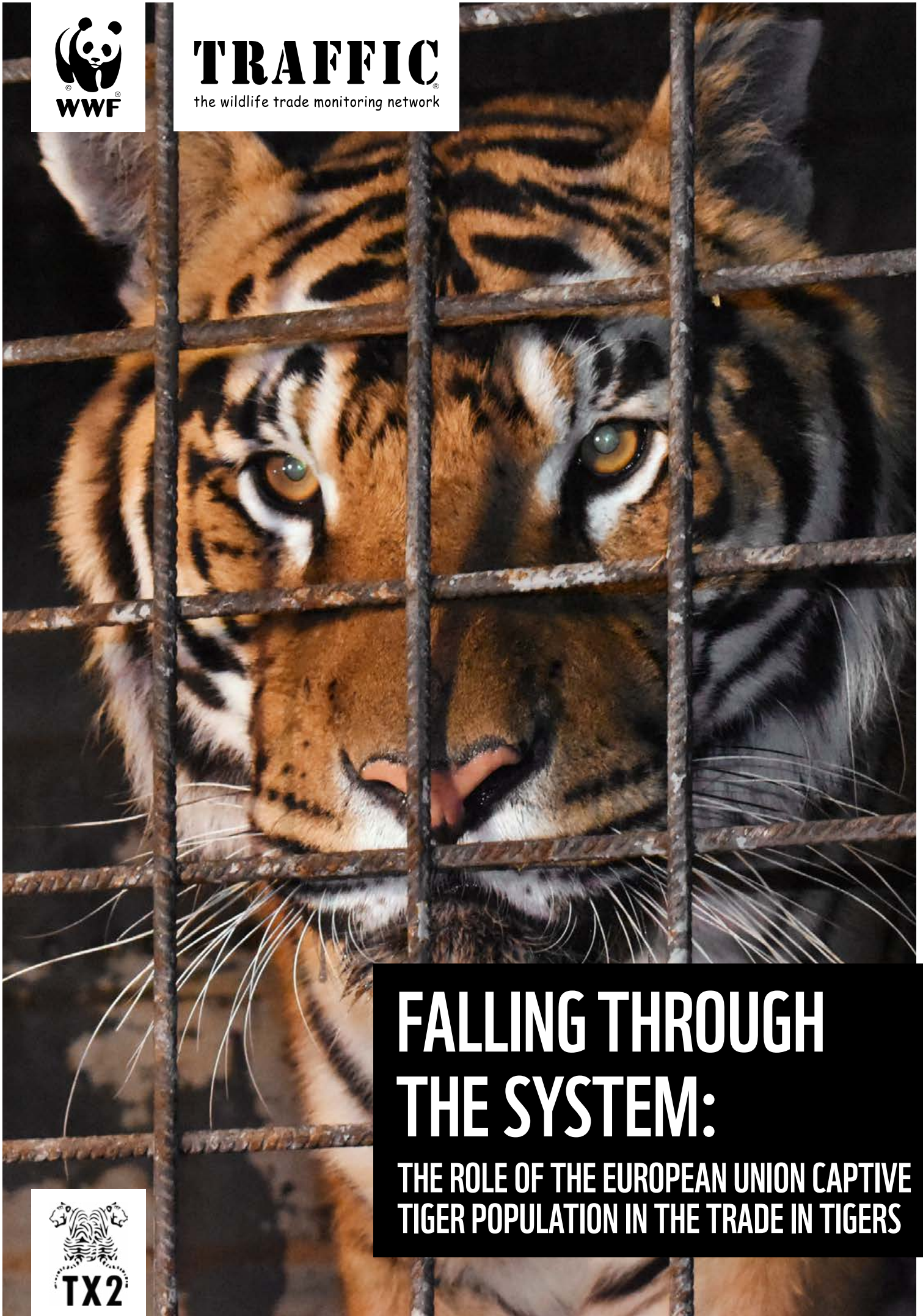




TRAFFIC
the wildlife trade monitoring network



FALLING THROUGH THE SYSTEM:

THE ROLE OF THE EUROPEAN UNION CAPTIVE
TIGER POPULATION IN THE TRADE IN TIGERS



A TRAFFIC, WWF Tigers Alive Initiative and WWF Germany publication.

TRAFFIC is a leading non-governmental organisation working globally on trade in wild animals and plants in the context of both biodiversity conservation and sustainable development.

WWF is one of the world's largest and most experienced independent conservation organisations, with over 5 million supporters and a global network active in more than 100 countries. WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by: conserving the world's biological diversity, ensuring that the use of renewable natural resources is sustainable, and promoting the reduction of pollution and wasteful consumption.

The designations of geographical entities in this publication, and the presentation of the material, do not imply the expression of any opinion whatsoever on the part of TRAFFIC or WWF or their supporting organisations concerning the legal status of any country, territory, or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Reproduction of material appearing in this report requires written permission from the publisher.

Suggested citation:

Musing, L. (2020) *Falling through the system: The role of the European Union captive tiger population in the trade in tigers*. A TRAFFIC and WWF report. Cambridge, UK.

© TRAFFIC and WWF 2020. Copyright of material published in this report is vested in TRAFFIC and WWF.

TRAFFIC: UK Registered Charity No. 1076722

Cover: © Dominika Formanova



EXECUTIVE SUMMARY	6
RECOMMENDATIONS	10
1. CONTEXT AND BACKGROUND	12
2. METHODOLOGY	18
2.1 CONSULTATIONS WITH STAKEHOLDERS	20
2.2 TRADE DATA ANALYSIS	22
2.2.1 CITES LEGAL TRADE DATA	22
2.2.2 SEIZURE DATA	23
2.2.3 STRUCTURE	24
3. TRADE DATA ANALYSIS	26
3.1 LEGAL TIGER TRADE INVOLVING THE EU	29
3.1.1 DIRECT EU TRADE	29
3.1.2 INDIRECT EU TRADE	34
3.1.3 DIRECT TRADE INVOLVING TARGET COUNTRIES	38
3.2 ILLEGAL TIGER TRADE IN THE EU	45
3.2.1 OVERVIEW	45
3.2.2 ILLEGAL TRADE INVOLVING TARGET COUNTRIES	48
3.3 INTRA-EU TRADE	53
4. NATIONAL LEGISLATION AND ENFORCEMENT OF THE REGULATIONS	54
4.1 BELGIUM	62
4.2 CZECH REPUBLIC	65
4.3 FRANCE	67
4.4 GERMANY	69
4.5 ITALY	70
4.6 UK	72
5. THE ROLE OF ZOOS	76
6. LEGAL AND ILLEGAL TIGER TRADE IN THE EU	82
7. NUMBERS OF LIVE TIGERS IN CAPTIVITY IN THE EU	88
8. DISCUSSION	96
9. CONCLUDING REMARKS AND RECOMMENDATIONS	106
10. REFERENCES	112
11. ANNEXES	118

ACKNOWLEDGEMENTS

The author greatly thanks the CITES Management and Enforcement Authorities of Belgium, the Czech Republic, France, Germany, Italy, and the UK, the Belgian Animal Welfare Departments for Flanders, Wallonia, and Brussels, the European Association of Zoos and Aquaria, the British and Irish Association of Zoos and Aquariums, the Belgium member on the EAZA Council, the Association of Zoological Gardens (Germany), Environmental Investigation Agency, Born Free Foundation, Four Paws, Eco Just and the European Commission DG ENV CITES team for their considerable input, provision of data, reviews, and support to the study. Many thanks also go to WWF colleagues for their reviews and input to the report.

Many thanks also go to WWF and TRAFFIC colleagues Heather Sohl, Leigh Henry, Kathrin Samson, Arnulf Köhncke, Tristan Tremschnig, Katalin Kecse-Nagy, Alex Saxby, Lauren Brown, Steven Broad, and Richard Thomas for their ongoing support, technical advice, report reviews and project design. The EU Member States are thanked for permission to use the illegal trade data and the UN Environment Programme World Conservation Monitoring Centre for the provision of the CITES trade data. Finally, WWF Germany is gratefully thanked for commissioning and financially supporting the study.

ABBREVIATIONS AND ACRONYMS

ATP	Animal Transfer Policy
BIAZA	British and Irish Association of Zoos and Aquariums
CEI	Czech Environmental Inspectorate
CITES	The Convention on International Trade in Endangered Species of Wild Fauna and Flora
CoP	Conference of the Parties
DWAA	Dangerous Wild Animals Act
EAZA	European Association of Zoos and Aquaria
EEP	European Endangered Species Programme
EIA	Environmental Investigation Agency
EU	European Union
EU-TWIX	EU Trade in Wildlife Information eXchange
FOI	Freedom of Information
HK SAR	Hong Kong Special Administrative Region
IUCN	International Union for Conservation of Nature
MA	Management Authority
NGO	Non-governmental organisations
OCG	Organised Criminal Group
OVAM	Public Waste Agency of Flanders
PME	post-mortem examination
PMM	EAZA Population Management Manual
SA	Scientific Authority
SoS	Secretary of State
UKBF	UK Border Force
UNEP-WCMC	UN Environment Programme World Conservation Monitoring Centre
WiTIS	Wildlife Trade Information System
WWF	World Wide Fund for Nature
ZIMS	Zoological Information Management Software
ZLA	Zoo Licensing Act (UK)



© Tommy Mitchell/WWF



EXECUTIVE SUMMARY

Tigers *Panthera tigris* are classified as Endangered on the IUCN Red List of Threatened Species and according to the best available data from 2016, the wild population stands at around 3,900. Multiple factors have contributed to their population declines, including habitat loss and fragmentation, but the illegal trade in tigers and their parts and derivatives is one of the primary threats to their survival. Whether for medicine, health tonics, or decoration, these commodities are highly sought after as a symbol of wealth and status, particularly in Asian countries. For over a decade there has been mounting evidence that tigers are being bred in captive facilities for trade in their parts and products. This is a large conservation concern as it complicates law enforcement and can stimulate demand for tigers, thus increasing poaching pressure on wild tigers.

Tigers are listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which generally prohibits commercial international trade. In the EU, tigers are listed on Annex A of the EU Wildlife Trade Regulations which generally prohibits the commercial use of the species, however certain exemptions apply for education, research, or breeding purposes, and for those specimens born and bred in captivity. The holding and internal movement of Annex A listed specimens is also permitted provided that legal origin can be proven.

In recent years, significant attention has been drawn to the EU's role in the global tiger trade. A 2019 Interpol report implicated several EU Member States among the top 30 global exporters and importers of tigers between 1975 and 2018, including Belgium, Germany, France, Italy, and the UK¹. There are extant tiger trade routes between Europe and Asia with some EU Member States exporting tigers to countries with facilities breeding tigers alleged to be involved in the tiger trade, such as Viet Nam, Thailand, and China. A 2019 TRAFFIC report analysing tiger seizure data between 2000–2018 also shows the EU's involvement in the seizure of various tiger commodities. In 2018, the Czech Republic disclosed evidence of organised criminal groups involved in the captive breeding of tigers for the purpose of illegal export to Asia. The Czech investigations uncovered a complex network of private breeders, middlemen, and traders that were exploiting weaknesses in the national regulatory frameworks and enforcement measures pertaining to the keeping and captive breeding of tigers. Ongoing investigations have also continued to uncover links between captive tiger populations held in the EU and possible illicit trade.

This report investigates the domestic legislation, and policies regarding the keeping and captive breeding of tigers and disposal of their parts in the EU, and the enforcement of these regulations. Six target countries were selected as a focus for this study:

Belgium, the Czech Republic, France, Germany, Italy, and the UK, based on preliminary trade data analysis and suspected or known links to the captive tiger population and tiger trade nexus.

Between February and July 2020, interviews and consultations were conducted through written questionnaires and video-calls with stakeholders, including the CITES Management and/or Enforcement Authorities of the six target countries, European and national zoo associations, and relevant NGOs. CITES trade data for the period 2013 through 2017 were used to analyse reported legal trade patterns involving tigers to and from the EU, and data for the same time period from two seizures databases: EU-TWIX and TRAFFIC's Wildlife Trade Information System (WiTIS), were used to assess the EU's involvement in the illegal trade of tigers and their parts and derivatives.

The CITES trade data analysis in the present study confirms the EU's continuing involvement in the legal tiger trade, both in live tigers and tiger parts and derivatives. The commodity type **imported into and (re-)exported out of the EU in the largest quantities between 2013 and 2017 was live tigers, with Thailand and Viet Nam the largest importers of these EU (re-)exports.** Direct exports of live tigers accounted for 93% (103 specimens) of all EU tiger exports (total 111), while 51% (84 specimens) of all EU re-exports (total 165) involved live tigers. Live tigers and tiger parts and derivatives were destined to various third countries/

territories, including Thailand, Viet Nam, China, Singapore, Russia, Turkey, and Taiwan Province of China, **for reasons including commercial, zoological, and circus/travelling exhibition purposes.** During this period, the **EU also reported a total of 95 seizures involving 14 tiger commodities**, with the UK, Austria, Germany, the Netherlands, and Spain reporting the most seizures. Seizures involving medicinal products containing tiger derivatives (1727) accounted for 94% of all items seized in the EU over this five-year period.

The report has found that **EU Member States have varying regulations regarding the keeping and captive breeding of tigers and disposal of their parts and derivatives**, with the management and enforcement of these rules typically under the jurisdiction of the local or regional authorities. According to the latest research conducted by Four Paws for the period 2018/2019, most EU countries only allow licensed zoos to hold tigers in captivity, however ten countries (Croatia, Estonia, Ireland, Italy, Lithuania, Luxembourg, Poland, Slovakia, Slovenia, and the UK) permit the keeping of tigers in either private facilities or circuses/travelling exhibitions, while four EU countries (the Czech Republic, France, Germany, and Spain) permit the keeping of tigers in both such facilities. Based on information received from the six target countries, **the keeping of tigers in accredited and licensed zoos is well regulated (such as through the EU Zoos Directive), with institutions held accountable to high standards.** Substantive information on the

¹ While the UK withdrew from the EU on 31st January 2020, the time covered by this study includes that of when the UK was an EU Member State. As a result, and for the purposes of this study, when referring to the EU Member States throughout the report, this includes the UK.



keeping of tigers in circuses/travelling exhibitions was only provided by Italy, where it appears that necessary checks and inspections are carried out as required. Four of the six target countries (the Czech Republic, France, Germany, and the UK) **allow the keeping and captive breeding of tigers by private persons, and there are inconsistent practices as to the registration and marking requirements for those specimens and the monitoring of breeding in captivity.** Private owners must either apply for a licence or register themselves with the relevant authorities, and in some cases, the owners must meet and maintain a set of requirements. **Inspections are typically carried out prior to the approval of registering a facility by the competent local or regional authorities, however further inspections are infrequent and often limited due to staff capacity.**

Domestic legislation and protocols for registering deceased tigers and disposing of their parts appears weak and inconsistent across the six target countries. Disposal procedures are typically outlined in Veterinary or Animal By-product Regulations and **overseen by external specialised companies or rendering plants.** Zoos are typically required to maintain records with details of the date of death and results of any post-mortem examinations, and in some cases the specimen must be examined by a qualified veterinarian. **For tigers held in private facilities, the protocols for record keeping and reporting of tiger deaths are far more limited.** Belgium,

France, Italy, and the UK appear to have systems in place to trace deceased specimens up until the point of disposal by a specialised company, however, after this point, the reporting requirements for external disposal companies and follow up procedures by authorities are extremely limited. Authorities confirmed that at best only partial information is provided by the specialised companies to the authorities following disposal of a specimen, with rendering plants rarely providing information on species or marking of the specimen. This apparent lack of oversight by regulating authorities, limited reporting requirements by disposal companies and checks by enforcement officials is concerning and raises questions as to how Member States ensure tiger parts, such as bones, do not enter illegal trade.

Central registers with information on facilities holding tigers and traceability data such as species, identification, offspring, date and reason for death, marking, exports, records of criminal or negligent conduct by businesses or individuals, and any relevant documentation **do not exist in the target countries with the exception of the Czech Republic.** While there are requirements for some captive facilities to maintain registers that should be available to authorities upon request, there appear to be no systematic checks in place to ensure the information provided is accurate or up to date, and instead authorities may be relying on good faith. For certain facilities this is likely not a significant issue, particularly for licensed or accredited zoos that are held accountable to high standards. However,

for tigers held in circuses/travelling exhibitions and private facilities, **the lack of traceability systems and monitoring by authorities to ensure reliable and accurate information is being passed on, raises questions as to how Member States ensure live specimens or parts and derivatives from tigers kept in captivity do not enter illegal trade.**

CITES trade data for the period 2013–2017 confirm that the **EU continues to export live captive born and bred specimens to third countries for commercial purposes.** CITES Resolution Conf. 12.5 (Rev. CoP18) urges governments to ensure that adequate management practices and controls are in place and strictly implemented for keeping tigers in captivity and disposal after their death to prevent parts and derivatives from entering illegal trade. CITES Decision 14.69 also directs Parties with intensive breeding operations on a commercial scale to implement measures to restrict the captive tiger population to a level supportive only to conserving wild tigers, and that tigers should not be bred for trade in their parts and derivatives. The EU has long been a strong advocate for CITES, focusing on implementation of the Convention across the Union, and advocating for strict rules and application of CITES provisions across the Parties. Explanations from some of the CITES authorities in the target countries involved in the commercial (re-)export of live tigers suggested that if the applicant has the necessary proof of legal acquisition and/or the specimens were legally bred in captivity, there

is no legal mandate under the EU Wildlife Trade Regulations to reject such an application. Contrary to these explanations, provisions set out in the Regulations under Article 5(2)(d) of EC Council Regulation No 338/97 appear to afford Member States the legal basis to reject an export permit if there are factors relating to the conservation of the species which militate against issuance of such a permit. Concerns similar to those outlined in this report but relating to the conservation of some other Annex A listed species have led to the issuance of Commission Guidance Documents adopting stricter interpretation of the Regulations for rhino horn and elephant ivory. These guidance documents aim to ensure common stricter interpretation of particular aspects of the EU rules across the Member States. Based on the findings outlined in this report, there is a considerable risk that live tigers and their parts and derivatives from captive bred tigers enter both legal and illegal trade. This then can stimulate the supply chain for consumer markets and reinforcing demand from end users for captive and wild tigers and thus is a conservation issue for the protection of the species.



The following **priority recommendations** are proposed to the EU Member States and the European Commission. For the purposes of this study, when referring to the EU Member States/EU countries, this includes the UK, as the country was still an EU Member State during the period covered by this study. As a result, these recommendations are also directed towards the UK:

- The EU Member States and the European Commission should strongly **consider adopting stricter domestic measures regarding the keeping of tigers in captive facilities at the EU level (and in the UK)**. These should include implementing stringent checks and comprehensive registration and reporting requirements for all tigers held in captive facilities, especially those held in circuses/travelling exhibitions and by private owners. If such measures are not adequate enough to ensure legality, the EU (and the UK) should **ban the keeping of tigers in circuses/travelling exhibitions and private facilities**.
- The **European Commission and the Member States** should strongly consider the need for a **Commission Guidance Document** outlining specific rules for the keeping of tigers in captivity, particularly private facilities, and should recommend that EU Member States **ban the commercial trade with third countries and commercial internal EU trade** in live tigers and tiger parts and derivatives. In addition to the UK's current stricter domestic measures concerning the import/export of tiger parts and derivatives, it is recommended that the UK also strongly consider stricter measures for the keeping of tigers in captivity, particularly private facilities, and commercial export of live tigers.

The following recommendations provide further specific measures for the EU Member States (including the UK) and the European Commission to better control the trade and keeping of tigers in the EU. Some of these recommendations also address additional issues identified through this report that require further consideration and attention:

- Each EU country should gather and maintain **comprehensive records of the actual numbers of tigers held in all captive facilities nationwide**, including accredited zoological institutes, rescue centres, circuses/travelling exhibitions, and those held in private facilities. To implement this measure, EU countries should conduct annual inventories of all facilities keeping tigers in their country, and cooperate with relevant organisations, such as European Association of Zoos and Aquaria (EAZA), for best practices in developing such inventories. These data should be made available to all relevant authorities.
- There should be a co-ordinated and collaborative approach between the EU Member States and the European Commission to discuss how best to develop a **traceability system and/or central registers for tigers held in captivity in the EU**. Advice and best practices should be sought, for example from EAZA based on the experience with Species360. This central register should be accessible to all CITES Management and Enforcement authorities of the EU Member States and should contain, *inter alia*, information on the number of tigers nationwide and by which facilities, relevant documentation, details on marking (including images of stripe patterns) and any information on deceased specimens. Receipts provided by the specialised companies involved

in the disposal of deceased specimens should also be uploaded to these registers. If a central register at the EU level is not achievable, all EU Member States are strongly encouraged to develop a **central register at the national level** for tigers held in all captive facilities.

- EU countries are **encouraged to collaborate with the Czech Republic on the TigrisID² project** and actively collect DNA samples from all tigers in captive facilities. Member States are also encouraged to collaborate and coordinate with EAZA regarding the collection of DNA samples via the EAZA BioBank for law enforcement purposes.
- EU countries should take appropriate steps to **improve collaboration between relevant competent authorities** (e.g. CITES authorities, local authorities, veterinarian services and waste agencies) involved in the management of tigers held in captivity and those responsible for the disposal of their parts.
- EU countries should strongly consider additional measures to strengthen controls over the disposal of deceased specimens. For example, it should be a **requirement for specialised companies and rendering plants to provide receipts to the authorities** containing detailed information on the species, weight and number of specimens received, details of the unique identification of the specimen(s) and DNA, if applicable.
- All EU countries, particularly those that allow the keeping of tigers by private owners should conduct regular as well as targeted **inspections and/or investigations** into all private facilities to

ensure compliance with national legislation and regulations. Inspections should at a minimum entail checking the legitimacy of documentation accompanying the specimens to ensure all information, including unique identification (if applicable), is accurate. Targeted and intelligence led investigations should also be conducted by the EU to dismantle any criminal networks that may profit from the trafficking of tigers in the EU.

- EU Member State CITES MAs should contact relevant third countries to clarify the reasons for **mis-reporting trade of tigers in their annual legal trade reports** to ensure legality of the transactions. If needs be, the EU Member States should bring this to the attention of the CITES Secretariat and the Parties in the appropriate forum.
- EU Member States and the European Commission should identify any legal or practical challenges that the EU may face when **implementing CITES Decision 14.69** and identify actions that need to be taken to ensure compliance with the Decision.

² See CITES (2019a), CITES (2019b).



1. CONTEXT AND BACKGROUND



The largest of the Asian big cats, the tiger, *Panthera tigris*, currently inhabits 5% of its historic range (Sanderson *et al.*, 2006; Walston *et al.*, 2010; Wolf and Ripple, 2017), with habitat decline in the decade between 1996 and 2006 estimated at an approximate 41% (Dinerstein *et al.*, 2007; Seidensticker, 2010). In the early 1900s, there were an estimated 100 000 wild tigers, however over the last three generations wild tiger populations have declined by an estimated 50% and according to the latest estimate the global population stands at approximately 3900 individuals (Sanderson *et al.*, 2006; Fraser, 2010; Goodrich *et al.*, 2015; WWF, 2016). All tiger subspecies are classified as Endangered on the IUCN Red List of Threatened Species (Goodrich *et al.*, 2015). Multiple factors have contributed to population declines, including habitat loss and fragmentation across the species' range, but the illegal trade and trafficking of tigers and their parts, products and derivatives is the primary threat to their survival (Goodrich *et al.*, 2015). High value is attributed to nearly all tiger products: their skins are used as ornamental pieces and clothing, as are the teeth and claws, and the meat used for consumption (Nowell, 2000; Nowell, 2007). Tiger bone has long been considered to hold anti-inflammatory and healing properties and is used in traditional medicines and health tonics for ailments including rheumatism and arthritis (Mills and Jackson, 1994; Nowell, 2000; Nowell and Xu, 2007; Gratwicke *et al.*, 2008). Poaching of wild tigers for the illegal trade has subsequently led to the disappearance of populations across otherwise suitable habitats in Asia (Goodrich *et al.*, 2015). Despite the ban on commercial trade of tiger parts and derivatives in some Asian countries, including China where the trade in tiger bone for medicinal purposes has also been prohibited since 1993, the illegal trade persists (Nowell, 2007, EIA 2017).



The most recent analysis of tiger seizures over a 19-year period between 2000 and 2018 shows that specimens and the parts and products of at least 2359 tigers were seized in 1142 incidents across 32 countries/territories globally (Wong and Krishnasamy, 2019). On average, 60 seizures were recorded annually, accounting for nearly 124 tigers seized each year during this period. In recent years, there has been mounting evidence that tigers bred in captive facilities, including tiger farms in Asia and breeding facilities in the European Union (EU), are entering illegal trade (CITES, 2019c; Four Paws, 2020; SC70, 2018a; Stoner *et al.*, 2016; Wong and Krishnasamy, 2019). The latest analysis of tiger seizures identified a minimum of 55 seizure records, accounting for 366 tigers seized, were reportedly from captive sources. These mainly occurred in Thailand and Viet Nam but included at least 40 tigers seized in 25 incidents outside of tiger range countries (Wong and Krishnasamy, 2019).

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) aims to regulate the international trade in wildlife and covers approximately 37 000 species of wild animals and plants (CITES, 2020). Currently, there are 183 Parties to the Convention, including all EU Member States and the EU which became a Party in 2015. All tiger subspecies, except for the Siberian tiger, *P. t. altaica*, have been listed in Appendix I of CITES since 1975. The Siberian tiger was transferred to Appendix I in 1987. According to the Convention, commercial trade in Appendix I listed species is not permitted and trade for purposes such as scientific research or breeding are strictly controlled through the issuance of permits granted by both the importing and exporting country when certain criteria are met. In 1993, the CITES Standing Committee issued several CITES Notifications³ requesting Parties to take steps to halt the illegal trade in tigers and tiger parts and outlined minimum criteria for the implementation of protection measures (TRAFFIC, 1997). In 1994, CITES Parties adopted Res. Conf. 9.13, which directed Parties to implement certain tiger conservation measures, including prohibiting domestic trade and sale of tigers and their parts and derivatives (Williamson, and Henry, 2008). Over the years, this Resolution was revised and strengthened and in 2002, Res. Conf. 12.5 on conservation of and trade in tigers and other Appendix-I Asian big cat species superseded the others (Williamson, and Henry, 2008) with the latest revision to this Resolution adopted at CoP18 in 2019⁴. Res. Conf. 12.5 (Rev. CoP18), *inter alia*, urges those Parties and non-Parties in whose territories there are facilities keeping tigers and other Asian big cat species in captivity to ensure that adequate management practices and controls are in place and strictly implemented. This includes the disposal of Asian big cats that die in captivity to prevent parts and derivatives from entering illegal trade. At the 14th Conference of the Parties to CITES (CoP14) in 2007, the Parties adopted Decision 14.69⁵, which remains valid. This Decision directs Parties with intensive operations breeding tigers on a commercial scale to implement measures to restrict the captive population to a level supportive only to conserving wild tigers. Decision 14.69 specifically states that tigers should not be bred for trade in their parts and derivatives.

3 CITES Notification No. 738 and CITES Notification No. 774
 4 <https://www.cites.org/sites/default/files/document/E-Res-105-R18.pdf>
 5 <https://cites.org/eng/node/48507>

The single market and absence of systematic internal border controls in the EU means that CITES provisions must be implemented uniformly across the Member States. These Regulations are known as the EU Wildlife Trade Regulations (hereinafter referred to as ‘Regulations’) and include *Council Regulation (EC) No 338/97⁶ on the protection of species of wild fauna and flora by regulating trade therein* and *Commission Regulation (EC) No 865/2006⁷* (as amended) laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97. These Regulations are supplemented with national laws. Tigers have been listed in Annex A (Appendix I equivalent) of the Regulations since 1997 (see Annex 1). According to Article 8 of Council Regulation (EC) No 338/97⁸, the purchase, offer for sale, acquisition for commercial purposes, display to the public for commercial purposes, use for commercial gain and sale, keeping for sale, offering for sale or transporting for sale of specimens of the species listed in Annex A is prohibited. Exemptions may be granted on a case-by-case basis by the CITES Management Authority (MA) of the EU Member State, for example for education, research, or breeding purposes, or for captive born and bred specimens. Member States may also prohibit the keeping of specimens, in particular live animals of Annex A listed species. To obtain an internal trade certificate for a live animal, all Annex A listed species must be uniquely marked in accordance with Art. 66 of Commission Regulation (EC) No 865/2006⁹. The full details of the marking, for example the unique code or number must be included in the certificate, to ensure that the specimen is the one referred to in the accompanying document.

In recent years, significant attention has been drawn to the EU’s role in the global tiger trade. A 2019 Interpol report (Interpol, 2019) implicated several current and former EU Member States¹⁰ among the top 30 global exporters and importers of tigers between 1975–2018, including Belgium, France, Germany, Italy, and the United Kingdom of Great Britain and Northern Ireland (hereinafter UK). Based on these data, there are extant routes between Europe and Asia with some EU Member States exporting live tigers to countries

with facilities breeding tigers alleged to be involved in the tiger trade, such as Viet Nam, Thailand, and China. The most recent analysis of tiger seizures over a 19-year period between 2000–2018 also shows the EU’s involvement, including the Czech Republic, France, Spain, and the UK, in the seizure of various tiger commodities including tiger skins, carcasses, bones, claws and teeth, and other derivatives (Wong and Krishnasamy, 2019). Analysis of the 2018 EU annual illegal trade reports also showed seizures of tiger bones destined for Viet Nam and several internal EU seizures of tiger bodies, parts and derivatives (EC, 2019).

In 2018, the Czech Republic disclosed evidence of organised criminal groups (OCGs) involved in the captive breeding of tigers in the Czech Republic for the purpose of illegal export to Asia (SC70, 2018a). The Czech investigations uncovered a complex network of private breeders, middlemen, and Vietnamese traders that were exploiting weaknesses in the national legislation, regulatory frameworks and enforcement measures pertaining to the keeping and captive breeding of tigers in the Czech Republic. According to the Czech Republic these issues likely occur across the EU and based on recent investigations led by Four Paws there seem to be strong links between captive tigers held in the EU and illicit trade (Four Paws, 2018; Four Paws, 2020). Some of the key issues identified include lack of oversight of the numbers of tigers held in captivity across the EU, and weaknesses in legislation, monitoring of captive facilities and enforcement of the relevant regulations. While the Czech Republic has taken significant steps to combat the illegal tiger trade, such as suspending commercial (re-)exports of captive-bred tigers to third countries, strengthening the procedures for the issuance of intra-EU trade certificates and conducting systematic nationwide checks on all facilities keeping tigers (SC70, 2018b), the Czech Republic has called for increased action. The Czech Republic has urged for the trade in captive-bred tigers in the EU to be significantly reduced and called for stricter rules to be applied across the EU, together with detailed rules on the conditions and purpose of keeping tigers in addition to the requirements for verification of suitable facilities for keeping tigers (SC70, 2018a).



