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## ENVIRONMENTAL CRIME MEDIA UPDATE

October 21, 2011

The United Nations Environment Programme Regional Office for Asia and the Pacific (UNEP ROAP) provides an Environmental Crime Media Update as a free service for internal, non-commercial use by members of the SIDA funded MEA Regional Enforcement Networking project, the Asian Regional Partner's Forum on Combatting Environmental Crime and other networks and/or organisations that have shown an interest and follow environmental crime issues. The goal of Environmental Crime Media Update is to provide current news on a weekly basis on environmental crime. With the exception of items written by UNEP and occasional contributions solicited from other organizations, the news is sourced from on-line newspapers, journals and websites. [Disclaimer](#)

### POLLUTION CRIME

#### [Attempt to smuggle pesticides thwarted at Beirut port \(The Daily Star\)](#)

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### WILDLIFE CRIME & ILLEGAL LOGGING

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#### [Case shines light on little-known import law \(The Press Democrat\)](#)

In the wake of raids on Gibson Guitars and the seizure of exotic woods from Luthiers Mercantile International, the guitar-making industry is focused on an 111-year-old law that was revised three years ago to cover wood imports...

## **OTHER ENVIRONMENTAL ENFORCEMENT NEWS**

### [Support For Thuggery Against Greenpeace Worrying \(Jakarta Globe\)](#)

On July 15 this year, when members of the thuggish Betawi Brotherhood Forum (FBR) staged a rally outside the headquarters of environmental group Greenpeace in Kemang, South Jakarta, Greenpeace staff invited several of the group's leaders into...

### [A green economy: Is it possible? \(Jakarta Post\)](#)

Next year is Rio+20. In 1992, leaders of the world gathered in Rio de Janeiro, Brazil, to agree on a different way to develop, and signed the Earth Charter, as well as other international environmental agreements including the United Nations...

### [Environmental Law violations abound \(Viet Nam News\)](#)

Environmental Law violations abound. In the last five years, the Ministry of Public Security's Environmental Crime Police Department has imposed a total of VND135 billion (US\$6.4 million) in fines for 11,224 violations of the Environment Law...

## Attempt to smuggle pesticides thwarted at Beirut port

The Daily Star, September 23, 2011

<http://www.dailystar.com.lb/News/Local-News/2011/Sep-23/149496-attempt-to-smuggle-pesticides-thwarted-at-beirut-port.ashx#axzz1ZKFf5Gbk>

BEIRUT: The Agriculture Ministry and the Directorate of Customs thwarted the smuggling of a dangerous pesticide through Beirut's port, the National News Agency said Thursday.

Agriculture Minister Hussein Hajj Hasan ordered the investigation in cooperation with the Directorate of Customs and General Security of an illegal shipment of the pesticide methyl bromide, which was discovered Thursday.

"There are only two registered companies that import this kind of substance ... the one that is receiving the substance [methyl bromide] is not a registered company at the ministry," Hajj Hasan added.

The minister told reporters that he opened a formal investigation into the case to uncover the identity of the would-be recipients of the shipments.

Most commonly used as a gas fumigant against insects, rodents and soil-borne diseases, methyl bromide is highly toxic to humans and animals and its use is restricted in Lebanon and many other countries.

"There is an international resolution to decrease the consumption of this substance, and in Lebanon we need to completely stop its use by 2015," said Hajj Hassan, adding that use of the substance is already highly restricted in the country.

Inhaling or coming into contact with methyl bromide can cause severe chemical burns and can be fatal.

In addition to the methyl bromide, the Customs Directorate and the ministry also confiscated nine other containers which contained toxic agricultural products worth over \$300,000.

"Apart from the nine containers that we uncovered [which contained a toxic substance] ... there are five other containers we will go through tomorrow," said Hajj Hasan, adding that they were purchased by a fake agricultural company called "Lebanon."

"This unregistered company has no right to even import this substance because its source is also unknown," the agriculture minister explained.

According to Hajj Hasan, his ministry will be cracking down on smuggling operations that could harm the country's agriculture sector.

"There are many problems in this matter, but we will continue cooperation with the Internal Security Forces and remain vigilant," said Hajj Hasan.

According to the minister, no one had shown up to pick up their containers from the port yet.

"We are going after those criminals ... I already held a meeting with the port's officials and we discussed all the necessary precautions that must be taken," he said.

Hajj Hasan called such acts illegal and an "offense against public health."

"There are traders who exploit the port's openness to pass illegal products like themselves," said Hajj Hasan in reference to fraudulent companies and traders.

Hajj Hasan voiced regret that the judiciary has failed so far to charge a network of fraudulent traders.

"I have not heard any decision from the judiciary on these matters," he said.

