

# PROTECT OUR TIGERS – BAN THE COMMERCIAL TRADE



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More Humanity towards Animals



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## Summary and recommendations

With only 3 900 tigers left in the wild it seems clear that there should be no commercial trade whatsoever in these animals or their parts. Unfortunately, the reality is that the relentless demand for tigers to be displayed commercially and their body parts to be used for luxury goods and traditional medicine has meant they are in fact traded in vast numbers within the EU and across the globe. This commercial trade results in serious cruelty and contributes to the decline of the species in the wild.

Wild tigers<sup>1</sup> are categorised as an Appendix I species within the CITES (Convention on International Trade in Endangered Species) framework which aims to ensure that the legal trade of live tigers, parts and

derivatives has no implications on the species and does not stimulate the illegal trade. This is the basis of all governments justifying the trade of live tigers and products, despite evidence clearly showing that there are serious weaknesses in this protection.

Due to a lack of proper management and control over the trade within the European Union and globally, there are numerous cases of cruelty related to the use of tigers for entertainment and other commercial purposes. Tigers in Europe are still exploited in circuses, for taking selfies or rented for private parties, and tigers from Europe are even exported to parts of Asia where the trade in tiger bone wine and other products made from tigers is still rampant.

### Recommendations

FOUR PAWS asks for the following measures to be taken:

A. The issuing of a **Commission guidance document** as a priority first step recommending that EU member states suspend the export and re-export of live tigers and tiger parts or derivatives, except in cases where it is amply clear that the permit will be used for legitimate purposes, as when:

- a. live tigers are moved as part of the breeding and conservation programmes of zoological institutions such as EEP (European Endangered Species Programme), SSP (American Species Survival Plan), ASMP (Australasian Species Management Program) or GSMP (Global Species Management Plans) for non-commercial purposes<sup>2,3</sup> and not to any facility, business, individual who is/was affiliated to or associated with a facility, business or individual implicated in either legal or illegal trade in tigers (live), their parts or derivatives.
- b. live tigers are moved with the intention of rescue by officially registered and monitored sanctuaries under the condition that the animals do not reproduce and are kept in a species-appropriate enclosure.

c. items are moved where<sup>4</sup>:

- i. the item is part of a genuine exchange of cultural or artistic goods between reputable institutions (i.e. museums);
- ii. the Management Authority of the Member State concerned is satisfied that the item is a recognised piece of art and is confident that its value makes it certain that it will not be used for other purposes;
- iii. the item has not been sold and is an heirloom moving as part of a family relocation or as part of a bequest; or
- iv. the item is part of a bona fide research project.

This guidance document should also include Identification and Registration guidance. This measure should be taken as a first preparatory step and should be followed by:

B. A **comprehensive ban** on all intra-EU and external commercial trade<sup>5</sup> in live tigers and tiger parts or derivatives (imports, exports and re-exports) with derogations as mentioned under A.

# 1. Recent developments: Czech Republic's export suspension

**FOUR PAWS has conducted research on commercial tiger businesses throughout the European Union (EU) for several months to get an overview of the legal and illegal trade in tigers and their parts both within the EU and through exports to Asia (see also Chapter 4).**

While undertaking this research it emerged that Czech authorities had also been investigating illegal trade activities, which became public news after several raids took place in July 2018. The police operation “Operation Trophy” (2018) exposed the horrific realities of the tiger business within the EU. On Monday July 16th, 2018 the Czech authorities raided properties in Prague and in central and northern Bohemia and seized a tiger which had been recently killed, as well as tiger bones and other tiger products and equipment used in the production of traditional Asian medicine made from tiger parts. Furthermore, the Czech authorities also raided the Vietnamese market, Sapa, in Prague and discovered tiger meat and products for sale. One of the target facilities raided belonged to well-known wildlife trader and member of Czech circus family, Ludvik Berousek.

FOUR PAWS owns footage of a meeting, which took place in June 2018, showing Berousek in a business conversation with a potential Asian buyer who expresses interest in buying tigers for his commercial business in China. On the video recording Berousek shows live tigers and lions, which he offers for sale, kept in poor conditions. He mentions, among other things, that he has sold 30 tigers to China. He also claims

that he stepped in to continue to trade on behalf of a German business partner. This other person was supposedly banned from trading tigers following a scandal which came about when it was exposed that some tigers had ended up being killed in Asia for use in traditional medicine.

Following the raids in the Czech Republic, Berousek was one of three traders arrested on suspicion of illegal tiger killing and trade. The Czech authorities reacted with further measures; the Environment Ministry publicly announced the immediate suspension of the commercial export of tigers from the Czech Republic to countries outside the EU.<sup>6</sup> The Czech Agriculture Ministry additionally announced it wants to tighten conditions relating to the breeding of big cats and ban practices which enable direct contact with wild animals.

**FOUR PAWS applauds the Czech authorities for the in-depth investigations and rapid action following the raids and welcomes the announcement of additional measures and the suspension of export of tigers to non-EU countries.<sup>7</sup> Furthermore, we welcome that the Czech Republic also emphasises that ‘contact zoos, cuddling, excessive production of cubs, canned hunting or other commercial exploitation of tigers and other big cats should be completely banned, not only in the Czech Republic but in all CITES member countries as it is in stark contrast to the protection of endangered species.’<sup>8</sup>**

The trade in live tigers and tiger parts is obviously not only an issue in Asia. The lucrative commercial trade in this endangered species and its parts is happening in Europe as well. The horrific trade in tigers and tiger parts is wide reaching, with evidence of illegal activity across France, Italy, Belgium, Slovakia, Spain, Denmark, The Netherlands, the United Kingdom, Germany and the Czech Republic.

*The Czech authorities reacted with further measures; the Environment Ministry publicly announced the immediate suspension of the commercial export of tigers from the Czech Republic to countries outside the EU.*

**EAZA (European Association of Zoos and Aquaria) released a position statement on illegal trade in tigers and tiger parts (Nov 2018):** ‘... large-scale commercial trade continues not only across the tiger’s natural range in Asia but globally, including within the EU. In addition to illegal exports of live tigers from Europe to Asia, recent seizures have also exposed well-organized trafficking networks for products originating from tigers that were captive-bred in Europe... EAZA urges the European Union institutions and the national authorities to take immediate action to eliminate the threats that endanger tigers, both in the Asian range states and in Europe, by: ... Ensuring that the ex-situ tiger population in human care within Europe serves **non-commercial purposes** [emphasis added] such as research, education and conservation breeding ...’

