

Mr. Virginijus Sinkevičius
Commissioner
Directorate-General for Environment
European Commission
1049 Bruxelles/Brussel
Belgium

Mr. Valdis Dombrovskis
Commissioner
Directorate-General for Trade
European Commission
1049 Bruxelles/Brussel
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February 2021

Dear Sirs,

Sub: EU priority steps to ban all commercial intra-EU and external trade in live tigers and tiger parts and derivatives

We the undersigned organizations are writing to you to express our continued concern about the commercial trade of live tigers, tiger parts and derivatives within, from and into the European Union. Furthermore, we would like to draw your attention to the loopholes in EU Regulations which help facilitate this trade, provide cover for illegal activities, and thereby threaten the survival of wild tigers. We repeat our request¹ to the Commission to exercise its mandate under Article 19.4 of the Basic Regulation 338/97 to adopt additional measures to ensure that the EU does not contribute to the breeding of tigers for trade in their parts and derivatives nor contributes to the breeding for commercial trade in tigers without demonstrated conservation benefit.² We ask that the Commission takes priority steps to ban all intra-EU and external trade in live tigers and tiger parts and derivatives for commercial purposes.

We also would like to thank Commissioner Sinkevičius for highlighting the plight of tigers and the need for their protection at the webinar *Profit or protection: Why Europe needs to ban the commercial trade in tigers and their parts*³ organised by FOUR PAWS on December 1st, 2020.

EU-wide commercial trade and illegal activities

Following the seizure of dead tigers and equipment to make tiger products from a registered tiger breeder in the Czech Republic (July 2018), animal welfare organization FOUR PAWS has consistently documented illicit activities throughout the European Union from 2018 to December 2020. Traders and breeders were recorded discussing ways to circumvent CITES and EU regulations, for example by using different purpose codes to facilitate obtaining permits and falsifying the birthdate of tiger cubs to facilitate a quicker sale of the cubs. In 2019 an illegal transport of 10 tigers from Italy to Russia was stopped at the Polish border, with officials speculating that the terrible conditions of the transport indicated that the animals would be used for the production of traditional medicine.

The FOUR PAWS report [Europe's second-class tigers](#) (April 2020) also revealed that between 2014-2018, 18 live tigers and 1,804 tiger parts or derivatives were seized in the European Union.

¹ This letter follows earlier correspondence on EU tiger trade with Environment Commissioner Karmenu Vella and Mr. Hugo-Maria Schally in July 2019 and June 2020.

² Please note that the term 'commercial trade' excludes the non-commercial transactions when moving tigers as part of the coordinated and registered conservation breeding programs by zoological institutions, e.g ex situ conservation programmes as run by EAZA. See also EAZA [Position Statement on the European commercial trade in tigers and their parts](#), Nov 2018.

³ [FOUR PAWS webinar December 1st, 2020 Profit or protection: Why Europe needs to ban the commercial trade in tigers and their parts.](#)

TRAFFIC/WWF report [Falling through the system](#) (Sept 2020) confirms that the lack of traceability systems and monitoring by authorities, raises questions as to how Member States ensure live specimens or parts and derivatives from tigers kept in captivity do not enter illegal trade. The EAZA led and now approved [IUCN motion 57](#) for the World Conservation Congress also acknowledged that there is room for improvements to address the trade in tigers and tiger parts⁴.

CITES Decision 14.69 recommends that Parties shall implement measures to restrict the captive population to a level supportive only to conserving wild tigers⁵. FOUR PAWS' research included the submission of Freedom of Information requests to 28 EU Member States⁶ and eight neighbouring countries in an attempt to obtain the numbers of the captive population, and to determine whether there is any obligation to centrally report the births and deaths of the animals at Member State level. Only 17 countries (of which 13 EU Member States⁷) replied with numbers, 9 did not reply at all, and 10 replied but were unable to provide numbers. The authorities that did respond reported a cumulative total of 913 captive tigers. These numbers do not depict the reality since 19 countries (of which 15 EU Member States) were unable to share numbers.