Shafiq Merhi, the head of the Customs Directorate, announced that his department has established new strategy combat smuggling through seaports.

“We put in place a new strategy in cooperation with Finance Minister Mohammad Safadi,” said Merhi

Read more: <http://www.dailystar.com.lb/News/Local-News/2011/Sep-23/149496-attempt-to-smuggle-pesticides-thwarted-at-beirut-port.ashx#ixzz1bNw8nhgu>

[Back to list](#)

## China to Impose Dumping Duties on US, EU Caprolactam Imports

BusinessWeek, October 18, 2011

<http://www.businessweek.com/news/2011-10-18/china-to-impose-dumping-duties-on-u-s-eu-caprolactam-imports.html>

China will impose anti-dumping duties on imports of caprolactam from the European Union and the U.S. for five years starting from Oct. 22, the Ministry of Commerce said in a statement posted on its website today.

China said the imports, which include products from DSM Fibre Intermediates B.V. and BASF Antwerpen NV, hurt its domestic industry, according to the statement.

[Back to list](#)

## Is India exporting radiation to the world?

ABC Online, October 18, 2011

<http://www.abc.net.au/environment/articles/2011/10/18/3342455.htm>

India has become a reprocessing hub for waste from around the world. But the regulation is lax, leading to concerns radioactive material may be in the products exported back to the world.

ON APRIL 7, 2010, the Atomic Energy Regulatory Board of India (AERB) received a fax from one of Delhi's top hospitals, the Indraprastha Apollo hospital, that stated that a scrap metal dealer had been admitted to the hospital and was showing symptoms of radiation exposure.

Deepak Jain, a 27-year-old had been rushed to the hospital after a high fever hadn't subsided for seven days and the skin on his hand started peeling off. He had been in his shop in the West Delhi industrial area of Mayapuri when the incident happened. Mayapuri is home to thousands of workers in the scrap trade and houses shops specialising in various



metals. Most of this metal originates overseas and makes its way to Mayapuri through importers who sell it to these shops.

Jain was among the eight people who were affected by radiation poisoning. He, like the others, had been exposed to cobalt-60, which had leaked from an irradiation machine being dismantled in the area. Jain refused the Rs 200,000 (A\$ 4,000) compensation offered to him by the government and is instead suing Delhi University, from whose labs the machine originated. The university had bought the gamma irradiation machine in 1970 but it had not been used since the mid-1980s.

### **The scrap trade**

In the last few decades, India has quickly become the world's dumping ground for all sorts of waste, including hazardous material like old electronic gadgets or 'e-waste'. A large force of both formal and informal workers is involved in the acquiring, processing, and managing of this waste, yet, experts say the necessary checks and balances are missing.

The point was driven home by the 2010 Delhi incident, which raised several questions about the monitoring of hazardous waste in India: who was doing the monitoring? Were the materials being brought into the country being checked to see if they were hazardous? If there were leaks in the system, who would be held responsible? And most importantly, if hazardous waste is still being allowed into the country, who's to blame for the impact that it's having on the environment and the people?

Unfortunately, no one seems to have those answers. Although government bodies do exist to oversee waste management, they are largely regulatory bodies and don't have any real power. Eventually, the responsibility falls on the already overburdened courts in India, a process that can take years if not decades. Furthermore, there are currently no mechanisms or systems that ensure the smooth monitoring of imported or even domestically generated waste or the steps to be taken in case something goes wrong, as demonstrated by the Mayapuri incident.

"When Mayapuri happened, people were just helter skelter," says Satish Sinha, the Associate Director at Toxics Link, an environmental non-government organisation that aims to bring information related to toxic substances into the public domain. "Even the disaster management authorities did not actually know what they were supposed to do. The whole drill, the whole system was missing. I think these are gaps that we've learned exist and they need to be plugged."

Yet, despite the tough talk by both the government and the regulatory agencies, this was not the first time that there have been concerns regarding the material that makes its way to Indian shores. In 2004, radioactive materials were found in ammunition that was imported from Iraq as scrap and in 2006, Blue Lady, a ship that came to Alang in Gujarat to be dismantled made headlines due to its high asbestos content.

This radiation then shows up in the finished products made from recovered materials that are exported back to the world. In 2007, radioactive steel originating from India was found in Germany and later that year, French officials reported that buttons for elevators, which had been made from recycled steel from India were emitting radiation.

"Many scrap dealers have bought radiation monitors," K.S. Parthasarathy, the former Secretary of the AERB wrote in a newspaper editorial following the Mayapuri incident. "Since virtually all instances of steel contamination seem to have been caused by radioactive sources which came along with imported scrap, radiation monitors must be installed urgently at all ports."

