

**ILLEGAL TRADE IN WILD FAUNA AND FLORA:
A CHALLENGE IN PROTECTING AFRICA'S BIODIVERSITY**

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Introduction:

Africa, especially the sub-Saharan region, is very rich in biodiversity at gene, species, individual, population, community, and ecosystem levels. The biodiversity is the basis for sustainable development and the livelihood of man. The biodiversity conservation should therefore be everyone's concern because:

1. There is ethical reason for biodiversity conservation. The UN World Charter for Nature which governments agreed to implement states that:
 - All forms of life warrant respect regardless of their worth to people,
 - The genetic viability on earth shall not be compromised,
 - The population level of every species must be sufficient for its survival and,
 - The habitat to every species shall be safe guarded.
2. Loss of biodiversity has profound implications for economic development. The biological resources being renewable can reproduce themselves and increase if managed well. They provide especially the local people with the means for survival for time immemorial.
3. The diverse natural ecosystems provide important ecological cycles such as regulating climate; contributing to the process of soil formation and maturation; storing and cycling essential nutrients; absorbing and breaking down pollutants; aiding seed dispersal; providing sites for inspiration, tourism, recreation and research; among others.
4. Wildlife species, being sensitive to the effects of chemicals, have been used as indicators of pollution for many years.

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5. Biodiversity enables humans to adapt physically and psychologically to our changing environment.

Despite the great values biodiversity provides to humanity, some key species like the elephant, rhinoceros and others within this resource are severely threatened by illegal trade. They are being over-exploited through international trade, excessive human consumption, over-exploitation for business, habitat destruction, climate change, among other demanding forces. Illegal wildlife trade is one of the main causes of the impoverishment of Africa's biodiversity and it seriously undermines Africa's agenda for environmental and developmental sustainability.

Commercial Poaching for Illegal Trade

Poaching by subsistence farmers involving the use of wire snares and bows and arrows for meat consumption had in the past little or non significant impact on the wildlife. The poaching over the last five decades has been for commercial purposes and has reached alarming levels using both fire arms and wire snares for the animal tusks, horns, skins and rarely meat. Nearly 60% of African elephants were poached during the 1970s and 1980s. The world was surprised to see a drop in the African elephant population from 1.3 million to some 600,000 in the 10 years. For Uganda, it was catastrophic decline by well over 90%. Although the international ban on ivory trade in 1989 resulted in stabilization of the declining trend and over population in some countries, the 2002 ivory seized in Singapore raised questions about the security of the African elephant herds. With or without ban, the illegal ivory trade continues.

In some countries where the law enforcement for the poaching crimes is weak, exacerbated with corruption, the situation is causing growing frustration and concern. The targeted animals for the illegal trade are increasingly threatened by

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the commercialized poaching, and many are critically endangered in the wild while some like the rhinoceros have become extinct. The black market trade in endangered animals, once a crime committed by small groups of poachers, has become dominated by well organized and coordinated criminal groups. A TRAFFIC report points out that the criminal groups collude with local law enforcement and regulatory officers at border crossings, airports and seaports. The rising rate of the illegal trade shows that the regulations have become impossible to enforce especially in parts of Africa tormented by civil strifes. How such illegal trade can be successfully battled, regulated and hopefully eliminated is a challenge for the Lusaka Agreement Governing Council to handle at policy and legislation levels.

Rhinos and elephants are being poached and their horns and tusks are smuggled whenever there is a breakdown in wildlife law enforcement. Sadly, some of the culprits arrested have been reported granted bail, and later freed and absconded. With lucrative markets abroad (led by China, USA and Japan), the poaching, wildlife trafficking and black market trade in illegal elephant ivory, rhino horns, hippopotamus teeth, skins of leopards/zebras/cheetahs/pythons, turtle shells, coral shells, snake venoms and other wild animal products are escalating. The trafficking is also for live birds, primates, tortoises, crocodiles, chameleons, and other species. Plants have also become victims of the illegal trade for aloe vera, cycads, hardwood species for timber, sandalwood, and plant succulents, among others. The illegal black market trade (according to the US State Department) generates 10 – 20 billion dollars per year. Illegal ivory is sold at \$400 per kilogram.

Although the number of seizures of ivory has remained constant since the 1990s, the size of the seizures has grown significantly. The Lusaka Agreement Task Force estimates 20,000 or more elephants are killed annually and seizures of illegal ivory

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have increased significantly. The opening of the elephant ivory trade is feared to have detrimental impact on the already depleted and fragmented elephant populations in many countries across Africa and Asia. Illegal trade in raw ivory, live animals, leather goods, hides and skins, and in hunting trophies have significantly increased. Data from TRAFFIC indicate that the number and quantity of seizures of more than a tone of ivory increased from 17 (34,061 kg) between 1989 and 1997 to, 32 (76,084 kg) between 1998 and 2006.