## 2. Threats to tigers

**In the 20th century the world lost over 90% of its wild tigers and there are only an estimated 3 900 tigers left in the wild, across just 7% of their historical range.**

The species is listed as endangered on the IUCN Red List<sup>9</sup> and falls under the highest protection status within the CITES (Convention on International Trade in Endangered Species) framework through listing on Appendix I that should guarantee that trade is not detrimental to the survival of the species.

Today, wild tigers face numerous threats including the loss, degradation and fragmentation of their habitats, climate change and conflicts with humans that lead to retaliatory killings. Poaching and illegal trade is the most direct threat to wild tigers. Mainly in Asian countries there is high demand for tiger parts and derivatives used for traditional medicine or as status symbols. With enormous profit margins the market for tiger and other rare wildlife products is highly attractive for poachers and transnational crime syndicates.

Between 1999 and 2016, 1 412 tigers were legally exported by current EU member states. Between 1999-2017, 8 278 illegal tiger products, such as tiger bouillon cubes, pills (traditional medicine), teeth and claws, and 57 live tigers were confiscated in the EU. All seizures are assumed to represent only 10% of what is smuggled.<sup>10</sup> Illegal trade in tiger parts remains the primary threat to tigers in the wild,<sup>11</sup> and parts from captive tigers may well be sustaining this black market.

While international trade in wild tigers is banned through listing on Appendix I of CITES, the trade in captive bred tigers is still allowed and continues to take place around the globe. Unfortunately, legal trade can easily pose as a cover for illegal trade and contribute to increased demand for tiger parts and products which triggers the poaching of wild ranging tigers.

## 3. Overview of EU tiger market

**The exact number of tigers kept and traded within Europe is unknown. Movements of tigers within the EU do not require CITES import or export permits and the EU database, which records the seizures of illegal trade, is not publicly available for scrutiny. Therefore, there is no central database with information of where tigers end up exactly and/or who is trading in tigers and tiger parts.**

To gather the best possible overview of the trade flows in both live tigers and tiger products, FOUR PAWS commissioned an in-depth research<sup>12</sup> into:

1) the CITES database (during 1999-2016) providing details of the legal trade with import and export permits issued by CITES authorities, and

2) the EU-TWIX database (during 1999-2017) providing details submitted by enforcement officers about the seizures of illegally traded live tigers and tiger products.

Official documentation and permits as issued by EU member states for captive bred Appendix I species (individually marked with a microchip transponder) are not

recorded in the CITES trade database. It is not possible to determine the number of live captive bred tigers for which an EU certificate is issued (unless you collect this information from each individual member state). Movements or transfers of these live tigers are not recorded by EU member states either. In conclusion, there is no clear overview of the number of tigers kept in the EU nor of the movement of tigers between member states.

Seizures are important signals and often the only proof of the illegal trade of wildlife. Although many data entries in the EU-TWIX seizure database are incomplete, the EU-TWIX is currently the most complete data set of seizures related to wildlife within the EU. For some EU member states, the number of

seized tiger products mentioned in media differs greatly to the number mentioned in seizure reports. For example, in the media<sup>13</sup> it was reported that at least 1 682 tiger products were seized in the period 2009-2014 in the United Kingdom (UK) by the UK Border force. EU-TWIX however registered significantly less seizures in the period 1999-2017. This difference might be a result of the lack of registering of all seizures in the EU-TWIX database or because of the difference in counting method (pills and plasters as one product instead of packages containing a certain number of pills or plasters).

Enforcement officers are not focused on administration of these seizures for the EU-TWIX database but rather on actual enforcement.

## Seizures of live tigers and products

(EU-TWIX database 1999-2017)\*

- **57 live tigers seized**
- **8 278 parts and derivatives of tigers seized**

In the period 1999-2017 a total of 8 278 items (products) were seized by EU member states. Of those items 87,4% (7 237 items) were recorded as Medicine (MED) such as pills, capsules, and plasters containing *Panthera tigris*. These products may contain a small percentage of tiger parts, most probably tiger bone. 10,1% (840 items) were recorded as Derivatives (DER) and the rest, 2,5% (201 items in total) were Bones (BON), Skulls (SKU), Skins (SKI), Claws (CLA), Teeth (TEE), Bodies (BOD), Skin Pieces (SKP), Skeletons (SKE), etc.

\* All seizure data was extracted early 2018 from the EU TWIX database.

## Legal trade in tigers

(CITES database 1999-2016 including commercial trade, trade between zoos etc.)

- **862 live tigers were imported by current EU member states**
- **1 412 live tigers were exported by current EU member states**

The business is lucrative: A live tiger attracts up to 22 000 euros (26 000 US dollars) on the Asian market. A kilo of tiger bones is available for about 1 700 euros (2 000 US dollars) and a litre of tiger wine – an allegedly healing broth made from tiger bones – can be found for 85 euros (100 US dollars) on the black market, according to Czech authorities.

### Top 5 of EU member states IMPORTING LIVE TIGERS:

1. Italy (175 tigers)
2. France (130)
3. Germany (97)
4. **Poland (60)**
5. **Latvia (48)**

### Top 5 of EU member states EXPORTING LIVE TIGERS:

1. Italy (294)
2. France (214)
3. Germany (194)
4. **Czech Republic (84)**
5. Spain (79)

Please note that countries highlighted in **bold** became EU members as of 01-05-2004: Czech Republic, Latvia and Poland.

## 4. European tigers for sale on Asian market

### FOUR PAWS conducted research over several months to get more insights into legal and illegal trade.

The CITES database provides the details regarding the legal trade of live tigers to non-EU countries. Over the period 1999-2016, in total, 1 412 export permits were given out by current EU member states. Below is an overview which includes the number of export permits over the period 1999-2016 given to specific non-EU countries where there are numerous problems regarding illegal wildlife trade and crime.<sup>14</sup> Six countries mentioned below are the key players in the Asian market and South-Africa is included due to the recognised link to Asia with the trade in lion and tiger skeletons and the intensive breeding for commercial purposes.<sup>15</sup>

Please note that out of the total number of 1 412 permits, 374 live tigers had a destination or departure to a country which

became an EU member state later, so a total of 1 038 had a destination to third countries outside of the current EU. Following from the above overview, we can conclude that almost one fifth of all animals for which export permits were given to non-EU countries went to those countries where the trade in tigers and tiger products is rampant.

Also, the official CITES data indicate that there were no more live tigers exported to China after 2004. However, FOUR PAWS investigations reveal that traders are still willing to export tigers to China and even state on video that they have done so recently.

In the table below it is clear that there are serious discrepancies between importer and exported reported quantities which makes it difficult to draw conclusions and/or compare data.

