithuania</b>	1628	649 territory supervision, 979 points of entry	15% know about the existence of CITES	303 fewer officers after 1 May 2004
<b>Hungary</b>	8000	4 500	50% trained in CITES	10% reduction (800 officers) from 1 Jan 2004
<b>Malta</b>	620	338	No information	None
<b>Poland</b>	13 655	3526	5-10 % trained in CITES	Not decided yet. [Transfer of some officers from the western borders to the east is planned]
<b>Slovakia</b>	5010	2050	85% trained in CITES	608 fewer officers on 1 May 2004 (including 300 officers from CITES ports of entry)
<b>Slovenia</b>	2287	1193	All heads of offices trained and instructed to transmit knowledge to officers	1837 fewer officers after 1 May 2004 (including 973 officers from border posts)

*Source:* Questionnaires and interviews by TRAFFIC Europe-Candidate Countries Programme, TRAFFIC Europe, WWF Germany and WWF Austria



Even where formal contacts are essayed, it is sometimes difficult to track down the correct official in another Member State (Young, 2002). In addition, the number of official languages in the EU (after accession there will be 20 languages), also hinder effective information exchange among EU Member States.

Some EU Member States have addressed such problems at national level by establishing a network of the different agencies involved in the enforcement of wildlife trade controls. An example of such inter-agency and inter-organizational co-operation at national level is the UK's *Partnership for Action Against Wildlife Crime* (PAW), a multi-agency body comprising representatives of all the organizations involved in wildlife law enforcement in the UK and aiming to promote the enforcement of wildlife conservation legislation, particularly through supporting the networks of police 'Wildlife Crime Officers' and 'Customs Wildlife and Endangered Species Officers'.

In order to facilitate the implementation of EU Wildlife Trade Regulations across the EU, three co-ordinating bodies with representation from each EU Member State meet regularly in Brussels to discuss common policies and approaches with regard to this. Concerning enforcement, *Article 14.3 of Council Regulation (EC) No. 338/97* establishes the so-called Enforcement Group designed to consist of representatives of authorities in Member States in charge of wildlife trade controls (such as Customs and the police) and chaired by a representative of the Commission. Whereas the Committee on Wildlife Trade (with representation from the CITES Management Authorities of all EU Member States) and the Scientific Review Group (with representation from the CITES Scientific Authorities of all EU Member States) meet three to four times a year, the EU Enforcement Group meets only once a year. Outside these meetings the active collaboration of the Enforcement Group members is rather ad-hoc and occasional and there is not yet a systematic and common approach to active wildlife enforcement work across the EU.

Besides the Enforcement Group, there are other groups in Europe that work on the enforcement of wildlife trade laws, including Interpol's European sub-group on wildlife crime or the recently established Europol group on wildlife crime. Other initiatives, such as the International Network for Environmental Compliance and Enforcement (INECE) or the EU Network for the Implementation and Enforcement of Environmental Law (IMPEL) cover mostly general environmental aspects such as waste, energy, chemicals, industrial pollutants and emissions and do not yet, or only to some extent, integrate issues related to nature conservation and wildlife trade. These enforcement networks and initiatives are often too broad and focus on issues that are of little or no relevance to CITES enforcers in the EU and do not address illegal wildlife trade as a priority. Hence, there is not yet an integrated and active wildlife trade enforcers network in the EU, despite the need to undertake joint investigations, collaborate on controlling illegal wildlife trade and exchange information related to the enforcement of the common EU Wildlife Trade Regulations.

Such a network or group focusing on enforcement of wildlife trade laws does already exist in North America (The North American Wildlife Enforcement Group) and has been established under the Lusaka Agreement (International Task Force to fight wildlife crime) and there are plans to establish a Global Wildlife Enforcement Network (GWEN). The successful outcome of investigations by these groups provide positive examples for the effectiveness of such networks and demonstrate the need for strengthening the co-operation and co-ordination among enforcement officers active in the field of wildlife trade in the EU.



## CONCLUSIONS

From 1 May 2004, the 10 new Member States of the EU (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia) will have to implement and enforce the EU Wildlife Trade Regulations that implement CITES in the EU. All 10 countries are Parties to CITES.

In recent years, authorities in the Acceding States have made significant efforts to prepare for accession to the EU and to ensure that the legislative, administrative and structural basis needed for the implementation and enforcement of the EU Wildlife Trade Regulations are in place. By now, almost all 10 countries have adopted new wildlife trade legislation or are in the process of doing so. Some countries have already been implementing the requirements of the EU Wildlife Trade Regulations for some time and have adopted stricter domestic measures than those required under CITES. However, in some countries progress made in preparing for the implementation of the new wildlife trade regulations has been slow and for several of the Acceding States the practicalities of implementing and enforcing the EU Wildlife Trade Regulations, in particular the requirements related to the control of internal trade, will be challenging.

