

To the members of the CITES Standing Committee  
From: Karl Ammann

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### **CITES – and the diplomatic approach**

I attended the recent CITES Standing Committee Meeting in Geneva (SC 58) as an accredited member of a media team from Spiegel TV/Germany. One of our main objectives was to get feedback from the Chinese delegation concerning the very active illegal wildlife trade taking place at the border posts between Myanmar and China.

Based on past experiences with the Chinese delegation we decided to film the request for interviews. This got us expelled from the meeting. The Secretary General of CITES personally and physically intervened, shoving the camera and team members and threatening to call the police to escort us out of the building.

We then approached the Chinese delegation once more in the street outside the conference building and again had the reaction of the camera and cameraman being shoved about. The Chinese delegation then filed an official complaint with the Secretariat, and the Secretary General announced the decision of the expulsion in the full plenary session.

In subsequent discussions with various delegates, we were told that a more "diplomatic approach" would have been more productive. I would like to put this suggestion in the context of past "diplomatic approaches" and the results they have achieved.

My comments will relate to the investigative documentaries I have produced that deal with aspects of CITES compliance and enforcement issues.

### **The facts as they relate to a documentary for television called "The Cairo Connection".**

CITES was first informed by WSPA in 1997 of an investigation in Kano, Nigeria, implicating an Egyptian/Nigerian national in the trafficking of an average of some 40 chimpanzees and 8 gorillas annually from the Central African region to the Middle East. Egyptian officials later confirmed that this particular family had been active in the business for some 30 years, even before Egypt joined the convention.

"The Cairo Connection" documented the trafficking of 6 baby chimpanzees along the same route and their eventual confiscation in Kenya. It exposed the dealers and the final consumers, and the lack of political will to deal with the issue in

Egypt. Additional trafficking of orphaned apes by the same dealers/suppliers has taken place since then.

John Sellar, head of the CITES enforcement division who visited Egypt in late Dec 2007, confirmed that he saw two teenage gorillas in one of the very questionable private collections at Sharm el Sheik. We secured a photograph taken in Jan. 2008 showing the same facility with some new baby gorillas in attendance. I documented later that year several new chimps at a safari park, who were also new arrivals at this facility. The latest evidence collected involves three privately owned farms which are protected by heavily armed operatives.

John Sellar stated on camera that he and the Secretariat would take strong action if indeed there was any evidence that he was being lied to, but the Secretariat can never manage to mount unannounced investigative inspection visits in order to consider whether they are being lied to.

This issue and the lack of real progress at the Egyptian end was again discussed during this Standing Committee Meeting. It seems in the end that the Ambassador of Cameroon contradicted his delegation, which had prepared a motion to ask for the suspension of Egypt, and sided with the Egyptian Ambassador to scuttle further discussions concerning any suspension. We were not able to interview any representative from Egypt as they were not present during the period we were accredited and allowed to attend.

### **The facts as they relate to the documentary known as "The Mong Lah Connection".**

I have been visiting the Special Region 4 of Myanmar at regular intervals since 2004. The trade in wildlife and wildlife products has been obvious from the time the town became a magnet for Chinese gamblers. I regularly documented the market scenes; the restaurants displaying bears, primates, birds, etc..., for selection and consumption; the scene at the bear bile farm, home to some 50 miserable bears, with nobody making a secret that most of the production was exported into neighbouring China; and the various dealers holding all kinds of live animals, skins, bones and other wildlife products.

When the Chinese authorities closed the border to prevent the Yunnan gambling communities from losing fortunes across the border, the wildlife trade continued unabated and in some cases increased (new roads being built into the hills with hill tribe hunters turning very commercial and daily couriers on motorbikes picking up all the bushmeat they are able to produce/hunt).

I took a team from Swiss TV, a well known book author, a team from Spiegel TV, and a producer from a prominent UK TV network, to illustrate the wildlife trafficking scene. They all found clear evidence that a large percentage of the wildlife was on its way to the other side of the border in China. We regularly filmed a wildlife dealer holding some 8 bears in small cages located next to the river representing the border. In the background was the official Chinese border

gate, and right next to the dealer's residence and the caged bears was a rusty border fence. On my first visit, traffickers of all kinds of commodities would still push their rikshaws around the fence, going knee-deep into the river. Later on a hole was cut out of the fence and it seems 90% of the border traffic now went through the rusty fence rather than the official customs/immigration post.

The animal dealer confirmed that many of his orders came to supply bear banquets on the Chinese side. It was easy to line in the camera lens the bears in the foreground, the rusty fence in the middle, and the official border gate in the background, with contraband regularly being moved through the picture.

Besides the trafficking of live animals and animal products from a wide range of CITES listed species, there is still a component of Chinese visitors coming specifically to consume wildlife meals in Mong Lah. The question arises, of course, to what extent this kind of contravening of the CITES Convention (by specifically stepping across an international border to avoid national laws and an international convention) also violates the spirit of the Convention.

I reported these findings to John Sellar at the Secretariat who later told me he had confronted the Myanmar delegates and they had told him they no longer had any kind of control over Special Region 4. Swiss TV in 2006 requested an interview with the head of the Chinese delegation attending the Standing Committee Meeting in Geneva (a request presented via the Secretariat). We were told to submit the questions and did so, only to be told by a representative of the Secretariat that the Chinese delegation had refused to respond.

