

INVESTIGATOR

Autumn • 2021



environmental
investigation
agency

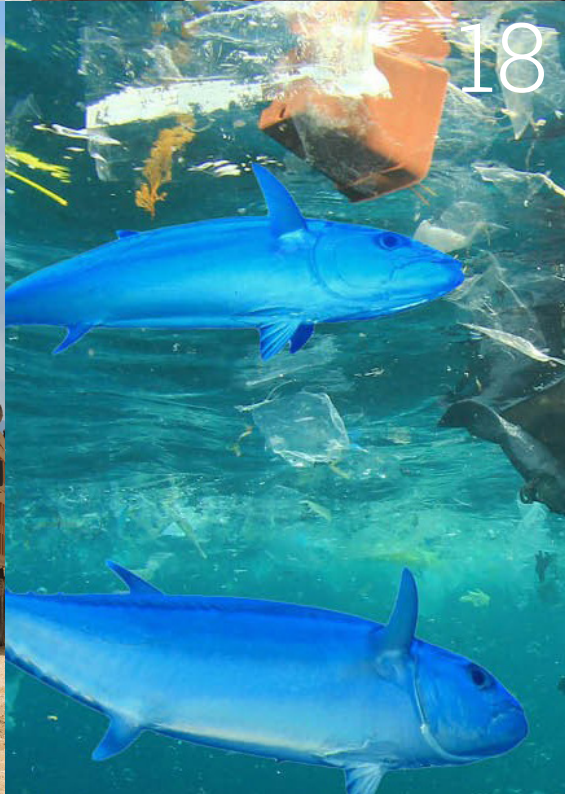
Reject Military Coup
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How Burmese timber for the superyachts of the super-rich funds the military junta

Illegal refrigerant trade
undermines Europe's ambitions
to fight climate change

We take the wraps off first-
of-its-kind wildlife and
forest crime analysis tool

Momentum grows as more
countries realise it's time for
a global plastics treaty





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INTRODUCTION



Welcome to the
Autumn 2021
Investigator.

Inside, you can read about our latest undercover investigation into the illegal timber trade from Myanmar and our efforts to secure sanctions against those elements of the violent military junta who exploit the country's natural resources to line their own pockets.

You'll also read about other key activities, including our exposé of 'the biggest eco-crime no-one's heard of': the trade of illegal refrigerants into the EU.

During the pandemic, our London office, like many others, was closed. Now, after many long months, I'm happy to report that it has finally reopened, albeit on a restricted basis to ensure the safety of staff.

We continue to work tirelessly to tackle some of the thorny environmental challenges we face and I want to offer my sincere thanks for your essential support during these difficult times; without it, we simply couldn't achieve – or have achieved – so much.

Mary Rice, Executive Director

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Illegal refrigerant trade undermines Europe's ambitions to fight climate change

It's 'the biggest eco-crime no-one's heard of' – and in July we exposed the extent of the soaring trade in illegal hydrofluorocarbons (HFCs) into the European Union.

Alarmingly, the potential climate impact of the illegal trade alone could amount to the same greenhouse gas emissions as more than 6.5 million cars being driven for a year.

Most shocking was the discovery that these hazardous gases were being smuggled around Europe below unwitting passengers and drivers in the luggage compartments of transcontinental coaches.

EIA's report, entitled *Europe's Most Chilling Crime – The illegal trade in HFC refrigerant gases*, exposed Romania as a major illegal entry point for Chinese-made HFCs, smuggled via Turkey and Ukraine.

The EU revised its F-Gas Regulation in 2014 to phase down HFCs, a family of synthetic greenhouse gases hundreds to thousands of times more potent than CO₂ and commonly used in refrigeration,



The primary routes used to traffic illegal HFCs around Europe

air-conditioning, fire protection, aerosols and foams.

But as supplies shrink and prices rise under EU quotas, criminal gangs have entered the trade to meet demand.