Autopsy examination of a tiger skin, in the Czech Republic.

The international community is responding to this mounting evidence. The European Commission has supported the Czech Republic’s *TigrisID* project, which aims to develop reliable DNA diagnostic tools and a genetic database for tiger profiling (SC70, 2018a; CITES, 2019a; CITES, 2019b). As part of the bi-annual EU Enforcement Group meetings, Member States were asked to carry out tiger-specific inspections with the intention of sharing genetic samples with Czech authorities. Co-operation with the European Association of Zoos and Aquaria (EAZA) also resulted in several establishments, such as in the UK and Sweden, sending over genetic samples from various zoos for analysis (SC70, 2018a).

More recent developments include the EAZA-led Motion 57 for the upcoming (2021) IUCN World Congress¹¹ on law enforcement regarding commercial trade in tigers and tiger parts. The draft motion calls on IUCN members, states, government agencies and non-governmental organisations (NGOs) to take immediate action to eliminate illegal trade in tigers and tiger parts by, *inter alia*, intelligence-led law enforcement action, increased penalties for infringements, removal of legislative loopholes that facilitate illegal trade, and to ensure that *ex situ* tiger

populations in human care are adequately registered and regularly monitored to evidence that they serve non-commercial purposes such as research, scientific conservation education, and conservation breeding. Furthermore, in 2020, several parliamentary questions have been asked of the European Parliament calling for explanation of the lack of oversight of tigers kept in captivity in the EU, the illegal transportation of tigers across EU Member States and the EU’s facilitation of the commercial trade in tigers, particularly as it goes against CITES Decision 14.69.¹²

This report aims to investigate the domestic legislation, regulations, and policies regarding the keeping of tigers and disposal of their parts and products in the EU. It also seeks to examine the enforcement of these regulations, conduct situational analysis of the keeping of captive tigers outside of licensed and accredited zoos, and analyse recent legal and illegal trade data patterns in live tigers and tiger parts and products to/from EU Member States. Six target countries were selected as a focus for this study: Belgium, the Czech Republic, France, Germany, Italy, and the UK, based on preliminary trade data analysis and suspected or known links to the captive tiger population and tiger trade nexus.

6 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31997R0338&from=en>

7 <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32006R0865>

8 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31997R0338&from=en>

9 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32006R0865&from=en>

10 As of 31st January 2020, the United Kingdom withdrew from the European Union and is no longer an EU Member State.

11 The 2020 IUCN World Congress was postponed due to COVID-19. The meeting has now been moved to early 2021.

12 https://www.europarl.europa.eu/doceo/document/E-9-2020-002849_EN.html; https://www.europarl.europa.eu/doceo/document/E-9-2020-002418_EN.html; https://www.europarl.europa.eu/doceo/document/E-9-2020-001382_EN.html



2. METHODOLOGY

Note: While the UK withdrew from the EU on 31st January 2020, during the period covered by this study the UK was an EU Member State. As a result, and for the purposes of this study, when referring to the EU Member States throughout the report, this includes the UK.

2.1 CONSULTATIONS WITH STAKEHOLDERS

Between February and July 2020, interviews and consultations were conducted through written questionnaires and video-calls with various stakeholders. These included the relevant CITES Management and/or CITES Enforcement Authorities of the six target countries as well EAZA and relevant NGOs (Table 1). These stakeholders provided detailed information on their national legislation and policies relevant to the keeping and captive breeding of tigers and disposal of their parts, enforcement of the regulations, enforcement challenges and weaknesses in legislation, as well as insights on linkages between legal and illegal tiger trade in the EU. They also provided, where possible, information on the numbers of tigers held nationwide and/or in the national or regional zoo associations. The CITES authorities were also asked to provide data on intra-EU movements of live tigers.

Other relevant stakeholders, including Wildlife Justice Commission and the IUCN Cat Specialist Group, were also contacted but were unable to provide a response at the time. As no response was received from the French CITES MA, information on the French domestic legislation on the keeping of tigers and disposal of their parts was kindly provided by WWF France. EAZA also reached out to the national zoo associations of the Czech Republic, France, Germany, Italy and the UK, and, in the absence of a national zoo association in Belgium, to a Belgium member on the EAZA Council who co-ordinated the response for Belgian zoos. Unfortunately, due to pressures on the zoo community due to the COVID-19 pandemic, only two national zoo associations (from Germany and the UK) and the Belgium Council Member were able to respond. A final draft version of the report was sent to the relevant CITES authorities of the six target countries, the European Commission DG Environment CITES team, and EAZA for review to ensure legislative or policy information was correctly represented in the report.

Country	Stakeholders
Belgium	Federal Public Service (FPS) Health, Food Chain Safety and Environment (CITES MA) Belgian Animal Welfare Departments for Flanders, Wallonia, and Brussels
Czech Republic	Czech Environmental Inspectorate (CEI)*
France	WWF France French Customs - Division Soutien et Analyse Opérationnels (CITES Unit) French Office on Biodiversity (Office Français de la Biodiversité, OFB) OCLAESP Gendarmerie Nationale
Germany	Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) (CITES MA) German Federal Agency for Nature Conservation (BfN)
Italy	Ministry of Environment, Land and Sea Protection Naturalistic Heritage Directorate (CITES MA) Italian Carabinieri (CITES Unit)
UK	Department for Food, Environment and Rural Affairs (Defra) (CITES MA) UK National Wildlife Crime Unit UK Border Force

Other stakeholders

European Association of Zoos and Aquaria (EAZA)
British and Irish Association of Zoos and Aquariums (BIAZA)
Reserve d'Animaux Sauvages (Belgium member on EAZA Council)
Verband der Zoologischen Gärten (Association of Zoological Gardens, Germany) (VdZ)
Environmental Investigation Agency (EIA)
Born Free Foundation
Four Paws
Ecojust

Note: *The Ministry of the Environment (Czech Republic CITES MA) were also informed of the project by their colleagues at CEI.

Table 1. List of stakeholders who provided contributions and consultation for the study between February and July 2020.

For the purposes of this study, the following terminology is used to describe certain captive facilities and institutions:

Licensed zoo	a captive facility licensed and regulated by a national authority
Accredited zoo	a captive facility accredited by an Association of Zoos and Aquariums, whether national or European
Rescue centres/sanctuaries	a captive facility that cares for sick, injured, or ill-treated animals
Circuses/travelling exhibitions	a group of travelling performers including acrobats and animals that perform for entertainment
Private facilities	Facilities owned by private individuals

2.2 TRADE DATA ANALYSIS

2.2.1 CITES LEGAL TRADE DATA

CITES trade data were used to analyse the legal trade of tigers to and from the EU Member States. The CITES Trade Database¹³ is managed by the UN Environment World Conservation Monitoring Centre (UNEP-WCMC) on behalf of the CITES Secretariat. Article VIII, paragraph 7, of CITES requires each Party to submit an annual report on CITES trade, containing a summary of information including quantities, commodity type, countries of import and export, and the names of species as included in Appendices I, II and III (see Annex 1). These reports are called the CITES Annual Reports¹⁴. Parties are requested to submit their data for inclusion in the CITES Trade Database by 31st October each year.

Trade data for *P. tigris*¹⁵ implicating 28 EU Member States¹⁶ were extracted on 18th February 2020 for the years between 2013 and 2017¹⁷. It should be noted that while all EU Member States have submitted their CITES Annual Reports, the (re-)exporters and importers reporting trade with EU Member States, may be incomplete as not all CITES Parties had submitted their 2017 reports by this time (CITES, update of 31st December 2019).

The CITES Trade Database records information on the reported purpose of the trade in specimens and the original source (see Annex 2).

Comparative tabulations were used to assess the import into and (re-)export out of the EU Member States. For the purposes of this analysis, both importer and exporter reported quantities were analysed to determine any reporting discrepancies in the dataset. Such discrepancies may occur for one or more of the following reasons¹⁸:

- Differences in the units used, e.g. skins may be reported by number, area, or weight;
- Differences in terms used and sources or purpose identified by the importing country and those used/identified by the exporting country;
- Specimens may be exported at the end of one year but not received by the importer until the following year;
- Trade may be reported at species level by one country/territory, whilst another country/territory may report it at a higher taxonomic level;
- While it is recommended that Parties base their reports on permits used (and subsequently the actual number of specimens traded), some countries/territories base their reports simply on the permits that have been issued. It is therefore not uncommon for the quantity of specimens traded to be less than the amount specified on the permits, or for the permits not to be used at all. Therefore, the CITES Trade Database may contain transactions that may never have taken place, as well as inaccurately reported volumes of trade. This may lead to an under or overestimation of trade volume.

When examining the trade data for discernible patterns, exporter reported data were used as CITES Parties are recommended to base annual reports on permits used.

In the CITES Trade Database it is possible to make some distinction between a country's direct exports and their re-exports, as well as their direct imports and indirect imports. The "Origin" column is left blank if the country of export is the country of origin, however it can also be blank if the country of origin is not reported. The "Origin" column should be filled in if a country has re-exported specimens¹⁹. Analysis on re-exports and indirect imports is only conducted in Section 3.1.2 (Indirect EU trade), as it is not always possible to rely on the accuracy of the "Origin" column.

In the CITES Trade Database it is only possible to report the quantity of specimens traded in one unit, such as kilograms (kg). If no unit is reported, the figure represents the total number of specimens, ensuring no duplication in reported quantities for purposes of data analysis. For this report, key units were processed and standardised for analysis; grammes were converted to kilogrammes (kg) and millilitres (ml) to litres.

2.2.2 SEIZURE DATA

The illegal trade data analysis draws on tiger seizure data from two databases: EU Trade in Wildlife Information eXchange (EU-TWIX) and TRAFFIC's Wildlife Trade Information System (WiTIS) database. At the time of download, the EU-TWIX database held the most comprehensive dataset and therefore the analysis focuses mainly on these data, with supplementary information held in WiTIS included for further context where applicable.

Illegal trade data implicating EU Member States were extracted from the EU-TWIX database on 1st March 2019 for the period between 2013 and 2017, following authorisation from the relevant authorities. Analysis of seizures of live tigers and tiger parts and derivatives involving the 28 EU Member States, was conducted to provide an overview of illegal tiger trade involving the EU, to investigate the main commodity types involved, trade routes and trafficking methods. These commodity groups were analysed in terms of number of specimens, weight and/or volume.

Information on seizures sourced from WiTIS were used to supplement seizure records from the EU-TWIX database and not analysed in depth within the report. TRAFFIC's seizure database reflects TRAFFIC's work programme priorities which are focused on areas where illegal wildlife trade is most prevalent e.g. Africa, Asia, and the Americas. TRAFFIC's data are therefore skewed and cannot be taken as being comprehensive for all countries and all species. However, they still add interesting contextual information.

Maps were created using TradeMapper²⁰, an interactive tool to visualise trade data, to illustrate key trade routes and the commodities involved.

¹³ Available at <https://trade.cites.org/>

¹⁴ https://cites.org/sites/default/files/eng/reports/annual/annual_reports-180320.pdf

¹⁵ This includes trade for all subspecies.

¹⁶ The trade data analysis covers the period 2013–2017. During this time 28 Member States made up the European Union. At the time of writing, these 28 EU Member States included the following countries: Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Ireland, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Spain, Slovakia, Slovenia, Sweden, and the United Kingdom.

¹⁷ At the time of analysis, the 2018 and 2019 CITES annual legal trade reports were not available.

¹⁸ https://cites.unia.es/cites/file.php/1/files/CITESTradeDatabaseGuide_v7.pdf; <https://www.traffic.org/site/assets/files/8617/trade-in-five-cites-listed-taxa.pdf>; <https://www.traffic.org/site/assets/files/8617/trade-in-five-cites-listed-taxa.pdf>

¹⁹ CITES. (2013). A guide to using the CITES trade database. Version 8. UNEP-WCMC.

²⁰ <https://trademapper.aptivate.org/>

2.2.3 STRUCTURE

Section 3 (Trade Data Analysis) is split into three parts:

- **3.1 Legal tiger trade involving the EU** – Analysis of CITES legal trade data of direct and indirect imports, and direct exports and re-exports, as reported by the 28 EU Member States between 2013 and 2017. This includes an in-depth analysis of legal trade data as reported by the six target countries: Belgium, Czech Republic, France, Germany, Italy, and the UK.
- **3.2 Illegal tiger trade in the EU** – Analysis of illegal trade data as reported by the 28 EU Member States between 2013 and 2017 to the EU-TWIX and available in TRAFFIC's WiTIS database. This includes an analysis of illegal trade data as reported by the six target countries: Belgium, Czech Republic, France, Germany, Italy, and the UK.
- **3.3 Intra-EU trade**²¹ – These data are based on information received from the relevant CITES authorities of the six target countries regarding data on intra-EU trade certificates issued for live tigers between 2013 and 2019 (time period covered by the study).

All analyses of legal trade data included all reported source codes except for "I" (confiscated or seized specimens), all description codes²², reported purpose codes and all units (see Annex 2).



²¹ Intra-EU trade data were provided by the CITES authorities of the six target countries, where available.

²² Analysis of commodity type is based on the reporting by CITES Parties and therefore there may be some overlap between description types e.g. bodies and specimens.



3. TRADE DATA ANALYSIS



3.1 LEGAL TIGER TRADE INVOLVING THE EU

In the CITES Trade Database it is possible to make some distinction between a country's direct exports (direct trade) and their re-exports (indirect trade), as well as their direct imports and indirect imports. In the CITES Trade Database, the "Origin" column is left blank if the country of export is the country of origin. The "Origin" column should be filled in if a country has re-exported specimens. Analysis on indirect trade (re-exports and indirect imports) is only conducted in Section 3.1.2 as it is not always possible to rely on the accuracy of the "Origin" column (see Section 2. Methodology for further information).

3.1.1 DIRECT EU TRADE

Between 2013 and 2017 there were a total of 167 records in the CITES Trade Database of trade in live tigers and tiger parts and derivatives involving EU Member States. A range of tiger commodities were exported by 15 Member States and imported by 13 Member States (Table 2 and Figure 1). Trade was reported using only two units: number of specimens (99% of records) and in weight (g) (1% of records). **Overall, the commodity type imported into and exported out of the EU in the largest quantities were live tigers, accounting for 93% (103 specimens) of EU tiger exports.**

Commodity type	EU exports		EU imports	
	Number of specimens (exporter-reported)	Number of specimens (importer-reported)	Number of specimens (importer-reported)	Number of specimens (exporter-reported)
Live	103	131	22	28
Bodies	6	3	7	2
Skins	2	8	15	18
Specimens	0	0	4	21
Skulls	0	0	3	3
Rug	0	1	0	0
Teeth	0	1	0	0
Trophies	0	1	2	6
Derivatives	0	0	1	0
Hair	0	0	0	8
Total	111	145	54	86

Table 2: Tiger commodities exported and imported by EU Member States as reported as number of specimens between 2013 and 2017. Source: *CITES Trade Database*.

LIVE TIGERS

Exports of live tigers from the EU

Between 2013 and 2017, **the EU reported direct exports of 103 live tigers**, with Germany (19), Italy (19), Spain (13), the Czech Republic (eight) and France (eight) the top five exporters (Figures 1 and 2). Based on both importer and exporter data, a total of 26 countries imported live tigers direct from the EU during this period, with **Thailand (15), South Africa (12), Ukraine (11), Morocco (seven) and Turkey (seven) the top five importers** (based on exporter data).

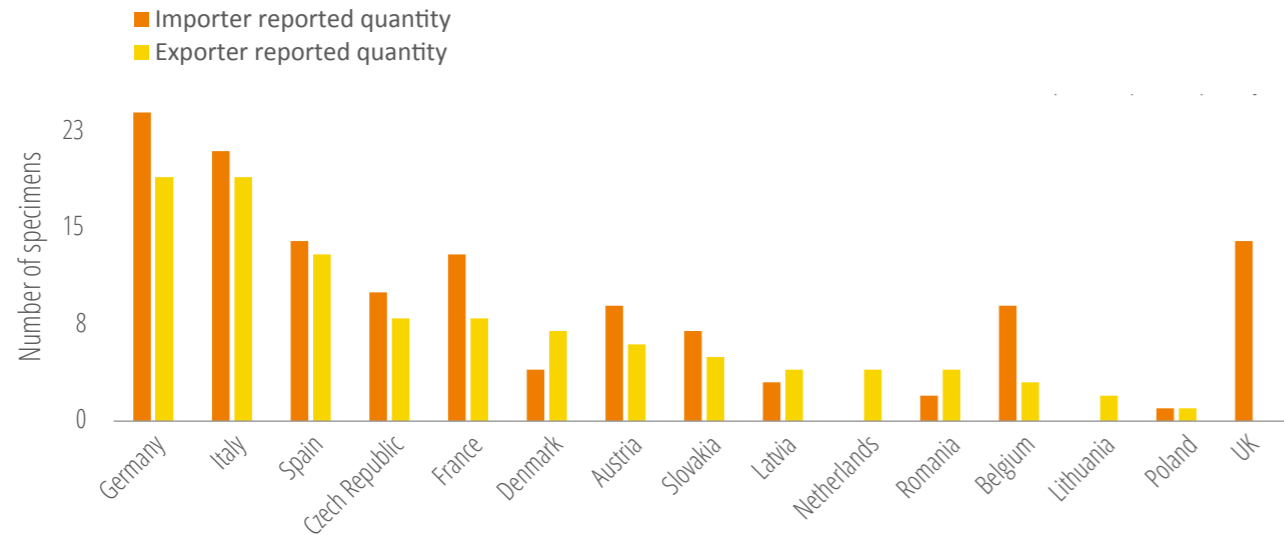


Figure 1: Direct exports of live tigers from EU Member States (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.

Most live tigers exported from the EU were reportedly from captive-bred sources (source code “C”), accounting for 95 specimens, while fewer were tigers bred in captivity for commercial purposes (source code “D”) or captive-born specimens (source code “F”); five and three live tigers, respectively. **EU Member States reportedly exported live tigers for a variety of purposes**; zoos (49 specimens, 48%), circuses/travelling exhibitions (25 specimens, 24%), commercial trade (22 specimens, 21%), educational (four specimens, 4%) and breeding in captivity (three specimens, 3%).

Spain (nine live tigers), Germany (seven), Belgium (three), the Czech Republic (two), and Slovakia (one) were the only Member States to report direct exports of live tigers for commercial purposes to third countries (Table 3 and Figure 2). All these specimens were reported to be captive bred, except for five tigers reportedly bred in captivity for commercial purposes. The latter were reportedly exported by Germany to Ukraine (four) and the Islamic Republic of Iran (hereinafter Iran) (one) in 2015. During the study, several discrepancies were identified between exporter and importer-reported quantities involving live tigers, those countries reportedly importing live tigers from the EU, and reported source codes (Tables 2 and 3) (refer to Section 2 Methodology for potential reasons for discrepancies between importer and exporter-reported quantities). Further explanation on some of the discrepancies identified in the reported data are discussed in section 3.1.3.

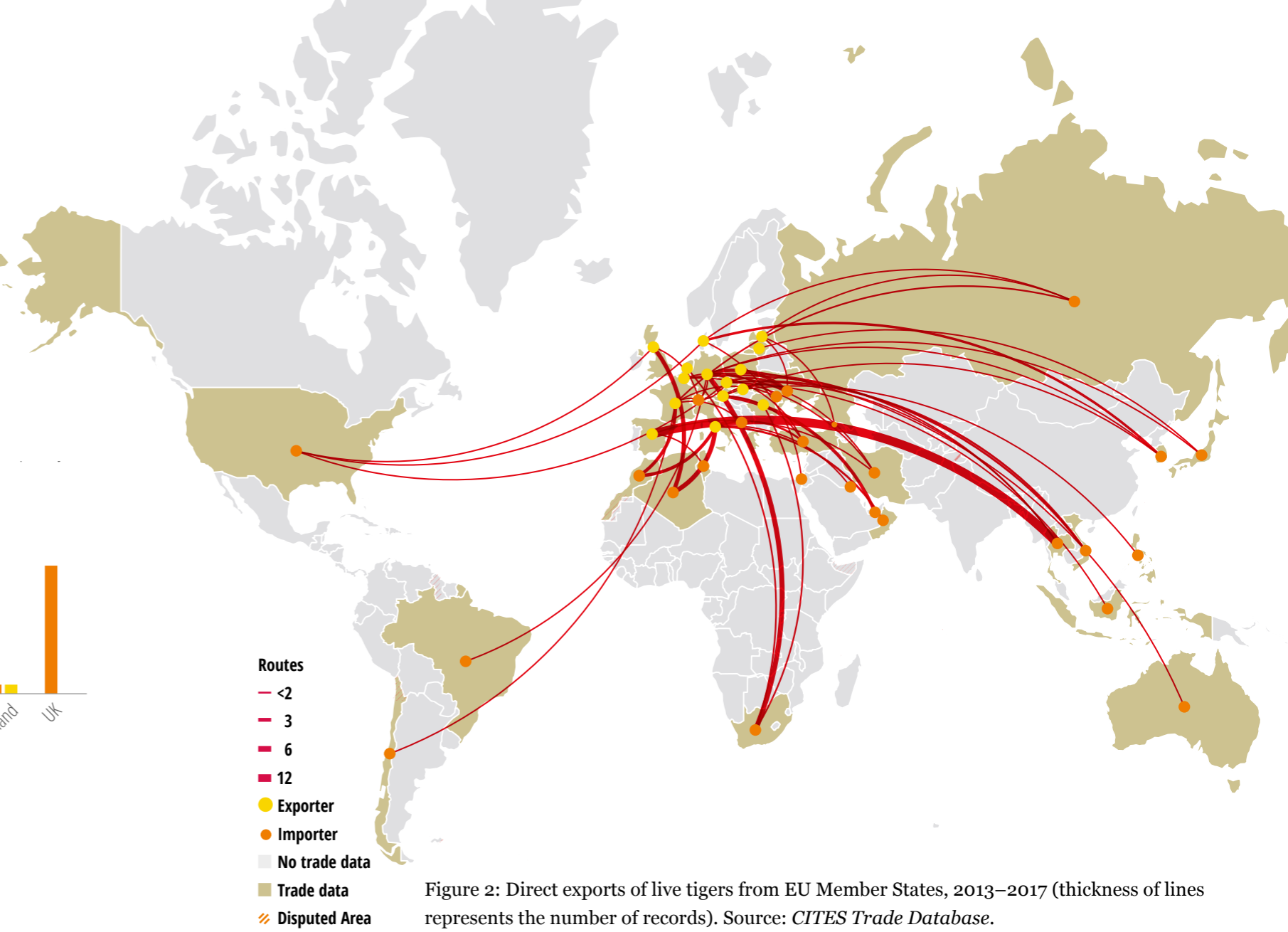


Figure 2: Direct exports of live tigers from EU Member States, 2013–2017 (thickness of lines represents the number of records). Source: *CITES Trade Database*.

Importer	Number of specimens (exporter-reported)	Number of specimens (importer-reported)
Thailand	11	0
Ukraine	4	0
Iran	2	0
Moldova	2	3
Indonesia	1	0
Philippines	1	0
Viet Nam	1	0
Total	22	3

Table 3: Direct exports of live tigers from EU Member States for the purpose of commercial trade (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.

Imports of live tigers into the EU

Between 2013 and 2017, the EU reported importing 22 live tigers from countries in Asia, Europe, and Oceania (Figure 3). The largest exporter of live tigers to the EU (based on importer and exporter data) was the Russian Federation (hereinafter Russia) (Figure 4), with almost all tigers imported into the EU reported to be from captive-bred sources (21). Only one tiger was reportedly captive born. These tigers were imported into the EU for various purposes, including zoos (11), circuses/traveling exhibitions (seven), and breeding in captivity (three). Based on importer data, only Germany reported the import of one live tiger for commercial purposes, in 2014 from Switzerland. However, in comparison, several countries reported exports of live tigers for commercial purposes to both Germany (four) and Italy (two) in 2015 and 2016, respectively (Figure 3).

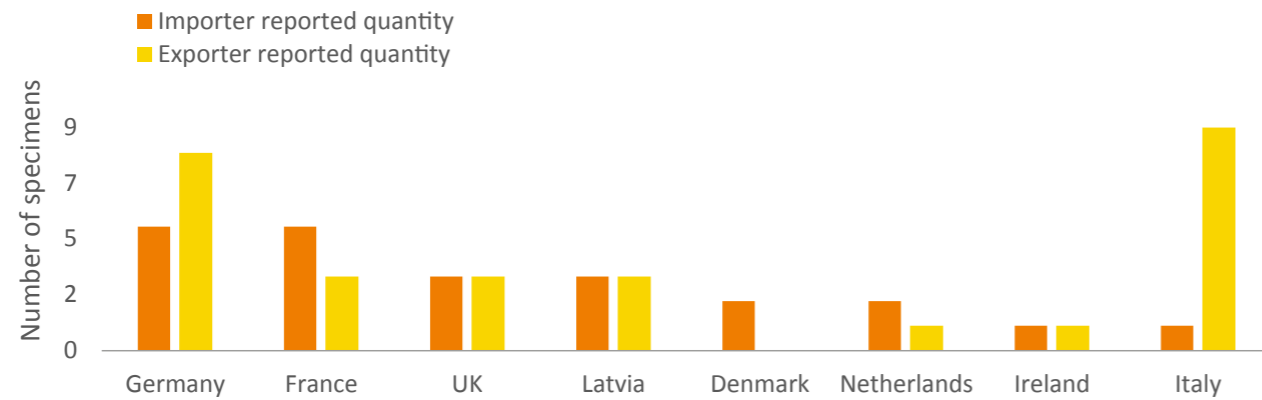


Figure 3: Imports of live tigers by EU Member States (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*

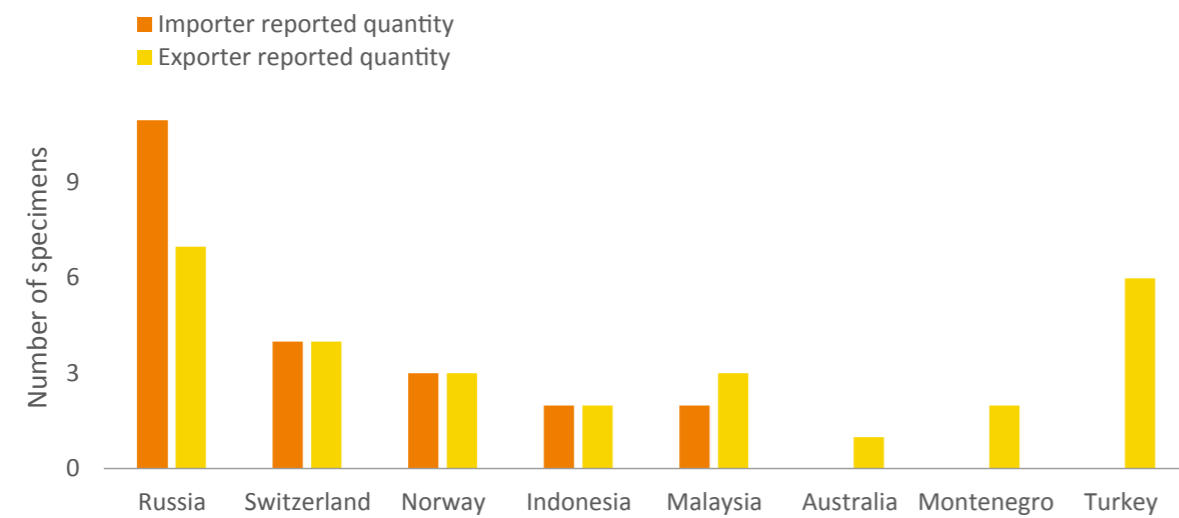


Figure 4: Direct exporters of live tigers to EU Member States (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*

TIGER PARTS AND DERIVATIVES

Between 2013 and 2017, **13 EU Member States reported importing six different types of tiger parts and derivatives** (Table 2). Trade in tiger skins and bodies are analysed in further detail due to the quantities reported by Member States.

EU imports of tiger skins were sourced from both captive-bred (source code “C”) and captive-born (“F”) specimens and were mainly for commercial (11) and personal (four) purposes, with Belgium the main EU importer. For example, Belgium reported importing 10 captive bred tiger skins from South Africa in 2014 (three) and 2015 (seven) for commercial purposes. Belgium was also the only country that reported EU exports of tiger skin. For example, Belgium reported exporting two tiger skins from captive-bred sources for commercial purposes to mainland China, one each in 2013 and 2014, however mainland China did not report these imports. Furthermore, mainland China also reported importing tiger skins for personal purposes from the UK (two) and the Netherlands (one) (Table 4).

EU imports		EU exports			
Importers	Number of specimens (importer-reported)	Number of specimens (exporter-reported)	Exporters	Number of specimens (exporter-reported)	Number of specimens (importer-reported)
Belgium	12	15	Belgium	2	0
Denmark	1	1	UK	0	7
UK	0	1	Netherlands	0	1
Hungary	1	0			
Italy	1	1			
Total	15	18	Total	2	8

Table 4: Direct EU imports and EU exports of tiger skins (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.

Between 2013 and 2017, three **EU Member States reported importing seven tiger bodies**: Belgium (four), France (two) and the Czech Republic (one) all for personal purposes except for **three tiger bodies imported by Belgium from South Africa for commercial purposes**. The tiger bodies were imported from South Africa (four), Switzerland (two) and Canada (one), however none of these transactions were reported by the exporters. During the same period, EU Member States (Germany and France) reported exporting six captive bred tiger bodies to Asia and Europe (China, Singapore, Russia, Andorra, Turkey, and Taiwan Province of China, hereinafter referred to as Taiwan) for commercial (five) and personal (one) purposes.

3.1.2 INDIRECT EU TRADE

Between 2013 and 2017 there were 208 re-export records reported by EU Member States involving trade in live tigers and tiger parts and derivatives. All re-export units were reported as number of specimens and during the study discrepancies between quantities reported for all commodity types were identified. Further explanation on some of the discrepancies are discussed in section 3.1.3. **Overall, the commodity types re-exported out of the EU in the largest quantities were live tigers (51%), skins (24%), and bodies (15%),** based on exporter data (Table 5).

Commodity type	EU re-exports		EU indirect imports	
	Number of specimens (exporter-reported)	Number of specimens (importer-reported)	Number of specimens (importer-reported)	Number of specimens (exporter-reported)
Live	84	54	29	69
Skins	39	19	3	2
Bodies	24	9	0	1
Teeth	7	9	5	4
Carvings	6	0	7	0
Derivatives	2	2	0	5
Claws	1	0	3	0
Rug	1	1	0	0
Trophies	1	8	1	1
Skin pieces	0	8	0	3
Non-live specimens	0	380	29	35
Tails	0	0	1	0
Total	165	490	78	120

Table 5: Tiger commodity types re-exported and indirectly imported by EU Member States (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.