But it is not simply the headline cases that need to be looked at, says Bharati Chaturvedi, the founder and director of the Chintan Environmental Research and Action Group and a regular commentator on environmental issues. "Mayapuri was just incredibly dramatic and it was such high doses of radioactivity," she explains. "But you could have really low doses

and that's not acceptable either. The other thing is that we don't know how much radioactive waste is being generated. We have no idea what's happening to the waste because the nuclear establishment in India, which is the main source of our radioactive waste, has no accountability to public safety and health."

Whose trash? Whose treasure?

"Waste flows from rich to poor and that's the nature of that flow," says Sinha. "I find it slightly amusing to say that processing waste is perhaps an economic activity and it will add to your GDP. I get the sense from the government that they are quite comfortable about this waste coming in." He says they routinely turn a blind eye to many of the things that are happening in the industry, which could be potential threats not only for the people involved in dealing with this waste, but the ecology and the country as a whole.

Yet, it wasn't always this way. What has essentially caused this shift is the separation of economic and environmental issues. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (usually known as the Basel Convention) is an international treaty that came into force in 1992 and sought to reduce the movement of hazardous waste between nations, specifically from developed to developing countries. In 1992, India's message to the West was in line with the treaty: we do not want your waste.

However, in 1995, at the Geneva Conference, under pressure from developed nations including Australia, India's then Commerce Minister Kamal Nath, gave in and allowed the import of waste as recyclable material.

From then, there's been no looking back. Waste is now a serious business in the country, worth billions. In response to a Freedom of Information request made by Ashish Kothari of the environment protection group Kalpavrisksh, it was revealed that the import of stainless steel waste and scrap went up from 100,899,729 kg worth Rs 4.54 billion (A\$90 million) in 2003-04 to 336,114,900 kg worth Rs 40 billion (A\$800 million) in 2007-08. And there's still more profit to be had.

What happens in India, however, will have global reverberations, warns Chaturvedi. "India is exporting all kinds of things, in addition to the people who're being exposed and getting on planes," she says. "I think the point is how India's own secrecy is making it pretty much a radioactive menace for the rest of the world."

[Back to list](#)

## **Food Manufacturing Company in Ward Hill, Mass. Cited for Clean Air Act Violations**

OzoNews October 15, 2011

A food manufacturing company from Ward Hill, Mass., faces a possible \$108,320 fine for 12 violations of the federal Clean Air Act. According to a complaint filed by EPA's New England office, Cedar's Mediterranean Foods Inc. violated the Stratospheric Ozone Protection regulations of the federal Clean Air Act that establish requirements for the service, maintenance, repair, and disposal of industrial process refrigeration equipment that contains ozone-depleting refrigerant.

The company is incorporated in New Hampshire but is headquartered in Ward Hill. At the Ward Hill facility, Cedar's runs an industrial refrigerator that contains 8,000 pounds of the refrigerant R-22. Because the unit contains more than 50 pounds of an ozone depleting substance, it is subject to the federal Stratospheric Ozone Protection regulations.

EPA inspected the Ward Hill facility in July 2010, and identified that Cedar's only refrigeration unit violated federal air regulations, including requirements to repair leaks, to perform initial and follow-up tests after repairing leaks and to keep equipment servicing records. EPA ordered Cedar's to remedy these violations.

The federal laws regulating ozone-depleting substances are meant to protect public health and the environment by reducing emissions of chlorofluorocarbons (CFCs) into the atmosphere. The stratospheric ozone layer protects the Earth from harmful ultraviolet radiation. When CFCs are released into the air, they damage the stratospheric ozone layer and allow harmful ultraviolet radiation to reach the Earth, which can cause non-melanoma skin cancer in people, as well as playing a major role in malignant melanoma development. Exposure to ultraviolet radiation has also been linked to cataract formation, harms crops and certain types of marine life. More information: How EPA works to protect the ozone layer (<http://www.epa.gov/ozone/strathome.htm>)

**SOURCE:** US EPA, Press Release, 28 September 2011 <http://1.usa.gov/n3TBnu>

[Back to list](#)

## **Banned Gases Still in Use in the UAE - and a Threat**

OzoNews October 15, 2011

Harmful refrigeration and air-conditioning gases that were banned from import nearly two years ago are still in use and threatening the ozone layer, an expert says.

The UAE prohibited the import of chlorofluorocarbons (CFCs) in January last year.

But Stuart Fleming, the managing director of a company that recycles refrigerants, said companies were still using the gases. "I am not sure where it comes from," Mr Fleming said. "However, unfortunately, certain organisations are bringing it in."

The ozone layer, about 16 kilometres above the Earth's surface, absorbs ultraviolet radiation from the sun, protecting people and the environment from its harmful effects. The layer has reduced in density, especially above the Antarctic, because of the past use of certain chemicals. International efforts to reduce the use of CFCs have on the whole been successful and emissions have been declining.

