Chapter 5:
Status of CITES Implementation in some countries of South Asia

South Asia refers to the following eight countries of the South Asian region: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. All are members of the South Asian Association for Regional Cooperation (SAARC). Apart from a shared geography and history, these countries also have social, cultural and economic associations that date back several centuries.

The region is a particularly diverse one, home to the “Third pole” i.e. the mighty Himalayas, along with other habitat types and landforms including trans-Himalayan cold deserts, glaciers, tropical forests, grasslands, mangroves and deserts. Given its unique diversity as above, the region harbors a diverse assemblage of ecosystem types and is home to a very large number of wild species of flora and fauna including several that are rare, threatened and endangered.

Together the region is home to around 21% of the global human population (World Bank 2014). Three of the countries of South Asia- India, Pakistan and Bangladesh find place amongst the top ten most populous countries of the world.

South Asia also represents one of the least forested sub regions in the Asia-Pacific region with a per capita forest area of about 0.05 hectares. (FAO 2012). This is also indicative of the high anthropogenic pressures faced by natural resources in this region, given the very high human population density across the region. This has serious implications for issues including, but not limited to social equity, livelihood opportunities for local communities and sustainability in management of natural resources including forests and water. Except for Bhutan and India, forest carbon stocks have declined in all the countries of the region between 1990-2010 (FAO 2012).
1. Some Country Profiles

Country Profile: BANGLADESH

- **Conventional long form name:** People's Republic of Bangladesh
- **Government type:** Parliamentary Democratic Republic
- **Capital:** Dhaka
- **Population:** 163,654,860 (July 2013 est)
- **Country Comparison to the world:** 9
- **Urban population:** 28.4% of total population (2011)
- **Literacy:** (Definition: age 15 and over can read and write)
  - Total population: 57.7%
  - Male: 62%
  - Female: 53.4% (2011 est.)
- **GDP (purchasing power parity):** US$ 311 billion (2012 est.)
- **Country comparison to the world:** 44
- **Geographic coordinates:** 23 43 N, 90 24 E
- **Total Geographical Area (sq.km.):** 143,998
- **Global ranking according to area:** 95
- **Land Area (sq.km.):** 130,168
- **Forest Area (sq.km.):** 14420
- **Forest Area as % of geographical area:** 11
- **Water Area (sq.km.):** 13,830
- **Total Land Boundaries (km.):** 4,246
- **Border Countries:** Myanmar 193 km., India 4,053 km
- **Coastline (km.):** 580
- **Highest Point (m):** 1,230 m above msl -Keokradong
- **Lowest Point (m):** 0- msl

**Major Environmental issues:**
High population density with many people forced to live on and cultivate flood-prone land; waterborne diseases prevalent in surface water; water pollution, especially of fishing areas, results from the use of commercial pesticides; ground water contamination by naturally occurring arsenic; intermittent water
shortages because of falling water tables in the northern and central parts of the country; soil degradation and erosion; deforestation;

**Environment - international agreements:**

**Bangladesh is party to:** Biodiversity, Climate Change, Climate Change-Kyoto Protocol, Desertification, Endangered Species, Environmental Modification, Hazardous Wastes, Law of the Sea, Ozone Layer Protection, Ship Pollution, Wetlands

**It has taken Actions on 211 International Agreements including:**

- 21 Signatures
- 50 Ratification, Accession, Succession, or Similar
- 195 Entry Into Forces
- 1 Withdrawal or Similar


**Legal Framework for Wildlife Conservation:**

**Umbrella legislation:**


**Important Provisions:**

Sec 2 (25): “wild animals” means different types and species of animals or different stages of their life cycle, the source of which is considered as wild;

Sec 2 (29): “endangered species” means any species of wild animal or plant considered as critically endangered, vulnerable or rare and which is at risk of extinction;

Sec 2 (30): “vulnerable species” means a species of wild animal or plant which is not critically endangered at present but facing risk of extinction in near future;
Sec 3. Wildlife Advisory Board, etc.— (1) As soon as may be, after the commencement of this Act, Government shall, by notification in the official Gazette, constitute a Board to be called the Wildlife Advisory Board consisting of a Chairman and necessary number of members from among the persons with expertise in conservation of biodiversity, forests and wildlife.

6. Prohibition related to wild animals and plants. — (1) No person shall hunt any wild animal without a license or, as the case may be, obtaining a permit under this Act, or wilfully pick, uproot, destroy or collect any plant mentioned in Schedule IV.

(2) The Government may, by notification in the official Gazette, prohibit hunting of any specified or all wild animals in a specific forest area or throughout Bangladesh for a specific period.

Sec 7: Determination of vulnerable, endangered and critically endangered species. — The Chief Warden shall determine which species or sub-species of wild animals mentioned in schedule I, II and III and plants mentioned in schedule IV are vulnerable, endangered or critically endangered according to scientific data and internationally acceptable provisions or customs in consultation with the scientific committee.

Sec 13: Declaration of sanctuary. — (1) The Government may, by notification in the official Gazette, in the light of national forest policy and forest master plan, and considering natural, geomorphological features, biodiversity and environmental significance, declare any Government forests or part of such forests or any Government land or wetland or any specified area as sanctuary, specifying the demarcation, for the conservation of forest and habitat of wildlife.

(2) The sanctuary declared under sub-section (1) may be called as wildlife sanctuary, bird sanctuary, elephant sanctuary or wetland dependent animal sanctuary or, as the case may be, marine protected area.
17. Declaration of national park. — (1) The Government may, by notification in the official Gazette, declare any Government forests or part of such forests or any Government land with natural scenic beauty as national park, specifying the boundary for the conservation of wildlife and their habitat or environmental development.

18. Declaration of community conservation area. — (1) Any person or community being owner of such land or wetland not included in landscape zone may, for protection of traditional or cultural value or use of any animal or plant and for sustainable development of such land or wetland and for the management of wildlife, apply to the Government for declaration as community conservation area.

19. Declaration of safari park, ecopark, botanical garden and wild animal breeding center. — (1) The Government may, by notification in the official Gazette, declare or establish any government owned forest area as safari park, ecopark or botanical garden or, as the case may be, wild animal breeding centre for the purpose of in-situ or ex-situ conservation of wild animals or for promotion of opportunities for research, public recreation or education.

