

Wildlife Times

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The nexus of wildlife traders AT LARGE

The depth, magnitude and the scope of poachers became understandable to common people on January 10 again, when the Chief warden of Chitwan National Park Gopal Prasad Upadhyaya, under suspicious circumstances, sentenced the minimum of punishment to some poachers, including the most notorious trader of rhino-horns ever arrested Pemba Lama, or Yakchhe.

Upadhyaya sentenced imprisonment of five years and fine of Rs. 100,000 for him, which is the minimum of the punishment for rhino poachers or traders according to National Park and Wildlife Conservation Act 1973 (NPWCA). He has authority to investigate and sentence punishment to poachers as much as 15 years of jail for similar cases. This small but very significant news raised curtain on lots of issues related with illegal trade of wild animals, mainly the rhino-horns, and the nexus behind the trade for which hundreds of the endangered species lose their lives.

The same warden, however, sentenced eight years of imprisonment to similar convicts, which only left areas for the conservationists to smell suspicion on his intention. And, it is learnt that there are other cases, waiting for verdicts since last seven or eight years but this verdict came all of a sudden. Experts claim that the warden took advantage of the political crisis and made the decision under pressure from politicians for financial benefit, abusing his authority.

And in similar cases, CNP sentenced Kanchhalal Waiba for seven years, Purna Bahadur Pakhrin for eight years, Bhim Bahadur Syangtan for eight years, and Chandra Bahadur Paudel was released against bail of Rs 50,000. And, four convicted at large - Nima Waiba, Dongwa Saila, Tamling Bhote, Nima Bhote, Nima Tamang and Lopchan Kanchha - were sentenced for eight years.

This is not the first time, the wardens play instrumental role in providing the poachers with easy escape by sentencing them the minimum of punishment. After the pressure mounts, the DNPWC punishes those controversial wardens by suspending them for a couple of months or transforming them to other region. But those government officials remain indirectly active even in later part of their job.

The blame cannot go to the wardens alone. Cases are there that even when the wardens sentence the poachers for tough punishment, they can go to Appellate Court and have their punishments reduced under various circumstances.

Who is Yakche?

Yakche is a noted smuggler of wildlife parts in Nepal and China. Probably he belongs to the highest level of smugglers ever arrested in poaching history of Nepal.

He has admitted that he entered Nepal from Tibet as a refugee but it is believed that he possessed seven citizenship cards showing him as citizen of different parts of Nepal as well as of Tibet, and is living in different places under different names and nicknames. One of the citizenship cards he has presented shows that he is a permanent resident of Chame VDC of Manang district.

But documents prove that he possess property of Rs 250 to 300 million. He has a building in Sitapaila, a green Pajero and two Santro cars. But he was found living in a rented room in Chhetrapati. He smuggles animal parts



to China and for Chinese clients.

According to various sources, he has been in wildlife trade of last two decades and has smuggled as many as 20 rhino horns.

Last time, he was arrested by the national park security with a Toyota car with registration no. Ba 1

cha 9969, Rs 464,000, Bangladeshi currency 900 and a mobile set around 20 months ago from Nawalparasi around 20 months ago. He had admitted that he was involved in trading of 18 rhino-horns and personally earned over Rs 20 millions.

The trend of rhino poaching has come down this month, thanks to the parliament's attention, government's action, the conservationist's concern and media publicity. Still, this is not the end of the story; it is only the beginning. The government as well as other stakeholders are still unaware of the big racket of the wildlife traders. The poaching continues because there is availability of trading. And stopping the trade becomes difficult especially when the traders are highly-protected by various unseen elements and the loopholes in the legal provision only has encouraged the traders to stick to this heinous trade.

Law and punishment play important roles in making effect on crime graph. When the criminals are seen roaming free in the streets and when the conservationists have to face torture in the custody instead, it is naturally that the wrongdoers are tempted. First the present reality of providing minimum punishment to the arrested smugglers must be ended and the "top-level" shelter providers for the traders must be exposed. Everybody knows that the risky and inhuman business of wildlife trading is not possible without a well-knit nexus among the traders, government staffers and politicians.

In this connection, a new fresh and even bigger campaign is needed to stop the things that take after a rhino is murdered. The involvement of the local politicians, bureaucrats, community organizations have indeed made impact on reducing the ratio of rhino deaths. Similarly, the same thing should be replicated in the illegal-trade of animal parts too. The people involved in the trade should be exposed, punished the hardest and be socially boycotted, so that no other people could be inclined to this business. The conservation of endangered wild animals will not be difficult if we really break the nexus and shatter the business of the traders going on under whatever type of protection.