Clare Perry, our Climate Campaigns Leader, said: "It's no exaggeration to say the future stability of human society sits on a knife-edge and time is running out to meaningfully tackle climate change.

"We can't afford a single misstep in our efforts to keep the global temperature rise below 1.5°C and the sheer scale of illegal HFC trade into the EU should be ringing alarm bells throughout the bloc – this is the biggest eco-crime no-one's heard of and that needs to change, fast."



Methane emissions threat

New evidence from Romania has highlighted the unseen climate disaster of methane emissions.

Findings from our campaign partners at the Clean Air Task Force show that whenever independent observers look more closely, they find more methane being released than is officially reported.

Methane is responsible for about 25 per cent of the warming of the planet. In the short term, it is also 86 times more harmful to the environment than CO₂.

The good news is that we have the technology to reduce methane emissions and EIA is pressing for bold legislation at the EU level to curb methane emissions.

EIA investigators went undercover in Romania to infiltrate the highly profitable trade and found no shortage of suppliers willing to break the law to supply smuggled HFCs, at times supplied in single-use cylinders which have been banned in the EU.

EIA is calling for law enforcement agencies across the EU to step up efforts to detect and intercept shipments of HFCs and ensure that dissuasive penalties are handed out.



LANDMARK CLIMATE SUMMIT

At the time of going to press, EIA campaigners are preparing to participate in CoP26 in Glasgow, touted as one of the most important climate meetings ever. Look out for a full download of the summit in our next issue of *Investigator*.

We take the wraps off first-of-its-kind wildlife and forest crime analysis tool

One of the challenges in tackling forest and wildlife crime is the lack of a one-stop-shop for relevant information, forcing researchers to seek out a multitude of sources.

But a new EIA initiative aims to take the slog out of seeking statistics and other information with our new Global Environmental Crime Tracker.

Launched in June on the eve of World Environment Day, the Tracker on EIA's website is free to use, open to all and has been developed during the past 12 months by our amazing Intelligence Team, with



Ivory

Total ivory weight (kg)
506,363

Estimated number of elephants killed
75,577

Ivory incidents
3,466

Incident country	Year
All	All



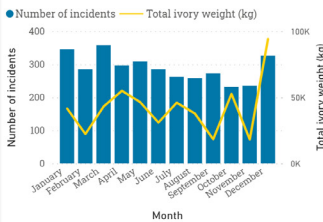
Number of ivory incidents this year

123

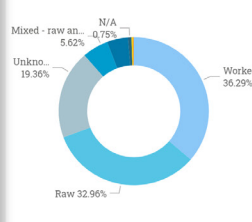
Estimated number of elephants killed this year

1,289

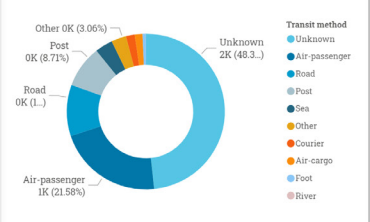
Number of incidents and total weight by year



Incidents by ivory type



Transit type breakdown



Above, how the tracker displays a variety of data for ease of comprehension

help from numerous volunteers who have given their technical expertise to make it happen.

Although other platforms make similar data available, EIA's is the first to offer interactivity, allowing users to zero in on precisely the information they need.

Improving access to the non-sensitive data EIA collects on wildlife seizures and illegal logging, the Tracker features interactive dashboards and live mapping of incidents, allowing the user to filter and tailor the information to their requirements.

As well as insights into hot spots of wildlife and illegal logging seizures, it will also reveal changes in trends and trafficking methods.

Because we believe in sharing information to bolster awareness and enforcement efforts around the world, we've made the Tracker free to use and accessible to all.

Senior Intelligence Analyst Mel Butler said: "Giving the public access to this data in real time will help to improve understanding of current environmental crime issues, from the scale of trafficking among particular species to the criminal hotspots and the places where forest and wildlife crime overlap."