### Number of import and export permits as issued by exporter and importer countries

Key countries	Exporter (EU member states) reported quantity	Importer reported quantity
Cambodia	24	21
China	67	76
Laos	0	0
Malaysia	3	6
South-Africa	27	30
Thailand	19	18
Vietnam	31	40
<b>Total</b>	<b>171</b>	<b>191</b>

The investigations were complemented with outcomes from different meetings both in Europe and Asia which revealed details regarding the willingness of tiger traders in Europe to sell tigers to Asian buyers:

- Meeting on June 18th, 2018 in the Czech Republic between tiger trader Ludvik Berousek and a potential Asian buyer. Berousek owns a company called 'Zvířata pro film a reklamu' (Animals for movies

and advertisement) and is co-owner of Zoopark Doksy.

- Meeting on April 7th, 2018 in Vietnam between tiger trader Bui Hong Thuy and a potential Asian buyer, who indicated an interest to buy tigers from Europe for his business in China.

Below you will find the main conclusions and related evidence regarding these two meetings and the raids by the Czech Republic.



## Tigers from Europe are sold to dubious and/or convicted traders in Vietnam and China

- **CITES document 14CZ024530** illustrates that two tigers from Germany and two tigers from France were sold to Muong Than Ltd (based in Vietnam) by Animal Park S.R.O, which is a Czech company managed by Dana Frankova, whose husband has been convicted for wildlife trafficking in the past. This document was handed over during one of the meetings regarding the possible purchase of tigers from Europe. **CITES document 16CZ025969** revealed that a third tiger from Germany was sold to Bach Ngoc Lam Co. Ltd through the Czech Republic and ended up in Hon Nhan Eco-Animal Garden. The latter is registered under Bach Ngoc Lam Ltd. Co and the owner is Pham Van Tuan who was convicted for tiger trade in 2005 and 2010.
- **Video and transcript meeting Bui Hong Thuy 07/04/2018** – During the meeting between the interested Chinese buyer and Vietnamese trader Thuy, the latter confirms on video that he can arrange tigers from Europe and transport them to China. When the interested buyer indicates that the tigers might be used to produce traditional medicine, Thuy continues to provide detailed information to facilitate the sale.
- **Video and transcript meeting Ludvik Berousek 18/06/2018** – Trader Berousek confirmed in footage that he sold 6 tigers to China three months before and he also states that he stepped in for another trader after the latter was banned from trading. During the meeting Berousek shows different CITES papers and refers to trader Dana with whom he has collaborated. He also shares details on how to manipulate the CITES requirements to facilitate the trade to China, for example by using the purpose code “commercial” rather than “zoo” to be able to sell it to China and he suggests registering as safari park instead of amusement park as it is easier to get the animals. While walking over his premises he shows live tigers and lions which he offers for sale kept in poor conditions.
- **Press release by Czech Customs and Czech Environmental inspectorate (CEI)** states that during the raids in July 2018 they seized a tiger which had been recently killed, tiger bones and other tiger products and equipment used in the production of traditional Asian medicine made from tiger parts. It also states that customs officers and the inspectors from the CEI carried out checks at the international Prague Airport in Ruzyně from where tigers were exported mainly to various locations in Asia. In 2013 customs officers seized consignments with complete tiger skeletons, tiger claws, tiger teeth and rhino horns including rhino skin. When performing similar checks in 2016 and 2017 traditional medicine was seized, namely tiger products and tiger bouillon cubes.
- **Statement by Czech CITES officer Pavla Říhová** of the CEI posted on Facebook<sup>17</sup> after the raids in July 2018:
 

*We have been warning for several years that illegal trade in tiger products is really serious problem also in Europe not only in Asia. There are many tigers in captivity in Europe, lack of overview who holds them and where, strange high mortality, missing dead bodies, small cubs for cuddling... Many people didn't believe us.*
- **Statement by Prague Zoo director Miroslav Bobek**,<sup>18</sup> in which he mentions the following:
 

*... this shocking case is just the tip of the iceberg. The breeding of big cats is incredibly widespread in our country and very often it takes place in completely unsatisfactory conditions and/or it is purely for profit. Yes, and by that I mean not only the crazy “breeders”, who are capable of keeping a tiger in a four by five metre cage, but also the various “zooparks”, “bioparks” and “petting zoos”. An anonymous source at Lidové noviny [Czech newspaper] summed up the case of Berousek et al. very succinctly: “Basically, their plan was that when the animal was older and not so suitable for taking pictures with children or for films or it had come back after being in the circus for years, they would use its body for commercial purposes.”*

*“The breeding of big cats is incredibly widespread in our country and very often it takes place in completely unsatisfactory conditions ... not only the crazy ‘breeders’, who are capable of keeping a tiger in a four by five metre cage, but also the various ‘zooparks’, ‘bioparks’ and ‘petting zoos.’”*

*Miroslav Bobek,  
director of Prague  
Zoo*

## Involvement of European zoos/safari parks

- **Video and transcript meeting Ludvik Berousek 18/06/2018** – Czech tiger breeder/trader Berousek mentioned on video how he stepped in to do the trade for the owner of the German ‘Safaripark Stukenbrock’ because latter was supposedly banned from trading tigers some years ago.
- According to **German CITES authorities** between 1997 and 2000 the animal trade company of German ‘Safaripark Stukenbrock’ legally sold at least 21 tigers to destinations in China. Ten of those tigers exported via a “private” distributor ended up in a facility in China which is known for slaughtering tigers for traditional medicine.<sup>19</sup>
- German ‘Tierpark Ströhen’ exported tigers to locations in China in 1997 to Panyu safari park and in 2000 to Dalian forest zoo. According to information listed in the **International Tiger Studbook** the zoo also transferred two tigers to ‘Tiger Kingdom Trakarn Co Ltd’ in Thailand in 2014, where tigers are kept in cruel conditions.<sup>20</sup> In 2010 and 2011 a total of ten tigers was transferred to locations in United Arab Emirates.

## Commercial breeding practices by dubious zoos in Asia with tigers from Europe

- **Video and transcript meeting Bui Hong Thuy 07/04/2018** – Vietnamese trader Thuy states on video the following:

*Tigers from Europe are the best ones. The Bengal tiger is the easiest one for breeding. Tigers from Europe are bigger, stronger and give more cubs than Asian tigers. The Asian tigers are smaller than tigers from Europe. The Indochinese tiger usually weighs around 120-170kg while a tiger from Europe weighs nearly 250kg. The tigers from Europe are taller and heavier.*

- **Video and transcript meeting Bui Hong Thuy 07/04/2018** – Vietnamese trader Thuy states on video the following:

*In Vietnam, if you keep the tigers in good condition, each female can give birth from two to four cubs per litter. By insisting, a tiger can give birth twice during a year and a half. To achieve this rate, the tiger cubs must be separated from their mother earlier than normal. The tiger’s gestation period is between 90 and 100 days. When the tiger gives birth, the cubs are immediately separated from their mother. In the Vietnamese zoos, the tigers can currently give birth three times in a two-year period.*

## 5. Captive breeding and cruelty of tiger businesses

Throughout the EU it is legal to breed and commercially trade tigers. Captive tigers are not only found in all kinds of zoos with varying animal welfare standards; in many EU countries the keeping of tigers for private or commercial purposes and for entertainment businesses like circuses is still legal. The easy purchase of live tigers via online ads<sup>21</sup> or through other channels and the low threshold for keeping of live tigers in several member states allows for widespread trade of the species.

