

ILLEGAL TRADE IN REPTILES: TRAFFIC PROTECTED BY A LEGAL VOID

The following article, written by an anonymous author, was published in the newspaper La Prensa, in the Central American country of El Salvador, on July 24, 1995. The text was translated from Spanish by Floyd E. Hayes of Caribbean Union College, Trinidad, who also assisted with the editing to improve and clarify, as best we could interpret, the original writing.

El Salvador is a country of the fourth category—thanks, in a grand measure, to the green iguanas. As the principal bridge for traffic in these reptiles at the world level, our country has been classified by CITES (the Convention on the International Trade in Endangered Species) as a nation “without even minimum legislation for applying protection for animal species.”

With respect to CITES, our country is decidedly a fourth category, derived from the illicit traffic in iguanas, which is estimated to surpass 5,000 animals daily during the actual hunting season that began last March. This has evidently resulted in a “temporary” sanction, since the 16th of June, in which the exportation of these reptiles has been suspended for an indefinite period. As a consequence, the principle perpetrators (including some among the 11 legal iguana farms) “are ripping their clothes apart,” according to authorities of the National Park and Wildlife Service.

The suspension of the permits for exportation of these reptiles is irrevocable until the country can demonstrate to CITES, which is based in Geneva, that it is capable of exercising legal control over the excessive traffic in iguanas. The problem is centered precisely on the lack of an approved legal framework for applying the requirements of CITES. Maria Luisa Reyna de Aguilar, the scientific authority for CITES in El Salvador, pointed out that the lack of government regulation has been the lifeline for the illegal trade, which fails to pay attention to existing agreements. A test of our

country’s ability to regulate the trade, for example, was the authorization this past 6th of April for J. R. Animals (property of Juan Francisco Rosales) to resume its exports to Miami.

In essence, the illicit trade was “protected in that no legal instrument exists at the moment for the regulation of animal farming,” points out CITES. Not unexpectedly, according to National Park and Wildlife Service, this approval aggravates the differences among the 11 authorized iguana farms in the country, which are currently divided into the Salvadoran Association of Reptile Farms (ASCREP) and the Association of Fishery Producers and Exporters (ASPRYEXA). According to authorities from the National Park and Wildlife Service, “some of them have been complying with the agreements to export a maximum of 51,000 neonates, whereas others have persisted in ignoring the agreements. Now all should respect the suspension, regardless of whether or not they previously respected the CITES agreements.”

Without doubt, although the country lacks an internal legal framework, regulations are in place at the international level. Actually, El Salvador has been a signatory nation to CITES (which regulates animal traffic in 130 countries around the world) since 30 April 1987. The National Park and Wildlife Service has been responsible for applying the agreements of the convention since 27 June of the same year. Almost a decade later, the Wildlife Conservation Law was approved last year by the Assembly through decree number 844, thus strengthening the previous CITES agreement.

According to authorities of the National Park and Wildlife Service, the enforcement and observance of the law, which “in its character is a special law that takes precedence over any other conflicting law in El Salvador,” has been required since the 8th of June, 1994. For now, the Environmental Division of the police can only confiscate animals and patrol areas where most of the

illegal traffic occurs. But according to the authorities, "beyond that nothing in terms of enforcement happens due to the absence of legal handling, even though everybody knows that the animal trafficking is illegal."

The confiscated animals are delivered to the National Park and Wildlife Service for their later release into nature. Together with enormous quantities of iguanas, the authorities frequently confiscate macaws, parrots, toucans, raccoons, and caimans.

The zones with most of the illegal traffic occur along the fringes of Las Chinamas, El Poy and El Amatillo, in addition to approximately a dozen obscure points along the Honduran border. Gravid iguanas (with eggs) continue to be sold for up to 150 colones [exchange rate?], and neonates (in this case, iguanas between 2-3 months of age) fetch an average of \$1.50 each. There are indications that at least 20 illegal animal farms operate



A vendor displays his day's catch for sale on a highway near Respire, Honduras. The iguanas are sold for a dollar each and sometimes eaten locally. Photograph: Associated Press

primarily in Cabañas and San Miguel, in the eastern part of the country. As laundering centers for the iguanas, these farms aggravate the situation.

The trick for them is to introduce reptiles to the unauthorized farms and later relocate them to the legal farms. As Aguilar stated, "To make a comparison, the depredation of iguanas is as though anybody who wants to could raze or burn down Montecristo due to the absence of legislation, although previously the place was protected like a national park. It is known that these things should not be done, and are regulated at the international level. But what is missing is a legal hook at the national level." In addition, the state bureaucracy hardly helps.

It is anticipated that during the remainder of 1995, three more important regulations will be passed. These will strengthen the legal framework required to enforce the Wildlife Protection Law [presumably the aforementioned Wildlife Conservation Law], as well as reinforcing the CITES regulations. The latest actions are apparently too slow, however. CITES affirms that since the efforts initiated by Antonio Cabrales, the ex-Minister of Agriculture and Livestock, there have been three preliminary proposals, but none have been acted upon. According to the respective authorities, "These proposals, especially the regulations for establishing and managing wildlife farms, together with technical guidelines for the captive management of the species *Iguana iguana*, have been presented without obtaining any response" from the legislature.

Most unfortunately, time is passing, and the sanction imposed against the exportation of iguanas will not be lifted until it is demonstrated that minimum legislation exists for protecting this species. By not passing legislation, the temporary suspension may next degenerate into a complete embargo, in which the CITES headquarters will recommend that all countries buying Salvadoran iguanas must cease from importing them.

Naturally, the unanswered questions are: what will happen to the hundreds of thousands of iguanas ready for exportation, and what will become of the iguana farms?



Iguana Times

THE JOURNAL OF THE INTERNATIONAL IGUANA SOCIETY
\$6.00

VOLUME 5, NUMBER 1
MARCH 1996



Monster on the beach
on U-Cay, Allan's Cays,
Cyclura cyclura inornata.
Photograph: Paul Wright