20. Declaration of landscape zone or corridor, buffer zone and core zone. — (1) The Government may, after receiving consensus of local community, by notification in the official Gazette, declare any public or private area outside the boundaries of protected or reserved forests but adjacent to any declared area as a landscape zone or corridor for the movement of wild animals or for the purpose of special development or abate or control any sorts of damage of such area.

22. Declaration of special biodiversity conservation area. — (1) The Government may, in its own initiative or on application of any person, by notification in the official Gazette, declare any government land, land or trees under private ownership or reserved forest, khas land, wetland, river, sea, canal, dighi or pond used for special purpose as special biodiversity
conservation area subject to conservation of traditional or cultural values and norms of the area.

23. Declaration of national heritage, memorial tree, sacred tree and kunjaban. — (1) The Government may, on application of any owner of land, organisation or person, by notification in the official Gazette, declare any tree or kunjaban standing at any government forest, any land under any organisation, khas land or land owned by any community which is recognized and used as cultural, traditional, religious or memorial purpose and which is known as habitat for wildlife in such area, as national heritage, memorial tree, sacred tree or, as the case may be, kunjaban.

31. Constitution of wildlife crime control unit. — (1) The Government may, to ensure strict compliance and effective implementation of wildlife related international convention, protocol, treaty etc. establish wildlife crime control unit comprising custom officers, members of law and order enforcing agency at any place in Bangladesh including strategic air, land and seaports.

36. Penalties for killing tiger, elephant, etc. — (1) If any person kills any tiger or elephant mentioned in schedule I without obtaining any licence under section 24, he shall be deemed to have committed an offence and shall be non-bailable for such offence and, be punished with imprisonment for a term not less than 2 (two) years and not exceeding 7 (seven) years and also with a fine of Taka not less than 1 (one) lac and not exceeding Taka 10 (ten) lac and, in case of his repetition of the same offence, he shall be punished with imprisonment for a term not exceeding 12 (twelve) years and with a fine of Taka not exceeding 15 (fifteen) lac:

37. Penalties for killing cheetah, lam cheetah, hoolock, sambar deer, crocodile, gharial, whale or dolphin, etc. — (1) If any person kills any cheetah, lam cheetah, hoolock, sambar deer, crocodile, gharial, whale or dolphin mentioned in Schedule I, he shall be deemed to have committed an offence and for such offence, be punished with imprisonment for a term not exceeding 3 (three) years or with a fine of Taka not exceeding 3 (three) lac or with both, and in case of his repetition of the same offence, he shall be
punished with imprisonment for a term not exceeding 5 (five) years or with a fine of Taka not exceeding 5 (five) lac or with both.

( http://www.bforest.gov.bd/index.php/protected-areas )
Country Profile: BHUTAN

- **Government type:** Constitutional Monarchy
- **Capital:** Thimphu
- **Population:** 725,296 (July 2013 est)
- **Country comparison to the world:** 166
- **Urban population:** 35.6% of total population (2011)
- **Literacy:**
  - **Definition:** age 15 and over can read and write
- **Total population:** 52.8%
  - **Male:** 65%
  - **Female:** 38.7% (2005 est.)
- **GDP (purchasing power parity):**
  - **US$ 5.036 billion (2012 est.)**
- **Country comparison to the world:** 171
- **Geographic coordinates:** 27 28 N, 89 38 E
- **Total Geographical Area (sq.km.):** 38,394
- **Global ranking according to area:** 137
- **Land Area (sq.km.):** 38,394
- **Forest Area (sq.km.):** 32490
- **Forest Area as % of geographical area:** 69
- **Water Area (sq.km.):** 0
- **Total Land Boundaries (km.):** 1,075
- **Border Countries:** China 470 km., India 605 km
- **Coastline (km.):** 0
- **Highest Point (m):** 7,570 m above msl –Gangkar Puensum
- **Lowest Point (m):** 97 m above msl- Drangeme Chhu

**Major Environmental Issues:** maintenance of high forest cover, soil erosion; limited access to potable water
Environment - international agreements:

**Bhutan is party to:** Biodiversity, Climate Change, Climate Change-Kyoto Protocol, Desertification, Endangered Species, Hazardous Wastes, Ozone Layer Protection

**It has signed, but not ratified:** Law of the Sea

**It has taken Actions on 69 International agreements including:**

- 7 Signatures
- 26 Ratification, Accession, Succession, or Similar
- 62 Entry Into Forces


Legal Framework for Wildlife Conservation:

Umbrella Legislation:

The Forest and Nature Conservation Act of Bhutan, 1995. This is into force from 1st of September, 1995.

Important provisions:

Sec 3 g: "**Protected Area**" means a national park, conservation area, wildlife sanctuary, wildlife reserve, nature reserve, strict nature reserve, research forest, critical watershed or other area declared as a Protected Area under Section 21.

**21. Establishment of Protected Areas**

(a) The Royal Government may declare any land in the country to be a National Park, Wildlife Sanctuary, Wildlife Reserve, Nature Reserve, Strict Nature Reserve, Protected Forest, Research Forest, Conservation Area, Cultural or Natural Heritage Site, Biosphere Reserve, Critical Watershed or other category of Protected Area for the preservation of areas of natural beauty of national importance, protection of biological diversity, management of wildlife, conservation of soil and water and related purposes. If any private
registered land is taken under this section, compensation or alternative land rights shall be provided in accordance with Section 9.

Sec 22: Taking of Wildlife Restricted

(a) All wild animals listed in Schedule I and wild plants listed in Schedule I are declared to be totally protected, whether or not in a Government Reserved Forests, and may not be killed, injured, destroyed, captured, collected or otherwise taken except by special permit or under threat to human life.

All wild animals not listed in Schedule I are also protected and may not be killed, injured, destroyed, captured, collected or otherwise taken except pursuant to a special permit issued under Section 23, or to defend against an attack or imminent threat of attack on human life or livestock or against damage to crops and other private property, if the killing, injuring or other form of taking occurs on private registered land; or by accident or in accordance with any hunting rules which may be issued by the Ministry.

28. Offences

Violation of sections 22, 24, 25 and 26 is an offence punishable with imprisonment which may extend to 5 years or a fine which may extend to an amount prescribed in the Rules which may be issued from time to time, or both, in addition to either.