Breeding of tigers is not only limited to zoos that take part in the European Endangered Species Programme (EEP) of the European Association of Zoos and Aquaria (EAZA). All over Europe there is also regular breeding of tigers that is not linked to conservation. Tiger cubs are born in all kinds of facilities and for different commercial purposes and

both young and adult animals are traded within and outside the EU. Hundreds of tigers are displayed and used commercially or are in private hands as exotic pets. Tigers can be found in various shows, circuses, dubious zoos or in the film industry.

As a non-domesticated species tigers have a complex way of life and their biological characteristics require high standards for their housing in captivity. From an animal welfare point of view, keeping guidelines remain unsatisfactory throughout Europe and are not legally binding in some countries. Animals that are not kept in legitimate zoos or officially registered and monitored sanctuaries often face numerous animal welfare issues related to the inadequate reliability and expertise of the owners as well as lack of space and poor facilities. For the animals, this means a lack of appropriate stimuli which may cause abnormal behaviours related to boredom (apathy, stereotypy) and stress and physical problems. It has been proven that large carnivorous species that need to move around extensive territories tend to show many signs of stress and disturbed behaviour.<sup>22</sup>

But the expression of natural behaviours is not only limited by poor housing conditions. Many captive European tigers are used for entertainment. The number of tigers in circuses within the EU is largely unknown. These big cats are not only kept in beast wagons or very tiny outdoor enclosures but are also exposed to constant changes of location. The situation is aggravated by the fact that naturally lone animals such as tigers are kept together, often even with lions. Small cages offer no possibility to withdraw. During training and performances, direct

Screenshot from  
www.enimalia.com/  
exotic-mammals taken  
on 02-10-2018

The image shows two screenshots of online advertisements for tiger cubs. Both ads are posted by 'Audrius Moskaliovas' from 'Kalvarija' on '22.08.18'. The first ad is for 'Panthera tigris tigris' (Bengal tiger) and lists '1x Male (Born in 2018-05-23), 2x Female (Born in 2018-05-23)'. The second ad is for 'Panthera Tigris Altaica' (Amur tiger) and lists '2x Male (Born in 2018-06-25), 1x Female (Born in 2018-06-24)'. Both ads state 'Parents 100 % unrelated, all animals are tame.' and 'Delivery to Europe at cost.' with a contact number '+37062201919'. Each ad includes three photographs of tiger cubs.

contact with the same species is also inevitable. Tigers are largely solitary, and this forced and permanent proximity to other tigers causes stress and behavioural issues.<sup>23</sup>

Circus tigers or tigers used for the film industry are also trained to perform unnatural tricks in the ring or in front of cameras. To enable direct contact between animals and humans, tiger cubs are separated far too early from their mothers and raised by hand. This forces them to form an unnatural bond with humans, but the practice can have fatal consequences, including mental suffering and physical problems due to the lack of mother's milk. In some EU countries circus tigers and tigers in dubious zoos and entertainment parks are even used for photo opportunities with visitors. Tigers can also be rented for parties or other events.

Another animal welfare problem in the commercial breeding of tigers is the intentional inbreeding of animals to achieve rare colour-morphs such as white or so called Golden Tabbies. Various abnormalities and deformities associated with such selective breeding practices have been documented,<sup>24</sup> not to mention the non-existent value for conservation which applies to all commercial breeding which produces mainly hybrid tigers (crossbreeds of (sub)species).

The commercial trade of tigers also poses a serious threat to the European public; tigers kept in unsecure enclosures or in direct contact with humans represent a serious threat to trainers, staff, the public and the animals themselves. There have been many tiger attacks and escapes in different member states.<sup>25</sup>

## 6. Legislation and international commitments

**A patchwork of regulations applies to tigers, meaning no authority can say how many tigers are currently in Europe, where and when they were born, where they are moved during their lifetime or how they are used for entertainment purposes, where they die and finally whether these animals are turned into tiger bone wine or traditional medicine. Below is a short list of the relevant legislation and commitments.**

### CITES Decisions and Resolutions

CITES is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

**CoP14 Decision 14.69 states 'Parties with intensive operations breeding tigers on a commercial scale shall implement measures to restrict the captive population to a level supportive only to conserving wild tigers; tigers should not be bred for trade in their parts and derivatives.'**

If tigers are being bred for international trade in establishments without accreditation, it is in violation of CITES Resolution Conf. 12.10, which requires registration of Appendix I breeding

facilities operating for commercial purposes. Please note that the EU did not include its facilities because the EU doesn't want to register its zoos under this Resolution.

Resolution Conf. 12.5 (Rev. CoP16) urges "Parties and non-Parties on whose territories tigers and other Asian big cat species are bred in captivity to ensure that adequate management practices and controls are in place to prevent parts and derivatives from entering illegal trade from or through such facilities."

In conclusion, CITES issued many decisions and resolutions, but it does not adequately address the problems with trade in live tigers and parts or derivatives, nor does it deal with added pressure on the species due to intertwined trade in lion and tiger bones.

The African lion is listed on Appendix II (allowing limited commercial trade) and South-Africa has announced its export quota which now allows for 800 African lions' skeletons to be legally exported. FOUR PAWS investigations include footage of a tiger trader stating that once skinned, tigers and lions all look the same. The only way to distinguish the bones is with DNA samples – which is a costly and difficult (and at times

inconclusive) procedure. The South-African journalist Don Pinnock described the situation as follows: 'An irony at the heart of the tiger bone trade is that, in Asia, lion bones are being used in fake tiger bone wine, while in South Africa tiger bones are being faked as lion bones because the DEA [South-Africa's Department of Environmental Affairs] has licensed lion bone export.'<sup>26</sup>

## EU legislation and EU Action Plan

CITES is implemented in the EU through a set of Regulations known as the EU Wildlife Trade Regulations, with the Basic Regulation Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein at the core of these Trade Regulations. In addition, the 'EU Enforcement Action Plan' specifies further the measures that should be taken for enforcement of the EU Wildlife Trade Regulations. The EU Wildlife Trade Regulations set out rules governing wildlife trade in the EU. Extra guidance is also necessary to facilitate the application of the EU Wildlife Trade Regulations across the EU on certain issues, sometimes issuing stricter measures as is the case with the following guidance:

- Guidance document on the export, re-export, import and intra-EU trade of rhinoceros horns<sup>27</sup>
- Guidance document on EU regime governing intra-EU trade and re-export of ivory<sup>28</sup>

Based on the principle of proportionality, there is a strong argument to issue similar EU guidance and legislation to ban the trade in tigers with a population of only 3 900 remaining in the wild as compared to estimated populations of rhinos and

elephants (IUCN estimations: approximately 415 000 African elephants, less than 50 000 Asian elephants, around 5 200 black rhinos and 3 600 Indian rhinoceroses).