EU re-exports of live tigers and tiger parts and derivatives

Eleven Member States reported re-exporting 84 live tigers during this period: Germany (21), the Czech Republic (15), Italy (13), Belgium (nine), Latvia (six), France (five), Greece (five), Romania (five), Spain (two), the Netherlands (two), and Ireland (one). All specimens were reportedly from **captive-bred sources** and were for the purpose of **circuses/travelling exhibitions (48), commercial trade (21), zoos (13)** and educational (two). The reported data show discrepancies between those countries reportedly importing live tigers re-exported from the EU (Figure 5), with 20 live tigers re-exported from Germany (14) and Italy (six) to unknown importers. Overall, based on importer and exporter data, **Viet Nam indirectly imported the largest quantities of live tigers from the EU** (Figure 5). These re-exports were reported by the Czech Republic (11) and Belgium (seven), all of which were captive-bred and originated from four EU Member States: France (10), Germany (five), Belgium (two), and the Netherlands (one). **All 18 tigers imported by Viet Nam were reported to be for the purpose of commercial trade.**

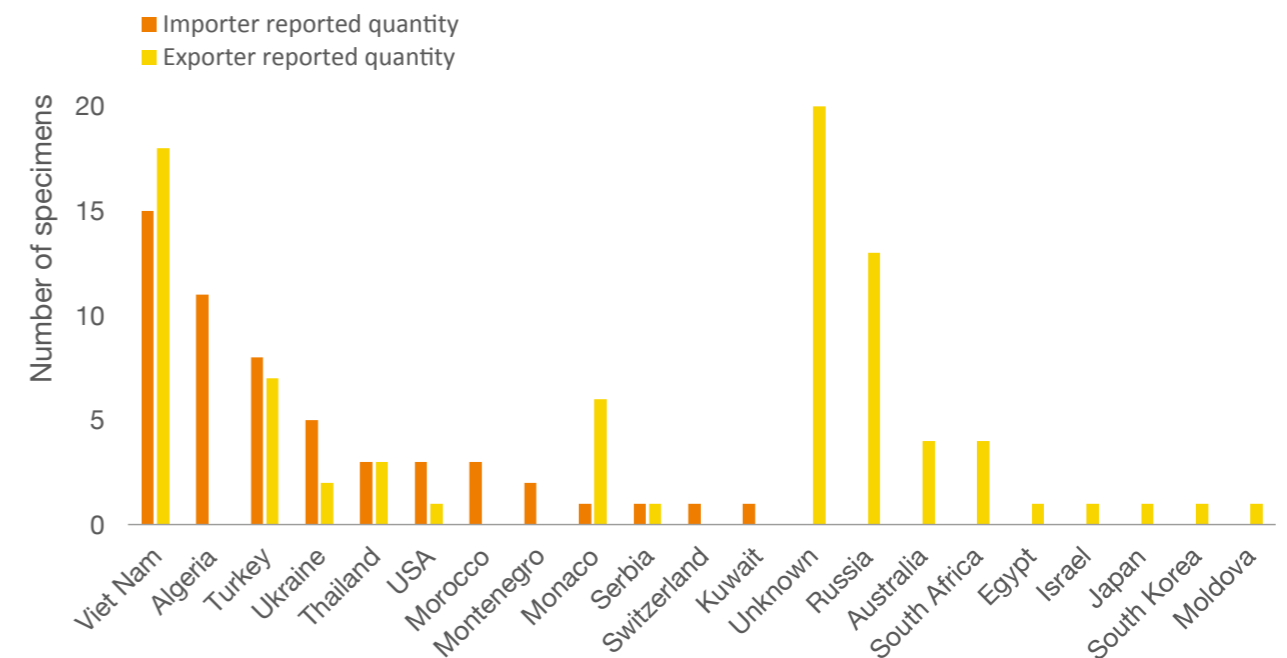


Figure 5: Importers of live tigers re-exported from EU Member States (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.

Most countries of origin of live tigers re-exported from the EU (based on exporter data) were European, including France (19), the UK (17), Germany (12), Spain (11), Russia (10), and Turkey (six).

In addition to live tiger re-exports, **five EU Member States reported re-exporting tiger skins**: the Netherlands (24), the UK (eight), France (four), Austria (two), and Italy (one) to third countries including mainland China, Switzerland, and the United States of America (hereinafter USA) (Table 6). Tiger skins were reported to be from a range of sources including captive-bred (26), pre-Convention (10), unknown (two), and wild (one), and exported for the purposes of commercial trade (35), personal (three), or circuses/travelling exhibitions (one). Skins re-exported for commercial trade were reported by the Netherlands (24), the UK (seven), and France (four).



© Dominika Formanova

Confiscated tiger bones, in the Czech Republic.

Importer	Number of specimens (importer-reported)	Number of specimens (exporter-reported)
China	9	29
Canada	3	0
Switzerland	3	4
Hong Kong SAR	3	0
USA	1	2
UAE	0	2
Australia	0	1
New Zealand	0	1
Total	19	39

Table 6: Importers of tiger skins re-exported from EU Member States (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.

According to exporter data, the Netherlands (19), Belgium (four) and Denmark (one) reported **re-exports of tiger bodies to mainland China (22), Turkey (one), and Switzerland (one), for the purposes of commercial trade (22)** and personal (two). However, according to importer data, mainland China (seven), Switzerland (one), and the USA (one), report importing tiger bodies, for a range of purposes including personal (five), circuses or travelling exhibitions (two), educational (one), and commercial trade (one). All tiger bodies exported from EU Member States were reported to be captive bred (22) or pre-Convention (two). Furthermore, according to importer data, the USA imported 373 specimens for scientific purposes which were re-exported from the UK, however the UK did not report this (see section 3.1.3 for further details). Upon consultation with the UK CITES MA, the authorities confirmed no re-export permits were issued for these specimens, therefore it is an error in the CITES Trade Database (UK CITES MA, *pers. comm.*, 2020).

Indirect EU imports of live tigers and tiger parts and derivatives

Live tigers (29) and non-live specimens (29) were the commodity types indirectly imported into the EU in the largest quantities (based on importer-reported quantities) (Table 5). Five EU Member States reported indirect imports of live tigers, including Germany (12), Italy (nine), Latvia (five), the Netherlands (two), and Portugal (one). Third countries also reported re-exporting live tigers to France, however France did not report these imports. Discrepancies were also identified between the number of specimens involved and the countries/territories reported re-exporting live tigers to the EU (Figure 6) (refer to Methodology section for possible reasons for discrepancies between importer-reported and exporter-reported quantities). All non-live specimens (29) were exported by the USA and imported into the UK for scientific purposes and were reported to be wild sourced having originated from Russia. Upon consultation with the UK CITES MA, the authorities confirmed four permits were issued for blood and tissue samples from wild-sourced tigers between 2013 and 2017, which were for scientific research.

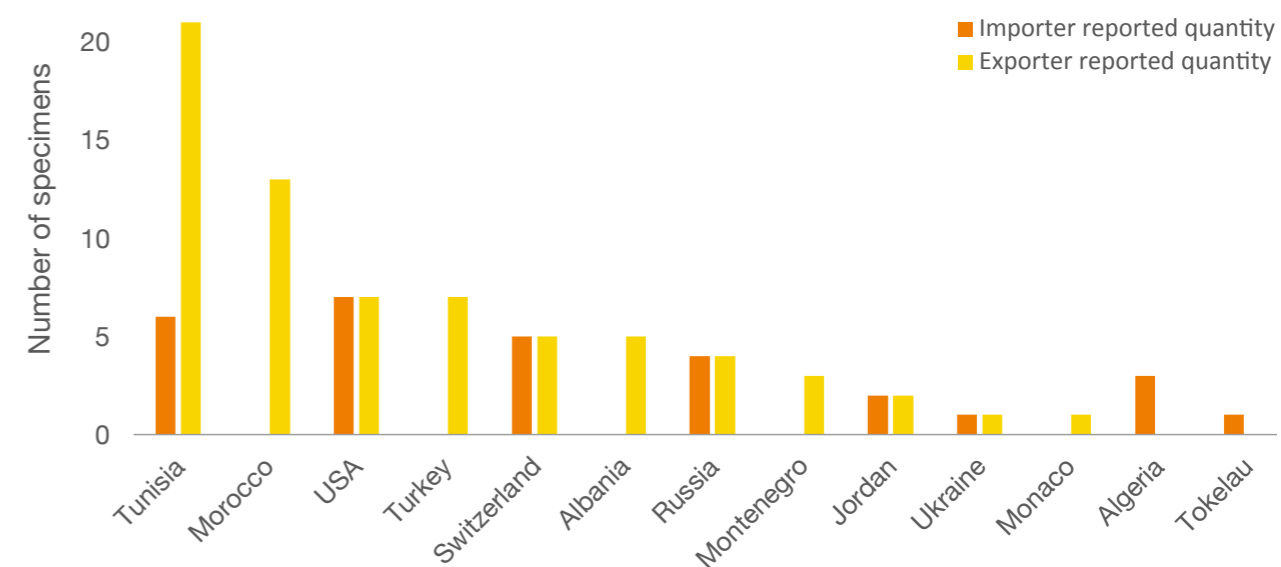


Figure 6: Exporters of live tigers indirectly imported by EU Member States (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*

3.1.3 DIRECT TRADE INVOLVING TARGET COUNTRIES

Between 2013 and 2017, **the six target countries reported direct trade involving a range of tiger commodities, with trade in live tigers reported in the largest quantities** (Table 7). Of the 57 live tigers exported from the six target countries during this period, 49 were from captive-bred sources (source code “C”), five were reportedly Appendix-I listed animals bred in captivity for commercial purposes (source code “D”) and the remaining three tigers were captive-born animals (source code “F”). Most live tigers were exported for the purpose of circus/travelling exhibitions (22), followed by zoos (21), commercial trade (12), and breeding in captivity (two).

Commodity type	EU exports		EU imports	
	Number of specimens (exporter-reported)	EU exporters (listed in order of importance based on number of specimens)	Number of specimens (importer-reported)	EU importers (listed in order of importance based on number of specimens)
Live	57	Germany, Italy, France, Czech Republic, and Belgium	14	France, Germany, UK, and Italy
Skins	2	Belgium	13	Belgium, and Italy
Bodies	6	France, Germany	7	Belgium, France, and Czech Republic
Non-live specimens	0	N/A	4	UK
Skulls	0	N/A	1	Italy
Derivatives	0	N/A	1	France
Total	65		40	

Table 7: Direct exports of tiger commodities from the six target countries (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.

Belgium

Between 2013 and 2017, Belgium reported **direct exports of three live captive-bred tigers and one tiger skin from captive-bred sources, for commercial purposes**, however there were reporting discrepancies between the quantities of live tigers, source codes and the countries. For example, in 2016, Viet Nam reported direct imports of five live captive-bred tigers from Belgium for the purpose of zoos, while Belgium only reported re-exports of five live captive-bred tigers for commercial purposes in 2016. In 2014, there were also instances where Viet Nam reported the import of captive bred tigers for commercial purposes from Belgium that originated from other EU Member States, including Czech Republic and Denmark, yet Belgium did not report these transactions. The Republic of Moldova (hereafter Moldova) also reported directly importing three live captive-bred tigers for commercial purposes from Belgium between 2013 and 2016, whereas Belgium only reported direct exports of two live captive-bred tigers. Furthermore, Iran also reported importing one live tiger from Belgium in 2013 from an unknown source for the purposes of zoos, however Belgium reported in 2014 the export of one live captive bred tiger for commercial purposes. This may be an example where the import/export occurred towards the end of one calendar year and therefore the importing country reported the year when the import permit was requested (e.g. 2013), and the exporting country reported the year of export (e.g. 2014).

Upon consultation with the Belgian CITES MA, the authorities confirmed that **Belgium's annual legal trade reports are always based on actual trade following customs clearance** and are not based on permits issued, whereas it is believed that some countries, such as Viet Nam, base their annual legal trade reports on permits issued instead of those used. This may explain the discrepancies in reported data. The authorities also confirmed only to have exported two live captive-bred tigers for commercial purposes in 2013 and 2016 to Moldova. In 2016, when Moldova reported importing two specimens instead of one, the Belgian authorities explained that the two different permits had been issued: an export permit for a specimen originating in Belgium (2015/BE08535/PE) and a re-export permit for a specimen which originated from France (2015/BE08536/PE). It therefore appears that Moldova misreported the re-export permit. In section 3.1.2, Belgium was also identified as reportedly re-exporting seven captive-bred tigers for commercial purposes to Viet Nam (in 2014 and 2016), **yet Viet Nam did not report these imports despite the Belgian authorities confirming these re-exports**. For example, the Belgian authorities confirmed that five live captive bred tigers for commercial purposes which originated from Germany and France were re-exported to Viet Nam in 2016 (2016/BE09648/PE). **The Belgian authorities noted that all export and re-export permits were issued in accordance with the Regulations as all tigers were bred in captivity (source “C”) and were acquired with valid intra EU certificates**. In some cases, these certificates were checked with the country of origin, and in other cases the countries of destination were contacted to make sure that the procedures were legitimate or that the zoo existed. Based on these checks, there were no indications to refuse these applications. This appears to be the same for the re-export of tiger bodies for commercial purposes from Belgium to mainland China. Upon receiving these applications, the authorities checked these cases which involved stuffed tiger bodies from a taxidermist sent to a trader in mainland China. The stuffed animals contained no bones and were captive bred and acquired with the valid intra EU certificates, therefore trade was permitted.

Other discrepancies were identified in the trade data involving Belgium. For example, all captive-bred tiger skins exported from Belgium were imported by China in 2013 and 2014 for the purpose of commercial trade. **However, China did not report any imports of tiger skins from Belgium**.

Czech Republic

Between 2013 and 2017, the Czech Republic reported direct exports of eight live captive-bred tigers to six different countries for the purposes of zoos and commercial trade (Table 8).

In 2016, the Czech Republic reported exports of two live tigers for commercial purposes to Indonesia and Viet Nam, however Indonesia did not report these imports and according to Viet Nam, four live tigers for the purpose of zoos were imported from the Czech Republic. During this period, the Czech Republic only reported importing one captive bred tiger body in 2017 from South Africa for personal use.

Importers	Number of specimens (importer-reported)	Number of specimens (exporter-reported)
Ukraine	3	3
Viet Nam	4	1
Switzerland	1	1
Thailand	1	1
USA	1	1
Indonesia	0	1
Total	10	8

Table 8: Importers of live tigers from the Czech Republic (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.



© Richard Barrett/WWF

France

Between 2013 and 2017, France reported exporting live tigers (eight) and tiger bodies (three) to six countries (Table 9). **According to exporter data, France reported exporting live tigers to Morocco, Chile, and Switzerland, all of which were from captive bred sources**, whereas importer data indicates that imports of live tigers from France by six different countries from a mixture of captive-bred (five) and captive-born sources (three) (Table 9). **No trade was reported for commercial purposes.** France exported live tigers for the purpose of zoos, circuses/travelling exhibitions and one for breeding in captivity (to Morocco), and exported two captive-bred tiger bodies to Andorra and Taiwan for the purposes of commercial trade (these were not reported by the importers). In terms of imports, France imported three tiger commodities: live captive-bred tigers (five), bodies (two), and derivatives (one) between 2013 and 2017 from various third countries (Table 9).

Importers	Number of specimens (importer-reported)	Number of specimens (exporter-reported)
Morocco	4	4
Russia	4	0
Chile	2	2
Switzerland	1	2
Moldova	1	0
Montenegro	1	0
Total	13	8

Table 9: Importers of live tigers from France (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.



© www.naturepl.com/WWF

Germany

Between 2013 and 2017, Germany reported exporting live tigers (19) and tiger bodies (three), and according to the reported data, the live tigers exported from Germany were from captive-bred sources (14) and tigers bred in captivity for commercial purposes (five). **After consultation with the German CITES authorities, it was confirmed that all reported quantities in the CITES Trade Database as exported from Germany were correct.** It is therefore unclear why importers, such as Switzerland, did not report the same quantity of imports (Table 10). The CITES data reported that in 2013, South Africa reported importing 12 live tigers from Germany for the purpose of zoos, whereas Germany only reported exporting four live tigers. The German authorities confirmed they only issued an export permit for four live tigers to South Africa in 2013 and they have not issued any further export permits between 2013 and 2017. It is therefore unclear why South Africa reported importing 12 live tigers from Germany. **German authorities also confirmed the export of seven live tigers for commercial purposes, which reflects the CITES trade data, however there are discrepancies in the reported source codes.** According to the CITES data, Thailand reported importing two tigers from Germany in 2014 for zoos, whereas Germany reported these tigers were for commercial purposes. **After consultation with the German CITES authorities, they confirmed that they issued the four export permits for seven live tigers for commercial purposes. All live specimens in questions were legally bred in captivity and the breeding stocks were legally acquired years before.** Other discrepancies in reported source codes are also present, for example, German authorities confirmed that all specimens exported from Germany were from captive-bred sources only, and no specimens bred in captivity for commercial purposes were exported and therefore it is an error in the CITES Trade Database.

Importers	Number of specimens (importer-reported)	Number of specimens (exporter-reported)
South Africa	12	4
Ukraine	4	4
Brazil	3	3
Thailand	2	2
Turkey	2	2
Japan	1	1
Switzerland	0	1
Iran	0	1
Republic of Korea	0	1
Total	24	19

Table 10: Importers of live tigers from Germany (reported as number of specimens, 2013–2017). Source: *CITES Trade Database*.

Between 2013 and 2017, Germany reported exporting three captive-bred tiger bodies to Turkey, China, and Russia (one to each), all for commercial purposes, however these importers did not report any trade in tiger bodies from Germany. **After consultation with the German CITES authorities, they confirmed these permits were issued for stuffed tigers or for tiger skins. It was proven by the applicant that all the specimens in question were legally bred in captivity and therefore the authorities**

had no option to reject such an application. It is therefore unclear why these importers did not report these transactions.

Between 2013 and 2017 Germany only imported live tigers. Germany reported trade with three countries: Switzerland (two), Indonesia (two), and Russia (one), importing tigers from captive-born and captive-bred sources, for the purposes of breeding in captivity, zoos, and one for commercial purposes. During this period Malaysia reported exporting three live tigers to Germany in 2015, all for the purpose of commercial trade from “artificially propagated” sources (source code “A”) which were not reported by Germany. After consultation with the German CITES MA, the authorities confirmed they neither issued an import permit for the import of these specimens from Malaysia nor did they ever register an application for such an import, therefore this is likely an error in the database.

Italy

Between 2013 and 2017, Italy reported exporting live tigers to six countries for the purposes of circuses/travelling exhibitions, with several discrepancies between importer and exporter reported quantities (Table 11). According to the CITES trade data, Italy reportedly exported three live captive-bred tigers to an unknown location for the purpose of circus or travelling exhibition. However, consultation with the Italian CITES MA indicated this was an error in the CITES Trade Database as Italy did not report any such direct exports. **The Italian CITES MA also confirmed the discrepancies between importer and exporter reported quantities were likely due to the movement of the same individuals for the purposes of circuses which resulted in “double reporting”.**

Importers	CITES trade data		Italy CITES annual report
	Number of specimens (importer-reported)	Number of specimens (exporter-reported)	Number of specimens (exporter-reported)
Algeria	5	6	6
Turkey	4	5	5
Morocco	5	3	3
Unknown	0	3	0
Kuwait	0	2	2
Montenegro	2	0	0
Oman	5	0	0
Total	21	19	16

Table 11: Comparison of number of specimens of live tigers imported by third countries from Italy between 2013 and 2017. Source: *CITES Trade Database and CITES annual report as submitted by the Italian CITES MA*.

Between 2013 and 2017 Italy reported direct imports of three tiger commodities: live (one), skins (one), and skulls (one), however according to CITES export data, several countries exported four tiger commodities to Italy between 2013 and 2017: live (nine), skins (one), skulls (one), and bodies (one). In 2013, Italy reported the import of one live captive-bred tiger from Switzerland for the purpose of zoos, which was confirmed by the Italian CITES MA.

The authorities confirmed that no other direct imports of live tigers occurred, therefore the reported exports of captive-bred and captive-born live tigers between 2014–2016 from Turkey (six), Montenegro (two), and Switzerland (one) for the purposes of circuses or travelling exhibitions, zoos and commercial trade are errors in the CITES Trade Database.

UK

The UK did not report direct exports of any tiger commodities between 2013 and 2017, however, importers such as Algeria, the USA, Canada, and mainland China, reported four tiger commodities: live (14), skins (seven), teeth (one), and trophies (one). **Upon consultation with the UK CITES MA, the UK confirmed that no direct exports of tiger commodities had occurred between 2013 and 2017 and that only a few re-exports of tiger skins, derivatives and rugs had occurred during this period.** The authorities confirmed that the UK CITES annual reports are based on permits that are returned and used and endorsed by customs, confirming that the import has taken place which may explain the discrepancies as reported by importing countries. Between 2013 and 2017 the UK imported non-live specimens for scientific purposes (four) and live tigers (three), in addition to 0.0008 kg of hair and 0.3859 kg of non-live specimens. Live tigers were imported from Malaysia (two) and Russia (one), all from captive-bred sources in 2013 for the purpose of zoos.



Tiger claws and teeth confiscated from Prague airport in the Czech Republic.

3.2 ILLEGAL TIGER TRADE IN THE EU

3.2.1. OVERVIEW

Between 2013 and 2017, the EU reported a total of **95 seizures involving 14 tiger commodities**, with the UK, Austria, Germany, the Netherlands, and Spain reporting the most seizures during this period (Figure 7) involving a range of third countries (Figure 8). A total of 54 seizures reported the destination of shipments to a total of 13 countries, **almost all were within the EU**, except for Viet Nam (two), Argentina (one), and China (one).

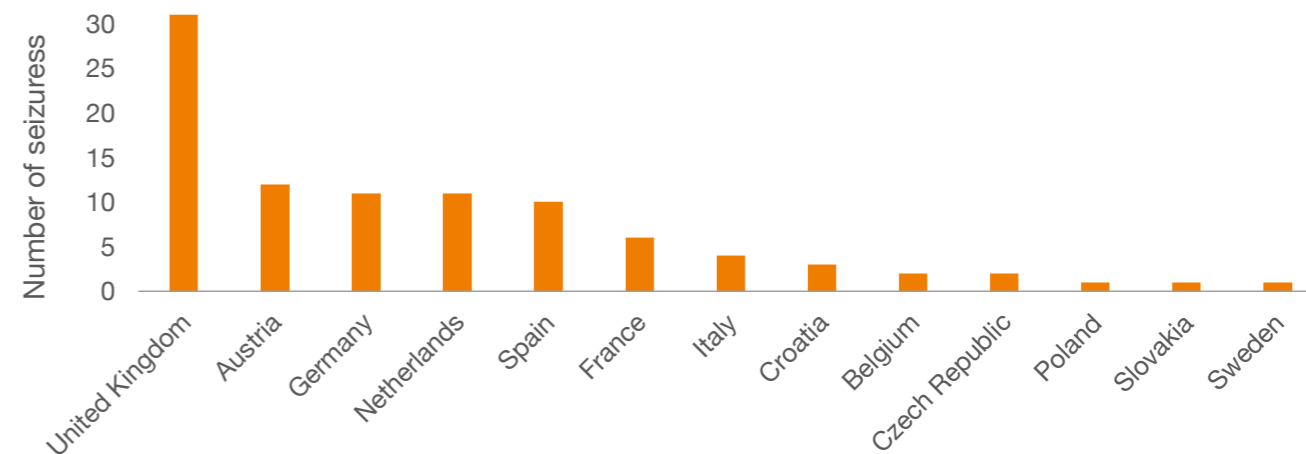


Figure 7: EU Member States that have seized tiger commodities between 2013 and 2017. Source: *EU-TWIX*.

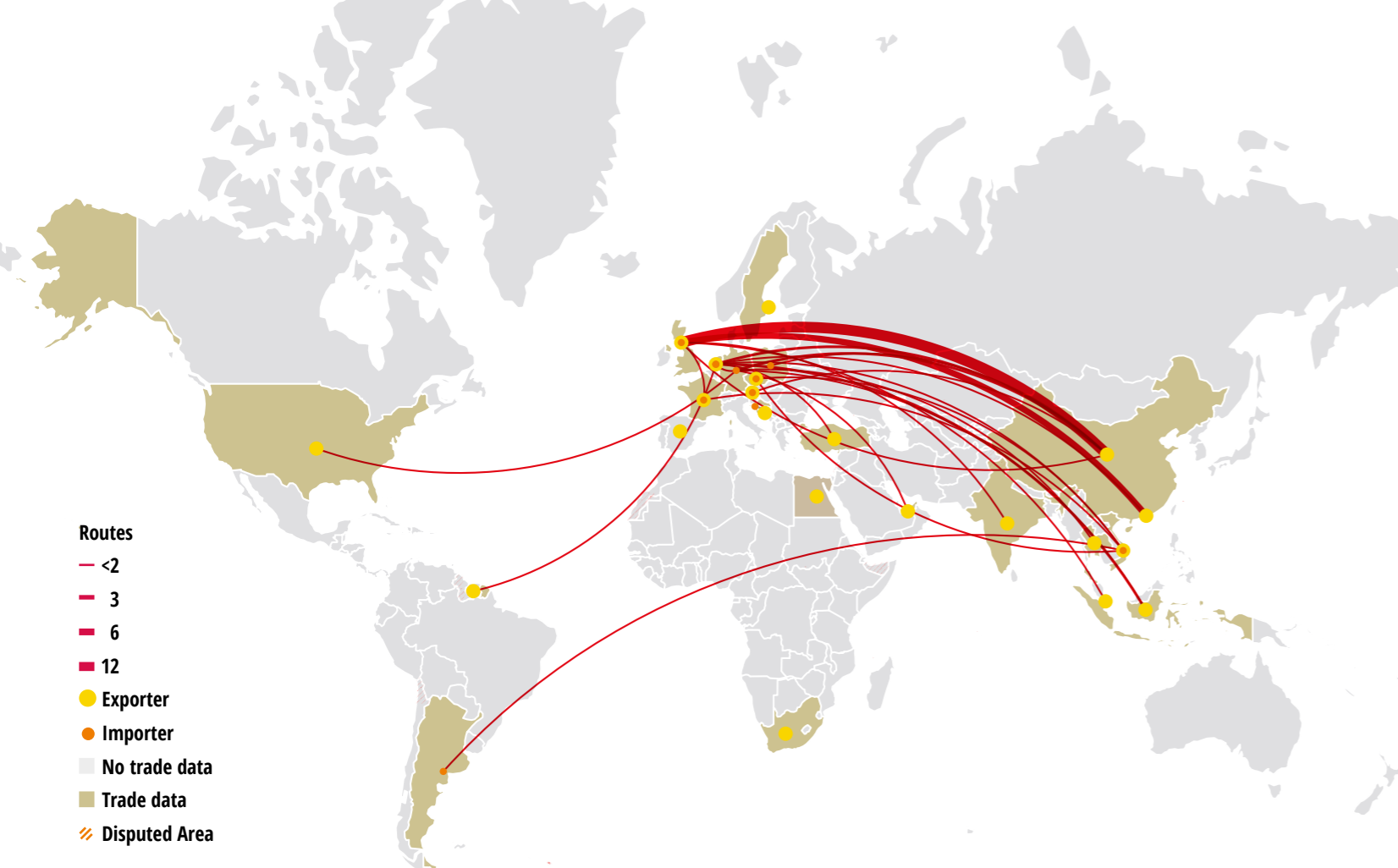


Figure 8: Trade routes (where reported) of 83 seizure records involving EU Member States, 2013–2017 (thickness of lines based on the number of seizure records). Source: *EU-TWIX*.

The main commodity types seized in terms of number of specimens were **medicinal products purportedly containing tiger derivatives (1727) which accounted for ca. 94% of all items seized** (Table 12). Most of these medicinal items were reported as pieces such as plasters or patches (964 pieces), followed by pills (102 pills) or bottles (one). These medicinal products were reported in 45 seizures across five EU Member States: Netherlands, Austria, the UK, Germany, and Poland, and were exported from seven countries/territories and one unknown, with mainland China being the largest exporter (26 seizures) followed by Hong Kong SAR (eight seizures). Between 2013 and 2017, the EU also reported 13 seizures involving 15 live tigers, as reported by Spain (nine), Italy (three), and France (one). Tiger commodities were predominantly transported by air (53), road (five), postal parcels (two), and maritime (two).

Commodity Type	Number of specimens	Percentage (%)
Medicine	1727	93.5
Claws	40	2.2
Skins	18	1.0
Live	15	0.8
Teeth	15	0.8
Skulls	10	0.5
Bodies	6	0.3
Skin Pieces	6	0.3
Trophies	4	0.2
Skeleton	2	0.1
Bones	1	0.1
Derivatives	1	0.1
Jewellery	1	0.1
Whole	1	0.1
Total	1847	100

Table 12: Tiger commodities seized by EU Member States (reported as number of specimens, 2013–2017). Source: *EU-TWIX*.



Medicines containing tiger ingredients

Of the 95 seizures reported to EU-TWIX, one case reported by the UK, provided prosecution information. The 2014 case, as reported by the UK authorities to EU-TWIX, involved **the commercial seizure from a private house of 23 tiger claws and 10 tiger teeth that were intended for export**. South Yorkshire Police discovered the specimens with no accompanying CITES permits following internet monitoring. The trader was issued a community service order and a fine (no further details provided to EU-TWIX). According to an external source, the trader was issued with a 12-month community order (120 hours of unpaid work) for trading in endangered species.²³

²³ <https://www.bbc.co.uk/news/uk-england-south-yorkshire-32120353>

3.2.2 ILLEGAL TRADE INVOLVING TARGET COUNTRIES/TERRITORIES

Belgium

Belgium reported two tiger seizures in 2015 and 2017. One internal seizure reported in 2015 included one tiger skull seized from a private residence of a Belgian national. The second seizure involving 0.16 kg of tiger skin was seized in transit from a Vietnamese national at Liège Airport destined for Argentina. In both cases the reason the shipments were seized was the lack of CITES documentation.

Czech Republic

The Czech Republic reported two seizures to EU-TWIX: one seizure involving one disassembled skeleton in 2013 and one involving one litre of medicinal product in 2016. According to additional information reported in WiTIS, in 2013, the Czech Republic reported **the seizure of two disassembled tiger skeletons intercepted from a postal parcel at Vaclav Havel International Airport in Prague, which was destined for Viet Nam via Taiwan.** The bones of two tigers were found concealed inside two loudspeakers that had been wrapped in plastic and duct tape, some of the bones still had remnants of blood and tissue residue²⁴ (Figure 9). Similarly, a seizure record reported in WiTIS in 2013 included the **seizure of 7 kg of tiger bones and a tiger skull**, estimated to have come from one complete tiger skeleton. The suspect, who could not provide legal documentation alleged that the **bones had been sourced from a breeding facility in Slovakia**²⁵.

Figure 9: Two tiger skeletons seized in loudspeakers at Vaclav Havel Airport in Prague on 26th June 2013. Source: *CITES, 2018*.