But because ozone-depleting substances take an average of four decades to break down once they have been released, they continue to have a negative effect on the ozone layer.

Scientists expect the layer to recover by the middle of this century. Mr Fleming said more needed to be done to ensure rules on ozone-depleting gases were followed.

The UAE is a signatory to the Montreal Protocol, a global treaty to ensure such substances are replaced with safer substitutes. CFCs were among the first gases to be targeted by this treaty.

Responsibility for implementing the law is shared by the Ministry of Environment and Water and local authorities.

"It is a big task and they have a long way to go," said Mr Fleming, whose company, EnviroServe, recovers, cleans and resells refrigerants.

Companies may still be using CFCs because they are cheaper, or because they are thought to be more effective in deep freezing for commercial use and ice rinks.

"This gas is very good for freezer and refrigeration equipment," said Mr Fleming. Venting, where refrigerant gases are released into the atmosphere by companies that maintain air-conditioning equipment, is another threat to the ozone layer. Refrigerant gases should be collected and stored safely at the end of their life cycle. Venting is difficult to monitor because of the number of companies in the market. Hydrofluorocarbons (HFCs) are among the safest alternatives to CFCs.

But while they are more ozone-friendly, HFCs can still contribute to climate change. Narciso Zacarias, an engineer at the environmental department of Dubai Municipality, said it had recently begun controlling imports of HCFCs (hydrochlorofluorocarbons), a subclass of CFCs, which also damage the ozone layer. Importers need to obtain clearance from the municipality to bring them in, Mr Zacarias said.

"The environment department issued revised guidelines in 2010 and a circular in July 2008 requiring owners or operators of any stationary or mobile air-conditioning or refrigeration system, including service providers, to implement adequate equipment maintenance, prohibit the venting of refrigerants and use of alternative substances," said Mr Zacarias.

An official at the Environment Agency - Abu Dhabi said monitoring CFCs was the responsibility of the Ministry of Environment and Water. The Ministry of Environment and Water declined to comment. Mr Fleming said authorities may be better off focusing on small operators, who are usually more likely to resort to venting. He said most international refrigeration and air-conditioning management firms, and shipping companies, already adhered to international regulations.

**SOURCE:** The National, 26 September 2011, By: Vesela Todorova, <http://bit.ly/nNBDcu>

[Back to list](#)

## **Anti-dumping probe begins on polyurethane imports**

China Daily, October 14, 2011

[http://www.chinadaily.com.cn/usa/business/2011-10/14/content\\_13897712.htm](http://www.chinadaily.com.cn/usa/business/2011-10/14/content_13897712.htm)

BEIJING -- The Ministry of Commerce (MOC) said it started on Thursday a review of the anti-dumping investigation concerning polyurethane products imported from Japan, Singapore, the Republic of Korea (ROK), the United States and the Taiwan region.

During the investigation, polyurethane products from the above exporters will remain subject to anti-dumping tax as high as 61 percent.

The Chinese mainland has imposed anti-dumping measures on the polyurethane imports from those countries and the Taiwan region since 2006, citing "material injury" to the mainland's industry that such imported products had caused.

The investigation will last until Oct 13, 2012, according to a statement by the MOC on its website.

[Back to list](#)

## Marine cops seize 372 logs worth RM186,000

The Borneo Post, October 19, 2011

<http://www.theborneopost.com/2011/10/19/marine-cops-seize-372-logs-worth-rm186000/>



KUCHING: Sarawak Marine Operations Force (MOF) gained another success against illegal logging with the seizure of around 372 logs, worth about RM186,000, along Rajang River in Sibu early Monday morning.

This was the sixth case of its kind reported by the same authority so far this year involving seizures of logs and equipment worth over RM1.8 million in total.

In confirming the latest case at a news conference here yesterday, State Marine police chief ACP Mohd Saleh Mat Jani said in the incident, four of his men led by Sgt Zainudin Jamal detained four suspects including the skipper of a cargo vessel used to transport the illegal logs.

“The team led by Sgt Zainudin checked on the vessel upon noticing the crew behaving suspiciously and, after checking, discovered the logs being unloaded at Tanjung Engkilo along Rajang River were without any document issued by the Forest Department.

“They classified the logs as illegal and put the skipper and his two crew members under arrest. Apart from the logs, the vessel worth around RM200,000 was also seized,” he revealed.

He said the source of the logs was not immediately known and the case would be referred to the Forest Department for investigation.

Mohd Saleh also could not say whether the latest case was just the tip of the iceberg, but they would continue to monitor the river to curb such illegal activities.

“We believe rivers still play a major role in the transportation of timber logs in the state and we will continue to monitor the situation to check on the activities,” he said.