In future, we plan to add data on the seizures of illegal climate-harming and ozone-destroying gases.

* You can check out the Tracker for yourself – just visit our website at eia-international.org and find a link to it on the top menu bar.



Selous dam World Heritage decision 'a mockery'

UNESCO's World Heritage Committee has disappointingly let the Tanzanian Government off the hook for pressing ahead with the construction of a hydropower dam in the heart of the Selous Game Reserve.

"The Committee had an unprecedented opportunity to uphold the integrity of the World Heritage Convention in protecting unique biodiversity and ecosystems, but it instead chose to make a mockery of the World Heritage Convention," said Shruti Suresh, Deputy Wildlife Campaigns Leader, after July's decision.

The decision to keep the Selous' designation as a World Heritage Site runs counter to expert scientific evidence that the Rufiji hydropower dam has robbed the Selous of all justification for remaining on the list.

Last month, both the UNESCO World Heritage Centre and International Union for Conservation of Nature recommended that the Committee delete the Selous from the list of World Heritage explicitly because of the ongoing destruction caused by the dam.



Legal analysis launched to help Nigeria fight wildlife crime

August saw our Wildlife team release a new in-depth analysis of Nigeria's legal system to help it more effectively combat illegal wildlife trade.

In recent years, Nigeria has emerged as Africa's main transit and export hub for trafficking in elephant ivory, pangolin scales and other wildlife.

Our report *Combating Wildlife Crime in Nigeria: An analysis of the Criminal Justice Legislative Framework* – released in the capital Abuja in partnership with the US Embassy and Africa Nature Investors Foundation (ANI) – aims to help it turn the tide.

As if to underline the need for change, the launch came just days after the announcement that Nigeria Customs Service had seized 7.137 tonnes of pangolin scales and 4.6kg of pangolin claws – the equivalent of at least 7,000 of the endangered creatures.

The operation also seized 846.34kg of ivory tusks and arrested three suspects; others are believed to have already fled Nigeria.

At the launch, EIA Executive Director Mary Rice said: "The networks responsible for trafficking wildlife from Nigeria are organised and well-coordinated, but the law enforcement response is fragmented and weak. This legal analysis recommends a coordinated multi-agency approach to strategically disrupt wildlife crime networks.

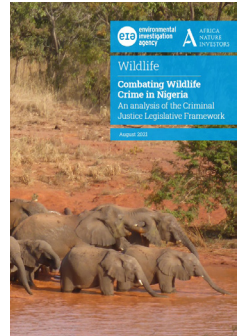
"We commend the Nigeria Customs Service for the significant seizures of pangolin scales and ivory, as well as arrests, made in July and January this year."

US Embassy Charge d'Affaires Kathleen FitzGibbon emphasised the critical need for greater communication and collaboration between investigative, prosecutorial and judicial bodies to bring about quicker justice and sentences which hold violators accountable.

“By working together, we will make more rapid progress in eliminating, neutralising and disrupting wildlife trafficking,” she said. “We need to do more to raise public indignation about this ugly crime that imperils the planet’s biodiversity, funds organised crime, spreads disease like COVID-19 and threatens the very existence of Nigeria’s unique and beautiful animals.”

ANI Executive Director Tunde Morakinyo added: “For too long, Nigeria has been rapidly losing its precious biodiversity to

crime and corruption. The legal analysis launched today highlights concrete actions that we can adopt to protect our last remaining wild species and places for the present and future generations of Nigerians.”



Left, Nigeria Customs officers seize more than eight tonnes of pangolin scales

Top-level pledges won't save tigers without political will

For Global Tiger Day on 29 July, we issued a reminder that headline-grabbing pledges wouldn't help tigers so long as some governments continue to pursue policies threatening their future.

Debbie Banks, Tiger and Wildlife Crime Campaign Leader, warned that despite some progress, tiger extinctions in Cambodia, Laos and Vietnam have occurred since 2010 due to poaching and trade.