24 CITES. (2018). Illegal tiger trade in the Czech Republic. The law enforcement report, compiled by the Czech Environmental Inspectorate (CEI). Available at: <https://cites.org/sites/default/files/eng/com/sc/70/Inf/E-SC70-Inf-24.pdf>

25 CITES. (2018). Illegal tiger trade in the Czech Republic. The law enforcement report, compiled by the Czech Environmental Inspectorate (CEI). Available at: <https://cites.org/sites/default/files/eng/com/sc/70/Inf/E-SC70-Inf-24.pdf>

Figure 10: Tiger broth and powder seized in the Czech Republic during Operation Osseus on 2nd July 2014. Source: *CITES, 2018*.



In 2016, a Vietnamese national was arrested in possession of a bottle of milky white liquid and a jar containing ointment²⁶. The suspect stated that it was plant extract used for medicinal purposes for pain. **Genetic analysis conducted on the seized items confirmed the presence of biological material from tigers**, however, the ointment could not be analysed to confirm the presence of tiger. **The destination of these products was Viet Nam.** In addition, it was noted that the suspect involved in this case was in a wheelchair which pointed to the possible use of handicapped elderly people to smuggle illegal goods.

Other tiger derivatives also reported to have been seized in the Czech Republic were reported to WiTIS including **tiger powder, broth, teeth, and whiskers during house raids in 2014 under Operation Osseus**²⁷ (Figure 10). Commodities from other taxa including rhino horn and powder and broth containing extract of primate species were also seized. Genetic analysis conducted on the items seized, including a bottle of cloudy fluid, a bottle of clear liquid and two bags containing a light brown powder, confirmed the presence of biological material from tigers. **These seizures were directly linked to facilities breeding tigers in captivity for the illicit tiger trade** (see section 6 for further details). All three Vietnamese nationals implicated in this case were prosecuted and sentenced: two offenders were sentenced to five years, one offender for three years unconditional imprisonment.

26 CITES. (2018). Illegal tiger trade in the Czech Republic. The law enforcement report, compiled by the Czech Environmental Inspectorate (CEI). Available at: <https://cites.org/sites/default/files/eng/com/sc/70/Inf/E-SC70-Inf-24.pdf>

27 CITES. (2018). Illegal tiger trade in the Czech Republic. The law enforcement report, compiled by the Czech Environmental Inspectorate (CEI). Available at: <https://cites.org/sites/default/files/eng/com/sc/70/Inf/E-SC70-Inf-24.pdf>

France

Between 2013 and 2017, France reported six seizures to EU-TWIX involving four different commodity types of tigers including: **bodies (three), skins (two), trophies (one), and live (one)**. No information on country of export was reported, except for the seizure of a tiger trophy transported inside a vehicle travelling from France and destined for the UK. These tiger commodities were seized from fairs/exhibitions/shows/auction houses (two), private house (one), market/shop (one) and road/highway/public parking (one). **In four of the seizure records it was reported that there were no CITES permits provided.** A seizure record reported in WiTIS in 2016 involved the seizure of a live tiger cub from a **private residence after the authorities were alerted to the illegal possession of the animal** when the owners were charging money to tourists to pose with the specimen²⁸. Authorities discovered pictures of the animal online resulting in an investigation and seizure of the animal which was later transferred to a zoo.

Germany

Between 2013 and 2017, Germany reported 11 tiger seizures to EU-TWIX involving four commodity types. Germany reported four seizure records **involving 63 medicinal products that were detected at Frankfurt Airport, all of which had been exported from mainland China** except for one seizure exported from the Netherlands. Seizure records reported in WiTIS also involved the seizure of medicinal products in Germany in 2016, in which **60 medicinal products containing extract from tiger, leopard *Panthera pardus* and musk deer *Moschus spp.* were seized from a postal parcel that had been exported from mainland China**²⁹. Four teeth were seized across four separate incidents in Germany, having been exported from Indonesia (one), Viet Nam (one), USA (one), and the United Arab Emirates (UAE) (one). Two tiger claws were seized between 2013 and 2017, for example, in 2013, one tiger claw transported by air was seized from personal baggage which had been transported from Viet Nam and destined for the Czech Republic. Furthermore, in 2015, one tiger skin

piece was seized from personal baggage in Germany after being exported from Thailand.

Italy

Between 2013 and 2017, Italy reported three seizures to EU TWIX, involving tiger skulls (three) and live tigers (five). All seizure records were reported to be internal, and one occurred at a market stall or fair/exhibition in Italy. **Of the five live tigers reported to have been seized in Italy, all were intended for commercial trade with four of the tigers deriving from captive-bred sources and part of circuses.** One case in 2014 involved the **internal seizure of two live circus tigers with no accompanying CITES permit.** The authorities discovered these specimens due to targeting and intelligence. The one wild-sourced specimen was discovered inside a vehicle at a fair/exhibition or show due to an investigation. This specimen was seized by the authorities because the owner was in illegal possession of a wild dangerous animal. No information was provided on the country of export and destination for these seizures. In 2013, three tiger skulls were seized due to intelligence/investigation from a market/shop as the owner had invalid CITES documents.

According to external sources, in 2019, **10 tigers were transported by a circus family from Italy, through Austria, Czech Republic and Poland allegedly destined to a zoo in Dagestan in Russia**³⁰ (Four Paws, 2020). It was verified that no operational zoos existed in the area and that the consignee was a meat and alcohol import company registered in Dagestan. The Polish authorities seized the animals due to incorrect information and/or missing documents accompanying the shipment. The Italian Carabinieri of Palermo initiated proceedings against a circus manager for inappropriate keeping conditions and **falsified papers regarding a tiger with a microchip corresponding to another animal which had died three years earlier.** The man was charged with an administrative offence and fined EUR10 000 for failure to record the deaths of specimens (Four Paws, 2020).

UK

Between 2013 and 2017, the UK reported a total of 31 seizures to EU-TWIX. For 25 seizures, the direction of trade was reported of which the majority were reported to be on import (22), followed by (re-)export (three) (Figure 11) and the remainder were unknown or unreported. Tiger commodities were reported to have been seized from four location types: airport (22), mail centre (one), maritime port (one), and private house (one). **Medicinal products containing tiger derivatives were the most frequently seized commodity type, both in terms of number of specimens and number of seizures (Table 13), with mainland China, Hong Kong SAR and Singapore reported as the only countries/territories of destination.**

Commodity Type	Number of specimens	Kilograms (kg)
Medicine	315	1
Claws	38	0
Skin	11	0
Teeth	10	0
Skin pieces	5	0
Skulls	4	0
Bodies	3	0
Bones	1	0
Jewellery	1	0
Total	338	1

Table 13: Tiger commodities seized in the UK between 2013 and 2017. *Source EU-TWIX*

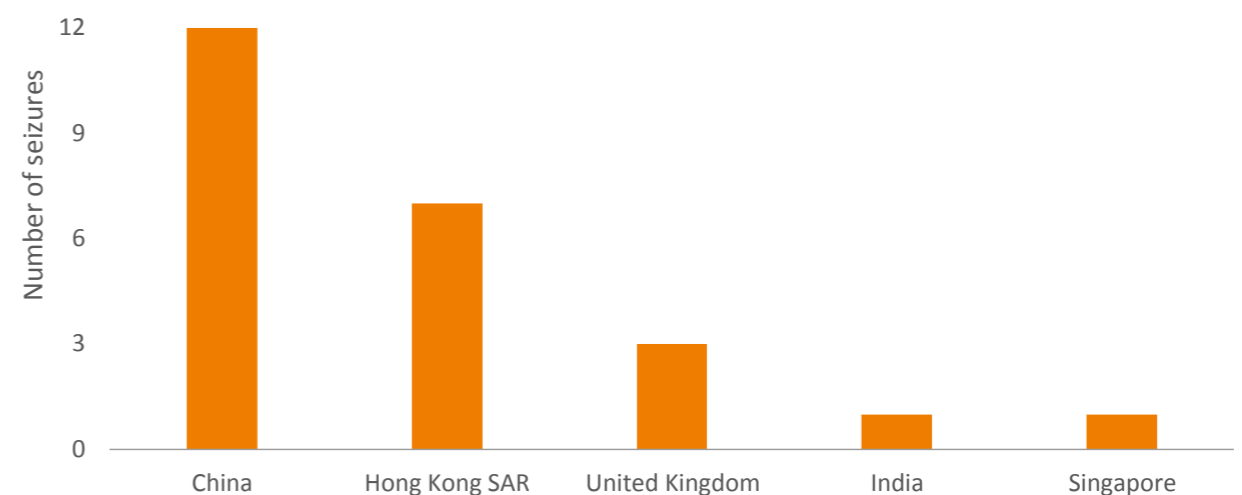


Figure 11: Exporters of tiger commodities seized in the UK between 2013 and 2017. *Source: EU-TWIX.*

²⁸ Anon. (2016). Dealers offered selfies with a baby tiger. <https://www.francebleu.fr/infos/insolite/des-dealers-proposaient-des-selfies-avec-un-bebe-tigre-l-animal-saisi-1466191941> Viewed on 24 April 2020

²⁹ TRAFFIC. (2017). Overview of important seizures in the European Union. https://ec.europa.eu/environment/cites/pdf/reports/2016_overview_significant_seizures.pdf

³⁰ <https://www.bbc.co.uk/news/world-europe-51234630>



Seized tiger skin in the Czech Republic.

Thirty-eight tiger claws were reported in four seizures during this period, of which one reported the country of origin to be India, and the remainder were unknown or unreported. **In 2014, one seizure record reported a total of 23 tiger claws and 10 tiger teeth** (see section 3.2.1 for further details on prosecution³¹). A total of 11 tiger skins were seized in the UK during this period, however some of these skins were reported to be from only parts of the tiger including foot skins (four) and tail skins (three), in addition to four tiger rugs seized. A record in WiTIS reported the seizure in 2016 of tiger skin pieces including skin from paws and tail, seized from a postal parcel at Heathrow World Distribution Centre, destined for Shanghai, China. The company who shipped these specimens was fined GBP2000. The defendant was also ordered to pay GBP85 costs and a GBP120 victim surcharge, with all goods also confiscated³². A seizure reported in WiTIS in 2014 (Figure 12) involved the seizure of one Javan Tiger *P. t. sondaica* rug and one Bali Tiger *P. t. balica* rug, from a private residence after being advertised for sale

on an online auction site. The advertised goods were accompanied by a certificate to state that the items had been sourced pre-Convention, however, results of carbon dating on the skins determined they had been sourced after 1947. **The trader was sentenced to six months imprisonment, suspended for two years. The trader was further sentenced to 180 hours of unpaid work and given a GBP685 fine**³³. According to UK Border Force, the smuggling of medicinal products containing any Big cat species, including tigers, is not high risk in the UK, with numbers of seizures decreasing in recent years. For 2019, two seizures involving medicinal products containing *P. tigris* and two seizures of *P. tigris* claws were reported. Only two full tiger skins have been seized on illegal import into the country in 25 years. On export, one parcel containing four tiger paws and a tail was seized on illegal export to mainland China with no CITES documents. The exporter was investigated by the police authorities (UKBF, *pers. comm.*, 2020).

31 National Wildlife Crime Unit. (2016). Woman arrested after tiger parts found in Sheffield address. Available at: <http://www.nwcu.police.uk/news/wildlife-crime-press-coverage/woman-arrested-after-tiger-parts-found-in-sheffield-address/>. Accessed on 09/04/2020

32 Anon. (2016). Norwich company fined for selling tiger parts. Available at: <https://www.edp24.co.uk/news/crime/norwich-company-fined-for-selling-tiger-parts-1-4683562>

33 National Wildlife Crime Unit. (2014). Woman sentenced by MET police for trading in tiger skin. <http://www.nwcu.police.uk/news/nwcu-police-press-releases/woman-sentenced-by-met-police-for-trading-in-tiger-skin/>

3.3 INTRA-EU TRADE

For trade within the EU, intra-EU trade (Article 10) certificates need to be issued for commercial use of specimens. The relevant CITES authorities of the six target countries were contacted for data on intra-EU trade certificates issued for live tigers between 2013-2019, with three countries able to provide some level of detail.

Belgium

According to data extracted from the intra-EU trade certificates, the Belgian CITES MA issued a total of 19 intra-EU trade certificates for live tigers between 2013-2019. Article 10 certificates for captive bred specimens are issued as specimen-specific certificates which are valid for the first and all subsequent sales of that specimen, therefore these total figures do not give an overview of every transaction for the movement of these tigers. In 2013 and 2014 a total of 14 certificates were issued, 8 and 6, respectively. Between 2015 and 3rd March 2020, a total of 4 intra-EU trade certificates were issued to one zoo and one certificate was issued to a zoo in the UK for the transfer of a seized animal (origin of specimen was Greece and it was seized in Germany).

Czech Republic

According to data extracted from the intra-EU trade certificates, the Czech Republic transferred 45 live tigers from the Czech Republic to other EU Member States between 2013 and 2019. Simultaneously, 111 live tigers were moved from other EU Member States to the Czech Republic during the same period. Most of the tigers were imported from France (28), Germany (16), Lithuania (14), Slovakia (12) and Hungary (9). Other countries included Austria, Belgium, Spain, and Italy.

UK

Between 2013 and 2019, the UK CITES MA issued 27 intra-EU trade certificates for *P. tigris* for the purpose of moving to a zoo in another EU Member State. In 2013 the UK CITES MA also issued two intra-EU trade certificates to circuses. All these tigers, except five specimens, were captive bred in the UK. The other live tigers were from the EU (three), the USA (one), and Malaysia (one). Upon consultation with the UK CITES MA, it was not possible due to time constraints to determine whether some of the intra-EU trade certificates were for the same animals, as this would require cross-checking every application for microchip numbers. Furthermore, the authorities noted that the results may not have been accurate, as it is possible for an animal to have two different certificates under two different microchip numbers. For example, if a microchip has moved within the animal and cannot be found, a new one must be implanted, and a new certificate will be issued for the same animal (UK CITES MA, *pers. comm.*, 2020).

Inspection of a tiger facility in the Czech Republic.



4. NATIONAL LEGISLATION AND ENFORCEMENT OF THE REGULATIONS

© Dominika Formanova

A comprehensive overview of the national legislation, regulations and policies pertaining to the keeping and captive breeding of tigers and the disposal of their parts and derivatives across the EU is not currently available.

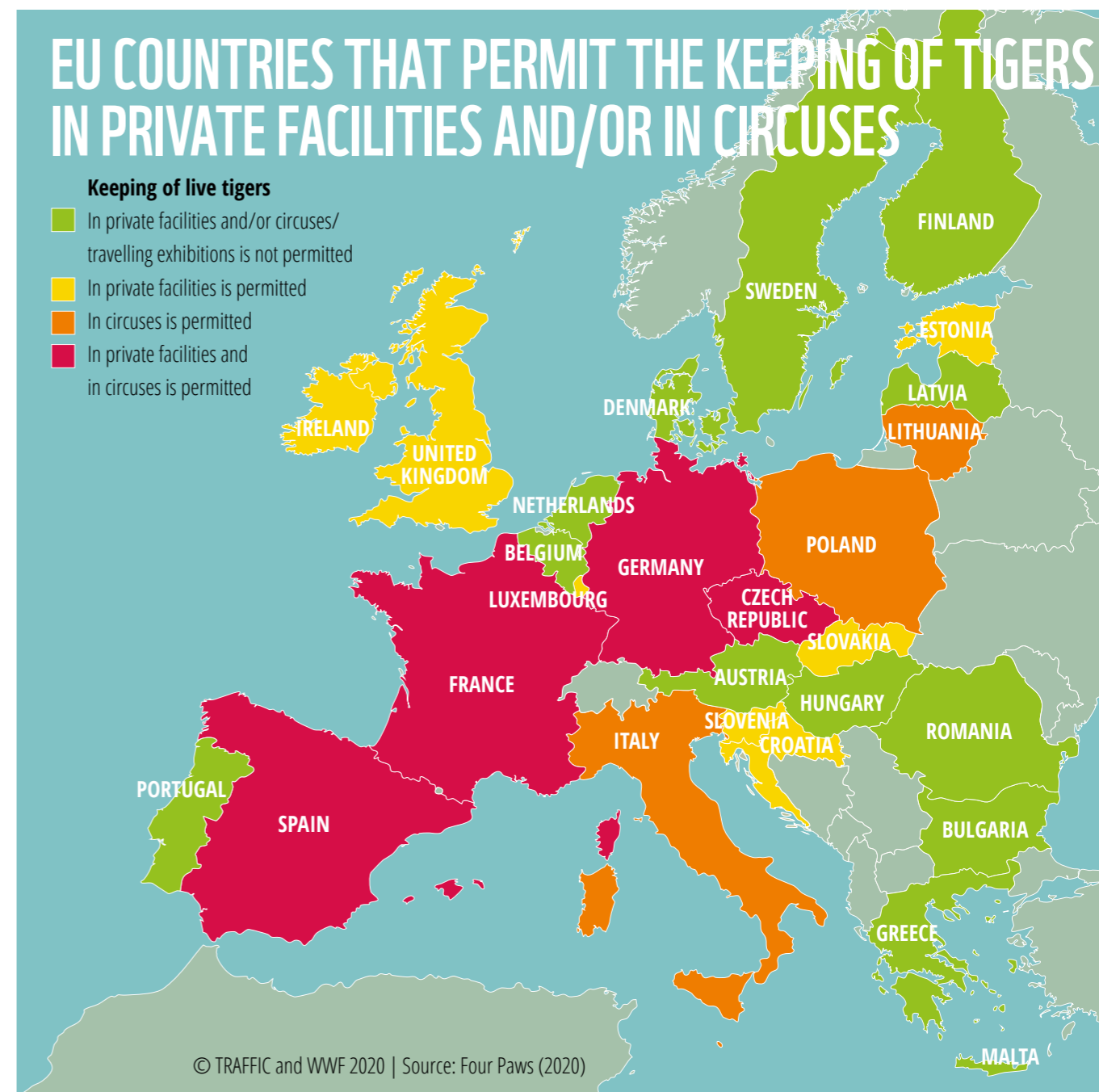
The keeping of wild animals, including tigers, in zoos across the EU, is regulated through Council Directive 1999/22/EC relating to the keeping of wild animals in zoos (commonly referred to as the “EU Zoos Directive”)³⁴. All EU Member States have published new or amended zoo legislation to implement the EU Zoos Directive and it is the responsibility of the national governments to apply the provisions of the Directive and ensure its enforcement. An evaluation by Born Free Foundation for the European Coalition ENDCAP of the implementation and enforcement of the EU Zoos Directive was conducted in 2011 (Born Free. F., 2012), with a second evaluation currently underway, and between 2015 and 2018,

the Commission also carried out an evaluation of the Zoos Directive (EC, 2018a). The implementation of the EU Zoos Directive across the six target countries is discussed in further detail in sections 4.1–4.6 and in section 5.

In 2019, Four Paws launched an investigation into the keeping of tiger populations in captive facilities in the EU, particularly those held by private owners and circuses. According to this research, only 14 EU Member States prohibit the keeping of tigers in these types of facilities (Box 1), while four EU countries (Czech Republic, France, Germany, Spain) allow the keeping of tigers by private owners and in circuses/travelling exhibitions (Four Paws, 2020) (Table 14, see also map on page 57). It should be noted that in some regions of these four countries there are localised bans in place on the use of wild animals in circuses (Four Paws, 2020).

Keeping of live tigers	EU country
In private facilities and/or circuses/travelling exhibitions is not permitted	Austria, Belgium, Bulgaria, Cyprus, Denmark, Finland, Greece, Hungary, Latvia, Malta, Netherlands, Portugal, Romania, Sweden
In private facilities is permitted	Croatia, Estonia, Ireland, Luxembourg, Slovakia, Slovenia, UK
In circuses/travelling exhibitions is permitted	Italy, Lithuania, Poland
In private facilities and in circuses/travelling exhibitions is permitted	Czech Republic, France, Germany, Spain

Table 14. Overview of those EU countries that permit the keeping of tigers in private facilities and/or in circuses (See also map on page 57). Source: *Four Paws (2020)*.



Box 1. EU countries that have recently passed, or are in the process of drafting, new legislation regarding the keeping of tigers in private facilities and/or circuses³⁵.

In 2016, Malta passed legislation prohibiting the private keeping of big cats, however owners with specimens obtained prior to 2016 were permitted to keep and breed these tigers. According to this legislation, all facilities keeping tigers, including private owners with specimens acquired before 2016, must be registered with the authorities, and all tigers must be marked with non-reversible identification in the form of a tattoo, intra-capsular device or a DNA profile. Any transfer of the specimen to a third party must be communicated and approved by the authorities. The legislation calls for keepers to maintain detailed records of the specimen

and details of any deceased specimens must be notified to the authorities immediately. Disposal of the specimen must be carried out in line with Regulation (EC) No 1069/2009 on health rules regarding animal by-products and derived products (Box 1).

Italy is in the process of approving a ban on the use of wild animals by circuses, including tigers, however at the time of writing this ban was still pending, and the Lithuanian government has also submitted a draft law to ban the use of certain wild animals in circuses, which is yet to be officially adopted (Four Paws, 2020).

34 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.1999.094.01.0024.01.ENG

35 Subsidiary legislation 439.19: Owning and keeping of dangerous animals regulations (2016) (Malta). Available at: <https://legislation.mt/eli/sl/439.19/eng/pdf>

Number of different facilities holding tigers in the EU

The 2019 Four Paws investigations also examined the types of facilities permitted to hold tigers in Europe and the numbers of individuals held in zoos, rescue centres, circuses, and by private owners in 2018/2019 (see section 7). National authorities across Europe were contacted by Four Paws under Freedom of Information (FOI) requests which resulted in 21 Member States responding with some level of information (Table 15). The countries that did not

reply to Four Paws FOI requests included: Austria, Croatia, France, Greece, Italy, Luxembourg, and Slovenia. Not all authorities that replied to the FOI in these countries replied with data on the numbers of tigers held in each of the different facilities. Based on the research conducted by Four Paws, the two EU countries with the most private owners holding tigers were the Czech Republic and Slovakia.

Country	Zoos licensed to keep tigers	Rescue centres with tigers	Circuses with permits to keep big cats	Private owners with tigers
Belgium	X	?	X	X
Bulgaria	7	0	X	X
Czech Republic	16*	5*	13	30
Cyprus	1	0	X	X
Denmark	7	0	X	X
Estonia	1	0	X	0
Finland	1	0	X	X
Germany	34	1	15	2
Hungary	11	0	X	X
Ireland	?	?	X	?
Latvia	1	0	X	X
Lithuania	3	0	1	X
Malta	2	0	X	1
Netherlands	8	2	X	X
Poland	?	0	?	X
Portugal	5	0	X	X
Romania	18	0	X	X
Slovakia	3	0	X	12
Spain	?	?	?	?
Sweden	5	0	X	X
United Kingdom	37	0	1**	4
Total	160	8	30	49

Table 15. Number of different facilities keeping tigers in the EU (2018/2019). Source: *Four Paws (2020)*.



Note:

X indicates legislation prohibiting private keeping or use of wild animals in circuses;

? indicates unknown numbers;

* Upon consultation with CEI, the 5 rescue centres in the Czech Republic should be included in the number of zoos licensed to keep tigers. According to CEI, there are no private/NGO rescue centres in the Czech Republic, only rescue facilities as part of licensed zoos (CEI, pers. comm., 2020);

** In England, the use of wild animals, including tigers, in travelling circuses is banned under the Wild Animals in Circuses Act 2019³⁶. In Scotland, the use of wild animals, including tigers is also banned under the Wild Animals in Travelling Circuses (Scotland) Act 2018³⁷.

³⁶ <http://www.legislation.gov.uk/ukpga/2019/24/enacted>

³⁷ <http://www.legislation.gov.uk/asp/2018/3/contents>

As part of the present study, information on national legislation, regulations and policies pertaining to the keeping and captive breeding of tigers and the disposal of their parts and derivatives were requested from the relevant CITES authorities of the six target countries. Links to relevant legislation online are provided, where available. Information on the numbers of tigers currently held nationwide (see section 7) and the number of tiger deaths between 2013 and 2019 were also requested. Complete responses were received from five of the target countries (Belgium, Czech Republic, Germany, Italy, and the UK). Attempts were made to contact the French CITES MA for several months, however no information was provided, therefore details on the legislation applicable to tigers were sought from WWF France. The French enforcement authorities however provided valuable information on the enforcement of the regulations.

Table 16 provides a comparison of the key features of the legislation and enforcement of the regulations in each of the six target countries regarding the keeping and captive breeding of tigers and the disposal of their parts and derivatives. Sections 4.1–4.6 provide a full summary of all information received from the relevant CITES authorities on these rules, as well as information on enforcement challenges, where applicable.

Key features of legislation and enforcement of regulations	Target country						
	Belgium	Czech Republic	France	Germany	Italy	UK	
Keeping tigers in captive facilities							
Private facilities are permitted to keep tigers	No	Yes	Yes	Yes	No	Yes	
The keeping and use of tigers by circuses/travelling exhibition is permitted	No	Yes	Yes	Yes	Yes	No	
Tigers can be bred in captivity by circuses/travelling exhibitions	N/A	Yes	Yes	Yes	Yes	N/A	
Tigers can be bred in captivity by private facilities	N/A	Yes	Yes	Yes	N/A	Yes	
All captive facilities keeping tigers must keep personal records of those specimens in the collection	Yes	Yes	Yes	Yes	Yes	Yes	
Marking of tigers in captivity							
Tigers in all captive facilities must be uniquely marked	Yes	Yes	Yes	Yes	Yes	Partial – marking requirements for animals in zoos; no marking requirements for tigers held in private facilities	
Management of tigers held in captivity							
National authorities (e.g. CITES MA) maintain records of the numbers of tigers held in captivity nationwide	No	Yes	Yes	No	Yes	No	
Management oversight of tigers in captive facilities is at the national level	No – regional competency	No – regional competency	No – regional competency	No – regional competency	No – regional competency	No – local competency	
A central register with information on tigers held in captivity and records of deceased specimens is available and accessible to all authorities	No	Yes	No	No	No	No	
Captive facilities keeping tigers must be registered with the authorities, and/or inspections must take place prior to granting authorisation for a captive facility to keep tigers	Yes	Yes	Yes	Yes	Yes	Yes	
Frequency of monitoring and inspections on captive facilities keeping tigers	Inspections are infrequent and limited due to staff capacity	Annual inspections	Inspections are carried out – unknown frequency	Inspections carried out as necessary	Inspections carried out routinely (at least once per year)	Periodic inspections	
Disposal of deceased tigers							
National authorities (e.g. CITES MA) maintain records of reported numbers of tiger deaths	No	Yes	No	No	Partial – data from zoos gathered through annual reports	No	
Captive facilities must record the death of a specimen in the facilities' register*	Yes – death should be recorded as an 'exit' in the facilities register	Yes	Yes	Yes	Yes	Partial – Zoos must record death of specimens and make available to inspectors; no requirement for private facilities to record the death of a specimen	
Captive facilities must report the death of a specimen to the relevant authorities*	Yes – CITES certificate must be returned to CITES MA	Yes – all facilities must report death within 30 days, which is recorded in the central register	Yes	Yes – all facilities must inform relevant authorities in writing	Yes – licenced zoos must provide information through annual report, and circuses should notify local health / veterinary authorities	Yes	
External specialised company involved in disposing of deceased specimens	Yes	Yes	Yes	Yes	Yes	Partial – no requirement for private facilities	
Disposal companies provide detailed records of the deceased specimen to the authorities	No	No	No	No	No	No	

Table 16. Key features of the legislation and enforcement of regulations in each of the six target countries regarding the keeping and captive breeding of tigers and the disposal of tiger parts and derivatives.

*Note: This summary is based on the information provided by the authorities of the six target countries, therefore there is a possibility that additional regulations or procedures that were not identified here are applicable; * This information does not cover those rules for accredited zoos as stipulated by national zoo association or EAZA policies and guidelines.*

4.1 BELGIUM

Keeping of live tigers

In Belgium, the keeping and commercial use of Appendix I listed species, including tigers, is generally not permitted³⁸. There are a few exemptions which include any specimens covered by a CITES certificate (e.g. intra-EU trade certificate), or any specimens introduced to an inventory and registered to a specific owner with the CITES MA when the species was first listed in Appendix I³⁹;⁴⁰. No commercial activities are permitted for those registered specimens. This exemption also covers any offspring from these registered specimens, with the provision that the breeder is still the original owner. In 2001, Belgium adopted a Royal Decree banning the keeping of certain species, including tigers⁴¹, which was suspended in 2008 and replaced by a “Positive list” for mammals, whereby only those on this list could be held by private owners. **The positive list prevents the keeping of tigers by private individuals, except by zoos, and in some cases rescue centres.** Under the positive list, there is a possibility to request an exemption. An individual could apply for official authorisation to keep tigers in private facilities; however, the keeper would have to prove to the Belgian Zoo Commission of their sufficient capability to meet the physiological and behavioural needs of the species. According to the Wallonia Animal Welfare Department (Wallonia Animal Welfare Department *pers. comm.*, 2020), it would be extremely unlikely that the Zoo Commission would ever permit the keeping of tigers by private owners, and to date, no such cases or private facilities keeping tigers have been recorded in the country. Furthermore, while the private ownership of tigers before 2001 was theoretically possible provided the individual underwent the necessary checks and submitted the relevant documentation, no such cases have been recorded across the three regions in Belgium (Wallonia Animal Welfare Department *pers. comm.*, 2020).

The Belgian CITES MA, the Federal Public Service on Public Health, Food Chain Safety and Environment, implements the rules applicable to CITES, but **the management of the keeping of tigers in Belgium is regional competency** by the Regional Animal Welfare Departments. Before 2014, the Department of Animal Welfare was a part of the CITES MA, however since then they have been regionalized into three different departments: Brussels, Flanders, and Wallonia. **All zoos and rescue centres keeping tigers must be registered and licensed** by the Zoo Commission of the Regional Animal Welfare Departments. Two pieces of legislation lay down the rules that zoos must adhere to for accreditation⁴² and the legal requirements these facilities must fulfil for the keeping of different species⁴³. If these requirements are not met, the facility will not be permitted to keep these animals. In Belgium, zoos do not have to be a member of a national zoo association to become a licensed facility, but they must all participate in co-ordinated exchange and reproduction programmes for population management purposes.

According to national legislation, all facilities, or persons, that trade in Annex A/B listed specimens for commercial purposes **must keep a register of the “entry” and “exit” of these specimens:** an entry into the register includes live tigers, tigers born and bred in captivity, and any tiger parts and derivatives purchased⁴⁴; an exit from a register must be recorded for all live specimens that die in captive facilities, as well as for their parts and derivatives that are destroyed or sold. This register must be kept with the animals and/or its products and should be available to authorities upon request. However, **there is no public central database where the CITES MA can check this information.** According to the

Belgian CITES MA, a centralised database that tracks cross-border trade of all CITES-listed species should be envisaged for the EU, with the Belgian authorities working to include “entry” and “exit” registers in their national online database in the future (BE CITES MA, *pers. comm.*, 2020). The breeding of tigers in accredited facilities is permitted through international breeding programmes only and all zoos must keep a register of such births.