(i) confiscation of anything illegally taken or the proceeds from the sale thereof, or

(ii) payment of compensation at fair market value or according to the schedules of compensation fixed by the Ministry from time to time.
Sec. 82

(6) **Protected area offenses**

(a) for conducting research without valid permit from the Department (or collecting specimens for such research) in a protected area or for violation of such permission, including refusal to allow or cooperate with monitoring by the Department, a penalty of imprisonment up to one year or fine, minimum of which shall be Nu.15000/- and may extend up to Nu. 50,000/-, or both, plus confiscation of all research equipment used in such activities;

(b) for taking wildlife from a core zone, or any other zone of a protected area without a permit, a penalty of imprisonment up to 5 years, or a fine, minimum of which shall be Nu.60000/- and may extend up to Nu. 200,000/-, or both

(c) for constructing any road, fence, building or other structure in a core zone/any other zone without written permission, a penalty of imprisonment up to 6 months, or a fine, minimum of which shall be Nu.15000.00 - and may extend up to Nu. 50,000, or both, plus the cost of demolition of the structures so constructed, in addition to seizure of the materials and equipment used in the construction;

(d) for illegal settlement or cultivation in a core zone a penalty of imprisonment up to 6 months or a fine, minimum of which shall be Nu.15000/- and may extend up to Nu. 50,000/-, or both, plus the fair market value of trees and forest produce damaged as a result of illegal settlement or cultivation.
(e) for felling in a core zone, a penalty of imprisonment for not more than 5 years or a fine, minimum of which shall be Nu.10000/- and may extend up to Nu. 50,000/-, or both, in addition to confiscation of anything illegally taken or the proceeds from the sale thereof or compensation at fair market value for anything taken illegally taken, damaged or destroyed and confiscation of any equipment, vehicle and tools used in committing the offense;

(f) for illegal logging in any other zone of a protected area, a penalty of imprisonment up to 6 months, or fine, minimum of which shall be Nu.15000/- and may extend up to Nu. 50,000/-, or both, plus confiscation of the illegally logged timber or any equipment, vehicle, livestock, tools or other items used or involved in commission of the offense, or the proceeds of any sale or other transaction involving such timber in addition to compensation at fair market value;

(g) for illegal livestock grazing within a core zone, except by traditional grazers with proper permission, fine, minimum of which shall be Nu.150 per animal and may extend to Nu. 500 per animal;

(h) for collecting firewood or non-wood forest produce in a core zone a penalty of imprisonment for not more than 5 years or a fine, minimum of which shall be Nu.7000/- and may extend up to Nu. 50,000/-, or both, in addition to confiscation of anything illegally taken or the proceeds from the sale thereof or compensation at fair market value for anything taken illegally taken, damaged or destroyed and confiscation of any equipment, vehicle and tools used to committing the offense;

(i) for collecting firewood or non-forest produce in other zones of the protected area (except by a resident of the local area), imprisonment for not more than 5 years or a fine, minimum of which shall be Nu.5000/- and may extend up to Nu. 50,000/-, or both, in addition to confiscation of anything illegally taken or the proceeds from the sale thereof or compensation at fair market value for anything taken illegally taken,
damaged or destroyed and confiscation of any equipment, vehicle and tools used in committing the offense.

(7) **Penalties for offenses related to protected species**

(a) for the taking, injuring, destroying, capturing, and trade and/or use of wild animals and plants, or their parts and products without a permit, (regardless of whether such animal was taken, destroyed, or captured in Bhutan or elsewhere) a penalty of imprisonment which may extend up to five years or fines prescribed in Annexure 19 (a), (b) & (c) or Annexure 20(b)or as the case may be in addition to confiscation and payment of compensation at fair market value; and

(b) illegal harvesting and marketing of species having traditional uses, as described under Rule 66, fine, minimum of which shall be Nu.1500/- and may extend upto Nu. 5,000/-, plus confiscation of all specimens, or forest produce so harvested.

(http://www.moaf.gov.bt/moaf/?wpfb_dl=145)
Country Profile: INDIA

- Conventional long form name: Republic of India
- Government type: Federal Parliamentary Democratic Republic
- Capital: New Delhi
- Population: 1,220,800,359 (July 2013 est)
- Country comparison to the world: 2
- Urbanization:
  - Urban population: 31.3% of total population (2011)
- Literacy:
  - Definition: age 15 and over can read and write
- Total population: 62.8%
  - Male: 75.2%
  - Female: 50.8% (2006 est.)
- GDP (purchasing power parity):
  - US$ 4.761 trillion (2012 est.)
- Country comparison to the world: 4
- Geographic coordinates: 28 36 N, 77 12 E
- Total Geographical Area (sq.km.): 3,287,263
- Global ranking according to area: 7
- Land Area (sq.km.): 2,973,193
- Forest Area (sq.km.): 32490
- Forest Area as % of geographical area: 69
- Water Area (sq.km.): 314,070
- Total Land Boundaries (km.): 14,103
- Border Countries: Bangladesh 4,053 km., Bhutan 605 km., China 3380 km., Myanmar 1,463 km., Nepal 1,690 km., Pakistan 2,912 km.
- Coastline (km.): 7,000
- Highest Point (m): 8,598 m above msl –Kanchenjunga
- Lowest Point (m): 0- msl-
Major Environmental issues:
deforestation; soil erosion; overgrazing; desertification; air and water pollution
high population density

Environment - international agreements:
India is party to: Antarctic-Environmental Protocol, Antarctic-Marine Living
Resources, Antarctic Treaty, Biodiversity, Climate Change, Climate Change-
Kyoto Protocol, Desertification, Endangered Species, Environmental
Modification, Hazardous Wastes, Law of the Sea, Ozone Layer Protection,
Ship Pollution, Tropical Timber 83, Tropical Timber 94, Wetlands, Whaling

India has taken Actions on 331 Agreements including:**
45 Signatures
85 Ratification, Accession, Succession, or Similar
300 Entry Into Forces
7 Withdrawal or Similar

(World Bank 2014, at http://data.worldbank.org/region/SAS,
population-data-sheet_eng.pdf )

Legal Framework for Wildlife Conservation

Important Provisions:
Sec. 1(2): It extends to the whole of India except the state of Jammu and
Kashmir, which has its own Wildlife Protection Act.