The corresponding films were aired by various European and South African networks. The response was always very strong with many of the viewers asking what a concerned individual could do. In Switzerland the print media picked up the story as well and I asked the Swiss representative to CITES, on behalf of all the Swiss viewers who had expressed outrage, to officially ask the Chinese delegation to explain their position. The answer was long in coming and centered around the fact that these films did not represent evidence. I pointed out that some very established producers, authors and journalists had visited with me and assisted with the documentation. They all concluded that we had found plenty of "evidence". Meanwhile, none of the airings of this film resulted in any aggrieved party complaining that any of the conclusions were unjustified or required any kind of correction or rejoinder.

I have since filmed at another such enclave/colony (Boten) at the China/Laos border. The owners of the corresponding casino and 99-year lease are said to be the same Chinese/Burmese businessmen and "ex" drug lords. The modus operandi is exactly the same as in Mong Lah – restaurants with a wide range of wild animals including bears and primates on offer, and shops (including the main shop in the casino) selling all kinds of wildlife products including tiger bones and bear gall bladder extract. Again a very miserable bear farm has sprung up with some of the bears being kept in crush cages about a third of the size of what we documented at Mong Lah.

There are two more such casino towns under construction, one again across the Mekong in Special Region 4 and another one on the Laos side. I have little doubt that the Mong Lah and Boten scenarios will soon be duplicated in these two new locations, with the hill tribes again responding to this new demand pattern by emptying out their forests.

### **The facts as they relate to the documentary "The Kinshasa Connection".**

"The Kinshasa Connection" is an investigative documentary telling the tale of the export of some 120 primates from DR Congo and then some 30 being re-exported to prominent zoos in the US.

It is the tale of a wide range of national laws having had to be ignored to get these primates into the cages of some prominent wildlife dealers in Kinshasa. It is the tale of DRC's CITES Scientific Authority at the time stating on camera that no "non-detriment finding" was done. It is the tale of nobody in the Congo having any idea as to the remaining population levels for most of these species, and of DRC's CITES Management Authority stating that there must be a lot, "... since we eat them every day in large quantities". It is a tale of a range of import and export documentation being contradictory and misleading (e.g."C" for "captive imports" in the case of some of the US permits). It is the tale of the San Diego Zoo importing them and expecting to be applauded for having "...saved [these primates] from the bushmeat markets".

The Secretariat supposedly twice asked the DRC authorities to respond to some of these allegations. I have been told they responded twice, stating that the transaction had been beyond reproach. And that, in turn, was classified by the enforcement section of the Secretariat as the end of the story.

### **The facts as they relate to the documentary "The Bangui Connection".**

With "The Bangui Connection" we did not set out to document the wildlife trade or CITES infractions. It was about elephants getting killed for their meat and the ivory being a second consideration. However we did come across issues which involved cross-border trade of CITES listed species. In western CAR we established that about 90% of the bushmeat consumed and transported to Bangui comes from neighbouring DRC, with CAR-based hunters crossing the Bomou River on a daily basis. In Zemio we copied the import duty list which showed specific taxes for such items as "baskets of smoked meat" (almost always elephant meat) as well as "dead monkeys".

I reported these findings and sent a copy of the list in question to the Secretariat. In the Hague we interviewed the representative from CAR and I asked him specifically about the elephant meat for sale at PK12, the town's main bushmeat market, and he told me that the market women were so powerful that if he tried to enforce anything in this market they would march to the presidency, take off all their clothes in protest, and the end result would be him getting fired...

## **The facts behind the 10 vor 10 broadcast for Swiss TV on bushmeat in Switzerland.**

I was asked by Swiss TV to assist with a piece on bushmeat in Switzerland. I recounted once boarding a Swiss flight in Yaounde and seeing many passengers checking in with coolboxes. I asked the Swiss representative at the airport why no checking took place and was told that it was too much hassle, too much shouting if they tried to confiscate meat at that point, and that it would be done in Zurich.

At Kloten Airport we went to interview the head of customs and some other officials. They showed us x-ray images of suitcases holding a number of smoked primates, and a case containing some six dead pangolins. When we asked them for the paper trails associated with these cases they stated there were none. While they confiscated the meat, they found all that would happen is confiscation and destruction and the passenger went away scot free. Clearly with commercial shipments, as they had shown us, there was little reason why the same passenger would not try the same thing next time around.

We were informed that when it came to CITES infractions the Bundesamt fuer Veterinaermedizin (the CITES body) would have to take over, but that they did not have the stomach for the paperwork and the confrontations which were involved, so generally nothing was done. The customs officials left no doubt that they were frustrated with this status quo.

A recent case involving a Nigerian shopkeeper got some attention. He was first given a suspended sentence for selling rotten meat in his shop. The original proceedings stated that it was monkey meat but later changed to "goat meat", supposedly to avoid having to deal with the illegal import. The same shopkeeper was later re-arrested, this time for selling cocaine from the same premises. It seems now that only because drugs are involved is the case being taken seriously.

Swiss TV did interview the head of the CITES delegation to the recent Standing Committee Meeting (which was not possible when we first went to Bern with a Swiss TV team only to be confronted by a media spokesperson for the department). He confirmed that he was not aware of a single prosecution in Switzerland concerning any infraction of the CITES rules and regulations.

### **Conclusion**

We have indeed tried the "diplomatic approach", documenting in great detail and reporting in good faith non-compliance issues to the Secretariat, only to discover that no decisive action has been taken in any of the cases.

Perhaps the next Standing Committee Meeting might be arranged in Bangui, Central Africa Republic, so that the Secretary General can invite the delegates for a stroll along the PK12 bushmeat market, to get a direct sense of how little effect CITES has in places where it might actually count. I understand, of course, that the chance of delegates showing up for such a venue would probably not be enough

for a quorum. That still leaves Beijing--where at least the authorities could ensure that the foreign media does not bother delegates with any unpleasant questions regarding accountability and transparency.

Nanyuki, 31.07.2009