It was revealed that the first case for this year was reported in Kemena River on Jan 28 in Bintulu where 298 logs of various sizes and species worth about RM149,000 were seized.

Three months later, a vessel and around 300 logs suspected to be illegal with an estimated value of RM425,000 were confiscated.

On May 11, the state MOF again seized about RM291,000 worth of suspected illegal logs at Sungai Daro in Sarikei and in the same month, 100 logs and an excavator worth a total RM114,000 were retained by the authority.

In the second latest case in July, the authority confiscated 200 logs and seized a vessel at Rejang River — all worth a total RM458,000.

[Back to list](#)

## Illegal elephant ivory trade run from Romford home

By Jane Ball, Romfordrecorder, October 13, 2011

[http://www.romfordrecorder.co.uk/news/illegal\\_elephant\\_ivory\\_trade\\_run\\_from\\_romford\\_home\\_1\\_1089942](http://www.romfordrecorder.co.uk/news/illegal_elephant_ivory_trade_run_from_romford_home_1_1089942)



A man who used his Romford home as a base to sell illegal ivory jewellery on eBay has been spared jail.

Francis Benyure swamped the online auction website with more than 3,000 listings for elephant ivory and hair bracelets, using the name Arts-Crafts-Gallery, Havering Police told the *Recorder*.

He had been selling the bangles for as much as \$60 and as little as \$2 each – mainly to buyers in the USA – until a concerned member of the public alerted police

and an investigation was launched in March 2009.

A “long and arduous” 15-month probe by Havering Police and The Met Police Wildlife Crime Unit led them to Benyure’s Launceston Close home.

There police found a large quantity of trinkets.

Officers worked with the Natural History Museum, in south west London, where tests proved the items were genuine.

Endangered species

Benyure appeared at Basildon Crown Court on Monday, and pleaded guilty to the trading of endangered species.

He was sentenced to 10 months’ imprisonment suspended for 18 months, ordered to carry out 150 hours community service and obey a 9pm-6am curfew for four months. He was also told to pay costs of £500.

Afterwards, Sgt Ian Knox, head of the Wildlife Crime Unit, said: “This is an excellent result due entirely to Havering wildlife officers’ very hard work and dedication in getting this case before the courts. The sentence sends out a clear message to others who are involved in this trade within the UK that illegal trade in wildlife, their parts and derivatives, will not be tolerated.”

Will Travers, of wildlife charity Born Free, said: “The life of a single elephant is surely worth more than £500 and some community service? Such sentences do little to deter wildlife crime or recognise the sacrifice that rangers in Africa and Asia make when they put their lives on the line to protect elephants from poachers.”



[Back to list](#)

## Alberta Man Found Guilty for Illegally Importing Snakes and Scorpions

Environment Canada, October 18, 2011 --

<http://www.ec.gc.ca/default.asp?lang=En&n=714D9AAE-1&news=F1859B02-3271-4D67-B8DE-7B7F504336CB>

Terrell John Gruse, a resident of Edmonton, Alberta, was convicted on October 13, 2011, for illegally importing rattlesnakes and scorpions into Canada. His violations include two counts under the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA) and one count under the Species at Risk Act (SARA). Following the conviction, Gruse was sentenced to pay \$10,000 in penalties of which \$1,000 is a fine and \$9,000 a contribution to the Environmental Damages Fund. He was also ordered to pay \$1400 towards the care of the seized animals.

Following an investigation by Environment Canada, Gruse was charged in 2009 at the Kingsgate border crossing near Cranbrook, British Columbia. The investigation revealed that the snakes had been smuggled into Canada after being unlawfully harvested from the wild in the United States. Gruse had purchased the scorpions from a United States pet store.

The Environmental Damages Fund, administered by Environment Canada, was created in 1995 to provide a means for directing funds received from fines, court orders and voluntary payments to be used for the repair of the actual harm done to the environment.

Environment Canada works to ensure that companies and individuals comply with the conservation goals of environmental and wildlife protection acts and regulations.

[Back to list](#)

## Conservation groups attack government green pledges

BBC News, October 14, 2011

<http://www.bbc.co.uk/news/uk-15291567>

Ministers are failing to keep to most of their promises to help wildlife, leading nature groups have said.

Failures include culling badgers to tackle bovine TB and attempts to sell off publicly-owned forests in England to businesses.

The group of 29 of the UK's leading environmental groups say just two out of 16 key commitments made by the government are being fully met.

These are opposition to commercial whaling and moves to ban ivory sales.

Martin Harper, conservation director of the RSPB, one of the groups involved, says in tough economic times ministers may be tempted to ignore the needs of wildlife.

"But this kind of short-termist attitude won't wash with a British public which expects the government to protect the countryside and wildlife we all hold dear," he said.