Inspections on facilities are conducted by officers from the Regional Animal Welfare Departments and from the CITES inspection department (to ensure compliance with CITES legislation); however, **the frequency of these inspections vary significantly and tend to be limited due to staff capacity.** However, if any complaints are made about a zoo, the necessary controls and inspections are carried out accordingly by the relevant authorities.

Marking of tigers

Belgium's “Positive List” prohibits the keeping of tigers apart from those facilities who sought authorisation. In practice, authorisation is only granted to zoos which are considered “commercial” enterprises and therefore all animals in these facilities must be covered by the necessary CITES certificates. As a result, **all tigers with an accompanying CITES certificate are identified with a unique microchip**⁴⁵.



Disposal of deceased tigers

As outlined above, all tigers held in zoos in Belgium are accompanied by the relevant CITES certificates. When a specimen dies, **the CITES certificates for that specimen becomes invalid and should be sent back to the CITES MA.** Most of these permits are specimen specific certificates which are valid for the first and all subsequent sales of that specimen. These certificates can only be issued for those that are uniquely marked or are otherwise clearly identified in accordance with the Regulations. Specimen specific certificates must remain with the animal and are valid throughout the EU. Upon consultation with the Belgian CITES MA, **it was acknowledged that checks on whether all certificates are returned pose practical challenges as this would entail contacting every facility that applied for a certificate and asking for information on where the tiger currently was** (BE CITES MA, *pers. comm.*, 2020). Since March 2015, a new online permitting database has been used by the CITES authorities and since then, five intra-EU trade certificates have been issued for tigers of which none have been declared invalid. The CITES authorities noted that one zoo was issued with four of these intra-EU trade certificates, and this zoo has now requested two CITES certificates for bodies of young tigers that died shortly after birth (BE CITES MA, *pers. comm.*, 2020). Any certificates issued prior to March 2015 that were held in the old permitting system do not provide such information. The Belgian CITES MA noted that if the enforcement authorities becomes aware of any potential illegality during their inspections, the authorities seize the certificate and note the infringement (BE CITES MA, *pers. comm.*, 2020). If the facility wants to trade in parts or derivatives of the deceased specimen, they must apply for a new intra-EU trade certificate that covers each of those separate parts.

Reading a microchip on a tiger, in the Czech Republic.

38 According to Article 4 of the Law of 28 July 1981 and its amendments, implementing CITES in Belgium.

39 As specified in Article 2 of implementing Royal Decree of 9 April 2003 of the Belgian CITES law of 28 July 1981

40 Although the tiger was first listed on CITES in 1975, Belgium only joined CITES in 1983, which entered into force in 1984.

41 http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&table_name=loi&cn=2008111254

42 Royal Decree 1998: <https://www.ecolex.org/details/legislation/arrete-royal-relatif-a-lagrement-des-parcs-zoologiques-lex-faoc017026/>

43 Ministerial Decree 1999 : Arrêté ministériel fixant des normes minimales pour la détention de mammifères dans les parcs zoologiques. <http://bienetreanimal.wallonie.be/home/legislation/legislationlist/liste-de-legislations-bea/bienetre033-W.html>

44 According to Article 12 of the implementing Royal Decree 9 April 2003

45 In accordance with Article 66 of the Commission Regulation (EC) No 865/2006.

When a tiger dies in a captive facility, it must be confirmed by a vet, who records the date and reason of death. **The death of the specimen should also be registered as an exit in the facilities' register.** This can be checked by the authorities upon request, but there is **no centralised database that records this information.** As there is no centralised database, the CITES authorities were unable to provide the total number of tiger deaths that had occurred between 2013 and 2019. The disposal of any animal product in Belgium is regulated through waste legislation which is predominantly a regional competency. For example, in Flanders, it is the responsibility of the Public Waste Agency of Flanders (OVAM). All zoos must keep a register in line with the relevant waste legislation. According to the

legislation, **the disposal of any specimen should be carried out by a specialised company,** with most zoo animals sent to scientific institutions for research purposes. According to the authorities, the OVAM do not have insight as to what happens with the remains after they have been transferred to the scientific institutions and the use of animal by-products for scientific purposes or taxidermy is then the responsibility of the Federal Government (BE CITES MA, *pers. comm.*, 2020). According to the Belgian CITES authorities, the involvement of different authorities with varying responsibilities adds a significant level of complexity when trying to manage the disposal of tiger parts and derivatives (BE CITES MA, *pers. comm.*, 2020).



4.2 CZECH REPUBLIC

Keeping of live tigers

In the Czech Republic, **the keeping of live dangerous animals, including tigers, is permitted,** provided the keeper seeks approval from the relevant authorities and a set of requirements are met. These requirements are laid down in the several pieces of national legislation⁴⁶ which stipulates that all owners **must seek prior authorisation from the relevant authorities to keep and breed** any dangerous animal⁴⁷. An application must be made with specific details on the species and the number of specimens the owner wishes to obtain or breed. These authorisations, as issued and enforced by the Regional Veterinary Administration of the State Veterinary Administration, last for a period of three years. For a zoo to become licensed in the Czech Republic, the facility is required to be licensed by the Ministry of the Environment (Czech Republic CITES MA), however membership to a professional association is not obligatory.

The requirements for keeping any CITES listed specimen, including tigers, are as follows⁴⁸:

- the owner must be able to prove legal origin of the CITES specimen (applicable for live or deceased specimens as well as their parts and derivatives);
- the purchase, sale, donation, exchange or transfer of possession, loan and/or renting of a specimen is only possible with a written document from the original owner;
- any live specimen included in Annex A⁴⁹ must be registered with the Regional Administration Authorities.
- all specimens registered with the Regional Administration Authorities must be marked with permanent and unique identification; and

- breeding records for live specimens of species from Annex A or B must be kept by the owner.

The registration documents required to keep tigers in the Czech Republic are approved and issued by the Regional Administration Authorities and enforced by the Czech Environmental Inspectorate (CEI), while the management of CITES permits or certificates is under the remit and enforcement of the CEI and the Czech Customs. All registration documents are connected to the central CITES register operated by the Ministry of the Environment of the Czech Republic. **All authorities have access to this CITES central register** which contains information on species, registrations, issuing authority, number of individuals, origin of the animal, intra-EU trade certificate information, changes in ownership and any special conditions, and information on deceased specimens.

The breeding of tigers in non-licensed facilities is permitted yet there are no measures in place to monitor and regulate captive breeding by these facilities. According to CEI (CEI, *pers. comm.*, 2020) **annual inspections are carried out** on these facilities by the Regional Veterinary Administration of the State Veterinary Administration and the CEI as required. When authorities find evidence of illegal activity involving captive tigers, fines are imposed and/or criminal proceedings are instigated. However, the CEI identified several enforcement challenges when trying to ensure that live tigers and/or tiger parts and derivatives do not enter illegal trade. These included low priority of wildlife crime, lack of cooperation between authorities regarding the movement of tiger across borders, within the EU or with third countries, and inability to check carcasses and their disposal to ensure legality.

⁴⁶ Decree No. 411/2008 Coll., Act No 100/2004 Coll, and Decree No 210/2010 Coll

⁴⁷ According to Decree No. 411/2008 Coll.

⁴⁸ Under Act No 100/2004 Coll (protection of wild animal and wild plant species by regulating trade in them and other measures for the protection of these species and amendments to some laws (Act on Trade in Endangered Species) as amended and Decree No 210/2010 Coll on implementing certain provision of the Act on Trade in Endangered Species

⁴⁹ Exemption for species listed in Annex X of Commission Regulation (EC) No. 865/2006 and live specimens of some species from Annex B.

Amendments to the veterinary legislation⁵⁰ strengthening the conditions for keeping and breeding tigers, as well as other Big cat species, by private breeders was adopted by the Government of the Czech Republic in 2019 and is currently waiting for its adoption by the Parliament. The proposed new provisions include prohibitions on the breeding, keeping and import of tigers and other big cat species by private breeders.

Marking of tigers

All tigers kept in captivity by facilities or private persons must be permanently and uniquely marked with a microchip⁵¹. The microchips are applied by veterinarians and either checked by the CITES authorities or veterinarians. When a tiger is not marked in accordance the national legislation, the specimen is seized and a fine may be issued. According to the CEI, the enforcement challenges associated with ensuring the necessary marking requirements for captive live tigers are implemented centre around difficulties with effectively checking the microchip implanted in live tigers (CEI, *pers. comm.*, 2020). These issues were also highlighted by the Czech Republic in 2018. According to the authorities, microchip readers only have a range of approximately 15 cm and other materials may interfere with the transmission of the signal and during domestic inspections, it was only possible for authorities to read the microchips for 10 % of the animals (SC70, 2018a). Checking the identity of tigers according to identification photographs of stripes, as an alternative identification method, also posed practical challenges (SC70, 2018a).

Disposal of deceased tigers

According to the Czech authorities, **the disposal of tiger bodies is not properly legislated at national level** (CEI, *pers. comm.*, 2020).

According to the Veterinary Act, following the death of any animal, including tigers, the body should be transferred to a rendering plant. However, there are **no requirements for confirmation or documentation of this transfer**. According to the CEI, the rendering plant may confirm the weight of meat following disposal, however they often do not specify the species involved (CEI, *pers. comm.*, 2020). **The breeder of the animal does have a duty to report the death of a specimen within 30 days to the Regional Administration Authorities**. This report is then linked to the central CITES register which is operated by the Ministry of the Environment. No proof must be provided to the authorities on the cause of the death or disposal method. Based on the CEI's experience, the aspects most vulnerable to misuse during the process of disposing of tiger parts lies in the fact that rendering plants in the Czech Republic are private entities that can only be checked by veterinarian authorities (CEI, *pers. comm.*, 2020). The Czech authorities were able to provide information on the reported number of tigers that had died between 2013 and 2019: a total of 58 tiger deaths had been reported to the authorities during this time.

According to the CEI, the enforcement challenges associated with ensuring tiger parts and derivatives are legally disposed of centres around the difficulties to check dead carcasses and their disposal, as well as lack of cooperation between authorities and veterinarians (CEI, *pers. comm.*, 2020). Based on their experience, the aspects most vulnerable to misuse during the process of disposing of tiger parts lies in the fact that rendering plants in the Czech Republic are private entities that can only be checked by veterinarian authorities (CEI, *pers. comm.*, 2020). Guidance has however been issued to competent veterinarian authorities to ensure control of tiger carcasses and their disposal to avoid misuse of carcasses for further illegal trade in tiger parts and other products.

4.3 FRANCE

Keeping of live tigers

The keeping of live wild animals, including tigers, in France is permitted⁵², with facilities keeping these animals classified into two categories: “breeding operations” and “leisure breeding”. Facilities considered as “breeding operations”⁵³ are those that gain profit from keeping these animals, those that exceed a certain threshold in terms of number of animals held, keepers with species which are protected under domestic law, those listed in Annex A, those considered dangerous animals or difficult to maintain in captivity or which may be invasive in case of release in the wild. **All breeding operations keeping wild animals must obtain two different authorisations from the official administration**⁵⁴. These authorisations include one “certificate of proficiency”⁵⁵ and one “opening permit”⁵⁶. The “certificate of proficiency” is an official document issued by the prefecture which certifies that the keeper has all the technical skills necessary for the proper care of the animals. The “opening permit” proves the facility’s compliance with the minimum housing standards outlined in national legislation to ensure health and safety and is granted by the local authorities and administrations. This permit must be requested irrespective if the facility is not designed to be open to the public. **All facilities must be registered and known to the French Administration and maintain registers of their collections**. The accreditation for the keeping of tigers is authorised by the Departmental Directorate of Veterinary Services (DDPP) and it is the responsibility of the OFB to inspect facilities to ensure compliance with the regulations and conduct document checks. If a facility fails to register with the authorities, it is considered a criminal offence. The penalty for such an offence is up to three years imprisonment and a

EUR150 000 fine⁵⁷. If the offence was committed by an organised group⁵⁸, the penalty can be up to by seven years imprisonment and a fine of EUR750 000⁵⁹.

All other forms of keeping wild animals are considered “leisure breeding”, for which different legal provisions apply⁶⁰. These rules apply to amateur breeders who hold more common wild species in captivity, those that are relatively easy to maintain and when the number of animals held in a facility is limited. The distinction between breeding operation and leisure breeding in the keeping of tigers is important because there are some differences in the regulatory obligations associated. All facilities classified as “leisure breeding” must comply with a set of minimum requirements similar to those outlined for “breeding operations”, for example, have suitable accommodation and the necessary skills to care for the animals. All facilities irrespective of whether they are classified as “breeding operations” or “leisure breeding” keeping wild animals **must keep a record of all entries and exits**, which are available to authorities upon request.

Regardless of the type of facility, administrative monitoring and inspections are carried out to ensure compliance. According to the French enforcement authorities, **inspections are conducted when there are suspicions of illegality regarding the keeping and breeding of tigers** whereby authorities check relevant documentation, origin of the specimen, markings, and sometimes the DNA of a specimen is analysed. The OFB conduct administrative checks and inspections, and the Gendarmerie oversee criminal investigations. Various enforcement challenges were identified by the French enforcement authorities including limited intelligence gathering

⁵² Environmental Code, Article L413-1 to L413-5 and implementing regulations.

⁵³ As per Arrêté of 21 November 1997, this category includes operations keeping animals for which the capture is prohibited pursuant to Article L. 411-1 of the Environmental Code or belonging to species listed in Annex A of EU Regulation n° 338/97 of 9 December 1996

⁵⁴ As regulated under Article L413-2 and L413-3 of the Environmental Code

⁵⁵ Certificat de capacité

⁵⁶ Autorisation d’ouverture de l’établissement

⁵⁷ According to article L415-3 of the Environmental code

⁵⁸ “Organised group” is defined by Article 132-71 of the Criminal code

⁵⁹ As per article L415-6 of the Environmental code

⁶⁰ Arrêté of 8 October 2018 laying down general rules for the keeping of animals of non-domestic species.

⁵⁰ Act No. 246/1992 Coll.

⁵¹ Under Act No 100/2004 Coll and Decree No 210/2010

and weakness in the legal response. For example, criminal investigations are often dropped, and criminals are not convicted as the offence is not seen as a major issue in most courts. If the perpetrators were to be convicted, the sanctions imposed are often too low to act as a deterrent.

Marking of tigers

All wild animals kept in captivity, irrespective of whether they are classified as “breeding operations” or “leisure breeding” **must be individually and permanently marked**⁶¹ with an ISO 11784 microchip within one month of obtaining the animal or its birth. If the specimen was born in France, the microchip number starts with 250. **Records of unique identification must be registered in the database maintained by French Environment Ministry.** This database is available for law enforcement authorities upon request. Nevertheless, according to the enforcement authorities, there are several challenges when trying to ensure compliance with these marking requirements (OFB, *pers. comm.*, 2020). These include difficulties when checking the microchips in the tigers, and authorities are not always able to link the unique identification with documentation and specimens.

Disposal of deceased tigers

All breeders **must inform the relevant authorities of the death of a specimen and record the deceased specimen in the facilities official register**⁶². All parts and derivatives must also reference the unique identification of that specimen.

According to the French enforcement authorities, if the deceased specimen is sent to a taxidermist, the taxidermist must inform the MA of this transfer and keep the accompanying CITES permits and documentation. The microchip must also be kept in the body. **If the deceased specimen is sent to a rendering plant, then these companies should provide a receipt to the authorities following disposal.** According to the enforcement authorities, there are several challenges when the specimen is disposed of at a rendering plant (OFB, *pers. comm.*, 2020). **The receipts offered by these companies do not provide detailed information, and usually only include information on the weight or number of specimens received.** These receipts rarely report the species or the unique identification number. The authorities acknowledged that this lack of information casts doubts on the potential trade of those specimens and derivatives. According to the authorities, the only way to ensure legal origin of the specimen is for each tiger to carry a genetic passport, with information stored in a central database (OFB, *pers. comm.*, 2020). No information was available at the time of writing on the number of tiger deaths in France between 2013 and 2019.

4.4 GERMANY

Keeping of live tigers

The keeping of live dangerous animals, including tigers, in Germany is permitted but not regulated at the federal level. Each Federal State has its own regulation on the keeping of dangerous animals, however in general **owners must seek permission from the relevant authorities prior to obtaining an animal.** The registration of live tigers is legislated under the §7 Federal Ordinance on Species Conservation from 2005 and implemented across the 16 Federal States. This regulation states that any person, operation, or business keeping any specimen⁶³ must register their stock in writing to the competent authority of the Federal State immediately after acquiring the specimen. Exemptions to these rules may only be granted to zoos. Any additions to an owner's stock (including births) or disposal of any deceased specimens, as well as any marking/identification used, should be reported immediately in writing to the competent authorities. These notifications must detail information on numbers of specimen, species, age, sex, origin, recipients, locations, intended uses and marking/identification of the specimen concerned. There are also **several administrative rules in place to ensure compliance with the legislation**, including book keeping requirements, marking regulations, reporting requirements, that are in force to ensure that the CITES MA and the relevant veterinary services are informed of any live tigers kept in captivity.

According to the CITES authorities, the EU Zoos Directive (see section 5) has been implemented in Germany and, based on their knowledge, all tigers held in Germany appear to be captive bred and held by EAZA members (BfN, *pers. comm.*, 2020). The CITES authorities do not have oversight of the numbers of tigers held nationwide but the authorities believed that no tigers were held by private facilities across the country (this shows a discrepancy in comparison to the numbers of tigers held in captivity between 2018/19 in Germany as reported by Four Paws [2020], see Table 18 and section 7). The authorities noted how difficult it would be for a private facility to fulfil the

minimum requirements for accommodation of tigers as set out in the EU Zoos Directive (BfN, *pers. comm.*, 2020). In Germany, the competent local or regional authorities monitor the keeping of live tigers and carry out relevant inspections as necessary of non-licensed facilities. According to the authorities, private owners would not be able to fulfil the conditions for accommodation under the EU Zoos Directive or EAZA standards and policies; especially regarding safety conditions to protect humans. The authorities also noted that non-licensed facilities would likely be inspected when an application for a certificate or information the keeping of live tigers was received (BfN, *pers. comm.*, 2020). Some tigers are kept in rescue centres across Germany that are established for the keeping of confiscated big cats. These institutions and facilities are regularly checked by the relevant authorities of the Federal States. The only enforcement challenge identified in the past related to the housing conditions for the animal, which mainly related to circuses (BfN, *pers. comm.*, 2020).

Marking of tigers

The permanent marking and unique identification is an obligatory requirement for all tigers held in Germany⁶⁴. In general, the microchip transponder is the preferable marking method, with only two institutions responsible for the distribution of these microchips. All microchips must be registered at these institutions and the relevant CITES authorities will be informed regularly. The microchip is implanted by a veterinarian and checked by the CITES authorities or the veterinarians. According to the CITES authorities, the only enforcement challenges identified with the marking of tigers, is that in some cases there are difficulties in finding the transponder if the area where it is located is not clearly described (BfN, *pers. comm.*, 2020).

61 According to Article L413-6 and R413-23-1 of the Environmental Code and Arrêté of 8 October 2018.

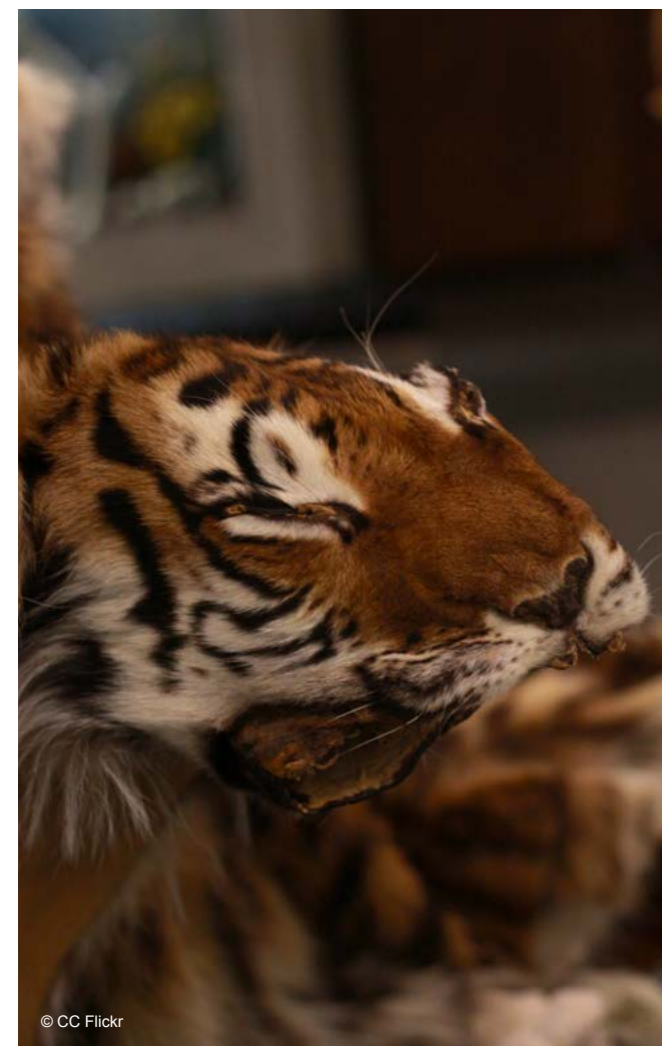
62 According to Arrêté of 8th October 2018

63 As listed in Paragraph 1 of §7 Federal Ordinance on Species Conservation from 2005

64 According to § 12 Federal Ordinance on the Species Conservation

Disposal of deceased tigers

According to German federal regulations on animal welfare and animal epidemic diseases, institutions keeping live tigers **are obliged to dispose of the remaining parts and carcasses of the dead animals in specific facilities.** These procedures are overseen and enforced by the veterinary services. According to the CITES authorities, Asian big cats, including tigers, that die in captivity are not preserved to obtain bones for commercial or private purposes in Germany (BfN, *pers. comm.*, 2020). Zoos often keep tiger parts and derivatives, such as skins and skulls for educational purposes. No specific information on the process of disposal of tiger parts and derivatives after death was available from the competent authorities, including the number of tiger deaths between 2013 and 2019. No specific enforcement challenges were identified by the authorities, however in some cases, zoos ask permission to hand over the skin of tiger to a staff member who had taken care of the animal. In these cases, the regional authority oversees issuing the respective documents (BfN, *pers. comm.*, 2020).



4.5 ITALY

Keeping of live tigers

In Italy, the keeping and breeding of live dangerous animals, including tigers, is generally prohibited⁶⁵, with exemptions only granted to national parks/protected areas and circuses/travelling exhibitions^{66;67}. However, all these facilities must seek authorisation before acquiring any animals. If these facilities do not obtain authorisation and are found to be holding such an animal, the infringement is punishable by up to six months imprisonment or a fine between EUR15 000 and EUR300 000 under criminal law.

The Italian CITES Scientific Authority (SA) grants authorisation to national parks and protected areas for the keeping of dangerous animals, while the district authorities grant authorisation to circuses/travelling exhibitions. These authorisations are only applicable for the species and number of specimens indicated in the original application. **If any changes are made to the owner's stock, these must be updated with the relevant authorities.** These laws are enforced by police authorities and the judiciary, which in the case of infringement results in the seizure and confiscation of the animal. Facilities that keep live animals in circuses/travelling exhibitions are **routinely inspected by local health/veterinarian authorities and by the Carabinieri (national police agency), to ensure compliance.**

A zoo is only granted a licence to keep live dangerous animals when requirements set out in the national legislation are met and maintained⁶⁸. The Ministry of Environment, Land and Sea Protection (Italian CITES MA) grants licences to the relevant facilities following controls and site inspections. Following the issuance of such a licence, the zoo becomes a licensed facility. These licensed zoos have no legal obligation to be a member of EAZA or a national association/federation.

65 As legislated under Law no. 150, Article 6 of 7 February 1992 and Legislative Decree no. 73 of 21 March 2005. Law no. 150 / 1992 Article 6 which forbids the keeping of live specimens of species that are dangerous to public health or safety.

66 As outlined in Paragraph 6, Article 6

67 The list of applicable species is outlined in Annex A of the Decree of the Minister of Environment 19 April 1996.

68 Legislative Decree no. 73/2005 implements the EU Zoos Directive (see section 5) in Italy and applies to zoological institutions.

Similar to those licences issued for national parks and circuses, they only cover the species and number of specimens indicated in the original application, which must be updated if any changes or new animals are acquired. **The CITES MA inspects licensed zoos at least once per year to ensure they maintain the necessary requirements.** If these requirements are not fulfilled, the facility must adopt a set of appropriate measures within a set time frame. If the facility has not met these requirements during this period, the zoo licence is suspended or revoked, and the facility is closed to the public. In case of the infringement of the criminal law that protects animals, the facility is also prosecuted by police authorities and the judiciary.

Marking of tigers

In accordance with EU law, obligatory permanent and unique identification of any live tigers in trade should be implemented using a microchip. **The national legislation on dangerous animals does not prescribe the marking of specimens.**



Disposal of deceased tigers

In Italy, the **bodies of dead tigers are disposed of according to national veterinary legislation.** Licensed zoos are required to notify the CITES MA of a deceased specimen with a specific letter and through an annual report. The CITES Carabinieri Unit and local health/veterinary authorities are also informed of the death, and the accompanying intra-EU trade certificate is returned to the Carabinieri, which is subsequently cancelled. Since the conditions of every tiger are described in an annual report, the Ministry has some knowledge of the conditions of tigers held nationwide and can request further information if required. However, at the time of writing, no information was available from the authorities on the number of tiger deaths in Italy between 2013 and 2019. Local health/veterinary authorities are also informed of the conditions and of the death of a tiger. **Circuses/travelling exhibitions are also expected to notify the local health / veterinary authorities of any deceased specimens.** Disposal of any deceased specimen is conducted by a specialised health company.

4.6 UK

Keeping of live tigers

In the UK, the keeping of tigers in private ownership is permitted, which is regulated under the Dangerous Wild Animals Act 1976 (DWAA)⁶⁹ and implemented by the local authorities. Any person keeping a dangerous wild animal must be licensed by their local authority. Before a local authority can issue a licence, they must arrange for a vet to inspect the premises who must be satisfied that the facility meets certain health and safety requirements, that the animal cannot escape and that its welfare will be provided for. Where these conditions are not being met, or where a person keeps a dangerous wild animal without a licence, the local authority has the power to seize the animal. DWAA licences must be renewed every two years and **an inspection must take place before a new licence can be granted**. All information on DWAA licences issued and the number of live tigers is held by individual local authorities and **there are no central records held by the UK CITES MA**.

There are no restrictions on the captive breeding of tigers; however, there are restrictions on the sale of captive bred tigers. In England⁷⁰ and Scotland⁷¹, the use of wild animals, including tigers, in travelling circuses is banned, and the responsibility and enforcement of these legislations falls to individual local authorities.

The Zoo Licensing Act 1981⁷² (ZLA) regulates zoos in Great Britain. According to this Act, anyone keeping wild animals and exhibiting them where they are kept, is a zoo. If the zoo is open to the public for seven days or more in a 12-month period, then a licence is required. **Prior to the issuance of a licence, a full inspection will be conducted and follow up inspections will occur periodically thereafter**. The Animal Plant and Health Agency (APHA) (an executive agency of Defra, the UK CITES MA) manage and assign Secretary of State (SoS)

Inspectors who are zoo experts (vets with wild animal experience and zoo managers). However, it is the local authorities who implement the legislation and arrange inspections for zoos within their jurisdiction. The SoS Inspectors may put forward recommendations and conditions to the zoo licence, and if these are not met it would be the decision of the local authority to issue a Direction Order. Compliance and enforcement are the responsibility of the local authority and therefore the decision to close a zoo or aquarium falls to them (BIAZA, 2018). **Zoos are required to maintain records of individual animals in their collection and to make these available to zoo inspectors upon request**⁷³. There is no requirement under the ZLA for a licensed zoo to be a member of EAZA or any national association, however approximately a third of licensed zoos in the UK are members of the British and Irish Association of Zoos and Aquariums (BIAZA). The responsibility of enforcement of this legislation falls to individual local authorities.

In the UK it is a criminal offence to use tigers that were born and bred in captivity for commercial purposes without a valid EU internal trade certificate (Article 10 certificate) which is issued by the UK CITES MA. In order to obtain an internal trade certificate, the specimen must be uniquely marked in accordance with the Regulations and the full description (including details of the mark, tags, microchip numbers, ring numbers etc..) of the item has to be included in the certificate.

Marking of tigers

There are no requirements under the DWAA or the ZLA to identify (either by microchip, tattoo, or other form of permanent identification) wild animals⁷⁴. Under the Regulations, scientific institutions such as zoos and botanical gardens can apply for a single certificate (Article 60 certificate) to use all specimens of species listed on Annex A in their collection (including tigers) for commercial purposes if they are involved in captive breeding, artificial propagation, or research with conservation benefits for the species concerned, or if they provide an educational programme aimed at the conservation of the species. These certificates are only valid within the EU and any sale of specimens can only take place to another institution holding an Article 60 certificate. As a condition of the certificate, the holder of the certificate is required to keep a record of all transactions between themselves and other Article 60 certificate holders and make this record available to the UK CITES MA or to the enforcement authorities. In addition to these, the minimum standards expected of scientific institutions holding an Article 60 certificate include proper and permanent recording of all accession and permanent marking of all live specimens with a uniquely identifying microchip, tag, tattoo, etc. The UK's Wildlife Inspectorate may carry out inspections to check information submitted as part of an application, and to check compliance with the terms of the certificate.

According to UK enforcement authorities, while there is merit to the marking of captive tigers with microchips, this would only partially assist in any future enforcement action (UKBF, *pers. comm*, 2020). For example, if a deceased tiger's parts and derivatives were used in the illegal trade, it would be near impossible to find a piece of the animal with the microchip. According to the authorities, a practical alternative would be to collect DNA samples of all live tiger specimens in captivity in addition to microchipping and collect and record this information

in a database. If enforcement authorities were to find any parts of derivatives of tiger suspected to have been in captivity in the UK, officers could DNA profile the specimen and match it back to the original tiger (similar to the *TigrisID* project implemented by the Czech Republic [CITES, 2019a; CITES, 2019b]). This would subsequently assist any investigations. The UK enforcement authorities noted that the development of such a database would be more suitable for all Asian big cats and would need multi-agency co-operation and a host organisation.

Disposal of deceased tigers

Zoos are required to maintain records of all individual animals in their collection and to make these available to zoo inspectors⁷⁵. Records need to include the date of death and the result of any post-mortem examination and laboratory investigations, the date of disposal from the collection, how it was disposed of and, where relevant, to whom. This means that any individual disposed of can be traced. Dead or euthanised zoo animals should be disposed of in accordance with Animal By-product Regulations 2011⁷⁶, usually by incineration. In addition to the individual records, an annual stock record of all animals must be kept, and a copy must be forwarded to the local authority. This stock take must include the number of deaths of each species, including culls. **There are no requirements under the DWAA for a private owner of a dangerous wild animal to report the animal's death, and no requirement under the DWAA that regulate the disposal of tiger parts after death**. No information was available at the time of writing on the number of tiger deaths in the UK between 2013 and 2019.