Since the fall of the Iron Curtain in the early 1990s, several of the Acceding States have become significant transit points for wild animal and plant species and their products and derivatives from around the world. A large portion of this trade has been driven by demand from western European countries. For example, around 70% of the reptiles exported by the Acceding States are imported by the EU. However, EU Member States have also been an important suppliers of CITES-listed specimens to the Acceding States. For example, almost one-third of all parrots imported legally into the Acceding States between 1996 and 2002 came from EU Member States. From May 2004, all such trade will be intra-Union trade and not subject to any systematic border controls.

There have been concerns that differences between CITES and the EU Wildlife Trade Regulations have allowed traders in the Acceding States to import species that have been banned from importation into the EU for years. After 1 May, and owing to the lack of internal EU border controls, many of these specimens can be moved freely between Member States, including specimens that have been illegally imported, some of them long before the enlargement of the EU. However, the same will be the case for specimens that have been illegally imported into existing EU Member States that will be able to enter the markets of Acceding States. As several of the Acceding States have not had a requirement to mark specimens, there are concerns that such specimens will be laundered into the EU single market, for example, by declaring them as captive-bred or pre-Convention stock. Such practices are well known among enforcers in the EU and the control of such “white-washing” practices is particularly challenging as it requires special skills and expertise to detect. There is some evidence that threatened and strictly protected CITES Appendix-I listed animals, such as the Saint Lucia Amazon *Amazona versicolor* or the endangered Madagascar Tortoise *Geochelone yniphora* have been smuggled into the Acceding States and evidence that the CITES Appendix-I listed Kleinmann’s Tortoise *Testudo kleinmanni* has been imported illegally in into Acceding States in quantities of several hundreds in recent years.

The accession of the 10 countries to the EU in May 2004 and the resulting enlarged EU single market will result in a significant reduction of border controls and the relevant control staff. It will greatly alter the way in which the new Member States control wildlife trade to and from their territories and decrease the capacity of the EU and Acceding States to detect and detain illegal wildlife trade across their common borders. This will also mean that traders from western Europe may target border points in the new Member States to smuggle illegally obtained wildlife into the EU.

Strict regulation of the EU’s internal market, especially with regard to Annex-A listed specimens, and effective collaboration between all EU Member States needs to be significantly strengthened to meet the challenge of regulating wildlife trade in the enlarged EU.

## RECOMMENDATIONS

### **To strengthen inter-agency co-operation in, and co-ordination of, the enforcement of wildlife trade controls in the EU**

- The European Commission and the EU Member States should ensure that the EU Enforcement Group is provided with the equivalent level of financial resources as is now committed to the EU Wildlife Trade Committee and the Scientific Review Group. This would allow the Enforcement Group to conduct more extensive meetings (two days instead of one day a year) and/or on a more frequent basis.
- The EU Member States should ensure that they are adequately represented in the EU Enforcement Group by representatives from the relevant authorities (Customs, police and/or environmental inspection services) that are directly in charge of enforcing wildlife trade controls in the respective Member State. The nomination of a national enforcement focal point for wildlife trade for each Member State is essential to ensure that co-ordination and communication on enforcement is effective.
- EU Member States should be encouraged to second experienced wildlife trade enforcement staff to assist with the development and operation of an EU wildlife trade task force that would work under the mandate of the Enforcement Group and facilitate the exchange of intelligence and expertise at national and EU level, to monitor illegal wildlife trade patterns, to undertake joint risk assessments and investigations, and to assist and support the Member States' enforcement staff operationally on the ground.
- The Enforcement Group and the task force should ensure that they co-operate and co-ordinate their activities fully with other relevant bodies and agencies such as the Interpol European subgroup on wildlife crime, the Europol group on wildlife crime, WCO (World Customs Organization) and other international, regional or national institutions, and develop a system that allows for rapid exchange of information relevant for the effective control and monitoring of wildlife trade in the EU.
- Enforcement authorities working on the new external borders of the EU should carefully monitor and control wildlife trade entering the EU via its new eastern borders, in particular in areas bordering Belarus, Romania, the Russian Federation (including Kaliningrad), Ukraine and the Balkan States, Serbia and Montenegro and Croatia. The relevant agencies of other EU Member States, the European Commission and other relevant bodies should assist the authorities in the acceding Member States in fulfilling this task by providing training and expertise and facilitating co-operation and information exchange.