'Greenest ever'



Other promises the group says the government has failed to honour include reforming the planning system to give neighbourhoods a greater say and preventing unnecessary building in areas of high flood risk.

Partial success has been achieved in tackle the smuggling and illegal trade in wildlife and making the import or possession of illegal timber a criminal offence, they add.

But a spokesman for the environment department Defra said the government is committed to being the greenest ever.

"The government is working on an ambitious programme of policies to protect and enhance our natural environment and we've made good progress across many areas.

"We're providing new opportunities for local people to play a bigger role in protecting and improving the environment in their areas."

[Back to list](#)

## Osama raid dogs to hunt poachers

- BELGIAN BREED TO PROTECT RHINOS IN KAZIRANGA

By Roopak Goswami, Calcutta Telegraph, October 14, 2011

[http://www.telegraphindia.com/1111014/jsp/frontpage/story\\_14622551.jsp](http://www.telegraphindia.com/1111014/jsp/frontpage/story_14622551.jsp)

Guwahati, Oct. 13: Rhino poachers in Assam will be up against a breed of dog that is said to have helped bring Osama bin Laden down.

Two Malinois — Belgian shepherd dogs — imported from Slovakia will add teeth to anti-poaching efforts at the Kaziranga National Park, and are now being acclimatised in Guwahati.

A Malinois is said to have been part of the US Navy Seals team that raided Osama's Abbottabad lair in Pakistan and killed him.

Famed for its ability to sniff out explosives and enemy warriors, the Malinois has been successfully deployed as military dogs by the US and European forces. But this is the first time the breed will be used in wildlife crime detection in Asia.



Jorba (male) has been financed by the London-based David Shepherd Wildlife Foundation and brought to Assam by Aaranyak, a biodiversity research and conservation group. Czarina (female) has been financed by Kaushik Barua, a wildlife lover.

"The dogs are trained in detection and tracking. The reason we have brought this particular breed is its extreme prey-drive capability," Aaranyak secretary-general Bibhab Talukdar said.

"The only requirement for the dogs to succeed is that the site of poaching must be left undisturbed so that they can pick up clues."

Barua said: "Even if you fire at these dogs, they are not cowed. Instead, they hit back. The dogs will be in action very soon."

Assam forest officials' best efforts have so far failed to stop poachers from killing wild animals, including rhinos.

D.D. Gogoi, divisional forest officer, eastern Assam wildlife division, said the deployment of the Malinois would definitely put the poachers under psychological pressure.

“Guidelines will have to be framed so that the field personnel know the dos and don’ts. Any effort in the conservation of Kaziranga is always welcome”, he said.

The Malinois is often confused with the German Shepherd (Alsatian) but there are differences in the two breeds’ body structure and temperament. The Belgian dog is smaller and has lighter bones. It stands with its weight on its toes, which gives it a square body profile, while the German Shepherd has a long and sloping back and carries its weight flatter on its feet.

The two Malinois “will continue to strengthen anti-poaching activities in Kaziranga,” a statement from the David Shepherd Wildlife Foundation said. It added the breed was capable of picking up a scent and tracking, outrunning and bringing down suspects. There are reports that Belgian Malinois will be deployed by the security forces in the Maoist zones of Jharkhand and Chhattisgarh too.

[Back to list](#)

## **Case shines light on little-known import law**

By Jeremy Hay, The Press Democrat, October 8, 2011

<http://www.pressdemocrat.com/article/20111008/ARTICLES/111009531?Title=Case-shines-light-on-little-known-import-law>

In the wake of raids on Gibson Guitars and the seizure of exotic woods from Luthiers Mercantile International, the guitar-making industry is focused on an 111-year-old law that was revised three years ago to cover wood imports.

The Lacey Act was passed in 1900 to prohibit illegal trafficking of birds, and was amended in 2008 to include wood products. The aim was to protect threatened woods by preventing the importing of illegally logged timber and to shield the U.S. timber industry from unfair overseas competition.

It allows U.S. authorities to bar and seize imported wood if sending it abroad violated laws in its country of origin. Factors include forestry practices, the wood species, its dimensions and how finished it is before export.

The 2008 amendment made it critical for importers to know the provenance and history of the wood they buy.

“It’s the kind of new normal that a lot of companies haven’t gotten used to,” said Andrea Johnson, director of forest campaigns for the Environmental Investigation Agency, an American non-governmental agency watchdog of trafficking and trade issues.

But luthiers, as guitar makers are called, say they aren’t the problem.

“The Lacey Act is designed to target illegal logging and that’s something we are all behind,” said Stuart Day, a Healdsburg luthier. “But targeting instrument makers, especially the smaller ones, is not going to do anything.”