She added: “The lack of intent to properly address the problem is evident when even a captive tiger facility in China which is run by a quasi-government conservation agency is involved.”

Above right, a captive tiger in China



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WHY DELAY FOR THE UK IVORY ACT?

The end of July marked a year since a legal challenge to the UK Ivory Act was conclusively rejected in the courts – and we're still waiting for the ban to be implemented.

In that time, approximately 8,750kg of ivory – representing at least 875 to 1,325 individual elephants – has been seized worldwide, indicating that poaching and ivory trafficking remains a real threat.

Indonesia's palm oil moratorium has yet to clean up the sector

Against a backdrop of palm oil companies operating illegally and in supposedly protected forests, in July we urged the Government of Indonesia to extend a national palm oil moratorium.

The three-year ban was put in place in September 2018 but has yet to be fully implemented and achieve its objectives.

Crucially, it requires existing palm oil permits to be reviewed and halts the issuing of new permits within the country's Forest Estate, areas identified by the Government to be permanently maintained as forest.

In a new briefing, 15 Indonesian NGOs – including our long-term partner Kaoem Telapak – made the case to extend the moratorium, a key purpose of which was to address land governance issues in the country.

Indonesia's palm oil sector has been plagued by overlapping land claims and irregularities in the process of granting permits and, according to analysis by the NGOs, nearly seven million hectares of palm oil concessions are still located in the Forest Estate area, which is not allowed.

Also, nine million hectares of palm oil concessions overlap with other concessions. The moratorium was meant to resolve these serious flaws in forest governance.

Siobhan Pearce, Forests Campaigner, said: "Despite the positive intentions of the moratorium, there's been a lack of transparency on the results to date, no clear targets or budget and a lack of coordination between national and local governments."

West Papua is the only province to date to have completed its palm oil permit evaluation, where it has been found that up to 14 palm oil companies are operating in violation of the law. The permits of these companies are starting to be revoked.

Civil society is also pressing for the moratorium to be made a regulation, rather than just an instruction, to give it greater legal strength.



EU must be ambitious to cut its deforestation footprint

A palm oil plantation in Kalimantan, Indonesia

In May, we and our partners called for ambitious action by EU lawmakers to combat deforestation.

The European Commission is due to propose new legislation to address the bloc's impact on deforestation and forest degradation around the world.

The EU is one of the biggest drivers of deforestation through its consumption of commodities such as palm oil, soy, beef, cocoa and coffee – and the new law is a step towards acknowledging the problem and addressing it.

Ahead of the legislative proposal, we and six other NGOs called for an ambitious regulation to combat deforestation and outlined our recommendations in a briefing for decision-makers.