Sec 2. Definitions:
(1) "animal" includes mammals, birds, reptiles, amphibians, fish, other
chordates and invertebrates and also includes their young eggs;
(16) "hunting", with its grammatical variations and cognate expressions,
includes,-
(a) killing or poisoning, snaring and trapping of any wild animal and every attempt to do so,

(b) capturing, coursing, snaring, trapping, driving or baiting any wild animal or captive animal and every attempt to do so,

(c) injuring or destroying or taking any part of the body of any such animal or, in the case of wild birds or reptiles, damaging the eggs of such birds or reptiles or disturbing the eggs or nests of such birds of reptiles;

(36) "wild animal" means any animal specified in Schedule I to IV and found wild in nature;

(37) "wild life" includes any animal aquatic or land vegetation which form part of any habitat;

Sec. 5A: Constitution of the National Board for Wild Life

(1) The Central Government shall, within three months from the date of commencement of the Wild Life (Protection) Amendment Act, 2002, constitute the National Board for Wild Life consisting of the following members, namely:-

(a) the Prime Minister as Chairperson;

(b) the Minister in-charge of Forests and Wild Life as Vice-Chairperson;

(c) three members of Parliament of whom two shall be from the House of the People and one from the Council of States;

(d) Member, Planning Commission in-charge of Forests and Wild Life;

(e) five persons to represent non-governmental organisations to be nominated by the Central Government;

(f) ten persons to be nominated by the Central Government from amongst eminent conservationists, ecologists and environmentalists;

(g) the Secretary to the Government of India in-charge of the Ministry or Department of the Central Government dealing with Forests and Wild Life;
(h) the Chief of the Army Staff,

(i) the Secretary to the Government of India in-charge of the Ministry of Defence;

(j) the Secretary to the Government of India in-charge of the Ministry of information and Broadcasting;

(k) the Secretary to the Government of India in-charge of the Department of Expenditure, Ministry of Finance;

(l) the Secretary to the Government of India, Ministry of Tribal Welfare;

(m) the Director-General of Forests in the Ministry or Department of the Central Government dealing with Forests and Wild Life;

(n) the Director-General of Tourism, Government of India;

(o) the Director-General, Indian Council for Forestry Research and Education, Dehradun;

(p) the Director, Wild Life Institute of India, Dehradun;

(q) the Director, Zoological Survey of India;

(r) the Director, Botanical Survey of India;

(s) the Director, Indian Veterinary Research Institute;

(t) the Member-Secretary, Central Zoo Authority;

(u) the Director, National Institute of Oceanography;

(v) one representative each from ten States and Union territories by rotation, to be nominated by the Central Government;
(w) the Director of Wild Life Preservation who shall be the Member-Secretary of the National Board.

Sec. 9: **Prohibition of hunting.**- No person shall hunt any wild animal specified in Schedule I, II, III and IV except as provided under section 11 and section 12.

Sec. 11. **Hunting of wild animals to be permitted in certain cases.**-

(1) Notwithstanding anything contained in any other law for the time being in force and subject to the provisions of Chapter IV,-

(a) the Chief Wild Life Warden may, if he is satisfied that any wild animal specified in Schedule I has become dangerous to human life or is so disabled or diseased as to be beyond recovery, by order in writing and stating the reasons therefore, permit any person to hunt such animal or cause such animal to be hunted;

"Provided that no wild animal shall be ordered to be killed unless the Chief Wild Life Warden is satisfied that such animal cannot be captured, tranquilised or translocated:

Provided further that no such captured animal shall be kept in captivity unless the Chief Wild Life Warden is satisfied that such animal cannot be rehabilitated in the wild and the reasons for the same are recorded in writing.

Explanation- For the purposes of clause (a), the process of capture or translocation, as the case may be, of such animal shall be made in such manner as to cause minimum stress to the said animal.

(b) the Chief Wild Life Warden or the authorised officer may, if he is satisfied that any wild animal specified in Schedule II, Schedule III, or Schedule IV has become dangerous to human life or to property (including standing crops on any land) or is so disabled or diseased as to be beyond recovery, by order in writing and stating the reasons therefore, permit any person to hunt such animal or cause such animal to be hunted.
(b) the Chief Wild Life Warden or the authorised officer may, if he is satisfied that any wild animal specified in Schedule II, Schedule III, or Schedule IV has become dangerous to human life or to property (including standing crops on any land) or is so disabled or diseased as to be beyond recovery, by order in writing and stating the reasons therefore, permit any person to hunt "such animal or group of animals in a specified area or cause such animal or group of animals in that specified area to be hunted"

(2) The killing or wounding in good faith of any wild animal in defence of oneself or any other person shall not be an offence:

Provided that nothing in this sub-section shall exonerate any person who, when such defence becomes necessary, was committing any act in contravention of any provisions of this Act or any rule or order made there under.

(3) Any wild animal killed or wounded in defence of any person shall be Government property.

Sec. 18. Declaration of sanctuary.- (1) The State Government may, by notification, declare its intention to constitute any area comprised within any reserve forest or the territorial waters as a sanctuary if it considers that such area is of adequate ecological, faunal, floral, geomorphological, natural or zoological significance, for the purpose of protecting, propagating or developing wild life or its environment.]

Sec. 27. Restriction on entry in sanctuary.- (1) No person other than,-

(a) a public servant on duty,

(b) a person who has been permitted by the Chief Wild Life Warden or the authorised officer to reside within the limits of the sanctuary,

(c) a person who has any right over immovable property within the limits of the sanctuary,
(d) a person passing through the sanctuary along a public highway, and
(e) the dependents of the person referred to in clause (a), clause (b) or clause (c), shall enter or reside in the sanctuary, except under and in accordance with the conditions of a permit granted under section 28.

Sec. 29: No person shall destroy, exploit or remove any wild life including forest produce from a sanctuary or destroy or damage or divert the habitat of any wild animal by any act whatsoever or divert, stop or enhance the flow of water into or outside the sanctuary, except under and in accordance with a permit granted by the Chief Wild Life Warden, and no such permit shall be granted unless the State Government being satisfied in consultation with the Board that such removal of wild life from the sanctuary or the change in the flow of water into or outside the sanctuary is necessary for the improvement and better management of wild life therein, authorises the issue of such permit:

Provided that where the forest produce is removed from a sanctuary the same may be used for meeting the personal bonafide needs of the people living in and around the sanctuary and shall not be used for any commercial purpose.

Sec. 30. Causing fire prohibited.-No person shall set fire to a sanctuary, or kindle any fire, or leave any fire burning, in such manner as to endanger such sanctuary.