Despite the lack of an accurate overview of the captive tiger population in the EU, Member States continue to issue trade permits for live tigers and tiger parts under the CITES code 'T' for commercial purposes. In September 2019, the European Commission stated in response to a letter sent on behalf of EIA, WSPI, and FOUR PAWS that 'none of the Member States uses the exemption under Article 8.2(d)⁸ to allow commercial trade in tiger parts or derivatives for commercial purposes, irrespective of whether they come from the wild or captive breeding' (Ref. Ares (2019) 600551). CITES data for 2014-2018⁹, however, clearly shows the opposite: (re-)export permits were issued for 58 parts and derivatives including 46 parts and derivatives for commercial purposes. Import permits were issued for 81 parts and derivatives of which 46 were for commercial purposes.

Members States measures

Poaching continues to be a serious threat to wild tigers, whose numbers have dwindled to as few as 3,900, and the demand for tiger parts and derivatives is instrumental in driving the species towards extinction. This demand is fuelled by the breeding of tigers for commercial trade. China, Czech Republic, Laos, Thailand, South Africa, United States of America and Vietnam have been identified as countries in which there are facilities keeping or breeding tigers which are of concern with regard to operations failing to restrict the captive population to a level supportive only to conserving wild tigers, and / or legal or illegal trade in parts and derivatives of captive specimens.¹⁰

After the raids in July 2018, the Czech Republic announced the suspension of commercial export and re-export of tigers to non-EU countries.¹¹ On November 27, 2020, the Slovakian Environment Ministry announced that as of December 1st 2020, issuing of permits for commercial export and re-export and granting intra EU certificates for the following animals is suspended: tigers, leopards, lynxes, cheetahs and pumas. The Ministry spokesman substantiated this move by specifically pointing at the illegal trade in tigers and the constant demand for tigers and products for the production of traditional Asian medicine in combination with the growing trend to replace these

⁴ <https://www.iucncongress2020.org/motion/057>

⁵ <https://cites.org/eng/taxonomy/term/42069>

⁶ Freedom of Information requests were submitted when UK was still member of the European Union.

⁷ Including the United Kingdom at the time when it was still a member of the EU.

⁸ Currently Article 8.3 (d) based on consolidated version of 01/01/2020.

⁹ Data extraction from FOUR PAWS report [Europe's second-class tigers](#) (April 2020)

¹⁰ CITES SC70 Doc. 51, available at <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-51.pdf>.

¹¹ <https://cites.org/sites/default/files/eng/com/sc/70/Inf/E-SC70-Inf-23.pdf>

products with other species. In the last ten years, Slovakian inspectors have registered 23 owners of felines in Slovakia and CITES violations have been found in the case of 11 owners.¹²

These measures by Member States are much needed and commendable, but unless followed by an EU ban to end all trade for commercial purposes, remain largely symbolic. During the webinar on December 1st, 2020, it was mentioned that the EU does not implement the CITES Resolution Conf. 12.10 to keep a register of captive breeding facilities for Appendix I-listed species. In earlier correspondence the Commission stated that 'none of the EU Member States allow for such intensive breeding and large-scale commercial trade in tiger parts and derivatives' (Ref. Ares (2019) 4348427). However, we reiterate our concern that significant commercial trade does exist in the EU and there is nothing in EU regulations to prevent the breeding of tigers for the purpose of commercial trade in their parts and derivatives. It is also worth noting that in the Czech case, the authorities reported to the CITES Standing Committee that tigers were used for breeding up to exhaustion and early deaths, which does indicate use of those tigers for intensive breeding.¹³