The proposed law is expected to build on the approach set out by the EU

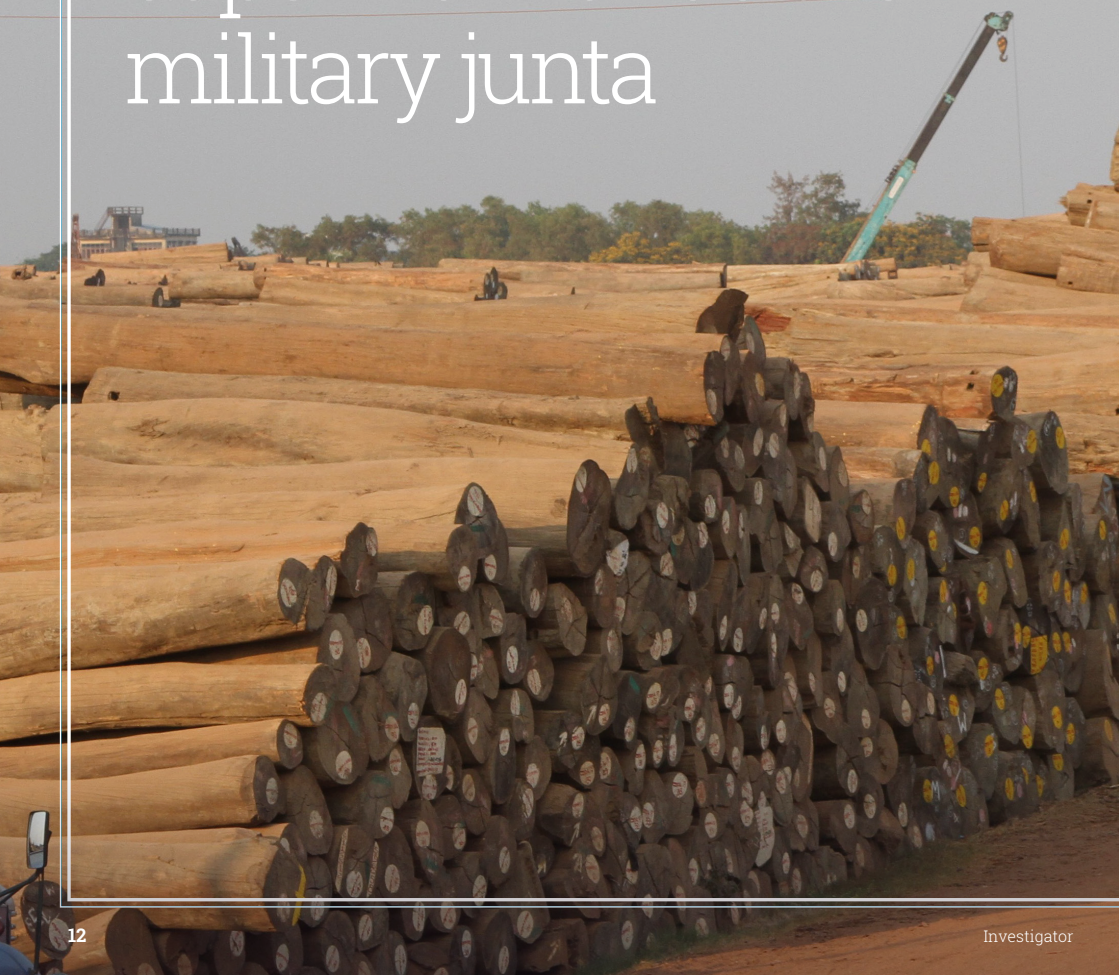
Timber Regulation (EUTR) – a law which requires due diligence and can ban illegally sourced timber from the EU.

EIA was instrumental in the establishment of the EUTR and continues to work on it with relevant enforcement officials throughout the EU.

Earlier, in April, we joined with more than 40 global NGOs to call on the EU to do more to halt illegal logging and commodity-driven deforestation elsewhere in the world.

The *Raising the Bar* statement was released ahead of a proposed new EU regulation on deforestation amid concerns it is looking to weaken key aspects of its flagship initiative to tackle illegal logging.

Myanmar – a tale of how Burmese timber destined for the superyachts of the super-rich funds the military junta



EIA has been at the forefront of international environmental organisations working in Myanmar during the past decade as the country took its first tentative steps from a pariah state run by the military to a new democracy.

In that time, we've investigated and exposed the illegal timber trade eating away at the country's national forests and have collaborated with partners and communities who have helped us understand the situation while we shared our techniques and skills with activists on the ground.

On 1 February, the military seized control, arresting hundreds of elected officials and opponents to military rule. To date, more than 8,000 people have been arrested and detained in Myanmar's notorious prisons and more than 1,000 killed. EIA has responded

by intensifying our work exposing the criminal timber trade that lines the junta's pockets.

Concrete results have included Canada, the EU, UK and US all placing economic sanctions against those in the junta who benefit from the trade in timber, especially the notorious Myanmar Timber Enterprise (MTE) which has overseen decades of deforestation in the country. Our Information is also used to support enforcement actions against traders continuing to buy timber from Myanmar and, in particular, teak.