### **To assist new Member States in training and capacity-building**

- The EU Member States, the European Commission and other interested bodies should ensure the continuation, further development and funding of existing and new capacity-building and training initiatives aimed at assisting the Acceding States in building their expertise and knowledge in implementing and enforcing the EU Wildlife Trade Regulations. This should build upon experiences made in pre-accession assistance programmes, such as the Phare Twinning programmes, TAIEX workshops, study visits and secondment of experts and other bilateral or multilateral initiatives such as DANCEE (Danish Cooperation for Environment in Eastern Europe) CITES project for the Baltic States or the CITES training seminars organised by Germany for the central and eastern European countries in previous years.

- As a matter of priority, a training workshop should be organised for representatives of the relevant authorities of the new Acceding States and selected EU Member States that deals with the practical application of the EU Wildlife Trade Regulations, in particular with the use and issuance of internal EU certificates under Article 10 and the control of intra-Union trade in specimens listed in Annex A.

#### **To enhance the effectiveness of the EU Wildlife Trade Regulations**

- EU Member States should systematically and regularly compile non-confidential information on seizures and confiscations of CITES-listed specimens and report these to the European Commission and the CITES Secretariat. The Enforcement Group should develop an appropriate standard format for use by the EU Member States, taking into account existing formats and systems.
- Each EU Member State should ensure that it systematically compiles information on the Annex-A listed species for which Article 10 certificates have been issued by the relevant authorities. The information should be compiled and stored centrally and should be made available to other EU authorities upon request. The EU Committee on Wildlife Trade should provide advice on the format in which the information should be compiled.
- The EU Committee on Wildlife Trade, with support of the European Commission and the relevant CITES authorities in EU Member States should undertake a review of the marking methods and procedures in place in the 25 States which will constitute the EU from 1 May 2004 and discuss ways in which a more harmonised system of marking of Annex-A specimens could be achieved.
- The EU Commission should conduct a review of the legislative provisions in place in the 25 States to enforce the EU Wildlife Trade Regulations, in particular those that concern penalties for violations, to identify discrepancies and provide guidance for more uniform application, without disregard for the sovereign rights of Member States in matters of law enforcement.

#### **To monitor effects of current enlargement and prepare for future enlargement of the EU**

- Relevant agencies and bodies in the EU should monitor the trends in wildlife trade in the EU, focusing in particular on any emerging illegal trade problems, and commission a review to assess the impact of accession to the EU on the implementation of the EU Wildlife Trade Regulations. Recommendations should be formulated to advise on remedying any problems that may have emerged, especially with regard to future EU enlargements.
- The European Commission, EU Member States and other relevant organizations and bodies should provide technical assistance and financial support to the “Candidate Countries” for future EU accession such as Bulgaria, Romania and Turkey, to strengthen their CITES-implementing and enforcement capacities and to prepare for the implementation and enforcement of EU Wildlife Trade Regulations.

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## ANNEX I

Table A: Overview of wildlife trade legislation in the 10 Acceding States.

Country	National legislation regulating wildlife trade	Entry into force	Implementation of EU import restrictions	Marking requirement for live specimens listed in Annex A
<b>Cyprus</b>	<u>Current legislation:</u> Law on the Protection and Management of Nature and Wildlife (No. 153(I)/2003)	January 2003		Not yet in place, but the authorities are in process of establishing a marking system.
<b>Czech Republic</b>	<u>Current legislation:</u> "CITES Act" Act No. 16/1997 Coll. on the conditions of import and export of endangered species of wild fauna and flora was adopted in 1997  <u>As of 1 May 2004:</u> Act No. 100/2004 on Trade in Endangered Species	1997	Yes, since 1997.	Yes, marking of live Annex A and some Annex B species (only live mammals, birds and reptiles) compulsory. [Before: Marking of reptile, bird and mammal specimens listed in Appendix I and II obligatory since 1997]
<b>Estonia</b>	<u>Current legislation:</u> Regulation of the Government No 389 amending the regulation establishing the procedure for export and import of different products and goods specified in CITES Convention	21 December 1999		Yes, all live vertebrates listed in Appendix I and II.
<b>Hungary</b>	<u>Current legislation:</u> Government Decree No. 271/2002 on the enforcement of the Convention on International Trade in Endangered Species of Wild Fauna and Flora	20 December 2002	Yes, since December 2002	Yes, all Annex A species and all Annex B mammals, birds and tortoises except for commonly kept birds. [Before: Registration and marking has been compulsory for all live CITES Appendix I species and captive bred specimens listed in Appendix II].
<b>Latvia</b>	<u>Current legislation:</u> Regulation on the International trade in endangered species (1999) (No 133/06.04.1999)	6 April 1999		Not yet in place. According to new legislation all Annex A specimens, Annex B mammals, birds and reptiles have to be marked. Currently marking is only carried out at the owner's request.