Makers of musical instruments use about 1 percent of harvested tropical woods, according to a 2007 International Tropical Timber Council report.

Here’s what happened in LMI’s case, which critics say illustrates the law’s faults.

The rosewood fingerboards that LMI imported can only be exported from India under the 9209 tariff code. But it is only legal to import that product into the United States using the 4407 code.

For about 20 years, LMI has exported wood from India using the 9209 code, and brought it into the United States under the 4407 code, Swango said.

The different codes characterize whether the wood is more or less than six millimeters. It's a crucial distinction because while the wood LMI imported is over 6 millimeters, which the Indian government doesn't allow, the government does allow its export for musical woods.

Swango produced letters from the Indian government attesting to this; they say that say it is legal to export fingerboards of the type and in the way she has been doing it.

But now, she said, the U.S. government, to the degree it is telling her anything, is saying that she has been doing it wrong.

"They're saying that it has to do with tariff codes and that it doesn't matter what India says," she said.

"They're saying, no matter what tariff code I use, it's illegal because you can't bring it in under 9209, you can't export it under 4407," she said.

"It's a very poorly, very vaguely written law," said Harry Fleishman, a longtime Sebastopol luthier.

Navigating the law's details to prove the legality of a piece of wood that may start in Asia, travel through Europe and end up in the United States is a stiff task for most luthiers, most of whom work alone.

"I would like to follow the laws, but what are they?" said Eric Monrad, a longtime Healdsburg luthier. "I'm not capable of analyzing Madagascar law or Indian law for myself. I'm a one-man shop, a bookkeeper, photographer, woodbuyer, everything."

Changes in the law are crucial, Fleishman said.

"We need to have some way that is reasonable to prove the provenance of our materials and that is within the scope of a professional luthier," he said. "Otherwise I'm not really sure how anybody is going to be able to continue doing business."

[Back to list](#)

## OTHER ENVIRONMENTAL ENFORCEMENT NEWS

### **Support For Thuggery Against Greenpeace Worrying**

Jakarta Globe, October 14, 2011

<http://www.thejakartaglobe.com/opinion/support-for-thuggery-against-greenpeace-worrying/471606>

On July 15 this year, when members of the thuggish Betawi Brotherhood Forum (FBR) staged a rally outside the headquarters of environmental group Greenpeace in Kemang, South Jakarta, Greenpeace staff invited several of the group's leaders into the building for a chat.

The FBR claims to represent the interests of the Orang Betawi, Jakarta's original inhabitants. However, since its establishment in 2002, the group has been widely believed to have developed strong links to organized crime, particularly protection rackets. Critics also accuse

FBR leaders of maintaining close ties to local politicians who rely on thuggery to manage their constituencies.

Emerging from the Greenpeace office some time later, FBR spokesmen told waiting journalists that they were there to protest against the negative reports Greenpeace had allegedly published about Indonesia. They also threatened to close Greenpeace down, accusing the organization of being an illegal body because it had not registered with the Jakarta city government.



When I met Greenpeace's Indonesia representative, Nur Hidayati, in Jakarta in early August, she told me that the FBR leaders were polite but not very well informed. Somewhat surprisingly, the FBR had advised the police of their intentions and the latter had turned up outside the Greenpeace headquarters as well. 'I got the impression that they (the FBR leaders) actually didn't want to create a serious incident,' she said. One Greenpeace activist, who was also present at the meeting, later commented that he believed the FBR was just going through the motions after concluding a deal with other parties. Political organizers are known to hire thugs to take part in local rallies.

Since then, various politicians have weighed in on the issue, with some accusing the environmental group of pursuing the economic interests of foreign entities. Golkar politician Prya Ramadhani, widely regarded as a possible candidate for governor or deputy governor in Jakarta's upcoming gubernatorial elections, has recently joined the anti-Greenpeace campaign.

The influential Indonesian Ulema Council (MUI) has also urged the government to outlaw the environmental organization, alleging that the group's operations have been funded by money from gambling operations in the Netherlands.

Greenpeace denies this, saying that the bulk of the organization's funds come from Indonesian individuals, many of whom donate regularly. Currently, the Indonesian branch has a membership of more than 30,000. Greenpeace does not accept donations from companies.

Attacks on non-governmental organizations (NGOs), particularly environmental and human rights groups, at the behest of vested interests are not new in Indonesia. But this may well be the first time that so many prominent organizations and individuals have expressed tacit approval of the harassment. The development is worrying and suggests that Indonesia may be entering a new and more dangerous political phase.

Greenpeace's activities in Indonesia began in the mid-1990s. Operating from its main office in Thailand, the organization cooperated with local activists to campaign successfully against the dumping of hazardous waste in Indonesia by European companies.