Sec. 31. Prohibition of entry into sanctuary with weapon.-No person shall enter a sanctuary with any weapon except with the previous permission in writing of the Chief Wild Life Warden or the authorised officer.

Sec. 32. Ban on use of injurious substances.-No person shall use, in a sanctuary, chemicals, explosives or any other substances which may cause injury to or endanger, any wild life in such sanctuary.

Sec. 33. Control of sanctuaries.- The Chief Wild Life Warden shall be the authority who shall control, manage and maintain all sanctuaries ….
Sec. 35. Declaration of National Parks.
(1) Whenever it appears to the State Government that an area, whether within a sanctuary or not, is, by reason of its ecological, faunal, floral, geomorphological or zoological association or importance, needed to be constituted as National Park for the purpose of protecting, propagating or developing wild life therein or its environment, it may, by notification, declare its intention to constitute such area as a National Park.

8) The provisions of sections 27 and 28, sections 30 to 32 (both inclusive), and clauses (a), (b) and (c) of 2[section 33, section 33 A] and section 34 shall, as far as may be apply in relation to a National Park as they apply in relation to a sanctuary

Sec. 36A. (1) The State Government may, after having consultations with the local communities, declare any area owned by the Government, particularly the areas adjacent to National Parks and sanctuaries and those areas which link one protected area with another, as a Conservation Reserve for protecting landscapes, seascapes, flora and fauna and their habitat:

Sec. 36C. (1) The State Government may, where the community or an individual has volunteered to conserve wild life and its habitat, declare any private or community land not comprised within a National Park, sanctuary or a conservation reserve, as a community reserve, for protecting fauna, flora and traditional or cultural conservation values and practices.

Sec. 38L. (1) The Central Government shall constitute a body to be known as the National Tiger Conservation Authority, to exercise the powers conferred on, and to perform the functions assigned to it under this Act.

Sec. 38O. (1) The Tiger Conservation Authority shall have the following powers and perform the following functions, namely:—
(a) to approve the Tiger Conservation Plan prepared by the State Government under sub-section (3) of section 38V of this Act;
(b) evaluate and assess various aspects of sustainable ecology and disallow any ecologically unsustainable land use such as, mining, industry and other projects within the tiger reserves;

(c) lay down normative standards for tourism activities and guidelines for project tiger from time to time for tiger conservation in the buffer and core area of tiger reserves and ensure their due compliance;

(d) provide for management focus and measures for addressing conflicts of men and wild animals and to emphasise on co-existence in forest areas outside the National Parks, sanctuaries or tiger reserve, in the working plan code;

(e) provide information on protection measures including future conservation plan, estimation of population of tiger and its natural prey species, status of habitats, disease surveillance, mortality survey, patrolling, reports on untoward happenings and such other management aspects as it may deem fit including future plan conservation;

(f) approve, co-ordinate research and monitoring on tiger, co-predators, prey, habitat, related ecological and socio-economic parameters and their evaluation;

(g) ensure that the tiger reserves and areas linking one protected area or tiger reserve with another protected area or tiger reserve are not diverted for ecologically unsustainable uses, except in public interest and with the approval of the National Board for Wild Life and on the advice of the Tiger Conservation Authority;

(h) facilitate and support the tiger reserve management in the State for biodiversity conservation initiatives through eco-development and people’s participation as per approved management plans and to support similar initiatives in adjoining areas consistent with the Central and State laws;

(i) ensure critical support including scientific, information technology and legal support for better implementation of the tiger conservation plan;
(j) facilitate ongoing capacity building programme for skill development of officers and staff of tiger reserves; and

(k) perform such other functions as may be necessary to carry out the purposes of this Act with regard to conservation of tigers and their habitat.

(2) The Tiger Conservation Authority may, in the exercise of its powers and performance of its functions under this Chapter, issue directions in writing to any person, officer or authority for the protection of tiger or tiger reserves and such person, officer or authority shall be bound to comply with the directions:

Provided that no such direction shall interfere with or affect the rights of local people particularly the Scheduled Tribes

Sec. 38Y. The Central Government may, for the purposes of this Act, by order published in the Official Gazette, constitute a Tiger and other Endangered Species Crime Control Bureau to be known as the Wildlife Crime Control Bureau.

Sec. 51. Penalties.-
(1) Any person who contravenes any provision of this Act (except Chapter VA and section 38J) or any rule order and made there under or who commits a breach of any of the conditions of any license or permit granted under this Act, shall be guilty of an offence against this Act, and shall, on conviction, be punishable with imprisonment for a term which may extend to three years or with fine which may extend to twenty-five thousand rupees or with both:

Provided that where the offence committed is in relation to any animal specified in Schedule I or part II or meat of any such animal or animal article, trophy or uncured trophy derived from such animal or where the offence relates to hunting in, or altering the boundaries of a sanctuary or a National Park, such offence shall be punishable with imprisonment for a term which shall not be
less than three years but may extend to seven years and also with fine which shall not be less than ten thousand rupees.

Provided further that in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment shall not be less than three years but may extend to seven years and also with fine which shall not be less than twenty five thousand rupees.

(1A) Any person who contravenes any provisions of Chapter VA, shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and also with fine which shall not be less than ten thousand rupees.

(1B) Any person who contravenes the provisions of section 38J shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both.

Provided that in the case of a second or subsequent offence the term of imprisonment may extend to one year, or with fine which may extend to five thousand rupees.