*Continued: Table I: Overview of wildlife trade legislation in the 10 Acceding States.*

Country	National legislation regulating wildlife trade	Entry into force	Implementation of EU import restrictions	Marking requirement for live specimens listed in Annex A
<b>Lithuania</b>	<u>Current legislation:</u> Order No. 658/831/743 on Trade in Wild Animals and Plants and Order No 309 on Marking of Wild Animals (adopted in June 2003)	December 2002		Not yet in place, but will be implemented as of 1 May 2004
<b>Malta</b>	<u>Current legislation:</u> Legal Notice 19 of 1992 on Trade in Species of Fauna and Flora Regulations, as amended [Legislation regarding the implementation and enforcement of EU Council Regulation (EC) 338/1997 and relevant Commission Regulations is still being drafted]	1992	No yet.	Not yet in place.
<b>Poland</b>	<u>Current legislation:</u> Nature Conservation Act (NCA) of 16 October 1991 As of 1 <u>May 2004:</u> New Nature Conservation Act will enter into force	1991	Not yet.	No. [Currently marking is only obligatory for CITES-listed animals kept in zoos and circuses]
<b>Slovakia</b>	<u>Current legislation:</u> Act 237 on Trade in Endangered Species of Wild Fauna and Flora of 19 February 2002 and Decree 346 of 3 June 2002 on implementation of certain provisions of the Act	1 July 2002	Yes, since July 2002	Yes, since 1999 marking has been compulsory for all live specimens of species listed in Appendix I and live specimens of certain birds, reptiles and mammals listed in Appendix II.
<b>Slovenia</b>	<u>Current legislation:</u> Decree on the management and protection methods in trade with animal and plant species (OJ of RS no 104/03)	November 2003	Yes, since November 2003	Yes, since November 2003. [Before: Marking with closed rings or microchips was compulsory only for captive-bred birds of prey and parrots kept in zoos.]

*Source:* Steiner and Kecse-Nagy (2004), questionnaires and interviews with the CITES Management Authorities of the 10 countries

## ANNEX II

**Table B: Most popular parrots imported by EU and Acceding States between 1996 and 2002**

Species	No. of live specimens
<b>Lovebirds <i>Agapornis</i> (9 species)</b>	<b>626 004</b>
Peach-faced Lovebird <i>Agapornis roseicollis</i>	272 777
<b>African Parrots <i>Poicephalus</i> (8 species)</b>	<b>210 133</b>
Senegal Parrot <i>Poicephalus senegalus</i>	198 612
<b>Grey Parrots <i>Psittacus</i> (2 subspecies)</b>	<b>170 777</b>
African Grey Parrot <i>Psittacus erithacus</i>	152 061
<b>Parakeets <i>Psittacula</i> spp. (12 species)</b>	<b>142 225</b>
Ring-necked Parakeet <i>Psittacula krameri</i>	137 621
<b>Amazons <i>Amazona</i> spp. (26 species)</b>	<b>120 147</b>
Orange-winged Amazon <i>Amazona amazonica</i>	65 259
<b>Macaws <i>Ara</i> spp. (8 species)</b>	<b>14 639</b>
Blue-and-gold Macaw <i>Ara ararauna</i>	379
<b>Cockatoos <i>Cacatua</i> spp. (12 species)</b>	<b>8956</b>
White Cockatoo <i>Cacatua alba</i>	311
<b>Total number of parrots imported</b>	<b>1 594 246</b>

Source: CITES trade data compiled by UNEP-WCMC, 2004

**Table C: Prices (including black market prices) of selected CITES-listed parrot species in the EU**

Species	EU Annex/ CITES Appendix	Prices
Lears Macaw <i>Anodorhynchus leari</i>	Annex A/Appendix I	€30 000
Black Cockatoo <i>Probosciger aterrimus</i>	Annex A/Appendix I	€15 000
Hyacinth Macaw <i>Anodorhynchus hyacinthinus</i>	Annex A/Appendix I	€7250
Green winged Macaw <i>Ara chloropterus</i>	Annex B/Appendix II	€1600 (pair)
Blue and gold Macaw <i>Ara ararauna</i>	Annex B/Appendix II	€1600 (pair)
African Grey Parrot <i>Psittacus erithacus</i>	Annex B/Appendix II	€450
Orange winged Amazon <i>Amazona amazonica</i>	Annex B/Appendix II	€370
White Cockatoo <i>Cacatua alba</i>	Annex B/Appendix II	€750
Peach-faced Lovebird <i>Agapornis roseicollis</i>	Annex B/Appendix II	€50