Not for all

While decision on rhino-poaching is not as easy as it is made here. Dozens of similar cases are waiting in national parks for years but the administration keeps lingering them in the name of insufficient evidences or documents. It is said that the lingering itself is a sign of the "dealings" going on between the officials and the convicted persons.

Though the NPWCA has it that such cases must be finalised in a year, cases are there that the convicted wait for the decision for many years. Som Bahadur Gurung and Lal Bahadur Tamang of Bhandara, Chitwan had to wait for six years. Similarly, it is recorded that 12 persons had to wait for five years, 15 had to wait for four years and nine had to wait for three years for the decision. In Chitwan alone, as many as 40 persons were kept in custody for years.

Protection for poachers?

It has been an open secret among the conservationists that the poachers foster protection from top political leaders and bureaucrats.

Addressing the Houser of Representatives, a lawmaker from CPN-UML Pradip Nepal said that bureaucracy of Ministry of Home Affairs is involved in protecting the rhino-poaching and the smuggling of their horns. Nepal even demanded the government to make the names of the ministers public, who proposed to release the poachers.

The government's decision to release rhino-horn smugglers and poachers was a striking evidence of the politician's role in protecting the poachers, which eventually discourages security staffers working in the field.

Talking to the press, Assistant Warden at CNP Kamal Jung Kunwar said that the conservation of rhinos has not been materialized despite the efforts of the national parks because even the arrested smugglers get freed because of the pressure from "top level politicians". Kunwar is now in custody in charge of torturing a poachers to death.

"We arrest the smugglers taking our lives at risk, but they are freed overnight. This tendency has discouraged us, the

field-workers,' he said, adding that stopping poaching is very difficult until we break the high-level network of the poachers and their protectors.

To support the "rumors", a weekly paper has pointed out that a top leader's daughter, who is also a politician, was directly involved in Gopal Upadhyaya's case.

The act has given authority to wardens of national parks to arrest and punish the poachers. It has helped the police to run away any responsibilities. While, the wardens and rangers try to avoid the cases, saying that they lack efficiency, human resources and financial support to research and investigate into each case.

Condemnation

Three top-level conservation institutions have raised objection against the controversial verdict and demanded maximum of punishment for the wildlife traders, pressurizing the government to punish all involved in the incident.

The IUCN Nepal, WWF Nepal and National Trust for Nature Conservation issued a press release, asking the government to revise the investigation on the reason for providing only the minimum of punishment for the international-level trader.

The release also said that the controversial verdict has made a set back on joint efforts to break the nexus of smugglers and also discouraged the conservation activists.

Similarly, Rangers' Association of Nepal also has release a press release, demanding punishment to the warder who made the verdict and probing Upadhyay's verdict.

Following the public pressure to punish the culprit maximum and also as the experts accused the warden of taking bribes to make such a controversial verdict, the MFSC constituted a Committee in order to investigate into the widespread public complaints on the level of the punishment announced last week against individuals found guilty of poaching Rhinos. Under Secretary at the Ministry's Law Section, Fanindra Raj Gautam was the coordinator while Assistant Protection Officer, Jhamak Bahadur Karki the member of the Committee. The committee later decided to suspend Upadhyaya for two months for his "ill-intended" verdict.

The fate of Upadhyaya

The chief warden of Chitwan National Park, Gopal Prasad Upadhyay, who mysteriously let a noted Rhino poacher escape with the minimum of punishment two weeks ago, came in the capital on last week of January, in search if his job here as the employees at his office in Chitwan had boycotted him.

Upadhyay also went to the Ministry of Forestry and Soil Conservation (MFSC) and other politicians for "justice" of his kind, but was sent back empty-handed. The employee association at the ministry even organized protest programmes against the warden.

Nepal on international perspective

Most recently, a noted wildlife expert of the region today referred Nepal as a centre of wildlife traders of the region on February 23.

"Surprisingly, the most of the leading wildlife criminals in the region are based in Nepal," said Belinda Wright, the executive director of Wildlife Protection Society of India. She was speaking at a programme, organized by Wildlife Conservation Nepal on sensitization and training on wildlife crime.

She further said that the wild-life trade in Nepal is going in high-level network and under experience guidance here. "The wildlife crime is no longer a haphazard pastime. According to Interpol, after the narcotics trade it is the second largest illegal occupation in the world.

She also pointed out that the way endangered animals are killed in Nepal in "ruthless way". "Unfortunately, killing an animal like the tiger - or rhino - is not that difficult for poachers. The methods they use are ruthless..." she added.