(1C) Any person, who commits an offence in relation to the core area of a tiger reserve or where the offence relate to hunting in the tiger reserve or altering the boundaries of the tiger reserve, such offence shall be punishable on first conviction with imprisonment for a term which shall not be less than three years but may extend to seven years, and also with fine which shall not be less than fifty thousand rupees but may extend to two lakh rupees; and in the event of a second or subsequent conviction with imprisonment for a term of not less than seven years and also with fine which shall not be less than five lakh rupees but may extend to fifty lakh rupees. (The Wildlife (Protection) Act, 1972, Govt. of India 2006.)
Country Profile: NEPAL

- Conventional long form name: Federal Democratic Republic of Nepal
- Government type: Federal Democratic Republic
- Capital: Kathmandu
- Population: 30,430,267 (July 2013 est)
- Country comparison to the world: 42
- Urban population: 17% of total population (2011)
- Literacy:
  - Definition: age 15 and over can read and write
  - Total population: 57.4%
    - Male: 71.1%
    - Female: 46.7% (2011 est.)
- GDP (purchasing power parity):
  - US$ 41.22 billion (2012 est.)
- Country comparison to the world: 102
- Geographic coordinates: 27 43 N, 85 19 E
- Total Geographical Area (sq.km.): 147,181
- Global ranking according to area: 94
- Land Area (sq.km.): 143,351
- Forest Area (sq.km.): 36360
- Forest Area as % of geographical area: 25
- Water Area (sq.km.): 3,830
- Total Land Boundaries (km.): 2,926
- Border Countries: China 1,236 km., India 1,690 km
- Coastline (km.): 0
- Highest Point (m): 8,850 m above msl –Mount Everest
- Lowest Point (m): 70- msl- Kanchan Kalan

Major Environmental issues: deforestation, increasing demand for wood for fuel and lack of alternatives; wildlife conservation;
Environment - international agreements:

**Nepal is party to:** Biodiversity, Climate Change, Climate Change-Kyoto Protocol, Desertification, Endangered Species, Hazardous Wastes, Law of the Sea, Ozone Layer Protection, Tropical Timber 83, Tropical Timber 94, Wetlands

**It has signed, but not ratified:** Marine Life Conservation

Has taken Actions on 109 Agreements including: **

- 18 Signatures
- 40 Ratification, Accession, Succession, or Similar
- 91 Entry Into Forces
- 3 Withdrawal or Similar


Legal Framework for Wildlife Conservation


**Important Provisions:**

Sec 2: “National Park” means an area set aside for the conservation, management and utilization of flora, fauna and scenery along with the natural environment.

b. “Strict Nature Reserve” means an area of ecological importance or important otherwise and set aside for scientific studies.

c. “Wildlife Reserve” means an area set aside for the conservation and management of wildlife resources and their habitats.

d. “Hunting Reserve” means an area set aside for the management of wildlife for allowing hunters to hunt them.

e. “Reserve” means strict nature reserve, wildlife reserve and hunting reserve.
(e1) “Conservation Area” means an area to be managed according to an integrated plan for the conservation of natural environment and balanced utilization of natural resources.

(e2) “Buffer Zone” means a peripheral area of a national park or reserve prescribed under the Section 3a in order to provide facilities to use forest resources on a regular and beneficial basis for the local people.

f. “Wildlife” means mammals, birds, reptiles, pieces, amphibians and insects of any kind other than domesticated and this term also includes the eggs of Oviparous creatures.

(h) “Hunting” means the act of chasing, capturing, torturing or killing of any wildlife by any means or attempting to do so or extracting any part of its body or eliminating it or taking out or destroying its eggs or taking out, destroying or disturbing its nest.

Sec. 3. Government of Nepal may declare an area as a national park, or reserve or conservation area by publishing a notice in the Nepal Gazette and indicating the boundary thereof.

Sec 5. Prohibited actions within national park or reserve: No person shall carry out the following actions within national park or reserve without obtaining a written permission from the authorized official:

a. To hunt wildlife,

b. To construct or possess house, hut, shelter, or any other structures of any material,

c. To occupy, clear, reclaim or cultivate any part or grow or harvest any crop,

d. To graze any domestic animal or bird, or feed water to it,

e. To cut, clear, fell, remove or block trees, plants, bushes or any other forest resources, or do anything to cause any forest resources dry, or set it on fire, or otherwise harm or damage it,
f. To dig mines, stones or remove any mineral, stone, boulder, earth or any other similar material,
g. To cause damage to forest resources or wildlife or birds or any land
h. To carry arms, ammunition or poison, or use them
i. To take any domestic or any other kind of animal or trophy by persons other than government employees on deputation or visitors of the public paths within the national park or reserve, and
j. To block, divert any river or stream flowing through national park or reserve, or any other source of water, or use any harmful or explosive materials therein.

Sec 10. Protected wildlife: The wildlife mentioned in Schedule-1 of this Act shall be considered as the protected wildlife and their hunting is prohibited. However, a rogue wild elephant, a man-eater tiger and wildlife that suffers from disease or have become disabled and may not survive, shall be killed or captured on the order of the prescribed officer. Also, when deemed necessary wildlife, which come out of the forested area and cause considerable loss to human beings or to domestic birds and animals, may be killed, captured or chased on the order of the prescribed officer.

Sec 11. Prohibition to hunt without a license: (1) No person shall be permitted to hunt wildlife without obtaining a license.

Sec 26. Punishment:

(1) Any person who illegally kills or injures, sells, purchases or transfers or obtains rhinoceros, tiger, elephant, musk deer, clouded leopard, snow leopard or bison, or keeps, purchases or sells rhinoceros horn or musk-pods or the fur of snow leopard as well as trophies of any other protected wildlife, shall be punished with a fine ranging from fifty to one hundred thousand rupees or an imprisonment ranging from five years to fifteen years or both.
(2) Any person who kills or injures any other protected wildlife other than those mentioned in Sub-Section (1) shall be punished with a fine ranging from forty to seventy five thousand rupees, or face an imprisonment ranging from one year to ten years or both.

(3) Any person who hunts and kills or injures wildlife other than birds and fish inside a national park, strict nature reserve or wildlife reserve without obtaining a license shall be punished with a fine ranging from one thousand rupees and ten thousand rupees or face imprisonment ranging from six months to two years or both.

(4) Any person who hunts and kills or injures protected birds shall be punished with a fine ranging from five hundred rupees and ten thousand rupees or face imprisonment ranging from three months and two years or both.

(5) Any person who hunts and kills or injures birds other than protected birds inside a national park, strict nature reserve or wildlife reserve without obtaining a license shall be punished with a fine ranging from two hundred rupees and ten thousand rupees, or face imprisonment ranging between three months and two years or both.

(6) Any person who commits an offense other than those mentioned in Sub-Section (1), (2), (3), (4) and (5), in contravention of this Act or the Rules framed under the Act shall be punished with a fine up to ten thousand rupees or two years imprisonment or both depending on the nature of the case.

2. Regional Perspective

Country Protected Area Network profiles**
(** Source: https://protectedplanet.net/c/united-nations-list-of-protected-areas/united-nations-list-of-protected-areas-2014 accessed on 28th Feb 2017).