Source: TRAFFIC International



**Table D: Most popular reptiles imported by EU and Acceding States between 1996 and 2002**

Species	No. of specimens
<b>Lizards</b>	<b>1 147 511</b>
Green Iguanas <i>Iguana iguana</i>	847 522
Chamaeleons <i>Chamaeleo</i> (31 species), <i>Phelsuma</i> (20 species), <i>Calumma</i> (7 species), <i>Bradypodium</i> (8 species) <i>Brookesia</i> (1 species), <i>Furcifer</i> (10 species)	236 340
Monitor lizards <i>Varanus spp.</i> (25 species)	49 391
Spiny-tailed Lizards <i>Uromastyx spp.</i> (8 species)	23 470
<b>Snakes</b>	<b>258 524</b>
Royal Python <i>Python regius</i>	174 603
Boa constrictor <i>Boa constrictor</i>	29 400
Asiatic Rock Python <i>Python molurus</i>	21 318
<b>Tortoises</b>	<b>165 284</b>
Horsfield's Tortoise <i>Testudo horsfieldii</i>	42 813
Leopard Tortoise <i>Geochelone pardalis</i>	24 959
Herman's Tortoise <i>Testudo hermanni</i>	18 946
Bell's Hinged Tortoise <i>Kinixys belliana</i>	15 805
<b>Crocodiles</b>	<b>15 174</b>
Spectacled Caiman <i>Caiman crocodilus</i>	12 304
<b>Total number of reptiles imported</b>	<b>1 586 493</b>

Source: CITES trade data compiled by UNEP-WCMC, 2004

**Table E: Prices (including black market prices) of selected CITES-listed reptile species in the EU**

Species	EU Annex/ CITES Appendix	Prices/each
Madagascar Tortoises <i>Geochelone yniphora</i>	Annex A/Appendix I	€ 30 000
Royal Python <i>Python regius</i> (colour morph)	Annex B/Appendix II	€ 18 000
Angolan Python <i>Python anchietae</i>	Annex B/Appendix II	€ 10 226
Black Python <i>Morelia boeleni</i>	Annex B/Appendix II	€ 5113
Boa Constrictor <i>Boa constrictor</i> (Albino)	Annex B/Appendix II	€ 2812
Green Tree Python <i>Morelia viridis</i>	Annex B/Appendix II	€ 2556
Timor Python <i>Python timorensis</i>	Annex B/Appendix II	€ 2301
Indian Star Tortoise <i>Geochelone elegans</i>	Annex B/Appendix II	€ 1841
Emerald Monitor <i>Varanus prasinus</i>	Annex B/Appendix II	€ 1227
Madagascar Tree Boa <i>Sanzinia madagascariensis</i>	Annex A/Appendix I	€ 1125
Pancake Tortoise <i>Malacochersus tornieri</i>	Annex A/Appendix II	€ 971
Argentine Boa Constrictor <i>Boa constrictor occidentalis</i>	Annex A/Appendix I	€ 920

Source: Auliya and Berkhoudt, in prep.

## ANNEX III

### Selected seizures of live birds in the Acceding States and EU Member States

In March 1998, **Czech** Customs discovered 11 parrot eggs in the underwear of a man arriving from Australia after having received a “tip-off”. Upon examination the man broke the eggs. However, morphological examination of the eggs revealed that these were from Yellow-tailed Black Cockatoos *Calyptorhynchus funereus* (EU Annex B/CITES Appendix II) and possibly other species of this genus (Pavla Rihova, Czech Environmental Inspectorate, *in litt.* to TRAFFIC Europe, March 2004). The species is protected in Australia and export from Australia is prohibited.

On 14 April 2000, a **British** bird breeder, was found guilty of four counts of illegally importing three Lear's Macaws *Anodorhynchus leari* (EU Annex A/CITES Appendix I) and six Blue-headed Macaws *Ara couloni* (EU Annex A/CITES Appendix II) in February 1997 and March 1998. Further charges of selling a Palm Cockatoo *Probosciger aterrimus* and a Hyacinth Macaw *Anodorhynchus hyacinthinus* (both EU Annex A/CITES Appendix I), were dismissed owing to lack of evidence. The bird breeder, was sentenced to two and a half years' imprisonment on each count, to be served concurrently. He was also ordered to pay costs of GBP10 000 which was later reduced to GBP5000. The Lear's Macaw is considered Endangered (IUCN, 2003) with an estimated 150 pairs remaining in the wild. A breeding pair of Lear's Macaws was estimated to be worth over €75 000 on the black market (see Table C in Annex II) (TRAFFIC Bulletin Vol. 18 No. 3, 2000).

In 2000, Customs at the Airport Berlin-Tegel in **Germany** seized eight Saker Falcons *Falco cherrug* (EU Annex A/CITES Appendix II). The birds were concealed in a suitcase and had been sewn into linen bags. The suitcase was divided into separate compartments, and the birds sewn into each of these compartments (Anton *et al.*, 2001).