During the webinar, Commission representative Jorge Rodriguez-Romero (DG ENV) also referred to the CITES Standing Committee intersessional work on captive -bred and ranched specimens and the contributions by the EU. The document *Input from the EU to the CITES Standing Committee's intersessional WG on captive-bred and ranched specimens* mentions that there is a need for 'better understanding and common implementation of the rules regarding trade in captive bred and ranched specimens' and 'exploring the usefulness of a new Resolution (or amendment of current Resolutions) related to trade in Appendix I listed species with source code C' with the 'intention to only allow such trade, irrespective of the purpose of the breeding and the purpose of the transaction, if an export and import permit is issued by the Parties involved in the transaction'. These suggested avenues, however, would not prevent the further commodification of an endangered species, nor abate the risk the commercial trade presents to its survival.

We welcome other suggested action, such as risk assessments across the European Union to map out the extent of commercial breeding and trade, and efforts by the EU to reduce the demand for tiger parts. We also welcome the EU's increased efforts for enforcement, to add capacity and increase coordination, and the consideration of further measures at EU level. However, this action should not deter from the main instrument to protect both wild and captive tigers, therefore we request the Commission to consider adopting EU-wide trade measures and issuing guidance.

In a context where the wild population of the species is limited to around 3,900 individuals, any use or trade of the species that could contribute towards greater demand for its parts and derivatives warrants the use of the precautionary principle in order to truly protect this endangered species. The revision of the EU Action Plan against Wildlife Trafficking offers an excellent opportunity to propose EU guidance followed by a comprehensive legislative ban on the commercial tiger trade. Kantar polling results show that 91% of respondents in 7 Member States are in favour of banning the commercial trade in captive tigers¹⁴. As Commissioner Sinkevičius mentioned in his video message for the webinar; 'As policy makers we should do all we can to translate citizen concerns into protection measures'.¹⁵

¹² <https://www.tasr.sk/tasr-clanok/TASR:20201127TBA02529>

¹³ See SC70 Inf. 24 available at <https://cites.org/sites/default/files/eng/com/sc/70/Inf/ESC70-Inf-24.pdf>, page 10-11.

¹⁴ See [FOUR PAWS report Protect our tigers Ban the trade \(2019\)](#), page 15-17.

¹⁵ https://audiovisual.ec.europa.eu/en/preview/https:%2F%2Fvod.fl.freecaster.net%2F04%2F199384%2FLR_I199384EN1W.mp4

We ask that the Commission takes priority steps to ban: a) all commercial intra-EU and external trade (export, import and re-export) in live tigers; and b) all commercial intra-EU and external trade in tiger parts and derivatives (specifically including captive sourced parts and derivatives).

Yours sincerely,



Josef Pfabigan
Chief Executive Officer
FOUR PAWS / VIER PFOTEN International

Animal Advocacy and Protection
Animal Defenders International
Animal Law Reform South Africa
Animal Rights
Animals Asia
AVES France
Ban Trophy Hunting Stichting Netherlands
Big Cat Rescue
Big Cat Sanctuary Alliance
Born Free Foundation
Chelui4lions
CATCA Environmental and Wildlife Society
Cetacean Society International
David Shepherd Wildlife Foundation
Djurrättsalliansen
Environmental Investigation Agency
Environmental Justice Foundation
Eurogroup for Animals (representing 66 organisations)
European Association of Zoos and Aquaria
Finnish Nature League
Fondation Brigitte Bardot
Founder International Wildlife Bond
Humane Society International
OIPA- International Organization for Animal Protection
Japan Tiger and Elephant Fund
LAV Lega Anti Vivisezione
Pan African Sanctuary Alliance
Panthera Africa
Pegasus Foundation
Performing Animal Welfare Society
Pettus Crowe Foundation
Pro Wildlife
Stichting Leeuw
The Elephant Reintegration Trust
Trophy Free EU Group
Voice4Lions

Vzw De Zonnegloed, wild animal sanctuary

Wildaid

Wildlife Friends Foundation Thailand

Wildlife Protection Society

World Animal Protection