

# INVESTIGATOR

Spring • 2018

 ENVIRONMENTAL  
INVESTIGATION  
AGENCY



## The two lives of our undercover investigators

China and the UK step up  
with comprehensive bans  
of the legal ivory trade

We reveal scandal of luxury  
yachts built in the UK with  
illegitimate Burmese teak

Marine plastic pollution  
targeted with a UK ban after  
years of campaigning



4

18



8

20





## INTRODUCTION



Welcome to your new-look *Investigator* magazine, keeping our supporters

up-to-date on all of our latest activities and successes.

In this issue, we'd also like to give you a glimpse into the working world of our intrepid undercover investigators.

The hard-hitting reports we produce with your support are rightly recognised as major drivers of change in the fight against environmental crime and abuse. But you might not know how many of these breakthroughs are built on the incredible efforts of our investigators in often dangerous, stressful conditions.

I hope you enjoy this behind-the-scenes glimpse into our work and if you are discovering us for the first time, I very much hope that this issue of *Investigator* will encourage you to join us.

**Mary Rice**  
Executive Director

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## US acts to cripple wildlife crime empire

Our *Sin City* report exposing a huge illegal wildlife trade 'supermarket' in Laos made waves in 2015 but we've seen little enforcement and our follow-up visits showed trade still taking place, so we were delighted when the US Government targeted key figures in the Chinese-run criminal empire behind the operation

## China's domestic ivory trade ban a major step

The New Year rang in on a euphoric note when China formally confirmed the full closure of its domestic ivory market

Although the battle against illegal ivory trade is far from over, China's move – something for which we have campaigned for decades – is the single biggest step that could have been taken to end the industrial-scale slaughter of Africa's elephants.

In a statement published on the popular Chinese social media platform Weibo and in state media, the Government's State Forestry Administration declared: "From now on, if any seller says to you 'This is a state-approved ivory seller', 'This ivory has





The US Department of Treasury put Zhao Wei, the director of the Kings Romans Casino who owns the establishment and affiliated companies, and members of his network on a blacklist in January with a view to crippling the transnational organised crime group in the Golden Triangle Special Economic Zone (GTSEZ) in northern Laos.

It has been linked to human trafficking, drug smuggling and money laundering as well as illegal trade in tigers and other wildlife.

Debbie Banks, Tiger Campaign Leader, said “We commend the US Treasury for this action, which must surely inflict a huge blow on these criminals. Now we look for coordinated action by Laos, Thailand, Hong Kong and the

US to prosecute those involved, dismantle their network and either drastically reform or shut down Sin City.”

The Kings Romans complex comprises a casino, hotel, shops, restaurants and massage parlours. On open sale, we found endangered species products from tigers, leopards, elephants, rhinos, pangolins, helmeted hornbills, snakes and bears.

Our investigators, working with partner NGO Education for Nature Vietnam (ENV), documented restaurants with endangered species on the menu, from “sauté tiger meat” to “bear paws”.

Kings Romans also had ambitious plans to make tiger bone wine from its own stock of captive tigers. ●



Above: tiger farms still operate in Laos

Top and left: skins and stuffed tigers for sale in the GTSEZ



Above: an elephant bathing in Botswana

Above left and left: after China's ban, ivory will no longer be able to be sold legally

certification’ or ‘This ivory is legal’, they are tricking you into breaking the law!”

Our Executive Director Mary Rice welcomed the ban as a long-awaited game-changer in ending the voracious consumer demand which drives the country's massive illegal ivory trade.

“Well done to China for taking such a bold move,” she said. “Now this ban must be rigorously enforced and widely publicised to all citizens to give it real impact.” ●



# Our new online ivory enforcement tool

You could be forgiven for thinking our work consists of exposing environmental crimes and abuse, but behind the scenes we're also busy with projects to assist government enforcement agencies

For almost three years, we have been working on a major project to document and share best-practice enforcement techniques

to combat the illegal ivory trade and other forms of wildlife trafficking.