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The Italian Job

September saw our Forests team release a new investigative report turning a spotlight on Italy as a key player at the heart of an ongoing trade in illicit timber from Myanmar.

Not only is this trade in defiance of the EU Timber Regulation, which prohibits importing wood which cannot be properly traced back to the point at which it was cut, it also breaks international sanctions imposed in response to the violent military coup.

The Italian Job: How Myanmar timber is trafficked through Italy to the rest of Europe despite EU laws identified a total of 27 Italian timber traders importing teak timber products from Myanmar

“The findings from our 18-month investigation raise very grave questions as to how Italian and, more widely, European Union authorities have allowed this trade to continue virtually unchallenged on their watch,” said Faith Doherty, Forests Campaigns Leader.

“Various rulings have made it perfectly clear that it is impossible to import teak and other timbers from Myanmar and remain in compliance with the EU Timber Regulation (EUTR), even before sanctions directly targeting the exploitation of Myanmar’s natural resources were put in place earlier this year to reinforce the prohibition – and yet here we are.”

Of particular concern is the export from Myanmar of illicit teak, a valuable and increasingly scarce hardwood much-prized by the international boat building industry, especially for use as decking and fittings on luxury yachts. It is also used for flooring.

Data shows some Italian traders imported between €1.3-1.5 million worth of wood products from Myanmar during March, April and May this



Logs being transported after the February coup, Sagaing, Myanmar

year; none were prepared to confirm that they have any intention to stop imports.

“By continuing the trade, these companies are effectively supporting the military junta and its brutal repression of the Myanmar people as well as the destruction of the country’s forests,” added Doherty.

Italy has a long history of trade with Myanmar. According to the trade data, imports of timber from Myanmar to Italy have been increasing in recent years and have come to dominate EU trade.

In contrast, imports of Myanmar timber to many other EU member

states have declined in response to the due diligence requirements of the EUTR and related enforcement actions in, variously, Belgium, Germany and the Netherlands.

EIA’s investigation showed some Italian companies are also shipping Myanmar timber on to other parts of the EU; where this has happened in response to enforcement, it will be circumventing the law.



Why sanctions matter

Since the early days of the military coup, our Forests campaigners have been making the case for tough sanctions against the regime's exploitation of natural resources to fund itself.

In April, we published an online resource highlighting how the military continues to profit from exports of timber, particularly teak for the luxury yachting sector, and were pleased later the same month to see the US announce sanctions, formally designating the MTE, which is responsible for timber exports from the country, and Myanmar Pearl Enterprise, which handles pearl exports.

The US stepped up its actions in May when it added Khin Maung Yi, the Minister for Myanmar's Ministry of Natural Resources, Environment and Conservation, to its list of sanctioned individuals and entities, blocking his assets and forbidding US citizens from doing business with him.

We remained disappointed with the EU and UK inactivity, continuing to work behind the scenes to pressure them to enact sanctions of their own, but were

pleased in June when the Council of the European Union announced a new wave of sanctions against the military regime and the UK followed suit just hours later.

Doherty said: "There has been a call from the people of Myanmar to assist in preventing the flow of funds that support the military coup.

"Sanctions which target the Myanmar Timber Enterprise and the military business entities that support the junta by extracting and exploiting natural resources are absolutely essential in this respect."



Teak from Myanmar seized by Italian authorities





Shortly before going to press with this issue of *Investigator*, we are appalled to learn that respected forests and rights defender and democracy advocate Kyaw Min Htut had been arrested and detained by the junta in Myanmar.

Police reports obtained by EIA state he was arrested under the country's Anti-Terrorist Act, Article 50, alleging he supported and gave financial help to groups classified as terrorists by the junta.