Wildlife Trade Program of WWF Nepal

WWF Nepal has been involved and working since late sixties for the Conservation of Biodiversity in Nepal. It has extended its programs from Species based conservation programs in sixties to Landscape level biodiversity conservation programs by the millennium.

With aiming to help control illegal wildlife trade and poaching, WWF Nepal has initiated a separate program on Wildlife Trade since fiscal year 2006. This program focuses on sensitizing general public, government agencies and other concerned stake holders on issues related to poaching and illegal wildlife trade as well as to enhance capacity of the enforcement agencies to control illegal wildlife trade and poaching.

Policy and advocacy is another focus of this program. It aims to support strengthening conservation laws and policies for the effective conservation and management of Protected Areas as well as wildlife, and to control poaching and illegal wildlife trade.

The Wildlife Trade Program also aims to enhance cooperation and coordination with local and international partners and stakeholders for the control of illegal wildlife trade along the trans-boundary regions.

WWF provided \$ 10 million for nature conservation

WWF Nepal, the global conservation in Nepal, signed a US \$ 10 million project agreement, to be spent in the period of 2006 to 2011, with the Ministry of Forests and Soil Conservation (MFSC) and the Social Welfare Council (SWC) today.

Dr Ritu Prasad Gartaula, the member secretary of SWC, Dr Mohan Prasad Wagley, the chief of planning at MFSC and Anil Manandhar, the country representative of WWF Nepal signed the document in a function on February 9.

According to a WWF officials, the funds will be a critical investment in the post-conflict scenario as partnerships are strengthened from the grassroots to the national level to conserve Nepal's rich biodiversity in the Terai Arc Landscape, the Sacred Himalayan Landscape and the Northern Mountains Conservation Programme, while also improving the sustainable livelihood of rural communities.

The US \$ 10 million will support activities that include projects and programmes supporting wildlife and forest resources, landscape level conservation planning and management, protected area management, forest management, integrated conservation and development work on climate change and freshwater issues, promotion of eco-tourism, conservation education, public awareness, mobilisation of non-governmental organizations and community-based organizations, development of human resources and institutional capacities of the partner organisations, it is learnt.



Conservationists belonging to the government and various non-government organizations celebrated the World Wetland Day on February 2 with various programmes. The slogan of the World Wetland Day for this year was "Fish for Tomorrow".

As every year, a series of events are going to keep conservationists busy for a week, mainly in the Kathmandu Valley and outside as well.

World Wetlands Day takes place on February 2 every year and offers governments at all levels, NGOs, schools and citizens alike an opportunity "to undertake actions aimed at raising public awareness of wetland values and benefits in general and the Ramsar Convention in particular". Several community organisations held Taudaha festival to mark the day.

Arrests

Following the alarming rate of poaching of rhinos in the year 2006 and the media hype followed by the incidents, the government also took some initiative to arrest the poachers. It is not that the poachers were not arrested, but the most of the arrested ones were low-level laborers. Hardly any top-level traders were found arrested.

May 21, 2006 (Jestha 7)

Valley Crime Investigation Branch arrested Shyam Dulal, from Sirubari VDC of Sindhupalchok with a rhino-horn. According to the police, the team, led by inspector Ganesh Regmi presented themselves as buyers to Regmi and after a long conversation, he produced the horn, to be sold at Rs 800,000.

June 18, 2006 (Ashar 4)

Purna Banmali was arrested at Putalisadak when he was travelling with a rhino-horn.

July 11, 2006 (Asar 27)

Two persons were arrested when they were trying to smuggle five rhino-horns from Birgunj to Katmandu in a private vehicle at Amptari Checkpost of Narayanghad. The contrabands were kept in a bag by the engine of Suzuki jeep with registration no. Ba 4 cha 7972. The persons were Pema Sherpa, 36, (Pubinpatti VDC, ward no. 5, Sindhupalchok) and Dawa Sherpa, 19, (Tatopani, ward no. 4, Sindhupalchok). They told the police that they took the horns from a Manoj of Birgunj to be transported to Donam of Baoudhha, for which, they had taken Rs 60,000.

July 19, 2006 (Shrawan 4)

Two smugglers with a rhino-horn and two pieces of tiger hides were arrested from Triveni area, some 10 km south of Nwalparasi. The arrested ones include Jaya Narayan Kumal (Rupauliya VDC, ward no. 5) and his friend, who was not identified.