We travelled to more than 12 countries in Africa, the Middle East and Asia, interviewing people from rangers in the field to customs officers and police.



Above: some of the modules available

Right: footage from the tool



Above: elephants in their natural habitat

Far right: soon, jewellery made out of ivory won't legally be able to be sold in the UK

The UK Government had the perfect gift for elephant conservationists during the Easter break when it announced a comprehensive ban on the UK ivory trade

Following on from China's domestic ban on ivory trade, effective from 1 January, this move promises to be a major step

## UK Government announces comprehensive ivory trade ban

towards ending the wholesale slaughter of Africa's elephants to feed the illegal ivory trade. Our research revealed last year that the UK is the world's largest exporter of legal ivory, a practice which stimulates demand and so fuels poaching.

Along with our partners, we campaigned for this ban and urged all our supporters to respond to



The result is an authoritative, interactive training tool to aid enforcement around the world. The site is password-protected to keep the information with the good guys.

Shruti Suresh, Senior Wildlife Campaigner, said: "We're incredibly proud of what we've achieved together and are confident it will be a vital training resource in the fight against the ivory trade.

"More often than not, environmental criminals are not poaching an endangered species to put food on the table or make a few dollars at market. They are powerful, well-funded and often very well-connected crooks



who use bribery, corruption and violence.

"As the criminals use ever-more sophisticated techniques to operate, so must the international enforcement community evolve to combat them."

The resource comprises a brief overview film and 17 modules highlighting techniques such as sniffer dogs, forensics and controlled deliveries.

English, French, Spanish, Portuguese, Swahili, Mandarin, Cantonese, Thai and Vietnamese language versions will ensure it can be used globally. ●

the Government's consultation, and tens of thousands of you did. We thank each and every one of you who made your voice heard so that this could happen.

The huge response, one of the largest ever, demonstrated how important it is to the British public that we play our full part in closing domestic ivory markets.

Mary Rice, our Executive Director, said: "The Government's proposed ban will be one of the toughest in the world and while there is much left to do to halt the killing, it is a success we can celebrate. Thank-you to everyone who helped bring this about." ●



## WILDLIFE NEWS IN BRIEF

- The plight of the pangolin was front and centre in February for World Pangolin Day, for which we released a new short film about this endangered shy ant-eater and the various threats it faces from poaching and illegal trade.
- World Wildlife Day in February highlighted threatened big cats – and so did we, with a new awareness-raising film. Visit [eia-international.org/tigers](http://eia-international.org/tigers) to see what we're doing to protect big cats.





# We reveal the scandal of luxury yachts built in the UK with illegitimate Burmese teak

As the London Boat Show got under sail at the start of the year, our Forests team sounded the alarm that two of the biggest exhibitors have been decking their yachts, for the luxury market, with illegitimate teak wood from Myanmar

We have been working to help protect Myanmar's precious forests and drive reform of its timber trade since 2013 with a series of reports and formal cases highlighting that timber exported from the country falls foul of the European Union Timber Regulation (EUTR).

The EUTR has been in force since 2013 to combat illegal logging and the associated trade in stolen

timber. A central requirement of the regulation is that anyone placing timber on the EU market for the first time must carry out extensive due diligence to be certain it is not derived from forest crime.

However, it is not possible to conduct full due diligence on timber from Myanmar because all exports are controlled by the Myanmar Timber Enterprise, a state-owned company which prevents essential information from being obtained or verified.

We revealed that Burmese teak entering the supply chains of the UK's two largest yacht builders, Sunseeker International and Princess Yachts International, was traded in breach of the EUTR.







Top right: a log yard in Myanmar

Above and below: yachts at this year's London Boat Show



Both were exhibiting at the London Boat Show and were reported in 2017 as having orders in the pipeline jointly worth more than £1 billion. An overwhelming majority of these vessels will have decks crafted from Burmese teak.