⁶⁹ The animals which are covered by the DWAA are defined in the Schedule to the Act

⁷⁰ Under the Wild Animals in Circuses Act 2019

⁷¹ Under the Wild Animals in Travelling Circuses (Scotland) Act 2018.

⁷² <https://www.legislation.gov.uk/ukpga/1981/37>

⁷³ Animals licensed under the ZLA are exempt from the provisions of the DWAA. The ZLA allows for certain exemptions from the provisions, but these would not be applicable where a dangerous species, such as tigers, kept in a zoo. The standards required by the ZLA are set out in the Secretary of State's Standards of Modern Zoo Practice (the Standards).

⁷⁴ The Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 required all wild animals used in circuses in England to be permanently identified but the Regulations have now been replaced by the Wild Animals in Circuses Act 2019 which prevents wild animals from being used in travelling circuses in England.

⁷⁵ As set out in the Secretary of State's Standards of Modern Zoo Practice

⁷⁶ <http://www.legislation.gov.uk/uksi/2011/881/made>

According to the UK enforcement agencies, enforcement challenges associated with the disposal of deceased tigers would be to determine which UK agency would be responsible for controlling the disposal and whether there was a need for new legislation to implement this. UKBF noted that record keeping, or databases are the only way to monitor the situation, which, if followed up with both random and targeted inspections may ensure further controls. However, it was noted that OCGs and the other criminals are mainly involved in this trade and would probably be trading in unrecorded specimens (UKBF, *pers. comm.*, 2020).

Under Regulations, the UK has in place stricter measures for tigers, which includes banning the import/export of dead tiger parts and derivatives. The sale of tiger parts and derivatives within the UK is also banned. The only exception is specimens that meet the “worked specimens” derogation (worked specimens, such as taxidermy and tiger-skin rugs, which can be shown to have been acquired before 1947), which can be traded.



4.7 ADDITIONAL INFORMATION

Based on the trade data analysis, there appear to be two EU Member States that pose as “high risk” which may warrant closer attention. Slovakia and Spain have been implicated in legal and illegal tiger trade, with Spain identified as one of the main EU countries involved in the trade. The domestic legislation in both these countries allows the keeping of tigers in circuses and/or private facilities (Table 14). As a result, a summary of available information on Spain’s domestic legislation and regulations regarding the keeping of tigers in captive facilities was gathered^{77:78}:

- In Spain, the keeping of tigers in private facilities is regulated by national and regional law in each autonomous region of the country, which are supplemented by municipal by-laws, and implemented by local/regional authorities (see footnote 77).
- The keeping of tigers in zoos is managed by the local authorities in each autonomous region. These authorities must keep records of those specimens held in such facilities and conduct inspections (see footnote 78).
- The development of a centralised database for the autonomous regions to input annual zoo collection data for Ministry of the Environment (the Spanish CITES MA) is currently underway.
- All tigers held in captive facilities in Spain must be registered with the CITES MA.
- Disposal of tiger parts and derivatives follows the same procedures as any other animal that falls under the Animal Health legislation. These parts and derivatives must be sent for incineration. Any parts or derivatives from deceased specimens that are intended for export to third countries must be accompanied by relevant CITES certificates in accordance with the Regulations.

Information on Slovakia’s domestic legislation and regulations regarding the keeping of tigers in captive facilities was unavailable at the time of writing.

77 Law 50/1999, of 23 December, on the legal regime for the keeping of potentially dangerous animals.

78 Law 31/2003 of 27 October 2003 on the conservation of wildlife in zoos.



5. THE ROLE OF ZOOS

Copyright Credit © Copyright owner / WWF
© CC Flickr

The EU Zoos Directive was adopted in 1999 and was required to be fully transposed into national law by April 2002. At the time, of the then 15 EU Member States, 10 (Austria, Denmark, Finland, Germany, Greece, Ireland, Italy, Portugal, Spain, UK) failed to meet the deadline (Born Free F., 2012). By 2004, the majority of the then 25 EU Member States had published new or amended zoo legislation, whilst new or amended legislation on zoo-related laws in Austria, Latvia and Italy were published in 2005 (Eurogroup for Animals, 2008). The Directive aims to strengthen the role of zoos in the conservation of biodiversity and calls on Member States to adopt measures for the licensing and inspection of zoos to ensure facilities respect certain conservation and protection measures, including appropriate accommodation of the animals (EC, 2020). Member States are responsible for applying the provisions of the Directive and ensuring their necessary enforcement. The European Commission has the responsibility to oversee and ensure the effective implementation of the Directive (EC, 2020). Between 2015 and 2018, the Commission carried out an evaluation of the EU Zoos Directive which concluded that it is fit for purpose (EC, 2018a). The evaluation reported that while good progress had been made by the EU Member States towards meeting the Directive's main and specific goals, improvements could still be made across the Union. During the evaluation, different stakeholder groups highlighted several obstacles to more effective and efficient implementation of the Directive including limited capacity of the licensing and inspection process (particularly in relation to specialist knowledge on zoo animals and conservation issues), resource constraints across Member States' competent authorities, and that the involvement of different authorities in licensing and inspection causes delays. The absence of an EU forum for Member States and stakeholders to exchange experience and share good practice was also identified as an obstacle to improved implementation (EC, 2018a).

Across the EU, zoological institutions can gain accreditation with national zoo associations or

EAZA, which lay out a set of strict guidelines and protocols on keeping and breeding of animals, including tigers, and the disposal of their parts to ensure compliance with national legislation and the Regulations. Formed in 1992, EAZA's mission is to facilitate cooperation within the European zoo and aquarium community towards the goals of education, research, and conservation (EAZA, 2020). At the time of writing, there were 429 EAZA members across Europe and Western Asia with 365 members holding animal collections. Across the EU, only Malta and Cyprus do not hold EAZA accredited facilities, with one zoo a candidate member in Lithuania (EAZA, *pers. comm.*, 2020). EAZA operate on a 10-year cyclical accreditation process for members. Before any zoo can become accredited with EAZA, a thorough examination of the veterinary, financial, and health and safety measures are conducted. If specific concerns or needs of improvement are identified following accreditation, there are follow up procedures during the interim period of the 10-year cycle to ensure these have been addressed, including written procedures and site visits. EAZA has a series of standards and guidelines for the EAZA Accreditation Programme for existing members (cyclic) and new applicants for membership (EAZA, *pers. comm.*, 2020). Keeping of tigers by EAZA Members is co-ordinated under the umbrella of the Felid Taxon Advisory Group (TAG) (EAZA, 2018).

There are a series of EAZA guidelines, policies, and protocols in place to ensure the keeping and breeding of tigers are strictly regulated in EAZA accredited zoos. The "EAZA Standards for the Accommodation and Care of Animals in Zoos and Aquaria"⁷⁹ and the "EAZA Population Management Manual"⁸⁰ (PMM) are the most relevant. The first, *inter alia*, requires all EAZA Members to be registered with Species360⁸¹ and maintain records in the Zoological Information Management System⁸² (ZIMS). Therefore, all tigers held by EAZA Members, including location of birth, sire, dam, offspring, transfers, and deaths are recorded and are transparent for other EAZA members and Species360. The PMM describes the framework, rules,



and procedures for EAZA's population management activities⁸³, and according to this, all individuals of the species held in accredited facilities must be part of the EEP without exceptions. The EEP stipulates that transfers of animals are purely for non-commercial purposes and all tigers participating in the EEP cannot be sold or leased. Transfers in and out of the institution, and (non-)breeding recommendations are subject to approval by the EEP. Furthermore, the EEP participant should cooperate in the species' management as if its population were common property of the entire group of participants.

According to section 4.2 of the PMM, the acquisition and disposition policies stipulate that all animals should come from a trustworthy source (ideally captive bred) and accompanied by all relevant legislative paperwork. All animals leaving the collection should go to appropriate facilities with professional standards and all transfers should conform to international standards and regulations. According to these guidelines, animals should first and foremost be placed with other EAZA EEP participating institutions, then to other regional/national organisations, followed by a non-EAZA institute if they are an EEP participant. Where the only alternative is permanent transfer to accommodation which cannot assure a proper level

of welfare for the animal, culling may be appropriate. Section 3.8 of the PMM also notes that the participant receiving an EEP animal following a transport from the sender, should inform the sender that the animal(s) have arrived in good condition. EAZA has also developed the EAZA Biobank, a traceability system collating DNA samples of the tigers held by EAZA members to combat illegal trade, population management, and for the purposes of conservation research. The aim is to have at least one sample of all individual animals held by EAZA members. Tigers have been one of the priority species and therefore EAZA are in co-operation with other initiatives, such as *TigrisID* (EAZA, *pers. comm.*, 2020).

The co-operation in the EAZA community is based on trust and professionalism. Most often, matters arising are addressed through open communication and discussion with the relevant persons/institutions involved. However, a complaints procedure is in place for repeated and severe breaches of EAZA rules and procedures and these are either handled by the Membership and Ethics Committee or the EEP Committee. These committees take guidance from the "Sanctions in the case of a violation of the EAZA Code of Ethics or EEP Procedures" in this process. When issues arise as part of an onsite screening, members

79 <https://www.eaza.net/assets/Uploads/Standards-and-policies/2019-04-EAZA-Standards-for-Accommodation-and-Care.pdf>

80 <https://www.eaza.net/assets/Uploads/Governing-documents/EAZA-Population-Management-Manual-Final.pdf>

81 Species360 is a non-profit NGO which organises a network of zoo, aquarium, university, research, and governmental members to improve animal welfare and species conservation. Species360 members curate ZIMS.

82 ZIMS is a software record-keeping system used to capture and organise information on animals and their environments for zoos, aquariums and related organizations to serve animal management and conservation goals.

83 This includes the Regional Collection Plans (RCPs), EAZA Ex situ Programmes (EEPs) and Institutional Collection Plans (ICPs).



are required to make adjustment in a specified time. In case of serious concerns, that cannot be addressed in timely fashion, the EAZA Council can decide to downgrade an institution's membership status or ultimately terminate membership. During the period 2013–2019, EAZA issued 13 warnings to 10 EAZA Members, which are announced in the monthly EAZA eNews letter. Of these 13 warnings, the majority were for breaches of the EEP rules and procedures. None of these warnings were related to illegal wildlife trade (EAZA, *pers. comm.*, 2020). EAZA also confirmed that no EAZA members have been found non-compliant with regards to the commercial use of tigers or tiger parts/derivatives and to the best of their knowledge no EAZA Members have been found to be involved in illegal wildlife trade (EAZA, *pers. comm.*, 2020).

Regarding the disposal of tiger parts and derivatives in EAZA accredited facilities, there are several legislative instruments, guidelines and policies that are followed by members, including Council Directive 92/65/EEC of 13th July 1992⁸⁴. According to these regulations, post-mortem examination (PME), under the authority

of an approved veterinarian, needs to be performed on every dead animal as part of the requirement to maintain approval of the institution. Within Regulation (EC) No 1069/2009⁸⁵, Article 8 states that all zoo animal carcasses are classified as Category one⁸⁶ material regardless of species, and are subject to strict controls on its storage and disposal. Article 12 also sets out a series of approved disposal methods for Category one materials. These rules are transposed to national laws in the individual Member States. EAZA Standards also describe the veterinary procedures that EAZA members are expected to follow when animals, including tigers, die. For example, establishing the cause of death which should be communicated to the EEP coordinator and/or studbook keeper. The PMM also makes it explicitly clear that the non-commercial status of EEPs also applies to whole carcasses and body parts, thus commercial use and sale of these products is against EAZA rules. Members might use parts for educational purposes in the zoo (skins, claws, tails, etc...), donate a carcass to a museum or send parts to universities or other credible institutions for research purposes.

84 Council Directive 92/65/EEC of 13th July 1992 sets out the animal health requirements governing trade in and imports into the EU of specimens not subject to animal health requirements

85 Regulation (EC) No 1069/2009 sets out the health rules regarding animal by-products and derived products that are not intended for human consumption.

86 <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:300:0001:0033:EN:PDF>

The rules and procedures on the keeping and breeding of tigers and disposal of their parts and derivatives required by BIAZA accredited zoos in the UK are similar to those implemented by EAZA members. There are several BIAZA policies in place for accredited members including the Animal Transfer Policy (ATP), Ethical Acquisition Policy (EAP) and Sanctions Policy to be used as necessary for members not adhering to requirements⁸⁷. Most BIAZA members utilise online databases, such as ZIMS, to maintain accurate records of the animals they care for. BIAZA's ATP places expectations of due diligence on members, for example, facilities must be able to document the precautions taken to ensure that a transfer involving specific animals/institutions will not contribute to the laundering of animals, the illegal sourcing of animals, poor welfare conditions, the unsustainable removal of animals from the wild (or without proper paperwork) or the support of ethically challenging industries (e.g. circuses). Regarding the disposal of deceased specimens, BIAZA's Disposal of Dead Specimens Policy states a PME should be performed and biological material preserved for research and gene conservation as required. The results of the post-mortem should also be passed to the relevant programme coordinator, and full records of any results and outcomes should be archived. Zoo animals fall under Category One of Animal By-products (ABP) in the UK which states that the only methods of disposal are by incineration or co-incineration at an approved plant⁸⁸.

As mentioned in section 4.6, the implementation of inspections in the UK is complex and involves several different competent authorities. According to BIAZA's position statement on licensing and inspection, the current assessment of continued professional development of inspectors and training of local authority inspectors are currently inadequate (BIAZA, 2018). There also appears to be some hesitancy in taking strong action against a zoos or aquariums that are not performing to standard (BIAZA, 2018). According to Born Free Foundation, the licensing system for the private keeping of tigers in the UK is administered by local authorities who often lack the expertise and resources to regularly check facilities

87 <https://biaza.org.uk/policies-guidelines/>

88 <https://www.gov.uk/guidance/animal-by-product-categories-site-approval-hygiene-and-disposal>

89 as required by Articles 4(3), 5 and 8 of the EU Zoos Directive

against licensing requirements, and the licensing requirements are focused on public safety rather than on ensuring good welfare or regulating trade (Born Free F., *pers. comm.*, 2020). Issues relating to licensing and inspection procedures and inconsistent application of penalties for non-compliance were also identified as a problem in the 2011 inquiry into the implementation of the EU Zoos Directive (Born Free F. 2012). The findings suggested that enforcement agencies and veterinarians involved in the inspection of zoos typically lack the necessary training and skills and are under-resourced, often failing to undertake the required regular inspections, to penalise non-compliance⁸⁹, and appear to permit unlicensed or non-compliant zoos to remain operational (Born Free F. 2012). For example, 10 of the 20 known zoos in Bulgaria were evaluated against the requirements of the EU Zoos Directive. It was found that not all zoos had been inspected by the relevant authorities to ensure they meet the legal requirements and penalties had not been accurately imposed. In Poland, the findings raised concerns over the quality, regularity and procedure of zoo inspections, and it was found that zoo operators failed to meet the legal requirements, and unlicensed and substandard zoos remained operational. Penalties for non-compliance also did not appear to be applied (Born Free F. 2012). According to the European Commission's evaluation of the EU Zoos Directive, a 2016 Born Free Foundation survey identifying training needs of the Member States reconfirmed these concerns concluding that authorities lack sufficient knowledge and expertise to properly implement the Directive's requirements (EC, 2018a).



6. LEGAL AND ILLEGAL TIGER TRADE IN THE EU

In recent years, there has been growing evidence that tigers bred in captive facilities in the EU are entering illegal trade, in particular for the purpose of illegal export to Asia (Four Paws, 2018; Four Paws, 2020; Interpol, 2019; SC70, 2018a). The role of diaspora in the EU from the key consumer countries in Asia, such as China and Viet Nam, may intensify the issues. For example, according to the latest estimates, there are approximately 60 000–80 000 Vietnamese in the Czech Republic, and 40 000–50 000 in Poland and nearly 400 000 Chinese in the UK⁹⁰. Such evidence has been reported across several Member States, including the Czech Republic, Germany, Italy, Lithuania and Poland, involving a network of private breeders, middlemen, and traders, alleged involvement of some zoos, manipulation of permits and certificates, illegal transport of tigers across the EU and a lack of reporting of deceased specimens (Four Paws, 2018; Four Paws, 2020; SC70, 2018a). As part of this study, the details of such evidence were examined further to identify the extent of these issues and were supplemented with information from relevant NGOs with experience on the subject matter, as gathered through interviews.

In 2018, at the 70th meeting of the CITES Standing Committee, the Czech Republic reported to the international community on their domestic investigations into facilities breeding tigers in captivity for the illicit tiger trade (SC70, 2018a). In 2013, the CEI saw an increase in seizures on export involving tiger parts and derivatives, all of which were associated with activities of the Vietnamese community in the Czech Republic (SC70, 2018a). For example, in January 2013, Customs officers seized a bag containing 7.6 kg of tiger bones from a Vietnamese citizen in a van on a roadside who claimed to have received the bones from a breeding facility in Slovakia. In June 2013, two tiger skeletons weighing 12.04 kg were discovered in loudspeakers in a cargo consignment to be exported from Prague to Hanoi. The consigner was an individual with a falsified name and the authorities were unable to trace the suspect. However, during further investigations, the same consigner was found to have sent several cargo shipments declared as personal belongings, household items and clothing from the Czech Republic to Viet Nam

each with different identification documents. In July 2014, an internal operation uncovered numerous tiger parts as well as bottles of liquid and bags of powder containing biological material from tigers. Three Vietnamese nationals were arrested and prosecuted for the illegal trade in protected species; two offenders were sentenced to five years, one offender for three years unconditional imprisonment (SC70, 2018a). Operation Tiger Eye took place at Václav Havel Airport in Prague between January and March 2016 targeting passengers travelling from Prague to Viet Nam which identified, *inter alia*, the export of different types of broths, liquids and matters in non-original packaging. Results from DNA analyses confirmed that some of the products contained tiger DNA. Throughout 2016, Czech authorities continued to seize liquids and bouillon cubes containing tiger DNA from Vietnamese nationals travelling from the Czech Republic. During these investigations, authorities became aware that those involved in the smuggling of these products were quick to adapt their *modus operandi*, changing the transport packaging and securing suitcases aiming to prevent detection (SC70, 2018a).

The Czech authorities launched domestic investigations into tigers held in captivity to understand the source of the parts and derivatives, focusing on inspecting specimens and the accompanying documentation to verify the circumstances of deaths and exports, as well as sampling DNA for analysis. Authorities found large discrepancies in accompanying documentation, transfer records and several unreported deaths. For example, one tiger was reported as deceased and transferred to taxidermist, yet another document stated the same specimen was alive and sold to Italy. Authorities also found that documentation for certain animals was interchangeable while in other cases, the tigers disappeared completely. High mortality rates of specimens aged between 4-5 years in private breeding facilities were also deemed suspicious by authorities in comparison to the normal life span of 20 years for a tiger in the wild or in a zoo. According to CEI, the alleged death of so many young tigers was suspicious, particularly as the cause of death was regularly recorded as resulting from kidney problems (CEI, *pers. comm.*, 2020). The authorities also noted



that one vet is still operating and possibly involved in some of the tiger death confirmations (CEI, *pers. comm.*, 2020). The investigations found that OCGs were involved in the killing of tigers as well as the production and distribution of tiger products. Three organisation levels were uncovered: tiger breeders, middlemen/taxidermists who processed the parts and derivatives and, in some cases, produced the broths and powders, and Vietnamese traders involved in the distribution. In one case in 2018, authorities discovered that a private breeder had obtained confirmation from a vet that a deceased tiger had died of natural causes without the vet physically inspecting the carcass. Middlemen facilities were found with remains of several tigers including one newly killed young male tiger, sophisticated storage facilities, cookers, cookware as well as final products such as tiger wine and bouillon, and tiger broth tasting bars in local Vietnamese markets in Prague (SC70, 2018a).

Evidence gathered during the Czech Republic's investigations uncovered several regulatory, implementation and enforcement loopholes that facilitated the illegal trade in tiger parts and derivatives from captive specimens in private breeding facilities. In recent years, Four Paws have undertaken several comprehensive investigations into the commercial tiger trade throughout the EU (Four Paws, 2018; Four Paws, 2020). In 2018, Four Paws

obtained footage of an alleged meeting between a known wildlife trader and member of a circus family with potential Asian buyers expressing interest in purchasing tigers for commercial sale in China (Four Paws, 2018). The trader discussed the use of CITES permits and explains how to falsify the documents using different purpose codes. Following the Czech Republic's investigations, this same trader was amongst those arrested on suspicion of illegal tiger killing and trade. In this video footage the trader also disclosed that he started trading for the owner of a German safari park after this facility was banned from trading tigers. According to the German authorities, between 1997 and 2000 this same safari park had legally sold tigers to destinations in China (Four Paws, 2018). Some of these specimens were exported by a private distributor and ended up in a facility in China known for the processing of tigers for traditional medicine. Four Paws also obtained video footage of Vietnamese traders confirming the transport of tigers from the EU to Chinese buyers (Four Paws, 2018).

In 2019, Four Paws continued their investigations of links between captive tigers in the EU and the illegal trade (Four Paws, 2020). In July 2019, a wildlife trader in Lithuania with alleged connections to two zoos was approached by an undercover investigator in response to an advert offering tiger cubs for sale. The trader claimed it was easy to transport big cats

⁹⁰ <https://ec.europa.eu/migrant-integration/news/vietnamese-community-in-czech-republic-helps-fight-against-covid-19>; <https://www.economist.com/europe/2019/04/27/vietnamese-migrants-are-thriving-in-poland-and-the-czech-republic>; <https://www.ethnicity-facts-figures.service.gov.uk/summaries/chinese-ethnic-group>



within the EU, for example through Belgium, Spain, Poland, the Czech Republic and Latvia, and claimed to be in regular contact with an EAZA Temporary Member in the UK (Four Paws, 2020). The trader also explained how to manipulate registration and CITES permits by birth date of the specimen to circumvent trade restrictions. In 2019, 10 tigers were transported by a circus family from Italy, through Austria, the Czech Republic and Poland allegedly destined to a zoo in Dagestan in Russia (Four Paws, 2020). However, it was verified by an investigative journalist that no operational zoos existed in the area and that the consignee was a meat and alcohol import company registered in Dagestan. The Polish authorities seized the animals due to incorrect information or missing documents accompanying the shipment. Furthermore, the Italian Carabinieri in Palermo initiated proceedings against a circus manager for inappropriate keeping conditions and falsified papers regarding a tiger with a microchip corresponding to another animal which had died three years earlier. The man was charged with an administrative offence and fined EUR10 000 for failure to record the deaths of specimens (Four Paws, 2020).

Evidence of links between the legal and illegal tiger trade were also reported by some of the CITES authorities. According to the UK National Wildlife Crime Unit (NWCU), in 2010, there was a prosecution against a skull collector. It was identified that he was

licensed to collect and dispose of carcasses of dead zoo animals and that he had contracts with various zoos. He syphoned off some of the animals for his own use and traded others with fellow collectors. When the authorities searched the property, a tiger cub was found in his freezer, however the charge relating to this was dropped. When the licensing authority was contacted about the perpetrator, they did not see that being prosecuted for this abuse would prejudice his continuing as a licensed disposal agent (NWCU, *pers. comm.*, 2020). Furthermore, according to UK Border Force, there was a case involving an abattoir selling rhino horn and other animal parts from deceased zoo animals. The individual smuggling the rhino horn out of the country was arrested and prosecuted. As a result, the zoo community were discussing initiating audited assurance protocols involving the disposal of deceased specimens. UK Border Force noted that the aspect most vulnerable to misuse in the disposal of tiger parts in the EU is that it is largely unregulated, noting the experience of the Czech Republic. Further inspections are needed to ensure the owners still obtained the live animals and that the data from any certificates match records in associated databases. According to the French enforcement authorities, as the 'fashion' for wild animals in circuses reduces, there continues to be a surplus of tigers that are sold for entertainment and commercial purposes that may enter illegal trade⁹¹ (OFB, *pers. comm.*, 2020).

Other relevant non-governmental organisations with experience and information on the subject matter were contacted. According to EcoJust, during the early 2000s Dutch investigators were investigating rumours that some circuses and/or zoos were possibly selling tigers to intermediaries and that the whereabouts of those tigers following such transfers were unknown (P. Verheij, *pers. comm.*, 2020). In 2011, investigative journalists exposed cases of (possible) illegal trade in surplus animals (dead or alive) from captive sources such as zoos and circuses, both in the USA and in the EU (EcoJust, 2013; P. Verheij, *pers. comm.*, 2020). According to the Environmental Investigations Agency (EIA), the main issues relating to the commercial EU trade in live tigers and tiger parts and derivatives is the lack of action and investment to ensure compliance with CITES Decision 14.69 in the EU. Evidence shows domestic and international trade in parts and derivatives of captive bred tigers for commercial purposes, and the export of live captive bred tigers for commercial purposes, including to end destinations deemed high risk of specimens entering trade. In 2016, EIA and the Wildlife Protection Society of India (WPSI) highlighted the EU's non-compliance with Decision 14.69 to the attention of Dutch CITES Authorities when the Netherlands were holding the Presidency of the EU (EIA, *pers. comm.*, 2020). Commercial exports of live tigers and tiger parts/derivatives implicated the Netherlands, and the Dutch CITES MA subsequently confirmed by email that the exports had occurred, but no further permits would be issued. EIA noted that this non-compliance is particularly concerning given the EU's support in adoption of Decision 14.69 and the lack of national and EU risk assessment as to how keeping and trade in captive tigers for commercial purposes is a means of generating income for criminal networks (EIA, *pers. comm.*, 2020). The EU's continued re-exports of tigers to third countries in Asia also raises concerns as there continues to be insufficient monitoring, inspection, and auditing provisions in place in Viet Nam, Thailand, Lao PDR, and China, to satisfy EU Member States live tigers are being exported to acceptable destinations (Nowell and Pervushina, 2014).

The main concerns identified by stakeholders consulted for this report regarding the keeping of live tigers in the EU centre on three key issues: regulation, regular monitoring and inspections of facilities, and record keeping, which were in line with various

challenges identified by the CITES authorities of the six target countries. The lack of harmonisation between EU Member States on regulations pertaining to the keeping of tigers in different facilities is also a concern (Born Free F., *pers. comm.*, 2020; EIA, *pers. comm.*, 2020). There are also growing concerns that those regulations allowing the keeping of tigers for non-conservation purposes create risk and opportunity for illegal trade. According to EIA, there are risks that live captive bred tigers are exported to facilities that masquerade as zoos but are implicated in illegal trade (EIA, *pers. comm.*, 2020). For example, evidence suggests that in 2016 a Vietnamese facility that was authorised to import tigers was registered in the name of a woman whose husband was twice convicted of illegal trade in tigers (EIA, 2017). This facility had already purchased 15 live tigers from another facility in Viet Nam, which in turn had imported tigers from Africa. Anecdotal information also suggests that EU exports of tigers may end up in safari parks set up by a conglomerate organisation in Viet Nam (S. Ferguson, *pers. comm.*, 2020). These safari parks import rare wildlife from third countries with often questionable CITES permits and aim to become accredited captive facilities (S. Ferguson, *pers. comm.*, 2020). There are also reports that traders in Lao PDR have multiple supply chains, including sourcing tigers from the wild and those bred in captivity, imported from Thailand, Myanmar, and Malaysia (EIA, 2017).

In 2016, a TRAFFIC report also identified a sharp rise in the seizure of parts suspected to be from captive tigers, growing from 2% of the total in the early 2000s to 30% in 2012-2015, with most occurring in Lao PDR, Thailand and Viet Nam (Stoner *et al.*, 2016). The most recent analysis of tiger seizures between 2000 and 2018 reconfirmed these concerns stating there were reasonable suspicions that tiger commodities seized in mainland China and Viet Nam were sourced from other range countries and/or territories or originated from captive breeding facilities (Wong and Krishnasamy, 2019). While it is not known if EU captive bred tiger parts enter these trade chains, it is possible given the prolific role of Vietnamese traders in the Czech Republic.

91 For example: <https://www.telegraph.co.uk/news/2019/05/05/man-arrested-france-keeping-white-tiger-cub/>



7. NUMBERS OF LIVE TIGERS IN CAPTIVITY IN THE EU

© Dominika Formanova

A comprehensive overview of the total number of tigers held in captivity in the EU is currently not available. Due to growing concern regarding the involvement of captive tiger populations in illegal tiger trade, including those held in the EU, several studies have sought to find out how many tigers are currently held in captivity including in zoos, rescue centres, circuses/travelling exhibitions, and private ownership. In 2018, the CITES Secretariat commissioned through Decision 17.229 (a) (SC70, 2018c) a review of the number of facilities keeping Asian big cats in captivity. Data were collected from existing databases (e.g. Species360/ZIMS database), published literature, grey literature and contributions from national governments and CITES observer organisations. These results found that a total of 216 facilities across the EU Member States held a total of 659 tigers in 2018/2019 (Table 17). Nearly all facilities or tigers were recorded in ZIMS and/or held in the World Association of Zoos and Aquariums (WAZA) accredited facilities. It should be highlighted that these figures represent only the registered tigers in WAZA member institutions and other legitimate facilities that are members and using Species 360's ZIMS software. Data on the number of tigers kept in captive facilities in Germany outside of those recorded in ZIMS or held in WAZA member institutions were obtained from the national CITES authority in Germany.

In 2019, Four Paws launched an investigation into the number of live tigers held in zoos, rescue centres, circuses, and in private ownership in 2018/2019. National authorities across Europe were contacted under a Freedom of Information requests, with a total of 21 Member States responding with some level of information. Some of these Member States were able to provide specific data on the number of tigers held in the different facilities, while others were unable to provide specific numbers (Table 18). Based on the available information, a minimum of approximately 900 tigers were held in captivity in the EU in 2018/2019, with the vast majority held in zoos and private ownership. Six countries were able to provide numbers of tigers held in private ownership, with tigers held in the Czech Republic and Slovakia accounting for approximately 93 % of those held privately. Only four Member States were able to provide numbers of tigers held in circuses, totalling 63 individuals.