As well as a friend and partner of EIA in the region, Kyaw Min Htut was a member of the EU Forest Law Enforcement, Governance and Trade multi-stakeholder group, a member of the Myanmar Alliance for Transparency and Accountability network representing more than 400 civil society groups nationwide and a civil society representative on the Myanmar Forest Certification Committee.

Doherty said: "Kyaw Min Htut is a decent, humane and compassionate family man who does not deserve to be abducted by the authorities and held on trumped up, farcical charges.

"EIA is deeply concerned for his wellbeing and that of his family at this time – and, ultimately, we fear for his life."

With more than 30 global organisations supporting us, we called for him and his family to be immediately released and all charges dropped.

Single-use plastic bag cost doubles in UK— but don't overlook 1.5 billion 'bags for life'

EIA has been in the vanguard of calls for an increase in the price of single-use carrier bags to help fight plastic pollution and in May we welcomed the UK Government's decision to double it.

The charge rose from 5p to 10p and was also extended to all businesses in England.

However, our research into plastic bag use in the 10 major UK supermarkets has shown that good intentions can still have unintended negative environmental consequences.

"While we welcome the new 10p plastic bag charge announced by the Government, it's clear that plastic bag policy in the UK still needs a rethink if it is really going to address plastic pollution," cautioned Christina Dixon, our Deputy Ocean Campaign Leader.

"Government data shows single-use plastic bags reducing dramatically in numbers since the introduction of the carrier bag charge, with some retailers banning their use altogether.

"But while this is a step in the right direction, it's inadvertently led to the thicker, more durable plastic 'bags for life' being issued in staggering numbers – increasing by 4.5 per cent between 2018-19 to more than 1.5 billion bags – and that's a significant problem.

"We're now seeing a new challenge as 'bags for life' become 'bags for a week', being treated as a single-use option



Japanese public wants more action on plastic

Ahead of June's G7 meeting, we released new research showing that two out of three Japanese citizens want a new international treaty to tackle the escalating problem of plastic pollution – but the Government is reluctant to commit.

Instead, it wants to rely on voluntary initiatives but we warned this is nowhere near enough and urged the Government to sign up to back a global plastics treaty.

A poll of 2,000 people, conducted by Censuswide for EIA, revealed high levels of concern over the human and environmental impact of plastic pollution, a lack of confidence in the Japanese Government's recycling rhetoric and a strong desire for lawmakers to act.

The findings showed Japanese citizens clearly feel that preventing pollution isn't simply a consumer responsibility. They are pushing back on the popular narrative that the individual must take all the blame while big business and the Government get a free pass on churning out huge volumes of single-use plastics with little long-term vision on how to regulate plastic in the economy.

Christina Dixon, our Ocean Campaigns Deputy Leader, said: "Japanese citizens clearly feel that preventing pollution isn't simply a consumer responsibility."

which will have an as-yet-unknown environmental impact.

"Because there is no requirement for stores to report on plastic 'bags for life' numbers, it is only our research which has revealed the true extent of this problem."

EIA has urged retailers to ensure that plastic 'bags for life' are priced at 70p or higher to incentivise their reuse or, even better, that they be phased out entirely, but to be effective these initiatives need to be supported by Government policy and compulsory reporting.

The momentum is growing – it's time for a global treaty on plastic

Despite the challenges of operating in the midst of a pandemic, the past year has seen huge progress in the journey towards a legally binding international agreement – in other words, a treaty – on plastic pollution.

EIA has led the global movement for a plastics treaty, preparing briefings, coordinating with NGOs around the world, working with governments and companies and using the media to raise the profile of this issue.

Our campaign reached a major milestone in September at a High-Level Ministerial Conference in Geneva, held with the express purpose of building momentum and political will to advance a coherent global strategy to end marine litter and plastic pollution ahead of the United Nations Environment Assembly (UNEA) 5.2 in February 2022.