On 26 February 2016, the European Commission adopted a Communication on the EU Action Plan against Wildlife Trafficking<sup>29</sup> which sets out a comprehensive blueprint for joined-up efforts to fight wildlife crime inside the EU, and for strengthening the EU's role in the global fight against these illegal activities. The plan has three main strands – greater enforcement, better cooperation, and more effective prevention. The Action Plan is to be implemented jointly by the EU (Commission services, EEAS, Europol, Eurojust) and its member states until 2020.

An underlying principle to which both CITES parties and the EU are obliged to adhere is the Precautionary Principle. Article 191(2) of the Treaty on the Functioning of the EU provides that EU environmental policy is to be based on the precautionary principle. Pursuant to that principle, 'if an action or policy has a suspected risk of causing harm to the public or to the environment, in the absence of scientific consensus that the action or policy is harmful, the burden of proof that it is not harmful falls on those taking the action.'

## Other commitments and stricter trade measures

The EU is a signatory to the London Declaration on Illegal Wildlife Trade<sup>30</sup> which recognises "the significant scale and detrimental, economic, social and environmental consequences of the illegal trade in wildlife" and calls upon the international community to act together to bring this to an end. Besides the EU, specific countries also signed up to the declaration,

including: France, Italy, Germany, The Netherlands, Vietnam, China, Malaysia, and Laos. This declaration has subsequently been reinforced by other declarations, to which the EU is also a signatory.

Before implementing stricter trade measures at national level, CITES parties officially announce these kinds of measures to other

parties.<sup>31</sup> An important example of such an announcement came from Australia,<sup>32</sup> announcing stricter measures regarding African lions, cetaceans, and elephants. Other examples are:

- Stricter trade measures related to ivory issued by UK, US, China,<sup>33</sup> Hong Kong and Taiwan ban.<sup>34</sup>
- Indian trade ban wild species,<sup>35</sup> and India's best practice in terms of who gets to keep tigers and what happens when they die.<sup>36</sup>
- The Netherlands<sup>37</sup> announced in May 2016 that with immediate effect, hunting trophies of many species could no longer be imported into The Netherlands.
- France<sup>38</sup> also announced a ban on the import of lion heads, paws and skins as hunters' trophies, nearly four months after the killing of Zimbabwe's most famous lion Cecil by an American trophy hunter sparked international outrage.
- Czech Republic announced a suspension of all export to non-EU countries in July 2018 following raids and arrests of three suspects of illegal trade in tigers and tiger products.<sup>39</sup>



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## 7. Public concern regarding tiger trade

**Article XX(a) of the General Agreement on Tariffs and Trade (GATT), more commonly known as the ‘public morals exception’ allows countries to adopt or enforce trade measures ‘necessary to protect public morals.’ The WTO (World Trade Organisation) found that non-trade concerns (such as animal welfare) can restrict trade and still be in line with international trade law.**

FOUR PAWS commissioned a public polling exercise to Kantar Public which performed the polling through an internet omnibus survey in seven EU member states (Austria, Czech Republic, France, Germany,

The Netherlands, Spain, United Kingdom) in the period August 2<sup>nd</sup> to 6<sup>th</sup> 2018. In total 7 223 respondents answered five polling questions related to trade in live tigers and their parts. The main results are listed below.

### Main findings

#### Around a third are aware of the tiger trade in Europe:

- About two in five (41%) are aware that in the EU tigers are bred for commercial purposes
- Slightly less than a third are aware that tigers can be bought or hired (28%) or that tigers are exported from the EU to other countries (29%)
- Awareness of the tiger trade is slightly higher in the Czech Republic than in other countries

#### A large majority is in favour of banning the tiger trade:

- Nine in ten (91%) would like to see a ban of the trade in captive-bred live tigers
- Around four in five would like the EU to act