EU Member State	Number of facilities (ZIMS/WAZA)	Number of tigers (ZIMS/WAZA)
Austria	2 (2/2)	4 (4/4)
Belgium	4 (4/1)	7 (7/2)
Bulgaria	1 (1/0)	3 (3/0)
Croatia	1 (1/0)	1 (1/0)
Czech Republic	11 (11/8)	32 (32/22)
Cyprus	0	0
Denmark	6 (6/4)	17 (17/13)
Estonia	1 (1/1)	1 (1/1)
Finland	1 (1/1)	5 (5/5)
France	29 (29/6)	112 (112/36)
Germany	52 (26/18)	135 (70/44)
Greece	1 (1/0)	2 (2/0)
Hungary	8 (8/3)	33 (33/16)
Ireland	3 (3/1)	10 (10/3)
Italy	9 (9/4)	24 (24/9)
Latvia	1 (1/0)	1 (1/0)
Lithuania	1 (1/0)	2 (2/0)
Luxembourg	1 (1/0)	2 (2/0)
Malta	0	0
Netherlands	9 (9/3)	50 (50/10)
Poland	10 (10/7)	19 (19/14)
Portugal	3 (3/1)	17 (17/9)
Romania	4 (4/0)	17 (17/0)
Slovakia	2 (2/0)	3 (3/0)
Slovenia	1 (1/1)	2 (2/2)
Spain	10 (10/2)	29 (29/5)
Sweden	7 (7/4)	19 (19/13)
United Kingdom	38 (38/12)	112 (112/28)
Total	216	659

Table 17. Number of facilities in each EU country keeping tigers in captivity and the number of individuals kept in these facilities (2018/2019 data), as recorded in either ZIMS, and/or held in WAZA member institutions. Source: SC70 (2018d).

EU Member State	Number of tigers				Total [^]
	Zoos	Rescue centres	Circuses	Private	
Belgium	?	?	X	X	N/A
Bulgaria	15	0	X	X	15
Cyprus	8	0	X	X	8
Czech Republic	57	0	?*	123	180
Denmark	?	0	X	X	N/A
Estonia	?	0	X	0	N/A
Finland	2	0	X	X	2
Germany	89	4	44	2	139 (164)
Hungary	55	0	X	X	55 (57)
Ireland	?	?	X	?	N/A
Latvia	2	0	X	X	2
Lithuania	28	0	?	X	28
Malta	36	0	X	7	43
Netherlands	25	19	X	X	44
Poland	?	0	7	X	7
Portugal	22	0	12	X	34
Romania	62	0	X	X	62
Slovakia	17	0	X	102	119
Spain	?	?	?	?	N/A
Sweden	15	0	X	X	15
United Kingdom	114	0	0	9	123
Total	547	23	63	243	876

Note:

[^] Parenthesis indicates the total number of tigers held in captivity, as provided by the authorities in the FOI. These numbers did not match the total number given by the different premises holding tigers who responded to the FOI;

X indicates legislation prohibiting private keeping or use of wild animals in circuses;

? indicates unknown numbers;

* Numbers of tigers held privately in the Czech Republic includes those held in circuses (see table 15).

Table 18. Number of tigers in captivity held in the EU, based on information provided by those Member States who responded to the FOI (2018/2019). Source: Four Paws (2020)

As part of this study, information was requested from EAZA on the number of tigers held in EAZA accredited and non-EAZA EEP participant zoos. EAZA provided total numbers of facilities holding tigers and the number of individuals held for the EU Member States. EAZA also provided more detailed information for the six target countries, including the number of facilities holding tigers, name of the facilities, and the number of individuals per species (Table 19). A total of 188 EAZA accredited facilities and 2 non-EAZA EEP or temporary EAZA member⁹² participant facilities currently hold a total of 484 tigers of the following reported sub-species: Sumatran Tiger *Panthera tigris sondaica*, Amur Tiger *Panthera tigris altaica*, Malayan Tiger *Panthera tigris jacksoni*, Indochinese Tiger *Panthera tigris corbetti* and other tiger subspecies including colour mutations. EAZA accredited and non-EAZA EEP participant zoos in the six target countries accounted for 69% of the facilities holding tigers in the EU and the UK, and 64% of the number of tigers held. France, the UK, and Germany hold the largest number of tigers in EAZA accredited or non-EAZA EEP participants across the six countries (Table 21, Annex 3).

Subspecies	Number of facilities (EAZA members / non-EAZA EEP participants)	Number of tigers
<i>Panthera tigris sondaica</i>	52 (50/2)	124
<i>Panthera tigris altaica</i>	92 (92/0)	228
<i>Panthera tigris</i> *	40 (40/0)	119
<i>Panthera tigris jacksoni</i>	4 (4/0)	9
<i>Panthera tigris corbetti</i>	2 (2/0)	4
Total	190	484

Note: *Generic tigers excluding *P.t. sumatrae*, *P.t. altaica*, *P.t. jacksoni* and *P.t. corbetti*

Table 19. Total number of EAZA accredited and non-EAZA EEP participant facilities holding tigers in captivity in the EU and the UK and the number of individuals per reported subspecies as of January 2020. Source: EAZA database

⁹² Temporary (Associate) EAZA Membership is granted to zoos and aquariums that do not yet meet the standards required for Full/Associate Membership of EAZA. These institutions are judged as being capable of reaching Full/Associate Membership within a one- to two-year timeframe.

Additional information on the number of non-EAZA member zoos holding tigers was requested by the national zoo associations of the six target countries, with VdZ, BIAZA and Reserve d'Animaux Sauvages (BE EAZA Council member) able to offer some level of detail. VdZ confirmed that all tigers held in Germany are within EAZA members and that all EEP data for VdZ zoos keeping tigers were represented by the EAZA data. BIAZA confirmed that two non-EAZA member facilities were currently holding seven tigers: two *P. t. altaica* and five *P. tigris*, while the Belgian EAZA Council member confirmed that three non-EAZA member facilities in Belgium were currently holding 11 tigers: 10 *P. tigris* and one *P. t. tigris* (see Table 21).

As part of this study, the relevant CITES authorities of the six target countries were asked to provide data on the number of facilities currently holding tigers and the number of live individuals held nationwide. It is clear from the responses from the CITES authorities there is a clear lack of oversight of the numbers of tigers held nationwide. Only two countries, the Czech Republic and Italy were able to provide specific data on the number of facilities or circuses/travelling exhibitions holding tigers and the number of individuals held. Of the 170 tigers held in the Czech Republic, approximately 62% were held in non-licensed facilities e.g. by private persons or circuses, and in Italy, 52% were held in circuses/travelling exhibitions (Table 20). Drawing conclusions from the data provided by the CITES authorities, EAZA, the national zoo associations and Born Free Foundation is not easy as each respondent provided data from different databases (Table 20 and 21). However, it appears that approximately 13 tigers are held in accredited zoos in Belgium and two held in rescue centres, and in the UK, 91 tigers are held in accredited zoos nationwide and 8 tigers and 2 hybrids are held in private facilities in the UK (based on incomplete date for 2020) (Table 20 and 21). No specific data were available for Germany and France.

Target country	Information provided
Belgium	Of the three Animal Welfare Departments (Brussels, Flanders, Wallonia), only two were able to provide specific numbers of tigers kept in captivity in Belgium: In the Brussels region, no tigers were held in captivity; and In the Wallonia region, a total of three zoos and one rescue centre hold a total of 12 tigers: 10 in zoos and two tigers in one rescue centre acquired from a circus.
Czech Republic	The country holds 170 live tigers in captivity nationwide. A total of 25 non-licensed facilities currently hold a total of 105 live tigers.
France	No information provided
Germany	The German CITES MA were unable to provide the number of live tigers kept in captivity nationwide as these are held with local authorities. The authorities noted that several facilities, especially zoos and animal parks hold live tigers.
Italy	The total number of live tigers held nationwide is known to be 75 individuals. A total of 39 tigers are kept in non-licensed facilities e.g. circuses/travelling exhibitions.
United Kingdom	Information on DWAA licences issued is held by individual local authorities and there are no central records held by Defra. Information on zoos licensed under the ZLA is also held by individual local authorities and there are no central records held by Defra. Born Free Foundation provided information on the most recent complete data (2017) for the UK which shows a total of nine tigers kept privately in the UK under DWAA licences, across three premises. Incomplete data from 2020 show eight tigers and two tigers (lion/tiger hybrids) kept privately under DWAA licence, across two premises.

Table 20. Number of tigers held in captivity in the six target countries, as provided by the relevant authorities and other stakeholders.



Target country	No. of tigers held nationwide – 2020 data from CITES authorities	ZIMS/WAZA – 2018/2019 data		EAZA accredited zoos – 2020 data		National accredited zoos (non-EAZA members) – 2020 data		Rescue centres 2020 data (2018–2019 data)		Circuses 2020 data (2018–2019)		Private facilities 2020 (2018–2019)	
		Total no. of facilities (ZIMS/WAZA ¹)	Total no. of tigers (ZIMS/WAZA ¹)	No. of facilities	No. of tigers	No. of facilities	No. of tigers	No. of facilities	No. of tigers	No. of facilities	No. of tigers	No. of facilities	No. of tigers
Belgium	Unknown	4 (4/1)	7 (7/2)	3	13*	3	11	1 (Unknown)	2 (Unknown)	X	X	X	X
Czech Republic	170	11 (11/8)	32 (32/22)	10	25	N/A	N/A	N/A (5)+	N/A (0)	N/A (13)	N/A~ (Unknown)	25 (30)	105~ (123)
France	N/A	29 (29/6)	112 (112/36)	26	87	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Germany [^]	Unknown	52 (26/18)	135 (70/44)	28	76	0	0	N/A (1)	N/A (4)	N/A (15)	N/A (44)	N/A (2)	N/A (2)
Italy	75	9 (9/4)	24 (24/9)	9	27	N/A	N/A	N/A	N/A	N/A	39	X	X
UK	Unknown	38 (38/12)	112 (112/28)	33**	82	2	7	N/A (0)	N/A (0)	X	X (0)	2 (4)	8^^ (9)

Note:

¹ Those numbers in parentheses represent those facilities and/or number of tigers either recorded in ZIMS or held by WAZA institutions. Note, there is some overlap in these numbers;

N/A no data provided or no response.

X Indicates legislation prohibiting private keeping or use of wild animals in circuses;

+ Upon consultation with CEI, the 5 rescue centres in the Czech Republic should be included in the number of zoos licensed to keep tigers. According to CEI, there are no private/NGO rescue centres in the Czech Republic, only rescue facilities as part of licensed zoos (CEI, pers. comm., 2020);

* According to Reserve d'Animaux Sauvages (BE), there are 14 tigers held in three EAZA accredited member zoos in Belgium. According to the Animal Welfare Departments there are three zoos hold a total of 10 tigers in Wallonia;

** According to BIAZA, there is one temporary EAZA member holding two tigers.

[^] Data on the number of tigers kept in captive facilities outside of those recorded in ZIMS or held in accredited WAZA zoos were obtained from the national CITES authority in Germany (SC70, 2018d).

^{^^} According to Born Free Foundation, incomplete data from 2020 show an additional 2 ligers (lion/tiger hybrids) held in private facilities;

~ Number of tigers held privately in the Czech Republic includes those held in circuses.



Table 21. Summary table of the number of facilities holding tigers and the numbers of tigers held in captivity. The 2020 data are based on information collected as part of this study from the CITES authorities, the Belgian Animal Welfare Departments, EAZA, national zoo associations and Born Free Foundation. The 2018/2019 data are those data collected as part of other studies including Four Paws (2020) and SC70 (2018d).



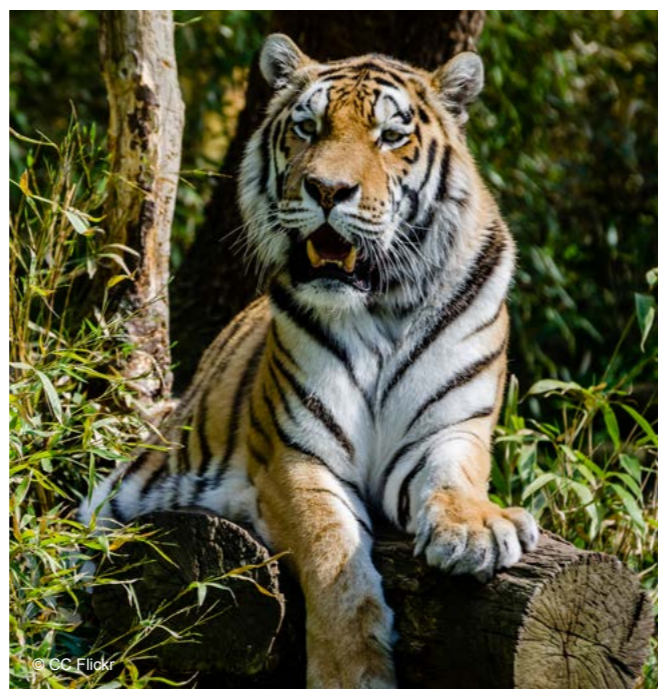
8. DISCUSSION

Since 1975, CITES has laid down a set of provisions to protect tigers from unsustainable and commercial trade which threatens their survival. Tigers are listed in Appendix I prohibiting commercial trade with only a few exemptions, such as for research and breeding purposes. CITES Decision 14.69 directs Parties with intensive operations breeding tigers on a commercial scale to restrict the captive population to a level supportive only to conserving wild tigers, and states that tigers should not be bred for trade in their parts and derivatives. Furthermore, CITES Resolution Conf. 12.5 (Rev. CoP18) urges Parties with facilities keeping tigers to ensure adequate management practices and controls are in place and strictly implemented, and to prevent parts and derivatives from entering illegal trade from or through such facilities. While CITES Decisions and Resolutions are not legally binding, their implementation is the responsibility of the individual Parties and the Convention can only be effective if signatories enact appropriate national legislation and policies to enforce these provisions (Williamson, and Henry, 2008).

In the EU, tigers are afforded a similar level of protection through the Regulations as through CITES, with tigers listed on Annex A generally prohibiting commercial trade; however the commercial use and intra-EU trade of captive-born and bred specimens is still permitted under various conditions. CITES trade data show that the EU continues to commercially (re-) export captive born and bred tigers and their parts and derivatives to third countries. This is particularly concerning as parts and derivatives from captive bred tigers entering trade risks stimulating the supply chain for consumer markets and reinforcing demand from end users (CITES, 2019c; Williamson and Henry, 2008). Insights gained from the Czech Republic's investigations provide strong evidence of how OCGs have manipulated weaknesses in the national legislation and enforcement of the regulations (SC70, 2018a), and there is a strong possibility based on the findings in this study that similar issues may be relevant to countries across the EU. Trade and keeping of tigers and disposal of their parts and derivatives in the EU countries is governed by different pieces of national legislation, and the management and implementation of these rules are typically under the jurisdiction of the regional or local authorities. The different authorities involved have varying competencies, and collaboration and communication

between these agencies appears limited. Williamson and Henry (2008) identified similar issues in the USA, whereby federal and state level laws focus on different aspects of trade, keeping and captive breeding of tigers and disposal of their parts and derivatives, with minimal collaboration between them. Their findings also highlighted that due to the US regulatory system, there was no discernible way to determine exactly how many tigers were held in captivity in the USA (Williamson and Henry, 2008). The authors noted that these regulatory gaps at both the federal and state level created loopholes that undercut US efforts to combat illegal tiger trade.

The present study has identified several loopholes in national legislation across the six target countries that mirror those revealed through the Czech Republic's investigations and it is unclear how proactively the EU is addressing these risks. These loopholes range from private persons afforded the right to keep tigers in private facilities with limited monitoring and inspections conducted and few checks on compliance with return of CITES documents for deceased specimens. There is also a clear lack of collaboration between agencies involved in the disposal of deceased specimens and limited oversight of the numbers of tigers held in captivity. These weaknesses leave EU countries exposed to potential illegality associated with captive tiger populations and illicit tiger trade that need to be addressed at the national and EU levels.



EU involvement in the trade in tigers

The analysis of CITES trade data for the period 2013–2017 confirmed the EU's continuing involvement in the legal tiger trade, both in live tigers and tiger parts and derivatives. During this five-year period, the commodity type imported into and (re-)exported out of the EU in the largest quantities was live tigers, with Thailand and Viet Nam the largest importers of the EU's (re-)exports. Approximately 93% of the EU's direct exports involved live tigers (103 specimens), based on exporter data, with 22 specimens reportedly exported for commercial trade. Live tigers were also reportedly exported for reasons including zoological and circuses/travelling exhibitions. Direct exports of tiger skins and bodies from captive-bred and captive-born sources for commercial purposes were also reported by EU Member States to third countries/territories including mainland China, Singapore, Russia, Turkey, and Taiwan. In terms of re-exports, live tigers accounted for 51% (84 specimens) out of all EU re-exports (total 165) between 2013 and 2017, with Viet Nam the largest importer.

Several EU countries were involved in commercial (re-)exports of live tigers and tiger parts and derivatives to third countries/territories including, mainland China, Thailand, Viet Nam, Taiwan, Iran, and Turkey. Upon consultation with some of the target countries, Belgium and Germany confirmed that these exports reported to the CITES Trade Database were mostly accurate. For example, the German CITES MA granted permits for the export of seven live captive-bred tigers to Thailand, Iran, and Ukraine for commercial purposes as these animals were legally bred in captivity from breeding stocks that were acquired legally several years earlier. The German authorities also confirmed that exports of captive bred tiger bodies for commercial purposes to mainland China, Turkey, and Russia were granted for stuffed tigers and their skins. All applicants were able to prove that the animals in question were legally bred in captivity, and therefore according to the authorities there were no options to reject these applications. The same explanation was provided by the Belgian CITES MA; all permits were issued in accordance with the Regulations whereby all tigers were bred in captivity (source "C") and were acquired with valid intra EU

certificates therefore there were no reasons to reject the applications. The authorities confirmed that in some cases, countries of destination were contacted to make sure that legal procedures were followed or that the zoo existed, and there were no indications to refuse these applications. In other cases, particularly for the re-export of live tigers to Viet Nam and Moldova and the re-export of tiger parts and derivatives, additional checks were conducted to ensure legitimacy. Furthermore, according to the Belgian CITES MA, prior to issuance of re-export certificates for four captive-bred tiger bodies to mainland China, all cases were checked by the authorities to ensure the bodies did not contain any bones. It was confirmed these stuffed bodies were acquired with the valid intra-EU trade certificates and re-exported by a taxidermist to mainland China and consisted of stuffed animals. According to Article 5(2)(d) of Council Regulation (EC) No 338/97, an export permit for specimens of Annex A listed species may only be issued when the MA of the Member State, following consultation with the competent SA, is satisfied that "there are no other factors relating to the conservation of the species which militate against issuance of the export permit". The MAs could therefore use this provision in the Regulations for the rejection of an application for the commercial re-export of captive-bred live tigers or their parts and derivatives from the EU.

The same, precautionary approach has been taken in the EU for some other Annex A listed species, such as elephants and rhinos. Due to concerns relating to the conservation of these species the European Commission and the Member States agreed on Commission Guidance Documents in recent years agreeing stricter interpretation of the Regulations for the re-export, import and intra-EU trade of rhinoceros horns⁹³ (2016) and the re-export and intra-EU trade of elephant ivory⁹⁴ (2017). These Guidance Documents came about due to increasing concerns that EU exports were contributing to demand for these products in consumer countries in Asia. The rhino guidance document stressed that there continues to be a strong presumption that rhino horns re-exported from the EU (including antiques or worked specimens)

93 [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0116\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0116(01)&from=EN)

94 https://ec.europa.eu/environment/cites/pdf/guidance_ivory.pdf

may fuel the demand for rhino horns, predominantly for medicinal use in Asia. Likewise, with the increasing demand for ivory from Asia, one of the most important drivers for the current high levels of elephant poaching and ivory trafficking, the ivory guidance document aimed to ensure that ivory of illegal origin would not be traded within or from the EU and that legal trade in ivory would not be used as a cover for illegal ivory. Given the findings outlined in this report, there is a considerable risk that live tigers and their parts and derivatives from captive bred tigers are entering trade, stimulating the supply chain for consumer markets and reinforcing demand from end users. Therefore, the stricter interpretation of the Regulations for commercial trade with third countries and commercial internal EU trade in live tigers and tiger parts and derivatives is warranted.

CITES Decision 14.69 directs Parties with intensive operations breeding tigers on a commercial scale to restrict the captive population to a level supportive only to conserving wild tigers. It also states that tigers should not be bred for trade in their parts and derivatives. CITES Res. Conf. 12.5 (Rev. CoP18) urges Parties with facilities keeping tigers ensure adequate management practices and controls are in place and strictly implemented. This applies to all types of facilities and is not restricted to those with intensive breeding operations on a commercial scale, as referred to in Decision 14.69. The Resolution also urges Parties to prevent parts and derivatives from entering illegal trade from or through such facilities. CITES Parties are not legally obliged to implement Resolutions or Decisions, instead Parties are encouraged to do so to demonstrate their commitment to international collaboration in the effective implementation of the Convention. The EU has long been a strong advocate for CITES, focusing on strong implementation of the Convention across the Union, and advocating for strict rules and application of CITES provisions across the Parties, as well as engaging in regional or multilateral initiatives to curb wildlife trafficking. It should be established why the EU are commercially (re-)exporting captive-bred tiger parts and derivatives when Decision 14.69 urges Parties to prohibit such trade. It should also be established at the EU level whether these specimens would be considered as deriving from intensive breeding operations on a

commercial scale, particularly in light of the significant conservation concerns for the species and the risk of stimulating demand for tiger products in consumer countries. This is particularly relevant for Spain and Slovakia as there appear to be significant numbers of tigers held in private facilities in captivity, and their involvement in the legal and illegal trade is evident through the trade data analysis.

As a result of the Czech Republic's investigations and as a precautionary measure, the Czech Republic suspended the issuance of CITES permits for (re-) export of live captive bred tigers from the Czech Republic to third countries (outside of the EU) for commercial purposes, which came into force on 29th July 2018 (SC70, 2018b). Only the export of tigers from the Czech Republic for breeding in zoos in third countries is now permitted. The Czech Republic also strengthened the conditions for issuing intra-EU trade certificates allowing trade in captive bred tigers within the EU, issuing only transaction specific certificates and only for purposes of breeding, research and education in zoos (SC70, 2018b). Additionally, amendments to the veterinary legislation⁹⁵ strengthening the conditions for keeping and breeding tigers, as well as other big cat species, by private breeders was adopted by the Government of the Czech Republic in 2019 and is currently waiting for its adoption by the Parliament. The proposed new provisions include prohibitions on the breeding, keeping and import of tigers and other big cat species by private breeders. The UK also has in place stricter measures for tigers, including the ban of import/export of dead tiger parts and derivatives, and the sale of tiger parts and derivatives within the UK is also banned. The only exception is specimens that meet the 'worked specimens' derogation (worked specimens, such as taxidermy and tiger-skin rugs, demonstrably acquired before 1947), which can be traded. With limitations in national legislation, for example the lack of oversight that authorities have on the disposal of tiger parts and derivatives, it is important that EU Member States, especially those that allow the keeping of tigers in private facilities, such as France, Germany, Slovakia, and Spain, investigate their role in the tiger trade and enact stricter domestic measures such as those in the Czech Republic and the UK. These efforts would be directly in line with Res. Conf. 12.5 (Rev.

CoP18) to ensure adequate management practices and controls are in place for tigers held in captivity.

An in-depth analysis of the legal trade data identified numerous discrepancies between importer and exporter data in the CITES Trade Database which may be attributed to several explanations. Upon consultation with the six target countries, it appears that their annual reports are based on actual trade based on permits used, rather than permits issued, which is good practice, but if trade partners base their reports on permits issued, discrepancies occur. Permits used are endorsed by Customs, confirming the import into the EU or into the third country has taken place. Some countries also noted several trade data discrepancies by third countries may be due to the movement of the same individuals by circuses which resulted in "double reporting". According to CITES permitting procedures, an import permit and a (re-)export permit must be issued for all trade in specimens of Appendix I listed species, with the issuance of an import permit always required as a first step. These permitting procedures likely explain some discrepancies with the reported data, particularly whereby third countries have reported higher quantities of imports of live tigers and their derivatives which EU Member States did not report. Applicants from third countries may start the process to apply to import tigers from the EU which may be unsuccessful. Nevertheless, some queries arise as to certain reported imports by third countries from the EU, or those not



© Dominika Formanova

reported at all by third countries. This is concerning given the alleged falsification of CITES permits as identified through investigations in the Czech Republic and through EIA and Four Paws' investigations. Questions may also be raised as to the legitimacy of some of the reported purpose codes, including for zoological and circus/travelling exhibition purposes, especially as there is evidence substantiated through EIA investigations of some facilities in Asia that masquerade as zoos but are implicated in illegal trade (EIA, *pers. comm.*, 2020). The Czech Republic's investigations found discrepancies in accompanying documentation, transfer records and several unreported deaths, with some specimens reported as deceased in one document yet alive in another.

Illegal trade data show the EU's involvement in the seizure of tiger commodities, with the most seizures reported by the UK, Austria, Germany, the Netherlands, and Spain (listed in order of importance based on number of seizures). Approximately 94 % of seizures involved medicinals containing tiger derivatives, with other commodities including claws, skins and live specimens also seized between 2013 and 2017. Limited information was provided on the direction of seizures, however those with such information indicate that most cases were on import into and internal trade within the EU. Upon consultation with the six target countries, low priority of wildlife crime was cited as an enforcement challenge and several authorities noted that sanctions imposed are too low to represent effective deterrents. In the 2018-2021 EU Policy Cycle for organised and serious international crime, environmental crime including trafficking of endangered species was for the first time recognised as a priority for the EU (Europol, 2020), which provides opportunities for targeted enforcement actions similar to those carried out in the Czech Republic. Action 21 of the 2016-2020 EU Action Plan Against Wildlife Trafficking also calls upon Member States to boost capacity of relevant experts to tackle the links of wildlife trafficking with organised crime (including cybercrime and related illicit financial flows). With growing evidence of the EU's involvement in illicit tiger trade, which is known to involve OCGs, it is crucial that Member States implement targeted and intelligence-led investigations, and law-enforcement operations to dismantle any criminal networks that may profit from the trafficking of tigers in/from the EU.

95 Act No. 246/1992 Coll.



Legislation on the keeping of tigers in the EU

According to the Regulations, the commercial use of live Annex A listed species is permitted for educational, research, and breeding purposes, as well as the holding or commercial use of captive born and bred specimens, in circuses and/or travelling exhibitions, and by private owners. Most countries only allow licensed zoos to hold tigers in captivity, however ten countries (Croatia, Estonia, Ireland, Italy, Lithuania, Luxembourg, Poland, Slovakia, Slovenia, and the UK) permit the keeping of tigers in either private facilities, or circuses and travelling exhibitions (Four Paws, 2020). Since 2016, Malta passed legislation prohibiting the private keeping of big cats, however owners with specimens obtained prior to 2016 are permitted to keep and breed them, and Italy and Lithuania have drafted legislation prohibiting the use of big cats in circuses (Four Paws, 2020). Four EU countries (Czech Republic, France, Germany, and Spain) allow the use of tigers in circuses and simultaneously permit private owners to obtain licences to keep tigers in private facilities (Four Paws, 2020).

All six target countries permit the keeping of tigers in zoos and all these facilities must be licensed with the relevant authorities prior to obtaining any animals, with accreditation only granted when a set of criteria are met by these institutions. Membership to a professional association is not an obligatory

requirement for a zoo in any of the six target countries but the marking of tigers in zoos is mandatory. Only two of the six target countries prohibit the use of tigers in circuses/travelling exhibitions (Belgium and the UK), however substantive information on the legislation pertaining to the keeping of tigers in circuses was only provided by Italy. Here, prior authorisation must be granted and any changes to the original application must be communicated to the authorities immediately. Four of the six target countries (the Czech Republic, France, Germany, and the UK) permit the keeping and captive breeding of tigers by private persons, however there are inconsistent practices as to the registration and marking requirements for those specimens, monitoring of captive breeding. Private owners must either apply for a licence or register themselves with the relevant authorities, and in some cases, the owners must meet and maintain a set of requirements which vary from proof of legal origin/acquisition, registration of “entries” and “exits” of specimens, to bookkeeping and permanent marking requirements. Inspections are typically carried out prior to the approval of registering a facility by the competent local or regional authorities, but further inspections are conducted irregularly. For example, the French enforcement authorities confirmed that inspections are only carried out on these facilities upon receiving information of illegality.

Legislation and procedures for the disposal of tiger parts and derivatives

Domestic legislation and protocols for registering deceased tigers and disposing of their parts and derivatives is inconsistent across the six target countries, with most unable to provide details of the number of tigers to have died between 2013–2019 or specific details of the processes involved. Based on the available information, these procedures are typically outlined in Veterinary or Animal By-product Regulations and the disposal of bodies is overseen by external specialised companies or rendering plants. Zoos are typically required to maintain records with details of the date of death and results of any post-mortem examinations, and in some cases the specimen must be examined by a qualified veterinarian. In cases where an intra-EU trade certificate has been issued for the individual, this must be returned to the relevant CITES authority where it is then cancelled. For tigers held in private facilities, the protocols for record keeping and reporting of tiger deaths are far more limited.

CITES Res. Conf. 12.5 (Rev. CoP18) urges Parties with facilities keeping tigers in captivity to ensure that adequate management practices and controls are in place and strictly implemented, including for the disposal of deceased specimens to prevent parts and derivatives from entering illegal trade from or through such facilities. Belgium, France, Italy, and the UK appear to have systems in place to trace deceased specimens up until the point of disposal by a specialised company, however several authorities are involved in the process and the details provided by the external specialised companies to the authorities following disposal are extremely limited. For example, in Belgium, the disposal of animal products is a regional competency overseen by a public waste agency with a specialised company responsible for disposing of the specimen. Most zoo animals are sent to scientific institutions, however there is little insight as to what happens with the remains following any transfers. In France, specimens are disposed of by a specialised company that provides a receipt. However, according to the authorities these receipts provide insufficient information and rarely provide any details on the species or the marking of the specimen. In consultation with the French enforcement authorities, it was acknowledged that the lack of information provided by these companies, particularly on the

species disposed of, raises questions as to the potential for trade in those specimens. While the German authorities confirmed that institutions keeping tigers are obliged to dispose of any deceased specimens through a specific company, these procedures are enforced by the veterinary services and it is unclear what measures are in place to ensure compliance.

In the Czech Republic, any facility holding tigers has a duty to report the death of a specimen and transfer the body to a rendering plant; however, the Czech authorities confirmed these procedures were not properly legislated or enforced. Once this transfer is complete, there is no requirement to confirm or document the disposal of the specimen and at best, the authorities may be informed of the weight of the product rendered, but with no specification of species. No proof is required by the authorities on the cause of the death or disposal method. According to the Czech CITES authorities, this aspect is the most vulnerable to misuse as rendering plants are private entities that can only be checked by veterinary authorities. The use of external companies in the disposal of deceased tigers is an appropriate option given the specialised facilities, equipment and skills required for such a process. Nevertheless, there appears to be a significant lack of oversight by regulating authorities, limited checks by enforcement officials and the reporting procedures required by those companies involved in the disposal of specimens are limited and, in some cases, not required at all. Similar issues were also identified in the USA, whereby the disposal of tigers was typically at the discretion of the owners in compliance with state or local ordinances, where they existed (Williamson and Henry, 2008).