Table 4: Protected Area Profile of Bangladesh

<table>
<thead>
<tr>
<th>BANGLADESH</th>
<th>Category</th>
<th>Number</th>
<th>Area (sq.km.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>National Park</td>
<td>17</td>
<td>457.46</td>
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<tr>
<td></td>
<td>Wildlife Sanctuary</td>
<td>17</td>
<td>2196.72</td>
</tr>
<tr>
<td></td>
<td>Dolphin Sanctuary</td>
<td>3</td>
<td>5.78</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>2659.96</strong></td>
</tr>
</tbody>
</table>

Table 5: Protected Area Profile of Bhutan

<table>
<thead>
<tr>
<th>BHUTAN</th>
<th>Category</th>
<th>Number</th>
<th>Area (sq.km.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>National Park</td>
<td>5</td>
<td>12929.0</td>
</tr>
<tr>
<td></td>
<td>Strict Nature Reserve</td>
<td>1</td>
<td>609.0</td>
</tr>
<tr>
<td></td>
<td>Wildlife Sanctuary</td>
<td>4</td>
<td>2865.0</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td>10</td>
<td><strong>16403</strong></td>
</tr>
</tbody>
</table>

Table 6: Protected Area Profile of Nepal

<table>
<thead>
<tr>
<th>NEPAL</th>
<th>Category</th>
<th>Number</th>
<th>Area (sq.km.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>National Park</td>
<td>10</td>
<td>10853.0</td>
</tr>
<tr>
<td></td>
<td>Wildlife Reserve</td>
<td>3</td>
<td>979.0</td>
</tr>
<tr>
<td></td>
<td>Conservation Areas</td>
<td>6</td>
<td>15425.95</td>
</tr>
<tr>
<td></td>
<td>Hunting Reserve</td>
<td>1</td>
<td>1325.0</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td>19</td>
<td><strong>28582.95</strong></td>
</tr>
</tbody>
</table>
Table 7: Protected Area Profile of India

<table>
<thead>
<tr>
<th>INDIA</th>
<th>Category</th>
<th>Number</th>
<th>Area (sq.km.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>National Park</td>
<td>102</td>
<td>40043.13</td>
</tr>
<tr>
<td></td>
<td>Wildlife Sanctuary</td>
<td>529</td>
<td>129409.37</td>
</tr>
<tr>
<td></td>
<td>Community Reserve</td>
<td>4</td>
<td>20.62</td>
</tr>
<tr>
<td></td>
<td>Conservation Reserve</td>
<td>56</td>
<td>1742.62</td>
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<tr>
<td></td>
<td>TOTAL</td>
<td>691</td>
<td>171215.74</td>
</tr>
</tbody>
</table>

Table 8:

Protected Area Network in some countries of South Asia

<table>
<thead>
<tr>
<th>Country</th>
<th>Geog Area (sq. km.)</th>
<th>No. of PA's</th>
<th>PA area</th>
<th>PA Area as % of Geog Area</th>
<th>Avg PA size (sq. Km)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>143998.00</td>
<td>37</td>
<td>2659.96</td>
<td>1.85</td>
<td>71.89</td>
</tr>
<tr>
<td>Bhutan</td>
<td>38394.00</td>
<td>10</td>
<td>16403.00</td>
<td>42.72</td>
<td>1640.30</td>
</tr>
<tr>
<td>India</td>
<td>3287263.00</td>
<td>691</td>
<td>171215.7</td>
<td>5.21</td>
<td>247.78</td>
</tr>
<tr>
<td>Nepal</td>
<td>147181.00</td>
<td>20</td>
<td>28582.95</td>
<td>19.42</td>
<td>1429.15</td>
</tr>
</tbody>
</table>
Chart 6:

**PA Network in some countries of South Asia**

<table>
<thead>
<tr>
<th>Country</th>
<th>No. of PAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>37</td>
</tr>
<tr>
<td>Bhutan</td>
<td>10</td>
</tr>
<tr>
<td>India</td>
<td>691</td>
</tr>
<tr>
<td>Nepal</td>
<td>20</td>
</tr>
</tbody>
</table>

Chart 7:

**Average PA Size (Sq.km) in Some Countries of South Asia**

<table>
<thead>
<tr>
<th>Country</th>
<th>Avg PA size (sq. km)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>71.89</td>
</tr>
<tr>
<td>Bhutan</td>
<td>1640.3</td>
</tr>
<tr>
<td>India</td>
<td>247.78</td>
</tr>
<tr>
<td>Nepal</td>
<td>1429.15</td>
</tr>
</tbody>
</table>
Chart 8: PA Area as % of Geographical Area in Some Countries of South Asia

Chart 9: Protected Areas in Bangladesh
Chart 10: Protected Areas in Bhutan

<table>
<thead>
<tr>
<th>Area Type</th>
<th>Area (Sq. km)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area of NP</td>
<td>12929</td>
</tr>
<tr>
<td>Area of WLS</td>
<td>2865</td>
</tr>
<tr>
<td>Area of Other PAs</td>
<td>609</td>
</tr>
</tbody>
</table>

Chart 11: Protected Areas in India

<table>
<thead>
<tr>
<th>Area Type</th>
<th>Area (Sq. km)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area of NP</td>
<td>129409.37</td>
</tr>
<tr>
<td>Area of WLS</td>
<td>1763.24</td>
</tr>
<tr>
<td>Area of Other PAs</td>
<td>40043.13</td>
</tr>
</tbody>
</table>
3. Status of CITES Compliance in South Asia:

Table 9: Date of accession to the CITES Convention by South Asian Countries

<table>
<thead>
<tr>
<th>Serial</th>
<th>Country</th>
<th>Date of Joining CITES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nepal</td>
<td>18/06/1975</td>
</tr>
<tr>
<td>2</td>
<td>Pakistan</td>
<td>20/04/1976</td>
</tr>
<tr>
<td>3</td>
<td>India</td>
<td>20/07/1976</td>
</tr>
<tr>
<td>4</td>
<td>Sri Lanka</td>
<td>04/05/1979</td>
</tr>
<tr>
<td>5</td>
<td>Bangladesh</td>
<td>20/11/1981</td>
</tr>
<tr>
<td>6</td>
<td>Afghanistan</td>
<td>30/10/1985</td>
</tr>
<tr>
<td>7</td>
<td>Bhutan</td>
<td>15/08/2002</td>
</tr>
<tr>
<td>8</td>
<td>Maldives</td>
<td>12/12/2012</td>
</tr>
<tr>
<td>Country</td>
<td>Entry into Force</td>
<td>Category</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>28/01/86</td>
<td>3</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>18/02/82</td>
<td>2</td>
</tr>
<tr>
<td>Bhutan</td>
<td>13/11/02</td>
<td>3</td>
</tr>
<tr>
<td>India</td>
<td>18/10/76</td>
<td>2</td>
</tr>
<tr>
<td>Nepal</td>
<td>16/09/75</td>
<td>3</td>
</tr>
<tr>
<td>*Pakistan</td>
<td>09/07/76</td>
<td>3</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>02/08/79</td>
<td>3</td>
</tr>
</tbody>
</table>