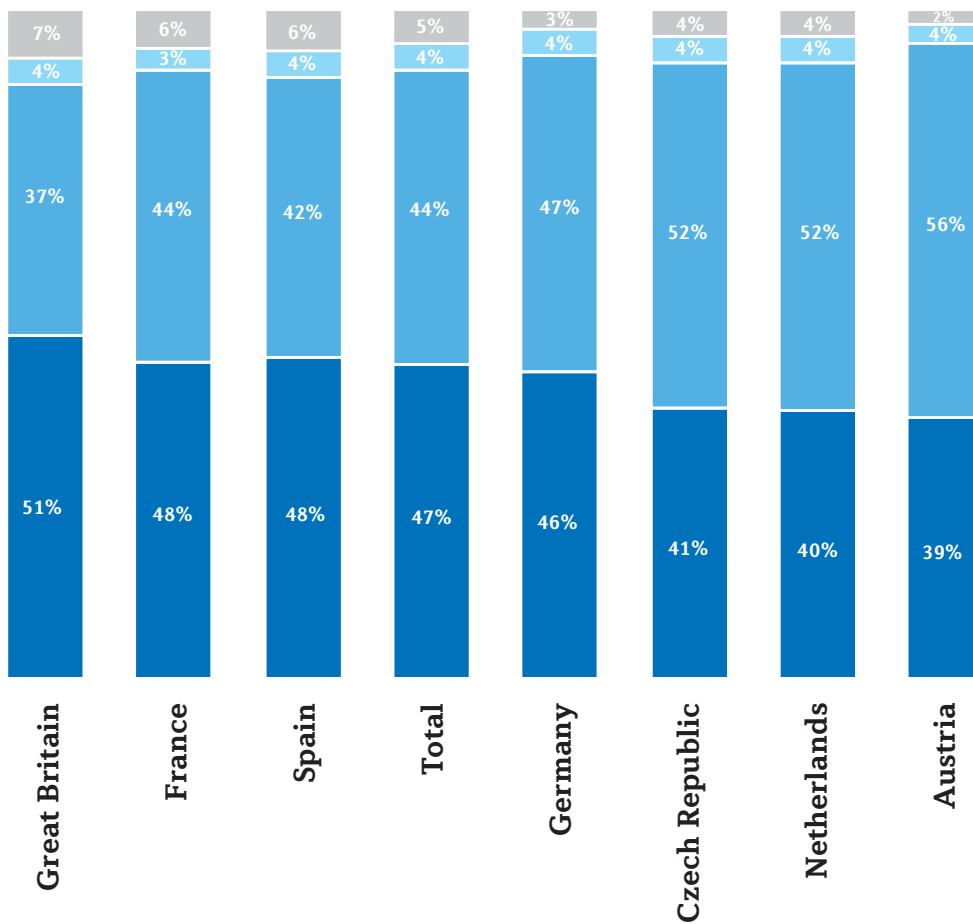
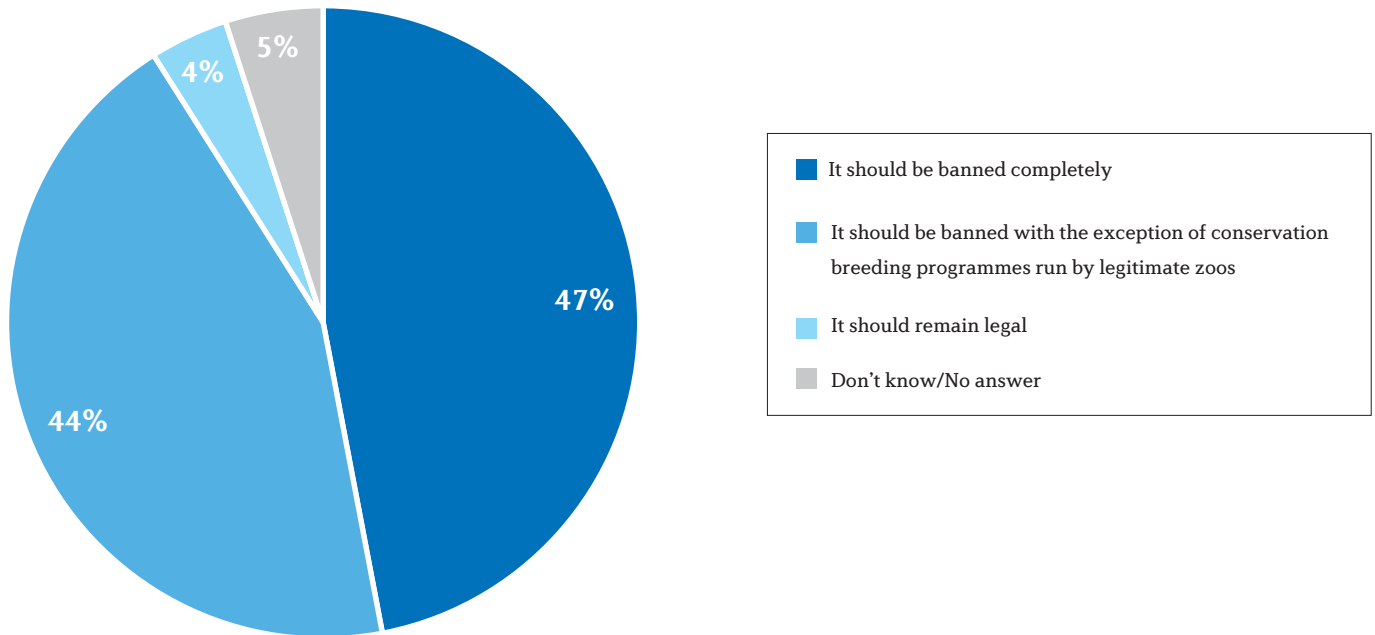
#### Those who are aware are more likely to favour a ban:

- In Germany for example, 63% of those who are fully aware, favour a complete ban, while only 39% of those who never heard of it do

#### Attitudes towards trade restrictions for captive bred tigers:

- 91% would like to see a ban on trade in captive bred tigers, with
  - 47% in favour of a complete ban
  - 44% would like to see a ban on commercial trade with the exception of conservation breeding programmes run by legitimate zoos
- Only 4% would like the commercial trade of tigers to remain legal
- 5% do not know or refuse to answer