Burmese teak has been imported into the EU by NHG Timber and Belgian firm Vandercastele Hout Import; and in turn, the companies Moody Decking and D.A. Watts & Sons used this teak to produce decks for Sunseeker and Princess Yachts.

After our submission of evidence, the UK EUTR competent authority has confirmed that NHG Timber has been found in breach of the EUTR for trading Burmese teak, a decision meaning that all firms known to be placing Burmese teak on the UK market have now been found in breach.

## Joined-up thinking

During the past year, we have identified and explored the previously unrealised fact that the US Lacey Act also prohibits timber sold in violation of the EUTR, as a 'foreign law'.

Our recent briefing *A Tale of Two Laws* explained that placing wood on the EU market in violation of the EUTR is a predicate offence under the Lacey Act and any EU products containing such wood become contraband when exported to the US.

This has significant implications, extending legal and/or commercial risks and liabilities to virtually the entire value chain of any EU product incorporating timber traded to the US.

This decision prohibits any of the firms from placing further Burmese teak on the market until they can show compliance with the law.

Vandercastele has also been



▶ found to be trading in breach of the EUTR and subjected to similar enforcement in Belgium following the submission of a case by EIA.

Forests Campaigner Peter Cooper said: “While the EUTR doesn’t regulate Sunseeker and Princess Yachts, their demand for Burmese teak is helping to drive trade in the UK and their customers are unwittingly receiving non-compliant wood products.

priority in addressing corruption and lack of transparency, but the ongoing demand for Burmese teak by European shipyards undermines this.”

“Myanmar has acknowledged that combatting illegal logging and the associated criminal trade is a

He added: “If companies are unable to source legally traded Burmese teak, then they must make use of readily available legal alternatives.”

## Burmese days

In February and March, we gave a voice to those on the frontline of protecting Myanmar’s besieged forests when we hosted six delegates from various civil society and community-based organisations

Our visitors were here to present their thoughts and concerns regarding the current situation they and their communities face on the ground. These issues include illegal logging, land-grabbing, natural resource extraction and conflict.

The Myanmar/European Union’s discussions over an agreement for trade of legal timber was discussed. Information was provided about the recent formation of a multi-stakeholder group engaged in a process to define legality.

The many threats facing civil society organisations and larger communities – along with the increasingly restricted space for NGOs – was another matter shared by the Burmese delegation with decision-makers and international NGOs.

Enforcement officials responsible for implementing the European Union Timber Regulation were available to hear directly



The Myanmar delegation visited Brussels to share their opinions on protecting their besieged forests



Above:  
Myanmar's  
besieged forests

In November, another case we submitted resulted in Dutch firm Boogaardt Hout being found in breach. The company will be fined €20,000 per cubic metre for any further non-compliant Burmese teak it places on EU markets. This mirrors similar outcomes in Denmark, Sweden, Belgium and Germany and Spain.

Faith Doherty, Forests Campaigns Leader, said: "To support those who champion reform within the forestry sector in Myanmar, we are focused on EU-based operators who are aware of legal compliance within Europe but clearly think themselves above the law. They should know better."

The Myanmar Forest Department has already announced its intention to reform, including new laws, and the Myanmar Timber Enterprise has also announced changes to its current system. ●



from those who monitor Myanmar's forests.

During the course of their brief visit, the six travelled to London, Brussels and Oslo – all of which provided a snowy contrast to their tropical homeland! ●

## FORESTS NEWS IN BRIEF

- In February, we voiced concerns that Indonesia was weakening its palm oil standards and raised questions as to the Government's resolve to make palm oil more sustainable.
- A new report in March by our Burmese partners revealed how foreign companies take advantage of poor governance in Myanmar to plunder its natural resources, using oil palm plantation licenses to instead remove and sell valuable timber.