In December 2000, German officials caught a **Slovakian** citizen attempting to smuggle a total of six young parrots from Jamaica into Germany. The birds, which were packaged in plastic containers and concealed in a suitcase, were too young to be identified. Two months later, the same individual was caught again making a further attempt to smuggle, this time three Black-billed Parrots *Amazona agilis* (EU Annex B/CITES Appendix II), again from Jamaica to Germany (Anton *et al.*, 2002).

On 12 February 2001, police in Rio de Janeiro arrested an **Austrian** following the discovery of 25 birds and two snakes in his luggage; eggs of five Orange-winged Amazons *Amazona amazonica* (EU Annex B/CITES Appendix II) had been placed in a sock and tucked into his underwear so they would be at nest temperature. The man reportedly bought the animals in the port of Belém and planned to take them to Austria for sale in Europe. The birds included 10 Red-capped Parrots *Pionopsitta pileata* (EU Annex A/CITES Appendix I), seven Yellow-fronted Amazons *Amazona ochrocephala*, one Festive Parrot *Amazona festiva*, five Orange-winged Amazons and four Canary-winged Parakeets *Brotogeris versicolurus* (all EU Annex B/CITES Appendix II). The Austrian was released on bail but faced charges of smuggling (TRAFFIC Bulletin Vol. 19 No. 1, 2001).

In March 2001, some 8000 stuffed and live birds were seized in **Italy** during raids on the houses of breeders and national animal traders. Species included Peregrine Falcon *Falco peregrinus* (EU Annex A/CITES Appendix I), Golden Eagle *Aquila chrysaetos*, Eurasian Eagle-Owl *Bubo bubo*, Eurasian Griffon *Gyps fulvus*, Red Kite *Milvus milvus*, Common Buzzard *Buteo buteo* (all EU Annex A/CITES Appendix II), as well as parrots (EU Annex A/B and CITES Appendix I/II), storks, herons and thousands of songbirds. The seizures followed a year-long investigation involving the co-operation of the Italian Forestry Corps, the Regional Corp of Regione Veneto (North Italy) and the *Guardia di Finanza* (TRAFFIC Bulletin Vol. 19 No. 1, 2001).

On 11 August 2003, **Maltese** Customs officials seized skins of some 700 protected birds, 23 mammals and three reptiles from two people returning from Cairo via Athens. The items, which were in four suitcases, were detected during a random luggage scan and three men were detained by police. The birds, which had been shot, included Black-shouldered Kite *Elanus caeruleus* (EU Annex A/CITES Appendix II), Steppe Eagles *Aquila nipalensis* (EU Annex A/CITES Appendix II), Long-legged Buzzards *Buteo rufinus* (EU Annex A/CITES Appendix II) and other bird species including bee-eaters, pelicans and storks (TRAFFIC Bulletin, Vol. 19 No. 3, November 2003).

### **Selected seizures of reptiles in the Acceding States and EU Member States**

On 12 February 1998, during a routine inspection, Dutch Customs officers at Schiphol Airport, **Netherlands**, seized a large number of reptiles from the luggage of a **Czech** national travelling from Peru to Prague: 151 turtles, 54 snakes, 43 crocodiles and caimans were discovered in a suitcase and a rucksack in the suspect's possession, including Boa Constrictors *Boa constrictor* and Rainbow Boas *Epicrates cenchria* (both EU Annex A/ CITES Appendix II). The animals had been placed in plastic boxes within small plastic bags. At the time of the arrest, 13 animals were dead and the remainder were underweight (TRAFFIC Bulletin Vol. 17 No. 2, 1998).

In 1998, 61 tortoises and 13 lizards were smuggled by post from South Africa to Prague in the **Czech Republic**. A parcel contained 38 African Serrated Tortoises *Psammobates oculifer* (EU Annex B/CITES Appendix II), 22 African Tent Tortoises *Psammobates tentorius* (EU Annex B/CITES Appendix II), one Leopard Tortoise *Geochelone pardalis* (EU Annex A/CITES Appendix I), and 13 lizards of the genus *Cordylus spp.* (EU Annex B/CITES Appendix II). The consignee of the parcel was a fictional person in South Africa and the addressee was a Czech citizen who denied any connection with the parcel.

In May 1999, Customs officers seized 450 live tortoises at Orly Airport, Paris, **France**, which had arrived from Madagascar. The animals had been smuggled by three Malagasy citizens living in Paris. The shipment consisted of 120 Radiated Tortoises *Geochelone radiata* (EU Annex A/CITES Appendix I) and 330 Spider Tortoises *Pyxis arachnoides* (EU Annex B/CITES Appendix II) (TRAFFIC Bulletin Vol. 18 No. 1, 1999).