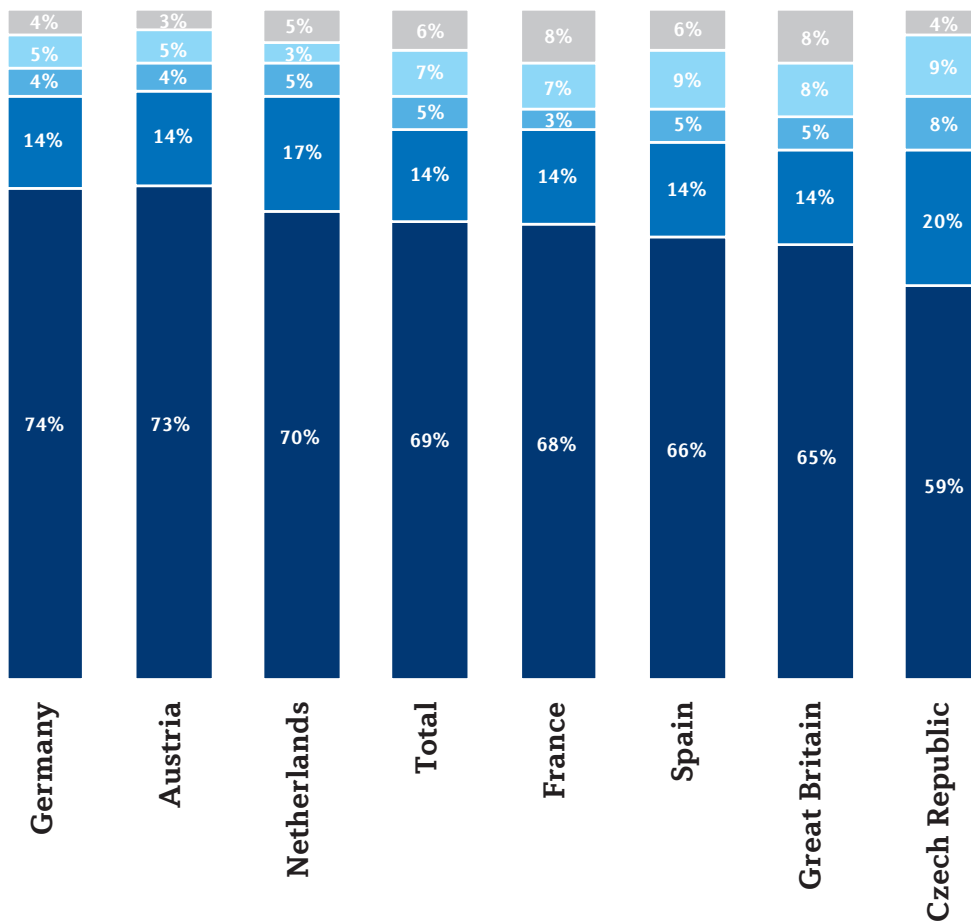
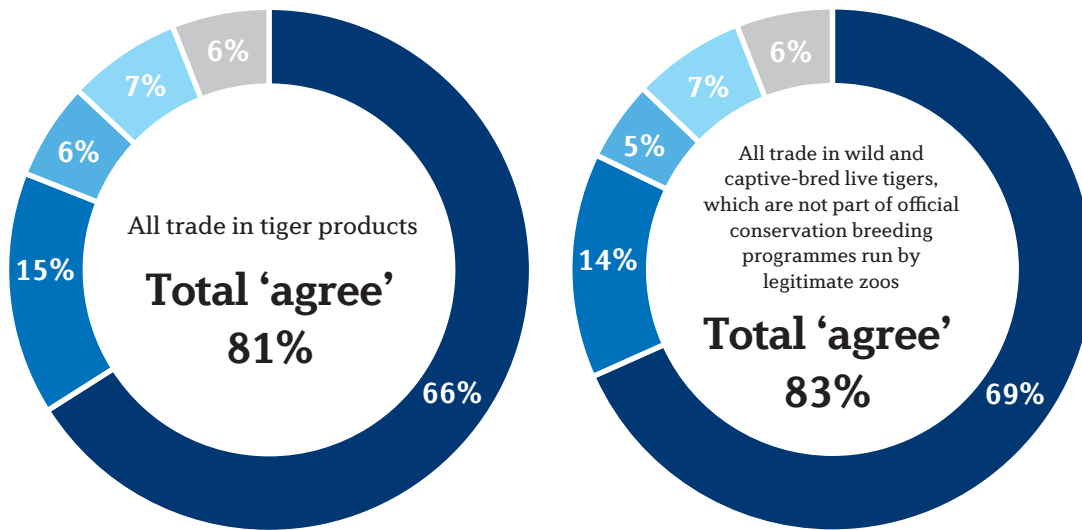
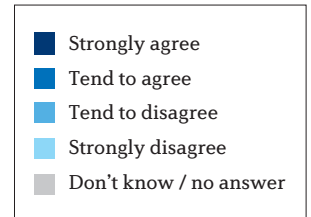
## Attitudes towards a ban of trade in captive bred tigers





## Attitudes towards a ban by the European Union

The European Union should ban...



# Conclusions

**The horrific trade in tigers and tiger parts is wide reaching, with evidence of illegal activity across France, Italy, Belgium, Spain, The Netherlands, the United Kingdom, Germany and the Czech Republic.**

The EU is facing a lack of effective regulation concerning the trade and the use of tigers for commercial businesses, which further endangers the population of tigers in the wild and causes massive animal welfare problems.

Without proper management and control on trade within the EU and globally, there are numerous cases of cruelty related to the use of tigers for entertainment and other commercial purposes (e.g. circuses, private keeping, unscrupulous zoos, for photo opportunities, for private hire, as actors) or for their parts to be sold on the Asian market for traditional medicine.

The European public concern is illustrated by the number of signatures to different petitions<sup>40</sup> and with the

in-depth polling exercise undertaken in August 2018 with 91% of the respondents from 7 EU member states in favour of banning the trade in tigers.

The only way to truly protect tigers is with a comprehensive ban on all intra-EU and external commercial trade<sup>5</sup> (imports, exports and re-exports) in live tigers and tiger parts or derivatives with realistic derogations for legitimate zoos participating in conservation breeding programmes and for genuine sanctuaries under the condition that the animals do not reproduce and are kept in species-appropriate enclosures.

## End notes

- Captive bred tigers are treated as listed on Appendix II which includes species not necessarily threatened with extinction, but in which trade must be controlled to avoid utilization incompatible with their survival.
- EEP (European Endangered Species Programme of the European Association of Zoos and Aquaria), SSP (Species Survival Plan of the American Association of Zoos and Aquariums), ASMP (Australasian Species Management Program of the Zoo and Aquarium Association Australasia) or GSMP (Global Species Management Plans) run by WAZA (World Association of Zoos and Aquariums).
- Presently there are EEP programmes for two sub species (Sumatran tiger and Amur tiger). FOUR PAWS only accepts similar breeding conservation programmes adopted for all tiger subspecies currently kept and bred in EAZA zoos in line with the derogations we feel acceptable as part of a ban on all commercial trade.
- The mentioned exceptions are similar to the ones included in the Rhino horns guidance document:  
[http://ec.europa.eu/environment/cites/pdf/guidance\\_rhino\\_horns.pdf](http://ec.europa.eu/environment/cites/pdf/guidance_rhino_horns.pdf)
- See CITES resolution 12.10 - Registration of operations that breed Appendix I animal species in captivity for commercial purposes:  
  