# Two lives – going undercover with our investigators

In a nondescript hotel room in a far-flung corner of the world, one of our investigators adds the finishing touches and slips into a new identity

Who they really are is left in the room. For the next few weeks, the criminals they meet will think they are a fellow trafficker of illegal wildlife or a shady European middleman none-too-picky about the legality of the timber they're buying.





“the job carries risk, not only to us but also our families”



And, more often than not, the real criminals will inadvertently spill vital information – all of it captured on hidden recording devices.

Undercover investigations have been a unique hallmark of our work for more than three decades. Now we can offer you a glimpse behind the scenes.

### **Pioneers in the field**

It's no accident that the word “investigation” is in the middle of our name and at the core of our campaigning philosophy.

Our founders sought to create a fast-responding organisation, using field

## **Living a double life is hugely taxing and gets tougher**

investigations to gather evidence of crimes against nature which could be used to drive change.

Our maiden investigation in 1984 to the Faroe Islands captured the first-ever images of its annual pilot whale hunts, bringing them to global attention despite threats and intimidation – and since then we've gone from strength to strength.

### **Living a double life**

For undercover investigators, the most stressful aspect of their work is its impact on their personal lives, such as long periods away from family and the need to instantaneously slip into character to take calls from crooks at any time.



Far left: our investigators have to be able to flip seamlessly between their two lives



Left: undercover footage captured by our investigators



Underlying it all is the sense of risk. The smallest slip-up could lead to being unmasked and after criminal gangs have been exposed precautions need to be taken to avoid running into them or their associates again.

Then there is the inability to completely turn off because villains are never off the clock. It doesn't matter whether you're on holiday, it's 2am or you're thousands of miles away – criminals expect their contacts to be as available as they are.

Living a double life is hugely taxing and gets tougher as investigations continue, with more traders to meet, more cover stories to keep straight and fewer safe

places to go. The life of an investigator isn't easy.

One investigator, Hui (not her real name), said: "It can change the way you live. I found I became much more careful about talking to strangers or making new friends as it has sometimes happened that a new friend has turned out to be linked to a syndicate. I rarely share information about my undercover role with friends and family because the fewer people who know, the better for everybody; the job carries risk, not only to us but also our families."

### 'Eureka' moments

Working undercover isn't just a matter of coping with the many stresses – sometimes the strain

is offset with 'Eureka' moments, those times when a vital piece of information slips into play or disparate pieces of the puzzle fit to reveal the bigger picture.

Xue (not his real name) has conducted a number of Forests investigations and has experienced several such moments.

He said: "On one occasion, we heard from sources that one man was for years the ▶

- ▶ biggest trader in a banned rosewood species in a South-East Asian country. There was very little knowledge about him except for an abbreviation of his name, his initials.

“During our investigation, we encountered one name in Chinese and we felt this guy might be the biggest shot in the illicit trade. At the end of the trip, during dinner with the team, I suddenly had a wild moment of inspiration and thought the individual known only to us by his initials might well be the same person as this shadowy rosewood kingpin.

“More research revealed he was in fact the person we were looking for!”

### Crunching the raw data

An investigator can go undercover several times in a matter of weeks, meeting criminal players from lower-level fixers to senior bosses. They acquire huge amounts of raw information such as mobile phone numbers, criminal acquaintances and even emerging markets.

Once investigators have been debriefed, one of our crime analysts takes the raw information and starts seeking patterns, trends and links.

Their analysis gives us the context about those syndicates we're infiltrating, perhaps indicating how criminal methods and players may be tied to them from previous years.

“He made us open our bags to show him what was inside ... and spotted some of our covert equipment”



Left: undercover footage of the big cat trade captured by our investigators in China



As well as helping with operational planning, analysis can spot whether new species are being targeted and whether criminals have switched smuggling methods.

### **The going gets scary**

On very rare occasions, things can go wrong and investigators must have their wits about them.