In January 2000, a consignment of 149 spiny-tailed lizards arriving at Heathrow Airport, **UK**, from Sudan, in transit to Spain, was seized after it was found to contain 68 Bell's Dabb Lizards *Uromastix acanthinurus* (EU Annex B/CITES Appendix II, but subject to an EU import ban) and 81 Eyed Dabb Lizards *U. ocellatus* (EU Annex B/CITES Appendix II). The export permit accompanying the shipment identified all specimens as Eyed Dabb Lizards (TRAFFIC Bulletin Vol. 18 No. 2, 2000).

In 2000, the **Czech** Environmental Inspection Service seized 888 specimens of Pancake Tortoises *Malacochersus tornieri* (EU Annex A/CITES Appendix II). This species is listed in the EU in Annex A and hence wild specimens of this species can not be imported. In the EU, captive-bred adult specimens of this species can fetch prices of around €800 and more. In contrast, local collectors of reptiles are paid only a fraction of this price. In Tanzania, for example, local collectors receive approximately €0.06 for one *Malacochersus tornieri*, while the middleman receives €0.44 (Klemens and Moll, 1995).

In January 2001, a **German** was found guilty and sentenced to three years' imprisonment on charges relating to 15 cases of smuggling or attempting to smuggle protected live animals for zoos and wildlife parks. Joint investigations by Customs officials and police began when TRAFFIC received a mis-addressed fax which included offers of several EU Annex-A/CITES Appendix-I listed animals, such as Orang-utans *Pongo pygmaeus*, Javan Gibbons *Hylobates moloch*, Komodo Monitor Lizards *Varanus komodoensis*, Red-crowned

Cranes *Grus japonensis*, Arabian Oryx *Oryx leucoryx*, Asian Elephants *Elephas maximus* and EU Annex-A/CITES Appendix-II listed Ural Owls *Strix uralensis*, overall involving more than 25 countries (TRAFFIC Bulletin, Vol. 19 No. 1, 2001).

In February 2001, three **Germans** were charged with smuggling and attempting to smuggle over 1250 live lizards, frogs, orchids and other plants and animals out of the British Overseas Territory of the Cayman Islands. The men were searched and detained as they were leaving the airport at George Town, with the animals and plants being discovered in seven pieces of luggage. It is suspected that the animals were collected from the Cayman Islands as well as other countries in the Caribbean. The men charged had been under suspicion of being involved in smuggling activities for some time. It is thought that the alleged smugglers may have visited various parts of the Caribbean claiming to be researchers, scientists and wildlife photographers, obtaining collection permits and supporting documents for scientific purposes (TRAFFIC North America Newsletter, Vol. 4, No. 1, 2001).

In March 2001, the Customs CITES team at Heathrow, **UK**, seized 710 Horsfield's Tortoises *Testudo horsfieldii* (EU Annex B/CITES Appendix II) from three suitcases of a passenger arriving from the Russian Federation, in transit to Tunisia. The suspect was arrested owing to lack of CITES permits and for infringing IATA regulations (TRAFFIC Bulletin Vol. 19 No. 1, 2001).

In May 2001, the **Belgian** Customs seized nine live Bell's Dabb Lizards *Uromastyx acanthinurus* (EU Annex B/CITES Appendix II), one Spur-thighed Tortoise *Testudo graeca* (EU Annex A/CITES Appendix II), two live scorpions and a number of cacti (EU Annex B/CITES Appendix II) that were discovered in the hand luggage of three Belgian nationals returning from Tunisia (TRAFFIC Bulletin Vol. 19 No. 1, 2001).

In December 2001, two **Slovak** nationals caught in South Africa with 113 Angulated Tortoises *Chersina angulata* (EU Annex B/CITES Appendix II) in their possession were convicted under the Nature Conservation Ordinance. The two men had been apprehended in November 2001 when they had been observed collecting a tortoise on the roadside. Police then discovered two suitcases filled with 113 of the tortoises (Environmental News Service, December 2001).

In 2001, Customs officials seized at Warsaw National Airport 649 live Spur-thighed Tortoises *Testudo graeca* (EU Annex A/CITES Appendix II) and Kleinmann's Tortoises *Testudo kleinmanni* (EU Annex A/CITES Appendix I) from two **Lithuanians** who had travelled from Syria. The animals had been transported in small cages that were wrapped with plastic bags and hidden in hand luggage. No CITES permits could be presented (TRAFFIC Bulletin, Vol. 19 No. 1, 2001).

