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KUALA LUMPUR, July 21:

It is so easy to smuggle small animals into Peninsular Malaysia if a study carried out by Traffic Southeast Asia, the wildlife trade monitoring network, is anything to go by.

The study found that every two to three months, the local pet industry is able to bring in undetected, new but illegal shipments of the *Indian Star Tortoise* (*Geochelone Elegans*) (pix). Once this globally protected species bypasses Customs, loopholes in Malaysia's wildlife legislation allow the reptiles to be sold freely.

This is because endangered exotic tortoises and several other species protected by international laws are not listed as protected animals under Malaysia's Protection of Wild Life Act, 1972.

The study, entitled Demand Driven: The Trade of the Indian Star Tortoise in Peninsular Malaysia, was carried out in October and November last year, using information from surveys of 31 pet and aquarium stores in Kuala Lumpur and Petaling Jaya as well as from interviews with retailers. The survey found that 77.4 per cent of the pet retail shops visited sold Indian Star Tortoises. Dealers admitted that the tortoises were sourced illegally from India (82.6 per cent) and Sri Lanka (17.4 per cent).

The reptiles were smuggled in by concealing them in airline hand luggage, cargo luggage or on the person during the flight. They were taped into their shells to avoid movement.

"Retailers openly acknowledged that these tortoises were a protected species in their country of origin and they were not regulated by enforcement agencies in Malaysia, which allows retailers to sell Indian Star Tortoises openly," the report states.

The investigators were told that no permits were used to import any of these animals. In fact, 50 per cent of these retailers volunteered advice about smuggling tortoises to avoid detection during international transit.

The Indian Star Tortoise is afforded legal protection in its native countries of India, Sri Lanka and Pakistan through national laws and export of the species for commercial purposes is not allowed.

The species is also protected internationally through the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) where it is listed under Appendix II. An Appendix II listing means the species is not necessarily threatened with extinction but is at risk of becoming so unless trade is strictly regulated.

It also means Customs officials in Malaysia have the responsibility to stop this species from entering the country if it is not accompanied with export permits.

"However, their presence in Kuala Lumpur's pet shops means that they are being smuggled in," says Chris R. Shepherd of Traffic Southeast Asia.

He said the species was more widely available in the peninsula compared to other Southeast Asian countries and even Sabah and Sarawak, "because they have laws to prevent its illegal trade, but Peninsular Malaysia does not".

"The current legislation is such that any foreign CITES listed species is protected in Peninsular Malaysia. Unfortunately, it does not provide for species such as amphibians, endangered turtles, exotic tortoises and freshwater fish species," said Shepherd, who co-authored the report.

He hopes the report will assist the authorities in getting this legislation amended.

He said Customs was the only authority that could help address this illegal trade.

"We realise that while it is difficult to detect small animals like this, Customs should be aware this is happening, and be vigilant."

He added that Singapore used to have a similar problem but partially solved it when it banned keeping reptiles as pets.

Last week, 441 Indian Star Tortoises were seized from a Kuala Lumpur bound passenger, at the Anna International Airport, in Chennai, India. Security forces suspected something amiss when they noticed movement in the suitcase. The man was handed over to the Customs for further action.

The Traffic report will be launched tomorrow worldwide.