

ILLEGAL BIRD TRADE: a rising conservation challenge in Nepal



Birds are widespread, with more than 11,000 species recorded worldwide; Nepal alone hosts over 885 species^{2,3}. Birds are one of the most traded taxa - Birdlife International reports over 45% of them are exploited and sold for pets, foods, sports, ornamentation and traditional medicine; often sourced illegally, globally¹. This includes Nepal with the predominant threat of poaching and illegal trade, a rising conservation challenge in Nepal.

This Policy Brief highlights the emerging concerns related to the illegal wild bird trade in Nepal. Also, it summarises key information that the concerned government agencies across Nepal need to recognise to prioritise this emerging issue of illegal bird trade in their actions.

1. Birdlife International. (2022). State of the World's Birds 2022: Insights and solutions for the biodiversity crisis. Cambridge, UK: BirdLife International.
2. Department of National Parks and Wildlife Conservation and Bird Conservation Nepal. (2018). Birds of Nepal: An Official Checklist, Kathmandu, Nepal.
3. HBW and Birdlife International. (2022). Handbook of the Birds of the World and BirdLife International digital checklist of the birds of the world. Version 7. Available at: http://datazone.birdlife.org/userfiles/file/Species/Taxonomy/HBW-BirdLife_Checklist_v7_Dec22.zip

In our ongoing research, we found pet shops in Kathmandu actively selling wild-fetched birds like parakeets, munias, and mynas labelling them as captive-bred. Moreover, we also observed three globally threatened species traded, often misidentifying and mislabeling as another species of less conservation importance. For instance, the Yellow-breasted Bunting, *Emberiza aureola* (Critically Endangered) was sold openly in bird

shops in Kathmandu, misidentifying it as a munia (Fig 1).

Yellow-breasted bunting - a passerine bird that was once abundant in Nepal, has now declined rapidly, mainly due to poaching and illegal trade. In 2017, IUCN uplisted the species to Critically Endangered from Endangered and was alarmed that the species needed an extremely higher priority for conservation.



Figure 1: Yellow-breasted Bunting, critically endangered (Left) and Scaly-breasted Munia, least concern (Right)

Religious sites are hubs for the illegal bird trade

Birds are connected with culture and religious beliefs in Nepal and South Asia. For instance- Buddhists believe releasing birds from cages is a good deed that reduces misfortune. There is a huge demand for wild birds in Nepal, seen around temples and gumbas. This is rampant during any religious incident/festive season. For example - Indian Peafowl feathers (CITES Appendix

III species) are sold openly around the Krishna temple of Patan Durbar Square, on the auspicious occasion of Krishna Janmashthami. The same is the case in Bouddha and Pashupatinath areas, where Indian peafowl feathers and their derivatives are traded (Fig 2). But still, we are unsure how much of these are imported or domestic and if they are sustainably fetched.



Figure 2 : Sale of Indian Peafowl feathers and their derivatives on religious sites of Kathmandu Valley (Krishna Temple, Bouddha and Pashupatinath)

It is important to note that, however, CITES Act 2017 clearly states trading fauna listed in appendix III is allowed only after obtaining a license. And is

considered a serious offence of fine of up to one lakh rupee or imprisonment of up to five years or both if traded without a permit.

Internet - emerging marketplace for the wild bird trade

The use of the internet has rapidly increased, making the platform key to burgeoning the illegal wildlife trade across the world posing a threat in the fight against wildlife cybercrime⁵. Increasing trade via social media has been highlighted as an emerging threat⁴. This is also observed in Nepal where social media and e-commerce platforms are

rising. In our recent systematic online trade review, we found over fifty posts offering many wild bird species for trade. While this is the figure of only the social media survey of the past three years (2019-2021), this still confirms the growing use of the internet for the illegal trade of wild birds in Nepal.

Policy loopholes - facilitating traders to trade wild birds for three decades

National Parks and Wildlife Conservation Act, 1973 (NPWC Act) and the Control on International Trade in Endangered species of Wild Fauna and Flora Act, 2017 (CITES Act) guide legislation to control the illicit wildlife trade in Nepal. Both of these acts have the provision of punishment up to ten lakhs rupee fine or fifteen years imprisonment or both. The NPWC Act has made some provisions for regulating trophy trade, import and export (Sections 18, 19 and 26). Nevertheless, the Act

failed to ensure obligatory provisions to control broader illegal wildlife trade especially the exploitation of lesser-known and non-charismatic species like birds.

Such policy loopholes usually cause confusion for the enforcement agencies on the one hand while facilitating traders in selling wild birds on another. For example, we found some traders selling wild birds in Kathmandu Valley for three decades.

Fake permits and the muddled role of local government

Traders are hoodwinking the enforcement agencies by showing the tax payer registration certificate of the Inland Revenue Department as a bird trade license. Moreover, we found some local governments providing permits for the wild bird trade (Fig 3).

NPWC Act, CITES Act and the Local Government Operation Act, 2017 have nowhere mentioned local government providing licenses for the wild bird trade. It seems the local governments are muddled and issuing permits for wild bird trade, which is beyond their jurisdiction.



Figure 3 : Tax payer registration issued by the inland revenue department (Left) and certificate issued by Kathmandu Metropolitan City (right) at one of the pet shops in Kathmandu

4. IFAW. (2018). Disrupt: Wildlife Cybercrime. Available at: <https://www.ifaw.org/international/resources/disrupt-wildlife-cybercrime> (Accessed: January 3, 2023).
5. UNODC. (2020). World Wildlife Crime Report 2020. United Nations Office on Drugs and Crime.

How to control the illegal bird trade in Nepal?

- 1. Make clear legal provisions** - National Parks and Wildlife Conservation Act, 1973 has been amended many times, with the most recent amendment being in 2017. But, it still does not have clear provisions to control illegal bird trade. Especially the act is silent in regulating the trade of pet birds. Also, the *Panchi Palan Niti 2068* mentions Kailj Pheasant and Chukar Partridge as domestic birds and allows them to trade freely, which are yet not domesticated in Nepal. This has confused both enforcement agencies and traders.
- 2. Strengthen law enforcement** - Many traders are selling wild birds next door to the enforcement agencies; however, it could be either they are not aware of bird conservation issues or it is not under their priority. It is imperative to control the illegal bird trade to protect Nepal's threatened wild bird species.
- 3. Conservation Awareness and Policy dissemination** - Many people in Nepal do not consider trading wild birds as an illegal deed, so they are widely indulged in buying wild birds. It is equally important to make people aware of the importance of bird conservation and also the existing legal protection measures.

Authors: Kushal Shrestha^{1,4}, Reshu Bashyal¹, Jhamak Bahadur Karki², Hum Bahadur Gurung³, Bharat Adhikari¹, Kumar Paudel¹

1. Greenhood Nepal, Kathmandu, Nepal
2. Kathmandu Forestry College, Koteshwor, Kathmandu, Nepal
3. Birdlife International, Kuala Lumpur, Malaysia
4. Department of Forests and Soil Conservation, Babarmahal, Kathmandu, Nepal

For More Information



Contact : Greenhood Nepal
E-mail : bird@greenhood.org

About Greenhood Nepal

Greenhood Nepal is a science-driven, non-profit conservation organisation working to conserve Nepal's most threatened, neglected species and their habitats-in ways that embrace science, respect local communities and empower others to safeguard nature.

Funded by The Rufford Foundation, UK



GREENHOOD NEPAL

New Baneshwor, Kathmandu

+977-1-5244333

✉ info@greenhood.org 🌐 www.greenhood.org