During a timber investigation in Asia a decade ago, Liu (not his real name) was using a covert device: "One of the owners became suspicious and began to scrutinise us and our belongings. He made us open our bags to show him what was inside and, of course, spotted some of our covert equipment.

"With the collusion of crooked cops in the region who had close ties to the timber traders we were meeting, this led to our arrest and temporary imprisonment."

Liu and his colleague were locked up for three days while our security team worked around the clock for their release. This achieved, the case was later dropped.

He reflected on this period: "There was a lot of self-questioning about my suitability for this sort of work and, ultimately, whether my endeavours to uncover these illegal activities was worth putting my life at risk.

"I also knew if I didn't get back into the field again soon, the fear would consume me."

Going undercover is always a heightened, nerve-wracking experience but our investigators fight this fear every time they go to work, to get the information needed to make a difference.

**As you read this, several of our brave and endlessly resourceful investigators are currently out in the field. The world's environment owes them a huge debt.**

"I also knew if I didn't get back into the field again soon, the fear would consume me."



## Marine plastic pollution targeted with a UK ban

Together with our Microbeads Coalition partners, we pressed the UK Government to recognise the damage caused by plastic microbeads flushed into the seas in vast quantities from rinse-off cosmetic products – and we're delighted to say that earlier this year an official ban was put in place

Microbeads are tiny plastic particles less than half a millimetre wide which are in a variety of products such as toothpastes to facial scrubs.

© T Cox PFI

## Mexico's legalised totoaba fish trade could mean extinction for the vaquita

Efforts to save the world's most endangered marine mammal lurched in the wrong direction in March with Mexico's Government considering legalising trade in totoaba fish

Fewer than 30 vaquita porpoises remain even though they are not directly hunted – the species faces extinction due to entanglement in gillnets used to illegally catch totoaba and other valuable fish in the Upper Gulf of California.

The dried swim bladders, or maw,

of totoaba – itself a critically endangered species – are highly sought after in China.

Juliet Phillips, Ocean Campaigner, warned: "This is an entirely misguided effort on the part of the Mexican Government, which has not done nearly enough to save the vaquita.

"Legalising totoaba trade will complicate enforcement and perpetuate a demand for totoaba that can never be met by legal means. It will hammer the last nail into the coffin of the vaquita."



© IAmImage

Under this new law, the use of all solid microplastic ingredients in rinse off personal care products will be banned. From 9 January this year, products with microbeads can no longer be manufactured and their sale will be outlawed from 20 June.

A joint Coalition statement welcomed the ban for overcoming major loopholes in other bans and voluntary measures elsewhere. However, the new law does not apply to every product containing microplastics so the Coalition continues to urge an extension of the ban.

Just a week later, there was further good news as the European Commission announced its Plastic Strategy, which included a commitment to explore further legislation on single-use plastics, as well as a proposal for revised measures to govern the delivery of waste from shipping and fishing boats.

And marine plastic pollution looks set to stay high on the international agenda. The UN has agreed to establish a specialist group to look at options for addressing marine plastic pollution and has dedicated many of its international days to focus on plastics. ●

Far left: microbeads are tiny plastic particles less than half a millimetre wide



Above: the critically endangered vaquita

Left: totoaba maws are highly sought after in China

Instead, we urgently recommend Mexico strengthens the ban on all totoaba fishing and trade while substantially increasing enforcement efforts to dismantle the criminal networks facilitating the trade which our previous investigations have exposed. ●

## OCEAN NEWS IN BRIEF

- Japan's Fisheries Agency began 2018 by revealing plans to replace its ageing whaling 'mothership', the *Nisshin Maru*, despite an international court ruling that its 'scientific research' whaling was a sham.
- We have campaigned vigorously against Norway's cruel whaling and the European Parliament turned up the pressure with an unequivocal message to the country to end whaling and whale meat exports to Japan.