* Pakistan has been identified as a Party currently requiring attention as a priority under the National Legislation Project

**Table 10: National Legislation Project Status**

<table>
<thead>
<tr>
<th>Country</th>
<th>Entry into Force</th>
<th>Category</th>
<th>Plan</th>
<th>Draft</th>
<th>Submitted</th>
<th>Enacted</th>
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</thead>
<tbody>
<tr>
<td>Afghanistan</td>
<td>28/01/86</td>
<td>3</td>
<td>Y</td>
<td>Y</td>
<td>-</td>
<td>N</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>18/02/82</td>
<td>2</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>Bhutan</td>
<td>13/11/02</td>
<td>3</td>
<td>Y</td>
<td>Y</td>
<td>-</td>
<td>N</td>
</tr>
<tr>
<td>India</td>
<td>18/10/76</td>
<td>2</td>
<td>Y</td>
<td>Y</td>
<td>-</td>
<td>N</td>
</tr>
<tr>
<td>Nepal</td>
<td>16/09/75</td>
<td>3</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>*Pakistan</td>
<td>09/07/76</td>
<td>3</td>
<td>Y</td>
<td>Y</td>
<td>-</td>
<td>N</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>02/08/79</td>
<td>3</td>
<td>Y</td>
<td>Y</td>
<td>-</td>
<td>N</td>
</tr>
</tbody>
</table>

**Keys:**

**Category:**

1: legislation that is believed generally to meet the requirements for implementation of CITES (85 Parties and 11 dependent territories)

2: legislation that is believed generally not to meet all requirements for the implementation of CITES (49 Parties and 16 dependent territories)

3: legislation that is believed generally not to meet the requirements for the implementation of CITES (41 Parties and 2 dependent territories)

**Source:** CITES Notification No. 2012/036, National laws for implementation of the Convention, Geneva, 18 April 2012.

Also see CITES CoP12 Doc. 28, Twelfth meeting of the Conference of the Parties Santiago (Chile), 3-15 November 2002
Status of Compliance on CITES Annual and Biennial reports


Status of Biennial Report, now known as Implementation Report
Article VIII, paragraph 7, of the Convention also requires each Party to submit a biennial report on legislative, regulatory and administrative measures taken to enforce the Convention.

Biennial reports, now known as implementation reports, provide an opportunity for Parties to share information regarding their overall implementation of the Convention, including their progress in the development and application of laws and regulations, administrative procedures, economic and social incentives and wildlife trade policies.

Table 11: Status of Submission of CITES Biennial Reports by South Asian Countries

<table>
<thead>
<tr>
<th>Country</th>
<th>Year of Biennial Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Submission</td>
<td></td>
</tr>
<tr>
<td>Afghanistan</td>
<td>-</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>-</td>
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<tr>
<td>Bhutan</td>
<td>14/06/06</td>
</tr>
<tr>
<td>India</td>
<td>-</td>
</tr>
<tr>
<td>Nepal</td>
<td>17/11/08</td>
</tr>
<tr>
<td>Pakistan</td>
<td>30/09/09</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>-</td>
</tr>
</tbody>
</table>
Based on https://cites.org/eng/resources/reports/biennial.php accessed on 07/03 2017

*** Maldives has become a member on 12/03/2013

*Biennial reports should be submitted to the Secretariat by 31 October following the year to which they relate.

CITES Annual Trade Report

Article VIII, paragraph 7, of the Convention requires each Party to submit an annual report on its CITES trade, containing a summary of information on, inter alia, the number and type of permits and certificates granted, the States with which such trade occurred, the quantities and types of specimens, and the names of species as included in Appendices I, II and III.

Table 12: Status of Submission of CITES Annual Reports by South Asian Countries

<table>
<thead>
<tr>
<th></th>
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<th></th>
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<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Afghanistan</td>
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<td>-</td>
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</tr>
<tr>
<td>Bangladesh</td>
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<td>29/01/08</td>
<td>01/07/10</td>
<td>01/07/10</td>
<td>06/02/11</td>
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<td>02/06/14</td>
<td>02/06/14</td>
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<td>-</td>
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</tr>
<tr>
<td>Bhutan</td>
<td>27/01/16</td>
<td>27/01/16</td>
<td>27/01/16</td>
<td>27/01/16</td>
<td>-</td>
<td>-</td>
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<td>India</td>
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<td>16/09/12</td>
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<td>30/09/09</td>
<td>12/02/13</td>
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*** Maldives has become a member on 12/03/2013

* Annual reports should be submitted to the Secretariat by 31 October following the year to which they relate. / http://www.cites.org/cms/public/common/resources annual_reports.pdf. 
Annual Report data accessed on 1st March 2017 (accessed on 07/03/2017).

Also see CITES Conf 11.17 Rev. Cop17 

Discussion:

As is evident from the above, all 8 countries of South Asia are members of CITES. However, none of the countries are regular in the compliance of reporting requirements as laid down by CITES. While many countries have submitted Annual Reports from time to time, submission of Biennial Reports is extremely poor. The status of the National Legislation Project is even more worrying as none of the South Asian countries are in compliance with CITES requirements as prescribed. Only Bangladesh and Nepal have submitted Draft plans so far. None of the countries have legislation that is believed to meet all requirements for the implementation of CITES. Pakistan has been identified as a country that needs special attention under this project.

It is disappointing that despite several decades of membership of CITES by some of the nations of South Asia, they still do not meet even some of the basic requirements of CITES, nor are they in regular compliance with reporting requirements under the convention. As such, the status of compliance under CITES for the region can at best be described as “poor”.