September 2, 2006

District Forest Office, Bharatpur has sentenced three persons accused of killing 17 rhinos in the district to 15 years imprisonment and fines of Rs 100,000 each. Bam Bahadur Praja, 27, Shukra Bahadur Praja, 19, and Prem Bahadur Praja, 19, of Siddhi VDC were found guilty, according to a RSS news dispatch.

October 22, 2006

Four persons, arrested in charge of smuggling rhino horns were sent to jail, after they admitted that of being involved in smuggling. Dambar Bahadur Praja, Krishna Baahdur Bote, Ram Krishna Chaudhari "Tharu Kanchha" and Dhidhara Mahato from Padampur VDC ward no. 1 of Chitwan were jailed, according to the CNP. They were arrested on Push 21.

December 8, 2006 (Mangsir 22)

Shankar Raj Tamang (Nuwakot), Dhan Bahadur Tamang (Nuwakot) Gautam Ghale (Nuwakot) Dev Raj Thakur (Jpaha) were arrested on Mangsir 22, when they were trying to sell off rhino horns. The police intervened with help of informants when bargaining was going on. The arrested ones have said that Badri Thakur and Lokbandhu Gurung (Manag) are the culprits but they are still at large.

December 12, 2006 (Mangsir 26)

Six persons were arrested in charge of illegal trade of

rhino with arms from Tamaspur area of Nwalparasi with help from local Maoist workers.

Those were Prem Chaudhari (Naya Belhani VDC), Durga Bahadur Kukmal (Dumkibas VDC), Lok Bahadur Kumal (Dumkibas VDC), Hom Bahadur Masarangi (Dumkibas VDC), Chet Bahadur Sunari (Dumkibas VDC) and Man Bahadur Saru (Dumkibas VDC). The security guard also confiscated a 303 rifle and Rs 45,000. Among them, Perm and Durga Bahadur were wanted in charge of smuggling animal parts. Maoist Militia Incharge Saugat said that the party decided to mobilize its cadres to protect the rhinos.

January 6, 2007 (Push 21)

Four persons arrested on different dates from Chitwan were sent to jail for further investigation. They were Dil Bahadur Praja (Siddhi-3, Saipang, Dil Bahadur Praja "Rajkumar" (Shaktikhor-3, Drabyatar), Chandra Bahadur Yonjan (Dahakhani-9, Bhalumare Jhul) and Suk Bahadur Bote (Padampur-2).

According to District Forest Officer Baburam Bhandari, "Rajkumar" has admitted of being involved in killing of three rhinos.

Earlier, on Mangsir 26, Bhandari sentenced Kunga Tamang (Khairahani-4), Tashi Gurung (Bijeshori, Kathmandu-3), Tilak Bahadur Thing (Dudhpokhari, Dolkha), Balbahadur Gurung (Ghyalchowk, Gorkha) for 14 years and Rs 100,000 fine for each. However, Tilak Bahadur and Balbahadur are still at large.

January 17, 2007 (Magh 3)

Killing of rhinos is drawing social punishment these days. Durga Maya Kumal took initiative to take her husband Buddhi Bahadur Kumal to the CNP administration for legal actions, as he was involved in killing a rhino some months ago.

Durga Maya said that any criminal must be punished as per the law and nobody who is involved in poaching rhinos should be spared at any cost.

Buddhi Bahadur admitted that he was involved in killing of a rhino at CNP. "I was a part of the plan to kill a rhino at Surungkhola of CNP on Push last week of 2062. We were a group of six poachers for the venture," he said. He also added that he was attacked by a wild boar and had to undergo treatment in Katmandu and India.

Bir Bahadur Kumal "Surya" (Meghauli-2) and Syanu Lama had been arrested from the same incident.

January 16, 2007

Two business women from Kathmandu have been arrested in possession of a rhino horn at Suraha Chowk Tandi, Chitwan today. The news however, kept the names of the arrested women secret for investigation purposes.

January 26, 2007

A rhino poacher named Chhunuram Mahato alias Hiralal was arrested Thursday night, according to a wildlife organisation working in the field there.

Ranger of the Chitwan National Park Sujan Maharjan arrested Mahato of Simara, currently a resident of Chitwan District, Dibyanagar VCD 3. Mahato had been charged with the killing of the endangered one horn rhino on 2062/06/12.

February 15, 2007

Two wildlife traders were arrested from Chitwan on Wednesday night. The traders Sitaram Aryal and Man Bahadur Praja, residents from Piple VDC, ward no. 7 of Chitwan were arrested along with two fake rhino horns, which were found in the passengers while the security checked minibuses in front of ARmed Forest Guard Training Center at Tikauli of Chitwan.