At the conference, we saw Rwanda and Peru introduce a ground-breaking draft UNEA resolution recommending

a legally binding global mechanism on plastic pollution. If adopted, it would create the mandate to negotiate a new treaty by setting up what's called an 'Intergovernmental Negotiating Committee'.

Our Ocean team is actively building support for this resolution and also working virtually across the globe to host meetings and webinars to push for the highest possible ambition.

We're now at a pivotal moment for the major plastic producing and consuming countries to show they mean business. While the threat remains of a weaker rival resolution, we have seen major progress in bringing the concept of a treaty into the mainstream and

elevating the severity of a problem which can now be found affecting every ecosystem on Earth, driving both the climate emergency and biodiversity loss.

The Rwanda-Peru resolution sets the stage for ambitious international action to prevent the impacts of waste colonialism, establish a safe and non-toxic circular economy and re-shape our relationship with plastic for good.

Our campaign continues towards UNEA by ensuring broad support for the resolution and ensuring we create a

negotiating mandate with the maximum level of ambition.



Plastic waste on a beach in Bali, Indonesia

Mexico called to account over vaquita failings

[In September, we added our voice to a call for the Government of Mexico to respond to allegations that it failed to enforce protections for critically endangered vaquita porpoises, according to a decision by the Commission for Environmental Cooperation.](#)

The commission is an environmental review body under the US-Mexico-Canada Agreement, or USMCA.

Just 10 vaquita are estimated to remain in existence and if Mexico does not step up enforcement against illegal fishing, scientists believe the porpoise's extinction is imminent.

Vaquita become entangled and die in banned fishing gear set to catch shrimp and totoaba, a fish in demand in China for its swim bladder.

"Every possible step that can be taken must be taken to permanently eliminate gillnets from the habitat of the vaquita," said Clare Perry, our Ocean Campaigns

Leader. "This includes Mexico working closely with totoaba maw consuming countries and transit countries to crack down on the illegal totoaba trade which is pushing this species over the edge."



Vaquita are dying in gill nets set to catch fish for illegal wildlife trade



MEET THE TEAM

Name: Shruti Suresh

Hometown: Bangalore, India

Education: Lawyer (postgraduate degree – LL.M Master of Laws)

Campaign specialism: Advocacy, policy analysis and stakeholder engagement related to EIA's Wildlife Programme

What first interested you in environmental issues?

Growing up in India, I witnessed the transformation of my hometown Bangalore from a small city known as the 'Garden City' of India to become the country's 'Silicon Valley' and the fastest-growing Indian metropolis whose population over the past 50 years has increased sixfold (from approximately two million in the 1970s to more than 12 million today). From ancient lakes being converted to stadiums and shopping malls, to rising air pollution and disappearance of birds and other wildlife, I realised that human actions were irreversibly damaging

nature all around me. The dramatic strides in development in Bangalore and throughout India, and the associated environmental impacts, is what motivated me to become an environmental lawyer so I could play a role in ensuring that such development is sustainable.

What is your most memorable experience at EIA?

There are many and it's hard to pick one! As part of a project to produce a training tool for tackling wildlife trafficking, I had to interview a number of dedicated and brave law enforcement officers around the world – from rangers in South Africa having to face armed rhino poaching gangs to shrewd prosecutors in Kenya passionately working to stop criminals getting away scot-free for wildlife crimes. Many of these front line and law enforcement staff never get the recognition they deserve and it was a privilege to try to shine a spotlight on their work and experiences. I was inspired by the people I met during this project, often working in challenging circumstances with very little resources, and at the same time it also reminded me of the importance of working together as a community pooling individual skills, expertise and knowledge to tackle many of the problems we face today globally. Each of us has a role to play and at EIA we support and amplify the voices of individuals and organisations working to protect the environment and to make the world a better place.



environmental
investigation
agency

Protecting the environment
with intelligence



**“If it wasn't for EIA
the world would be
a darker place”.**

Mary, EIA supporter.

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and for the protection of biodiversity**

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GIRENZO FANCY