On 21 January 2004, the **Czech** Environmental Inspection Service intercepted a significant number of reptile species at Prague Airport, in possession of a Czech citizen who returned from a "holiday trip" from Indonesia. In his luggage the officers found a total of 115 reptiles, including 22 monitor lizards *Varanus prasinus* and *Varanus salvatorii*, 19 Green Tree Pythons *Morelia viridis* (EU Annex B/CITES Appendix II), 55 Radiated Tortoises *Geochelone radiata* (EU Annex A/CITES Appendix I), six Spider Tortoises *Pyxis arachnoides* (EU Annex B/CITES Appendix II) and three Flat-backed Spider Tortoises *Pyxis planicauda* (EU Annex A/CITES Appendix I), all of which are species that are endemic to Madagascar. Two of the species, *Geochelone radiata* and *Pyxis planicauda*, are listed in CITES Appendix I and hence commercial trade is banned. The importer was released but the case was reported to be under further investigation by the police (Jan Kucera, Czech CITES Management Authority, *in litt* to TRAFFIC Europe-Central Eastern Europe, February 2004). Adult specimens of *Geochelone radiata* and *Pyxis planicauda* can fetch high prices - of more than €5000 among end consumers in the EU - and *Pyxis arachnoides* may be sold for around €2000 (Auliya and Berkhoudt, in prep.).

## **Selected seizures of caviar in the Acceding States and EU Member States**

In November 1999, three men were found guilty of smuggling caviar from **Poland** into the USA. The men had ignored CITES provisions and paid off-duty airline employees to smuggle suitcases packed with caviar tins into the USA. In October 1998, federal investigators acting on a tip-off met an in-bound flight from Poland and apprehended seven couriers whose 16 suitcases contained 450 kg of caviar; another 450 kg were later seized at a suspect's home. Investigators found that, between 1 April and 3 November 1998, 9450 kg of caviar were sold by a company which, according to import/export declarations filed with the USFWS, had legally imported only 38 kg during this period (TRAFFIC Bulletin Vol. 18 No. 2, 2000).

Between October 1998 and June 1999, a number of seizures of caviar have occurred at Heathrow Airport, **UK**, the largest being 350 kg, with the others weighing 35 kg, 35 kg, 36 kg, 2.5 kg, 40 kg and 25 kg. Passengers apprehended were travelling from Iran, Turkey and Dubai (TRAFFIC Bulletin Vol. 18 No. 1, 1999). In January and March 2001, the Customs CITES team at Heathrow seized 18 kg and 120 kg of caviar, respectively, imported by post from Dubai, destined for the UK (TRAFFIC Bulletin, Vol. 19 No. 1, 2001).

During 1998, a total of 425 kg of caviar arriving by freight was seized in 12 separate incidents at Frankfurt/Main International Airport in **Germany**. The largest single consignment, from Israel, weighed 251 kg. The principal countries of origin for the remaining shipments were the Russian Federation, Kazakhstan and Azerbaijan. Fifty seizures of caviar, totalling 108 kg, took place in the airport's passenger section during the same period (TRAFFIC Bulletin Vol. 18 No. 1, 1999).

On 10 April 2000, **German** Customs officers in Hamburg and Frankfurt seized 264 kg of caviar and arrested three Iranian citizens. The caviar, reportedly from the Russian Federation, was contained in 250 g-cans and was seized after Customs officials set up a fictional firm which attracted the sellers (TRAFFIC Bulletin Vol. 18 No. 3, 2000).

In November 2003, the Customs inspection of Cologne, **Germany**, caught a Polish lorry driver handing over 48 kg of Russian caviar to a middleman in a car park. Both men were detained and, in 2003, investigations were ongoing. In December 2003, German Customs officials in north Germany stopped a Lithuanian lorry driver and discovered 27 kg of caviar hidden under the seat and in other hidden compartments. In addition to the caviar, the lorry driver had 97.5 kg of illegal tobacco hidden in the front wheels. In November 2003, Customs in Germany had discovered a container from Turkey holding 354 cans of illegal caviar, totalling 177 kg. The shipment was declared as "pulp" but attracted the attention of the Customs officials owing to its bad smell. Enforcement authorities in Germany also noted an increase in the volume of Russian caviar offered illegally over the internet. Some house searches in the region of Nord Rhine Westfalia led to the confiscation of 10 kg of caviar. It is assumed that some of the caviar had been smuggled into Germany from the Russian Federation via **Poland** and had been bought from fleamarkets. The value of the caviar seized in November and December 2003 in these four cases (235 kg) was estimated at over €250 000 (Anon., 2003).





TRAFFIC, the wildlife trade monitoring network, works to ensure that trade in wild plants and animals is not a threat to the conservation of nature. It has offices covering most parts of the world and works in close co-operation with the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

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