Competent authorities involved in regulating the keeping of tigers in the EU

Based on the consultations with the six target countries, it is evident that several local and national authorities are involved in regulating the trade and keeping of tigers, and external facilities, such as zoos and specialised companies, are involved in providing key information on the status of tigers and the disposal of their parts. These structural elements add a significant level of complexity for Member States trying to ensure compliance with national legislation. National CITES MAs regulate trade in tigers within their country and the EU, and therefore gain some oversight of the movement and death of specimens. However, in these instances national authorities rely on local authorities or facilities to provide accurate and timely information regarding any changes to the registered specimens and it is unclear what follow up actions are implemented by which authorities to ensure facilities follow these procedures. For example, it is a legal requirement for all intra-EU trade certificates of deceased specimens to be returned to the CITES MA; however, according to the Belgian CITES MA it was acknowledged that in practice, checks to ensure compliance are challenging. Intra-EU trade certificates are typically specimen specific certificates which are valid for the first and all subsequent sales throughout the EU, therefore the authorities would have to contact every facility that applied for a certificate to check the status of the individual tiger.

Central registers with information on facilities holding tigers and traceability data such as offspring, date and reason for death, marking, exports, records of criminal or negligent conduct by businesses or individuals, and any relevant documentation do not exist in five of the six target countries. The only country in which this exists is the Czech Republic. While there are requirements for facilities and in some cases private owners to maintain registers of current collections, births, and deaths, that should be available to authorities upon request, there appear to be no systematic checks or centralised databases in place to ensure the information provided is accurate or up to date, and instead authorities may be relying on good faith. For certain facilities this is likely not a significant issue, particularly for licensed or accredited zoos that are held accountable to high standards. These facilities are most likely also involved in conservation-based programmes with policies and guidelines in place and

maintain accurate and up-to-date records through centralised databases. However, for tigers held in circuses and private facilities, the lack of traceability systems and monitoring by authorities to ensure reliable and accurate information is being passed on, raises questions as to how Member States ensure the regulatory frameworks are not being manipulated or misused. CITES Res. Conf. 12.5 (Rev. CoP18) urges all Parties that make seizures of tiger skins, when possible, to share images of the seized tiger skins with the tiger range States that have photographic identification databases for tigers, and the capacity to identify tigers from photographs of tiger skins, so as to identify the origin of illegal specimens. With tiger stripe patterns being as unique as fingerprints this can greatly aid law enforcement. The EU does not have such a database for its captive tigers, and the central register should contain this.

It is the role of the enforcement agencies, such as Customs, Inspectorates and Police at the local and national levels to ensure fulfilment of legal obligations and compliance with national laws and protocols. Enforcement agencies in all six target countries have the necessary mandate and powers to seize specimens upon inspection if facilities do not meet the necessary requirements by law and/or officers suspect illegality. However, it appears that regular monitoring and inspections of facilities, including those that privately hold tigers, are infrequent. Most authorities confirmed that inspections and checks were carried out on facilities prior to authorising the keeping of tigers but acknowledged that follow up routine inspections were infrequent. Numerous enforcement challenges were identified by the six target countries, which ranged from the low priority given to wildlife crime, lack of cross-border co-operation between authorities regarding the movement of tigers, and practical difficulties with effectively checking microchip transponder implants. Other enforcement challenges included the lack of protocols to check dead carcasses and oversight of their disposal to ensure legality. The lack of central registers was also identified as an issue, with the UK enforcement authorities noting that record keeping and/or databases are necessary to monitor the situation, which should then be followed up with both random and targeted inspections.



During consultation with the six target countries, only the Czech Republic and Italy were able to provide the total number of tigers held nationwide and by facility. All other authorities were unable to provide specific figures as such details are held with the local or regional authorities and no centralised databases are in operation. Based on the available data from the Czech Republic and Italy, more than 50 % of tigers held were kept in private facilities or circuses/travelling exhibitions in the Czech Republic and Italy; incomplete data indicate that at least two private facilities currently hold tigers in the UK. Based on the investigations conducted by Four Paws in 2019, 102 tigers were held in Slovakia with 12 different private facilities permitted to keep specimens, 44 tigers were held in circuses across Germany with 15 facilities permitted to keep big cats (Four Paws, 2020). A total of 12 tigers were held in circuses in Portugal, however authorities were unclear how many circuses were permitted to keep big cats. Slovakia reported commercial exports of live captive bred tigers to third countries and was also implicated in the seizure of 7 kg of tiger bones and a tiger skull discovered from a van in the Czech Republic. The suspect, who could not provide legal documentation claimed that the bones had been sourced from a breeding facility in Slovakia. The number of tigers known to be held in captivity in the EU is significant in comparison to those that remain in the wild, with incomplete data from 2018/2019 indicating a minimum of 850 tigers held in captivity across the EU (Four Paws, 2020). In 2008,

Williamson and Henry reported that surplus tigers in the USA and weaknesses in the federal and state level regulatory systems could be exploited, especially with some Asian countries using captive bred tigers to meet domestic demand. Such market stimulation would then likely lead to increased demand for tiger parts from all sources, including captive tigers in the USA and possibly from the wild (Williamson and Henry, 2008).

With continued and growing concerns over supply of captive bred tigers sustaining demand in Asia, (CITES, 2019c; EIA, 2017) the level of legal and illegal trade in EU captive tigers is concerning. Evidence substantiated by the Czech Republic's investigations confirms that tigers bred in captivity in the Czech Republic were for the purpose of illegal export to Asia. Investigations also found that captive bred tiger parts and derivatives were used to produce tiger wine and bouillon, and tiger broth that were sold in local Vietnamese markets in Prague (SC70, 2018a). In the report to the CITES Standing Committee, the Czech Authorities explained that it was only when domestic investigations were conducted that the true extent of the problem and loopholes in the legislation were realised (SC70 2018a). Based on the loopholes identified in the six target countries, that often mirror those that were manipulated in the Czech Republic, the keeping of tigers in captivity in the EU warrants much closer attention and monitoring to prevent misuse of regulatory frameworks and entry of specimens into illegal trade.



9. CONCLUDING REMARKS AND RECOMMENDATIONS

© National Geographic Stock/Michael Nichols/WWF

Certain aspects of EU and national legislation pertaining to the keeping and breeding of tigers, particularly by private owners, in captive facilities and the disposal of their parts do not adequately protect against illegal trade. The Czech Republic's 2018 investigations illustrate how the country's legal frameworks were abused by those involved in illicit tiger trade, and based on the findings of this report, there are similar possible loopholes in the other five target countries that have the potential for manipulation. Whilst not directly investigated in this study, it is also possible that similar loopholes also exist in other EU countries. While it appears that necessary steps are taken to ensure the registration and licensing of private owners prior to obtaining tigers, regular monitoring, inspections, checks on accompanying documentation and procedures to ensure legal disposal of deceased specimens are limited. There is also a clear lack of oversight as to the number of tigers held in different facilities across the EU, which hinders the Member States' abilities to ensure compliance with existing legislation.

Three EU Member States, France, Slovakia, and Spain also appear to pose a 'high risk' which may warrant closer attention. The French CITES authorities provided impartial information on domestic legislation and no data on the number of tigers held in captive facilities. Slovakia has been engaged in legal and illegal trade of tigers and according to 2018/2019 data holds similar numbers of tigers in private facilities to those in the Czech Republic. Furthermore, Spain has been identified as one of the main EU countries involved in the legal and illegal tiger trade, with domestic legislation that allows the keeping of tigers in circuses and private facilities. It is therefore advisable that organisations in these three countries follow up with the national CITES Management and Enforcement Authorities regarding the keeping and breeding of captive tigers to understand how many tigers are held nationwide and the measures in place to ensure compliance with national laws.

The EU is engaged in the trade in tigers and their parts and derivatives reported for commercial purposes. While marking provisions are in place for Annex A-listed species in the event of commercial trade, enforcement authorities have outlined several challenges that hinder their ability to ensure legal trade. Res. Conf. 12.5 (Rev. CoP18) urges Parties with facilities keeping tigers in captivity to ensure that adequate management practices and controls are in place and strictly implemented to prevent parts and derivatives from entering illegal trade from or through such facilities. Based on the findings of this report, the EU should take strong action to strengthen current measures and protocols in place.

As a first step, all Member States should conduct a full risk assessment of the keeping of tigers in different facilities across their country. Regional or national authorities need to gain oversight as to the number of tigers held in captivity which should be submitted on a regular basis to the CITES MA or relevant government agency. Regular and targeted monitoring by national enforcement authorities, in coordination with the CITES MA, as well as investigations, particularly into private facilities, should be implemented to ensure compliance with national legislation and regulations. Provisions should be set up for a centralised register, collection of stripe pattern images, and mandatory DNA profiling of all tigers held in captivity, in line with the *TigrisID* project for traceability purposes (CITES, 2019a; CITES, 2019b). Existing working models of record keeping systems, such as ZIMS, could be used as a model for developing the system for the EU and adapted as appropriate. Member States need to also improve collaboration and reporting between authorities involved in the disposal of tiger parts and derivatives as a priority, to ensure specimens do not enter illegal trade. Implementation of stronger measures to facilitate more effective enforcement are also required.

The following **priority recommendations** are proposed to the EU Member States and the European Commission. For the purposes of this study, when referring to the EU Member States/EU countries, this includes the UK, as the country was still an EU Member State during the period covered by this study. As a result, these recommendations are also directed towards the UK:

- The EU Member States and the European Commission should strongly **consider adopting stricter domestic measures regarding the keeping of tigers in captive facilities at the EU level (and in the UK)**. These should include implementing stringent checks and comprehensive registration and reporting requirements for all tigers held in captive facilities, especially those held in circuses/travelling exhibitions and by private owners. If such measures are not adequate enough to ensure legality, the EU (and the UK) should **ban the keeping of tigers in circuses/travelling exhibitions and private facilities**.
- **The European Commission and the Member States** should strongly consider the need for a **Commission Guidance Document** outlining specific rules for the keeping of tigers in captivity, particularly private facilities, and should recommend that EU Member States **ban the commercial trade with third countries and commercial internal EU trade** in live tigers and tiger parts and derivatives. In addition to the UK's current stricter domestic measures concerning the import/export of tiger parts and derivatives, it is recommended that the UK also strongly consider stricter measures for the keeping of tigers in captivity, particularly private facilities, and commercial export of live tigers.

The following recommendations provide further specific measures for the EU Member States (including the UK) and the European Commission to better control the trade and keeping of tigers in the EU. Some of these recommendations also address additional issues identified through this report that require further consideration and attention:

- Each EU country should gather and maintain **comprehensive records of the actual numbers of tigers held in all captive facilities nationwide**, including accredited zoological institutes, rescue centres, circuses/travelling exhibitions, and those held in private facilities. To implement this measure, EU countries should conduct annual inventories of all facilities keeping tigers in their country, and cooperate with relevant organisations, such as EAZA, for best practices in developing such inventories. These data should be made available to all relevant authorities.
- There should be a co-ordinated and collaborative approach between the EU Member States and the European Commission to discuss how best to develop a **traceability system and/or central registers for tigers held in captivity in the EU**. Advice and best practices should be sought, for example from EAZA based on the experience with Species360. This central register should be accessible to all CITES Management and Enforcement authorities of the EU Member States and should contain, *inter alia*, information on the number of tigers nationwide and by which facilities, relevant documentation, details on marking (including images of stripe patterns) and any information on deceased specimens. Receipts provided by the specialised companies involved in the disposal of deceased specimens should also be uploaded to these registers. If a central register at the EU level is not achievable, all EU Member States are strongly encouraged to develop a **central register at the national level** for tigers held in all captive facilities.

- EU countries are **encouraged to collaborate with the Czech Republic on the TigrisID⁹⁶ project** and actively collect DNA samples from all tigers in captive facilities. Member States are also encouraged to collaborate and coordinate with EAZA regarding the collection of DNA samples via the EAZA BioBank for law enforcement purposes.
- EU countries should take appropriate steps to **improve collaboration between relevant competent authorities** (e.g. CITES authorities, local authorities, veterinarian services and waste agencies) involved in the management of tigers held in captivity and those responsible for the disposal of their parts.
- EU countries should strongly consider additional measures to strengthen controls over the disposal of deceased specimens. For example, it should be a **requirement for specialised companies and rendering plants to provide receipts to the authorities** containing detailed information on the species, weight and number of specimens received, details of the unique identification of the specimen(s) and DNA, if applicable.
- All EU countries, particularly those that allow the keeping of tigers by private owners should conduct regular as well as targeted **inspections and/or investigations** into all private facilities to ensure compliance with national legislation and regulations. Inspections should at a minimum entail checking the legitimacy of documentation accompanying the specimens to ensure all information, including unique identification (if applicable), is accurate. Targeted and intelligence led investigations should also be conducted by the EU to dismantle any criminal networks that may profit from the trafficking of tigers in the EU.
- EU Member State CITES MAs should contact relevant third countries to clarify the reasons for **mis-reporting trade of tigers in their annual legal trade reports** to ensure legality of the transactions. If needs be, the EU Member States should bring this to the attention of the CITES Secretariat and the Parties in the appropriate forum.
- EU Member States and the European Commission should identify any legal or practical challenges that the EU may face when **implementing CITES Decision 14.69** and identify actions that need to be taken to ensure compliance with the Decision.

⁹⁶ See CITES (2019a), CITES (2019b).



© Emmanuel Rondeau/WWF-UK

10. REFERENCES

BIAZA. (2018). BIAZA Position Statement on Zoo Licensing and Inspections in the United Kingdom. BIAZA. Available at: <https://biaza.org.uk/news/detail/biaza-position-statement-on-zoo-licensing-and-inspections-in-the-united-kingdom>

Born Free Foundation. (2012). The EU Zoo Inquiry 2011: An evaluation of the implementation and enforcement of EC Directive 1999/22, relating to the keeping of animals in zoos. Report findings and recommendations. Available at: <https://www.bornfree.org.uk/storage/media/content/files/Publications/FINDINGS%20&%20RECOMMENDATIONS.pdf>

CITES. (2019a). Project TigrisID – Development of diagnostic tools for DNA analysis in processed products. Inf. Doc. 65. Eighteenth meeting of the Conference of the Parties, Geneva (Switzerland), 17–28th August 2019. Available at: <https://cites.org/sites/default/files/eng/cop/18/inf/E-CoP18-Inf-065.pdf>

CITES. (2019b). TigrisID: Guidelines and samples protocols. Inf. Doc. 66. Eighteenth meeting of the Conference of the Parties, Geneva (Switzerland), 17–28th August 2019. Available at: <https://cites.org/sites/default/files/eng/cop/18/inf/E-CoP18-Inf-066.pdf>

CITES (2019c). Asian big cats (Felidae spp.). CoP18 Doc. 71.1. Eighteenth meeting of the Conference of the Parties Colombo (Sri Lanka), 23 May – 3 June 2019. Available at: <https://cites.org/sites/default/files/eng/cop/18/doc/E-CoP18-071-01.pdf>

CITES (2020). What is CITES? Available from: <http://cites.org/eng/disc/what.php> (Accessed 17th June 2020).

Dinerstein, E., Loucks, C., Wikramanayake, E., Ginsberg, J., Sanderson, E., Seidensticker, J., Forrest, J., Bryja, G., Heydlauff, A., Klenzendorf, S., Leimgruber, P., Mills, J., O'Brien, T., Shrestha, M., Simons, R., and Songer, M. (2007). The fate of wild tigers. *BioScience*, 57(6): 508–514, <https://doi.org/10.1641/B570608>.

EAZA. (2018). EAZA Position Statement on European Commercial Trade in Tigers and Tiger Parts. Available at: <https://www.eaza.net/assets/Uploads/EAZA-Documents-Other/2018-EAZA-Position-Statement-on-tiger-trade.pdf>

EAZA. (2020). About us. Available at: <https://www.eaza.net/about-us>

EcoJust. (2013). Tiger trade in the EU. Available at: <https://www.ecojust.eu/tiger-trade-in-the-eu/>

Europol. (2020). EU Policy Cycle – Empact. Available at: <https://www.europol.europa.eu/empact>

Eurogroup for Animals. (2008). Report on the Implementation of the EU Zoos Directive. Available at: <http://www.eurogroupforanimals.org/pdf/reportzoos1208.pdf>

European Commission. (2018a). Evaluation of Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos (Zoos Directive). Staff Working Document 456 final. Available at: <https://ec.europa.eu/environment/nature/legislation/refitzoosdirective/pdf/SWD%20Zoos%20Directive%20Evaluation.pdf>

European Commission. (2018b). Progress report on the implementation of the EU Action Plan against Wildlife Trafficking. Report from the Commission to the Council and the European Parliament. SWD 2018, 452. Available at: https://ec.europa.eu/environment/cites/pdf/progress_report_EU_action_plan_wildlife_trafficking_en.pdf

European Commission. (2019). An overview of seizures of CITES listed wildlife in the European Union: January – December 2019. A TRAFFIC report for the European Commission. Available at: <https://ec.europa.eu/>

[environment/cites/pdf/reports/EU-seizures-report-2018-FINAL%20\(rev%2009-04-20\).pdf](https://ec.europa.eu/environment/cites/pdf/reports/EU-seizures-report-2018-FINAL%20(rev%2009-04-20).pdf)

European Commission. (2020). Zoos Directive. Available at: https://ec.europa.eu/environment/nature/legislation/zoos/index_en.htm

EIA. (2017). Cultivating demand: The growing threat of tiger farms. Available at: <https://eia-international.org/wp-content/uploads/Cultivating-Demand-The-Growing-Threat-of-Tiger-Farms.pdf>

Fraser. (2010). With Tigers Near Extinction, A Last-Ditch Strategy Emerges. *Yale Environment 360*, Published by the Yale School of the Environment.

https://e360.yale.edu/features/as_tigers_near_extinction_the_world_bank_and_environmental_groups_craft_last-ditch_strategy

Four Paws. (2018). Protect our tigers: ban the commercial trade. Available at: https://media.4-paws.org/2/8/7/e/287e29e57a5938176d030360fe680be416eae4e1/EU_TigerTrade-FP-2018-2019.pdf

Four Paws. (2020). Europe's second-class tigers: revealing the out-of-control captive tiger numbers and commercial trade. Four Paws UK. Available at: https://media.4-paws.org/c/5/5/5/c555a6c3b7150e4bbcb672872796b28b7b2598d6/Report_Europes-second-class-tigers_EN_FP-2020.pdf

Gratwicke, B., Mills, J., Dutton, A., Gabriel, G., Long, B., Seidensticker, J., Wright, B., You, W. and Zhang, L. (2008). Attitudes Toward Consumption and Conservation of Tigers in China. *PLoS One* 3(7): e2544.

Goodrich, J., Lynam, A., Miquelle, D., Wibisono, H., Kawanishi, K., Pattanavibool, A., Htun, S., Tempa, T., Karki, J., Jhala, Y. & Karanth, U. (2015). *Panthera tigris*. The IUCN Red List of Threatened Species 2015: e.T15955A50659951. Downloaded on 15th April 2020.

Interpol. (2019). World Atlas of illicit flows. Available at: <https://www.rhipto.org/publications>

Mills, J. and Jackson, P. (1994). *Killed for a Cure: A Review of the Worldwide Trade in Tiger Bone*. Cambridge: TRAFFIC International.

Nowell, K. (2000). *Far from a Cure: The tiger Trade Revisited*. TRAFFIC International, Cambridge, U.K.

Nowell, K. (2007). Asian big cat conservation and trade control in selected range States: evaluating implementation and effectiveness of CITES Recommendations. A TRAFFIC report.

Nowell, K. and Xu, Ling. (2007). Taming the tiger trade: China's markets for wild and captive tiger products since the 1993 domestic trade ban. TRAFFIC East Asia.

Nowell, K., and Pervushina, N. (2014). Review of the implementation of Resolution Conf. 12.5 (Rev. CoP16) on conservation of and trade in tigers and other Appendix-I Asian Big Cats. Report to the CITES Secretariat for the 65th meeting of the Standing Committee. SC65. Doc. 38. Available at: https://cites.org/sites/default/files/eng/com/sc/65/E-SC65-38-A01_o.pdf

Sanderson, E., Forrest, J., Loucks, C., Ginsberg, J., Dinerstein, E., Seidensticker, J., Leimgruber, P., Songer, M., Heydlauff, A., O'Brien, T., Bryja, G., Klenzendorf, S and Wikramanayake, E. (2006). Setting Priorities for the Conservation and Recovery of Wild tigers: 2005-2015. The Technical Assessment. WCS, WWF, Smithsonian, and

NFWF-STF, New York and Washington, DC, USA.

SC70. (2018a). Illegal tiger trade in the Czech Republic. Inf. Doc. 24. Seventieth meeting of the CITES Standing Committee Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018. Available at: <https://cites.org/sites/default/files/eng/com/sc/70/Inf/E-SC70-Inf-24.pdf>

SC70. (2018b). Report on the implementation of measures taken to combat illegal trade in tigers (*Panthera tigris*) - Czech Republic. Available at: <https://cites.org/sites/default/files/eng/com/sc/70/Inf/E-SC70-Inf-23.pdf>

SC70. (2018c). Asian Big Cats (*Felidae* spp.): Report to the Secretariat. SC70 Doc. 51. Seventieth meeting of the CITES Standing Committee Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018. Available at: <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-51.pdf>

SC70. (2018d). Review of facilities keeping Asian Big Cats (*Felidae* spp.) in captivity. SC70 Doc. 51 Annex 2 (Rev. 1). Seventieth meeting of the CITES Standing Committee Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018. Available at: <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-51-A2-R1.pdf>

Seidensticker, J. (2010). Saving wild tigers: A case study in biodiversity loss and challenges to be met for recovery beyond 2010. *Integrative Zoology*. 5: 285-299. doi: 10.1111/j.1749-4877.2010.00214.x

Stoner, S., Krishnasamy, K., Wittmann, T., Delean, S. and Cassey, P. (2016). Reduced to skin and bones re-examined: Full analysis. An analysis of Tiger seizures from 13 range countries from 2000-2015. TRAFFIC, Southeast Asia Regional Office, Petaling Jaya, Selangor, Malaysia

TRAFFIC. (1997). Tiger progress? The response to CITES Resolution Conf. 9.13. Available at: https://www.traffic.org/site/assets/files/4026/tiger_progress.pdf

Walston, J., Robinson, J.G., Bennett, E.L., Breitenmoser, U., da Fonseca G.A.B., Goodrich, J., Gumal, M., Hunter, L., Johnson, A., Karanth, K.U., Leader-Williams, N., MacKinnon, K., Miquelle, D., Pattanavibool, A., Poole, C., Rabinowitz, A., Smith, J.L.D., Stokes, E.J., Stuart, S.N., Vongkhamheng, C. and Wibisono, H. (2010). Bringing the tiger Back from the Brink—The Six Percent Solution. *PLoS Biology* 8(9): e1000485.

Williamson, D.F. and L.A. Henry. (2008). Paper tigers?: The Role of the U.S. Captive tiger Population in the Trade in tiger Parts. TRAFFIC North America, Washington D.C.: World Wildlife Fund.

Wolf, C. and Ripple, W.J. (2017). Range contractions of the world's large carnivores. *Royal Society*: <https://doi.org/10.1098/rsos.170052>

WWF. (2016). 3890 – What the new global tiger numbers mean. Available at: <http://tigers.panda.org/news/what-the-new-global-tiger-number-means/>

Wong, R. and Krishnasamy, K. (2019). Skin and Bones Unresolved: An Analysis of Tiger Seizures from 2000–2018. TRAFFIC South East Asia Regional Office. Petaling Jaya, Selangor, Malaysia. https://www.traffic.org/site/assets/files/12344/skin_and_bones_unresolved-web-1.pdf



11. ANNEXES

ANNEX 1 – CITES Appendices and EU Annexes

Species that are covered under CITES are listed in three Appendices according to the degree of protection they require:

- **Appendix I** includes species threatened with extinction. CITES prohibits international trade in specimens of these species except when the purpose of import is not commercial. In these exceptions, trade may take place if authorised by the granting of both an import and export permit.
- **Appendix II** includes species not necessarily threatened with extinction, but in which trade must be controlled in order to avoid utilisation which may threaten their survival. Trade may be authorised with the granting of an import or export permit, only if conditions are met that trade will not be detrimental to the species survival in the wild.
- **Appendix III** contains species that are protected in at least one country, which has asked for the cooperation of other CITES Parties in controlling unsustainable or illegal exploitation.

EC Council Regulation (EC) No 338/97 protects species listed in four Annexes regulating trade of those species listed in the CITES Appendices⁹⁷:

Annex A includes:

- All CITES Appendix I species, except where EU Member States have entered a reservation
- Some CITES Appendix II and III species, for which the EU has adopted stricter domestic measures
- Some non-CITES species

Annex B includes:

- All other CITES Appendix II species, except where EU Member States have entered a reservation
- Some CITES Appendix III species
- Some non-CITES species

Annex C includes:

- All other CITES Appendix III species, except where EU Member States have entered a reservation

Annex D includes:

- Some CITES Appendix III species for which the EU holds a reservation
- Some non-CITES species in order to be consistent with other EU regulations on the protection of native species, such as the Habitats Directive and the Birds Directive

⁹⁷ https://ec.europa.eu/environment/cites/species_en.htm

ANNEX 2 – CITES source and purpose codes

The CITES Trade Database records information on the reported purpose of the trade in specimens. These include:

- B** – Breeding in captivity or artificial propagation;
- E** – Educational;
- G** – Botanical garden;
- H** – Hunting trophy;
- L** – Law enforcement/judicial/forensic;
- M** – Medicinal (including biomedical research);
- N** – Reintroduction or introduction into the wild;
- P** – Personal;
- Q** – Circus or travelling exhibition;
- S** – Scientific;
- T** – Commercial;
- Z** – Zoo.

The CITES Trade Database also records information on original source of the specimens being traded includes the following possible source codes:

- A** – Plants that are artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP15), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III).
- C** – Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention;
- D** – Appendix I animals bred in captivity for commercial purposes in operations included in the Secretariat’s Register, in accordance with Resolution Conf. 12.10 (Rev. CoP15), and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention;
- F** – Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of ‘bred in captivity’ in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof;
- I** – Confiscated or seized specimens;
- O** – Pre-Convention specimens;
- R** – Ranches specimens: specimens of animals reared in a controlled environment, taken as eggs or juveniles from the wild, where they would otherwise have had a very low probability of surviving to adulthood;
- U** – Source unknown;
- W** – Specimens taken from the wild; and
- X** – Specimens taken in “the marine environment not under the jurisdiction of any State”.

ANNEX 3 – Numbers of tigers held in EAZA member zoos

Country	Species	Number of different facilities	Number of tigers	Name of facilities/location
Belgium	<i>Panthera tigris altaica</i>	2	9	Cambron-Casteau; Ieper
	<i>Panthera tigris</i> *	2	4	Deigne-Aywaille; Cambron-Casteau
Total number of tigers (BE)			13	
Czech Republic	<i>Panthera tigris sondaica</i>	3	7	Brno, Jihlava, Praha
	<i>Panthera tigris altaica</i>	6	13	Hluboka-vltavou, Hodonin, Olomouc, Plzen, Praha, Zlin-lesna
	<i>Panthera tigris</i> *	1	1	Liberec
	<i>Panthera tigris jacksoni</i>	4	4	Praha, Usti-nad-labem
Total number of tigers (CZ)			25	
France	<i>Panthera tigris sondaica</i>	11	23	Amiens, Beauval, Bossiere-dore, Champrepus, Dompierre, Doue-fontaine, La Fleche, Lisieux, Nesles, Obterre, Vigen
	<i>Panthera tigris altaica</i>	11	20	Besancon, Jurques, Les-mathes, Mulhouse, Nesles, Peaugres, Pelissane, Plaisance-touch, Pleugueneuc, Thoiry, Tregomeur
	<i>Panthera tigris</i> *	13	40	Ardes-sur-couze, Beauval, Jurques, La Fleche, La Teste, Lisieux, Maubeuge, Nesles, Pelissane, Romaneche, St-martin-plaine, Thoiry, Tregomeur
	<i>Panthera tigris jacksoni</i>	1	4	Nesles
Total number of tigers (FR)			87	
Germany	<i>Panthera tigris sondaica</i>	8**	22	Augsburg, Berlin-tierpark, Cottbus, Frankfurt, Heidelberg, Osnabruck, Rheine, Stuttgart
	<i>Panthera tigris altaica</i>	19	44	Berlin-zoo, Chemnitz, Duisburg, Eberswalde, Gelsenkirchen, Hamburg, Hannover, Hodenhagen, Hoyerswerda, Landau, Leipzig, Magdeburg, Munich, Munster, Neuwied, Nurnberg, Schwerin, Straubing, Wuppertal
	<i>Panthera tigris</i> *	1	7	Hodenhagen
	<i>Panthera tigris jacksoni</i>	1	1	Halle
	<i>Panthera tigris corbetti</i>	1	2	Berlin-tierpark
Total number of tigers (DE)			76	
Italy	<i>Panthera tigris sondaica</i>	2**	4	Roma, Napoli
	<i>Panthera tigris altaica</i>	5	10	Agrate, Bussolengo, Le Cornelle, Lignano, Torino
	<i>Panthera tigris</i> *	4	13	Agrate, Falconara, Le Cornelle, Pistoia, Roma
Total number of tigers (IT)			27	
UK	<i>Panthera tigris sondaica</i>	15	29	Ashford, Bekesbourne, Bewdley, Chester, Colwyn Bay, Dudley, Edinburgh, London, Malton, Paignton, Pembrokeshire, Shepreth, Tamworth, Twycross, Great Yarmouth
	<i>Panthera tigris altaica</i>	17	44	Ashford, Banham, Bekesbourne, Blackpool, Blair-drummond, Broxbourne, Chessington, Colchester, Kingussie, Linton, Lympne, Marwell, Prescot, Warminster, Whipsnade, Woburn, Yorkshire
	<i>Panthera tigris</i> *	5	9	Ashford, Bekesbourne, Bewdley, Broxbourne, Lincolnshire
Total number of tigers (UK)			82	
Total number of tigers in target countries			310	

Note: *Generic tigers excluding *P.t. sumatrae*, *P.t. altaica*, *P.t. jacksoni* and *P.t. corbetti*; ** Including 1 non-EAZA EEP participant

Table 22. Total number of EAZA accredited facilities holding tigers in captivity in the six target countries and the number of

TRAFFIC
the wildlife trade monitoring network



Working to sustain the natural world for the benefit of people and wildlife.

together possible™ panda.org

TRAFFIC Global Office
David Attenborough Building, Pembroke Street
Cambridge, CB2 3QZ, UK
traffic@traffic.org, www.traffic.org

Paper 100 % recycled

WWF, 28 rue Mauverney, 1196 Gland, Switzerland. Tel. +41 22 364 9111 CH-550.0.128.920-7
WWF® and World Wide Fund for Nature® trademarks and ©1986 Panda Symbol are owned by WWF-World Wide Fund For Nature (formerly World Wildlife Fund). All rights reserved.

For contact details and further information, please visit our international website at www.panda.org