THE CONFERENCE OF THE PARTIES TO THE CONVENTION determines that the term 'bred in captivity for commercial purposes', as used in Article VII, paragraph 4 [of the CITES Convention], shall be interpreted as **referring to any specimen of an animal bred to obtain economic benefit, whether in cash or otherwise, where the purpose is directed toward sale, exchange or provision of a service or any other form of economic use or benefit;**
- <http://www.praguemonitor.com/2018/07/27/ministry-wants-tighten-conditions-breeding-big-cats>
- <https://cites.org/sites/default/files/eng/com/sc/70/Inf/E-SC70-Inf-23.pdf>
- <https://cites.org/sites/default/files/eng/com/sc/70/Inf/E-SC70-Inf-24.pdf>
- <http://www.iucnredlist.org/details/15955/0>
- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5535781/#R15>
- <http://www.iucnredlist.org/details/15955/0>
- There are several limitations to keep in mind when looking at the results; i) the fact that seizure data might not be complete (enforcement officers don't always register all the relevant information related to a seizure and/or register different quantities), ii) different source or purpose codes are sometimes used for the same shipment which makes it difficult to delete duplications from the CITES database results, and iii) trade of captive bred live tigers within the EU is not registered in the CITES trade database.
- <https://www.wwf.org.uk/updates/nearly-3000-seizures-illegal-wildlife-products-made-uk-border-force>
- See for example: <https://www.bbc.co.uk/news/technology-45472159>
- <https://e360.yale.edu/features/the-ongoing-disgrace-of-south-africas-captive-bred-lion-trade>
- Forty permits were given for export to South-Africa, but we deducted six tigers which were sent from FOUR PAWS FELIDA in The Netherlands to LIONSROCK Big Cat Sanctuary in South-Africa in 2015, and another six tigers which were rescued by FOUR PAWS from a German circus and brought to LIONSROCK in 2013, and one tiger rescued from poor private keeping in Bulgaria in 2011.
- [https://www.facebook.com/pavla.rihova.9?hc\\_ref=ARTMzhNwbxtrrrO9VUgOMxm6mzl-gAbPszQiPXZ0heDes2LSgDDM\\_EVP3Lv0W8lMhQag&fref=nf&\\_xts\\_\\_\[0\]=68.ARCfNzp1fNW-BlnarQJwsEc\\_Po48hZv4-Z5EI-a2kU0J2K88lMFMHQGodVHwwHqW5mBzZnH\\_FlziWoeWaWKQJ9vLMM2s7xMHw\\_p-RFKePOaHw7bBISGSXSXd7WEZ4lObvl-PPmDILZlUVydJyuv9RsOBJ8FeMa4EqWa0z1s1PP8fUWdtRzjMvA&\\_tn\\_\\_=CH-R](https://www.facebook.com/pavla.rihova.9?hc_ref=ARTMzhNwbxtrrrO9VUgOMxm6mzl-gAbPszQiPXZ0heDes2LSgDDM_EVP3Lv0W8lMhQag&fref=nf&_xts__[0]=68.ARCfNzp1fNW-BlnarQJwsEc_Po48hZv4-Z5EI-a2kU0J2K88lMFMHQGodVHwwHqW5mBzZnH_FlziWoeWaWKQJ9vLMM2s7xMHw_p-RFKePOaHw7bBISGSXSXd7WEZ4lObvl-PPmDILZlUVydJyuv9RsOBJ8FeMa4EqWa0z1s1PP8fUWdtRzjMvA&_tn__=CH-R)
- <https://www.zoopraha.cz/en/about-zoo/news/11373-it-is-not-just-about-ludvik-berousek-and-his-chums>
- <http://presseservice.pressrelations.de/pressemitteilung/entsetzen-ueber-tigertoetungen-in-suedchina-292604.html>
- [https://www.worldanimalprotection.org/sites/default/files/int\\_files/tiger\\_selfies\\_exposed\\_a\\_portrait\\_of\\_thailands\\_tiger\\_entertainment\\_industry.pdf](https://www.worldanimalprotection.org/sites/default/files/int_files/tiger_selfies_exposed_a_portrait_of_thailands_tiger_entertainment_industry.pdf)
- See for example: <http://www.enimalia.com>
- Clubb & Mason: Animal Welfare: Captivity effects on wide-ranging carnivores, 2003
- De Rouck, Kitchener, Law & Nelissen: A comparative study of the influence of social housing conditions on the behaviour of captive tigers (*panthera tigris*), 2005
- AZA White Paper: Welfare and Conservation Implications of Intentional Breeding for the Expression of Rare Recessive Alleles, 2011
- Eurogroup for Animals, Wild Animals in EU Circuses – Problems, risks and solutions, 2017 [http://www.eurogroupforanimals.org/wp-content/uploads/E4A-Circus\\_Report-Digital-OK-v2.pdf?utm\\_source=PDF&utm\\_campaign=CircusReport](http://www.eurogroupforanimals.org/wp-content/uploads/E4A-Circus_Report-Digital-OK-v2.pdf?utm_source=PDF&utm_campaign=CircusReport)
- <https://www.dailymaverick.co.za/article/2018-04-23-tigers-being-bred-in-gauteng-backyards-for-petting-and-bone-export/#.WuAJSZexU2x>
- [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0116\(01\)&from=ES](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0116(01)&from=ES)
- [http://ec.europa.eu/environment/cites/pdf/guidance\\_ivory.pdf](http://ec.europa.eu/environment/cites/pdf/guidance_ivory.pdf)
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- For a full list of announcements, see: <https://www.cites.org/eng/notif/2014.php>
- <http://www.environment.gov.au/biodiversity/wildlife-trade/cites/stricter-measures>
- [https://www.cites.org/sites/default/files/notif/E-Notif-2015-011\\_0.pdf](https://www.cites.org/sites/default/files/notif/E-Notif-2015-011_0.pdf)
- <http://www.thestandard.com.hk/breaking-news.php?id=105203&sid=3>
- <https://cites.org/sites/default/files/notif/E-Notif-2018-031.pdf>
- [https://www.cites.org/sites/default/files/eng/com/sc/65/E-SC65-38-A01\\_0.pdf](https://www.cites.org/sites/default/files/eng/com/sc/65/E-SC65-38-A01_0.pdf)
- <https://www.government.nl/latest/news/2016/05/02/additional-hunting-trophies-added-to-the-import-prohibition-list>
- <https://www.theguardian.com/environment/2015/nov/19/france-bans-imports-of-lion-hunt-trophies>
- <http://www.praguemonitor.com/2018/07/27/ministry-wants-tighten-conditions-breeding-big-cats> and <http://www.radio.cz/en/section/curraffrs/tougher-legislation-will-look-to-crackdown-on-rogue-animal-breeders>
- See for example <https://help.four-paws.org/en-GB/ban-eu-tiger-trade>

**FOUR PAWS is an international animal welfare organisation with headquarters in Vienna, Austria. Founded by Heli Dungler in 1988, the organisation strives to help animals in need with sustainable campaigns and projects.**

The work is based on substantiated research and scientific expertise as well as intensive national and international lobbying.

FOUR PAWS focuses on animals that are directly under human influence: stray dogs and stray cats, farm animals, companion animals and wild animals including bears, big cats and orangutans kept in inappropriate conditions. With offices in Australia, Austria, Belgium, Bulgaria, Germany, Hungary, Kosovo, The Netherlands, South Africa, Switzerland, Thailand, Ukraine, United Kingdom, USA and Vietnam, FOUR PAWS aims to help animals in need directly and quickly.

## More information and contact details

FOUR PAWS UK  
7-14 Great Dover Street,  
London SE1 4YR, United Kingdom  
Email: [office@four-paws.org.uk](mailto:office@four-paws.org.uk)  
Tel: +44 (0) 20 7922 7954

FOUR PAWS, European Policy Office  
Av. de la Renaissance 19/11  
1000 Brussels, Belgium  
Email: [office@vier-pfoten.eu](mailto:office@vier-pfoten.eu)  
Tel: +32-2-7400888



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