Africa has many transboundary protected areas and their biodiversity face many challenges of planning, management intervention and monitoring across the international boundaries. The transfrontier conservation faces additional huddles involving military, police, customs, immigration and judiciary institutions in some countries which are not members of the Lusaka Agreement.

The way forward

1. With the gloomy future Africa's biodiversity is facing, solutions should be found to address the challenges paused by the illegal trade in wild fauna and flora. The Convention in Trade on Endangered Species (CITES) is the biggest global wildlife conservation agreement with 176 Party States, aimed to prevent over exploitation of wildlife through regulating international trade. African countries not yet members, should accede to the CITES. The African Party States should play active role in the implementation of the convention. The CITES secretary should be asked to alert the Party States and wildlife enforcement agencies individually on significant illicit wildlife trade issues.
2. African governments should through CITES and Lusaka Agreement ensure that public awareness in both the producer and consumer countries is intensified to control the commercial poaching for illegal international trade of wildlife

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species. The governments should also increase local awareness and understanding in their countries on the negative impact on illegal trade in wildlife by establishing education and training needs for the communities and immigration officers at borders, airports and seaports.

3. African countries which are Parties to CITES should during CITES' Conferences of the Parties put pressure on America, China, Europe and other developed countries for the formulation and adoption of compulsory and comprehensive regulations to prohibit the importation of illegal and unsustainably harvested timber and trophies from Africa into their countries. Furthermore, African countries should, through existing relevant conventions and other agreements, request developed countries to adopt stricter measures internally on imports of wild animals, based on species conservation objectives or concerns for animal welfare.
4. African governments in collaboration with all stakeholders (local communities, conservationists, academicians, politicians, commercial wildlife dealers), and non-governmental organizations should fully execute the implementation of the action plans for the control of trade in African elephant ivory and other wildlife products, and reporting requirements that was adopted during CITES' 13th Conference of the Parties.
5. African governments should review their quotas for endangered species such as the black rhinoceros.
6. African governments should, through their integrated development and conservation plans and strategies such as extension programmes, contribute to the livelihoods of the poor living around protected areas through ensuring

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implementation and enforcement of the relevant agreements and preventing unregulated trade.

7. Lusaka Agreement has on its membership currently 6 countries (Kenya, Tanzania, Uganda, Zambia, Republic of Congo Brazzaville and Kingdom of Lesotho), and 3 countries (Ethiopia, South Africa and the Kingdom of Swaziland) as signatories. African countries which are not members of the Lusaka Agreement should be vigorously encouraged to ratify or accede to the Lusaka Agreement. Conventions and Regional Agreements serve as strong conservation tool especially for international cooperation, generating conservation funds which the Lusaka Agreement Task Force badly needs, promoting conservation through awareness drive, joint enforcement and management, monitoring, and reporting.
8. Resource exploitation is governed by self interest. To save biodiversity from the illegal trade, people's behaviour and perception of their self interest which is dictated by economic terms must be changed. Conservation should therefore be promoted through economic incentives for example to:
 - Smoothen the uneven distribution of costs and benefits incurred in protected areas' management;
 - Compensate people for losses suffered through mitigation of anticipated negative impacts on local people by regulations controlling exploitation;
 - Reward local people who make sacrifices for the benefit of the public;
 - Stimulate activities which conserve biodiversity at a low cost.
9. Nature conservation has been seen as a highly specialized sector of limited relevance to society. Since agriculture, medicine, industry, tourism, etc., rely on

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the biological resources, African governments should therefore promote integration of a cross-sectorial approach to conserving biodiversity.

10. Through international cooperation, African countries can build productive collaboration for conserving its biodiversity. International cooperation is a mechanism for mobilizing an effective response for ending the illegal trade in wild fauna and flora and for biodiversity conservation.

11. The Governing Council, the National Bureaus and the Secretariat of the Lusaka Agreement should continue to address the following challenges:

- Excessive demands from consumers of the wildlife products.
- Need for taking wildlife crimes more seriously by the law implementers.
- Penalties for the crimes in illegal trade should be heavy in order to deter the illegal practice.
- Corruption and other forms of abuse of power and authority should be heavily demonised and prosecuted.
- Investment in law enforcement through national and regional initiatives to fight the wildlife illegal trade should be stepped up.
- Other socio-economic factors like poverty and failure for alternatives to support the communities living around protected areas should be seriously addressed.

**WELL DONE AND LONG LIVE THE GOVERNING COUNCIL, THE
TASK FORCE, THE SECRETARIAT AND THE NATIONAL BUREAUS
OF THE LUSAKA AGREEMENT**