# A big win for climate as the landmark Kigali Amendment gets green light

We have long been in the vanguard of organisations working on climate change, so it was particularly gratifying to see one of our key goals come into being with the formal launch of the Kigali Amendment to the Montreal Protocol

Last year, the UK became one of the first countries to ratify the Amendment and with Sweden becoming the 20th to do so it had reached the number necessary for it to enter into force from 1 January 2019.

The Kigali Amendment is a

landmark agreement adopted in October 2016 to control the consumption and production of climate-damaging hydrofluorocarbons (HFCs), a family of synthetic chemicals commonly used in refrigeration, air-conditioning, fire protection, aerosols and foams.

In recognition of the key role we have played in achieving this huge success, we were recognised in the Ozone Awards 2017 by Parties to the Montreal Protocol for extraordinary commitment and outstanding contributions to fighting climate change.

The Secretariat noted: "EIA has been a leading international NGO working to reduce ODS [Ozone-Depleting Substances] and HFCs under the Montreal Protocol. From hard-hitting

investigations on illegal ODS trade to successful advocacy to accelerate the HCFC [hydrochlorofluorocarbons] phase-out and adopt a global HFC phase-down, EIA plays a unique and valuable role within the Montreal Protocol family.

"EIA campaigners regularly participate at Montreal Protocol meetings and have produced over 30 publications providing technical, legal and policy advice to support an HFC phase-down."



©IISD/Kiara Worth (e)



**Clare Perry, Climate Campaigns Leader, collecting the award**





ab.iisd.org/ozone/resumed-oewg38-mop28/14oct.html)

HFCs are thousands of times more potent than CO<sub>2</sub> but can be replaced by climate-friendly refrigerants such as propane and ammonia.

Our Climate work has blazed a trail on the issue, being one of the first to recognise an

HFC phase-out as one of the most achievable actions to mitigate climate change.

Climate Campaigns Leader Clare Perry said: "The Montreal Protocol is already rightly lauded as the world's most successful international environmental treaty after it brought under control the production and use of chlorofluorocarbons which were destroying the ozone layer.

"With the ozone layer now on the path to recovery, we should have great optimism for the Protocol's expertise and ability to tackle HFCs with the same, and hopefully even greater, effectiveness."

The Kigali Amendment seeks a global phase-down of HFCs to about 15 per cent of current levels of consumption.

Its successful implementation will avoid an estimated 80 billion

tonnes CO<sub>2</sub> equivalent of emissions by 2050, this is equal to the energy use of nine and a half billion homes for a year, representing the largest one-off climate mitigation measure ever adopted.

Developed countries will undergo the first control measures, with a 10 per cent reduction in HFC consumption in 2019 followed by a 40 per cent reduction in 2024; developing countries will freeze and then start to reduce their HFC consumption starting in 2024. However, a large number of developing countries have already indicated their intention to move more quickly. ●



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## CLIMATE NEWS IN BRIEF

- Together with Greenpeace we relaunched our updated Cool Technologies website, an easy-to-use database of sustainable cooling and refrigeration information for industry.
- Our Climate campaigners were in Brussels for the third F-Gas Consultation Forum in March to discuss key issues in the HFC phase-down and the following day addressed a European Parliament event on impacts of the EU F-Gas Regulation, which covers fluorinated greenhouse gases.



## FROM OUR ARCHIVE

The *Yushin Maru* prepares to leave Shimonoseki with Japan's whaling fleet in 2007. We will be at September's International Whaling Commission meeting in Brazil, where Japan's whaling will be discussed.



ENVIRONMENTAL  
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AGENCY

Protecting the environment  
with intelligence

A photograph of two tigers lying down in a natural setting. The tiger in the foreground is looking directly at the camera with a serious expression. The tiger behind it is slightly out of focus.

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

**Mary, EIA supporter.**

For a future where humanity respects, protects and celebrates the natural world for the benefit of all.

**Let your passion live on. Remember EIA in your Will.**

Visit [eia-international.org/giftinyourwill](http://eia-international.org/giftinyourwill)



