

TSI

The Law and the Jungle

AMARPAL MALHI | November 30, 2008 00:00
Sudhir Mishra, Leading Environmental Lawyer



In the last 10 years of my association with wildlife cases, I have seen moments of absolute joy, and at the same time, there were times of total despair. With the dawn of the new millennium, illegal wildlife trade has become truly globalized and as supply no longer depends on local needs, it has increased manifold. But then, in the last few years, some landmark court convictions involving wildlife traders and poachers have also been seen. Just recently the State of Gujarat managed to get an historical conviction against poachers who had travelled all the way from Madhya Pradesh to kill the Asiatic lions and sell their bones in the guise of tiger bones.

This case was unprecedented for Indian wildlife since this was the first case to come to light involving Asiatic lions and for the first time such a large group of poachers have been convicted together. India has a stringent legal framework to curb illegal wildlife trade but even with the Prime Minister being the head of the apex body for wildlife conservation there is an absence of political will to enforce the laws aggressively. Invariably in most of the states there are no proactive enforcement strategies on the part of forest and police departments. There have been very few convictions, especially for tiger poaching, despite an increase in seizures in recent years. In this context, the Gujarat conviction, where the trial was wrapped up in a year and a half is highly motivating. The conservation efforts also suffer setbacks due to the approach of some NGOs who invariably speak in different voices and for competing purposes, and are generally isolated in their methods. The court prosecution and appropriate sentencing are going to be critical factors for discouraging wildlife crimes. We need to provide the magistrates dealing with wildlife cases training about the wider environmental, social, economic and cultural impacts. If the conservation community, government and the stake holders at the ground zero work together then the fight to conserve wildlife will get a defining moment.

Media



Indo-Nepal Wildlife Law Enforcement Training Workshop held in Uttar Pradesh

TRAFFIC India and WWF-India in collaboration with Uttar Pradesh Forest Department conducted a two-day training workshop on wildlife law enforcement for officers from India and Nepal. The workshop was held on 3-4 June 2010 at Balrampur, a town close to the Nepal border in Uttar Pradesh and was attended by 40 participants of which six were from Nepal.

The main purpose of the workshop was to help build alliances between enforcement agencies of the two countries and strengthen cross border co-operation. The workshop dealt in detail with various issues related to cross border illegal wildlife trade, wildlife laws and its implications, wildlife investigations, use of forensics in fighting wildlife crime, using metal detectors to detect snares and traps laid by poachers to catch wildlife etc.

The workshop was inaugurated by Shri R.R. Jamuar, Chief Conservator of Forest-Wildlife, East Gonda. The key resource persons included Supreme Court Advocate Shri Sudhir Mishra; Advocate Delhi High Court Shri Saurabh Sharma; Dr. SP Goyal, Wildlife Forensics Expert from Wildlife Institute of India; Dr. Harish Gularia from WWF-India and Shri MKS Pasha from TRAFFIC India.

Mr J.B. Karki, Director-Bardia National Park, Nepal who also participated in the workshop said, "Forests along the Indo-Nepal border are continuous and the wildlife moves freely across the region. In order to strengthen the protection of these areas, cross border co-operation is a must. Such programmes only help to strengthen the ties so that the intelligence flow required to combat poaching and illegal wildlife trade continues to flow freely between the neighboring countries."

Shri R.R. Jamuar further said, "Illegal wildlife trade has taken form of an organized criminal activity and requires an organized approach to combat it."

Shri MKS Pasha from TRAFFIC India commented, "We are grateful to the Uttar Pradesh Forest Department for their help in organizing this training which will not only helped to build relationship with officials across the border but also provided a platform for participants to share their experiences on such issues".