Greenpeace set up its Jakarta office in 2006 with permission from the ministry of law and human rights. Almost immediately, it began campaigning on a wide range of issues, including nuclear power, climate change, renewable energy and forestry.

One of the most successful campaigns was a 2009 drive to force Singapore-listed Golden Agri Resources, a subsidiary of the Sinar Mas Group, to adopt environmentally friendly practices on its vast palm oil plantations.

According to Ms Hidayati, the coordinated attacks on Greenpeace came only after the group turned its attention to deforestation late last year.

Asia Pulp and Paper (APP), another Sinar Mas subsidiary, has been a particular target. Last November, Greenpeace activists hijacked an awards ceremony in Brussels to present "The Golden Chainsaw Award" to the paper manufacturer. And in April this year, a group of Greenpeace supporters dressed in orang-utan outfits harassed staff at a Sydney conference held by APP affiliate Solaris.

APP has consistently denied any involvement in the attempt to intimidate Greenpeace.

Hidayati sees the FBR campaign as a mere distraction. "We don't want to be trapped in a horizontal conflict with them," she told me. Even so, the organization is taking the threat seriously. Greenpeace now employs guards to provide 24-hour security. Unusual among NGO offices in Indonesia, the main entrance is now protected by a strong door with a combination lock. Other possible entrances, however, are not so well secured. "They could still get in if they really wanted to," she admitted.

Such is the price of environmental advocacy in Indonesia.

*Reprinted courtesy of Straits Times Indonesia*

[Back to list](#)

## **A green economy: Is it possible?**

By Agus Sari, Jakarta Post, October 14, 2011

<http://www.thejakartapost.com/news/2011/10/14/a-green-economy-is-it-possible.html>

Next year is Rio+20. In 1992, leaders of the world gathered in Rio de Janeiro, Brazil, to agree on a different way to develop, and signed the Earth Charter, as well as other international environmental agreements including the United Nations Framework Convention on Climate Change (UNFCCC).

The so-called World Conference on Environment and Development was followed by the World Summit on Sustainable Development in 2002 in Johannesburg, South Africa, to further the convergence of environment and development.

Next year, the 20th anniversary will bring us back to Rio de Janeiro. The theme will be "green economy".

Indonesia has seen some interesting dynamics in green economics in the past couple of years. At the G20 meeting in Pittsburgh, President Susilo Bambang Yudhoyono announced a commitment to reduce Indonesia's greenhouse gas emissions to 26 percent below its business-as-usual trajectory, and 41 percent if financial involvement from foreign countries was made available, by 2020.

The target is known as the "7/26" target: An emissions reduction of 26 percent below business-as-usual, while maintaining economic growth at 7 percent per year. These figures, in addition to targeting to reduce poverty levels to below 11 percent, reducing unemployment to below 14 percent, make up Indonesia's "pro-growth, pro-poor, pro-job and pro-green" development targets. The "7/26" target is basically a green economy commitment.

Rhetoric aside, implementation will be challenging. Questions remain as to whether a green economy is possible. Can Indonesia reduce its greenhouse gas emissions while continuing to grow?

Integrating economic development and environmental protection is a classic challenge. But more recently, it has been shown that economic development not only affects but is also affected by the quality of the ecosystem. A green economy therefore offers the following

methods: first, accounting for the costs associated with pollution and environmental degradation in black sectors. The traditional way of accounting economic growth omits environmental costs, although someone, somewhere, must pay them. Only by taking these costs into account can we understand the real growth of the economy.

Second, accounting for the benefits associated with protecting the environment and ecosystem services. As with costs, environmental benefits have also not been properly accounted for in traditional models used to project economic growth. At present, when duly unitized, ecosystem services can be monetized and thus provide real economic and financial benefits.

Third, shifting sources of growth from “black” to “green” sectors. Green growth does not aim to reduce growth. It aims to change the way growth is created and to shift sectors that are the sources of growth. By shifting the sources of growth from “black” (polluting) to the green (clean) sectors, pollution is minimized while ecosystem services are maximized.

Back to the “7/26” target. According to the most recent National Action Plan for the Reduction of Emissions of Greenhouse Gases, Indonesia needs to cut 767 million tons of carbon-equivalent greenhouse gases unilaterally. Forestry and peat contributes the largest amount. About 672 million tons or 88 percent of the reduction is expected to come from the forestry and peat sectors. Taking a look at the development of the forestry sector may provide some insights on how a green economy can be applied in Indonesia.

Debatably, forestry contributes to the Indonesian economy significantly and has been a significant contributor to economic growth.

In the mid-1990s, the forestry sector contributed slightly less than 4 percent of Indonesia’s gross domestic product, which in 1995 and 1996 was Rp 454 and Rp 532 trillion (about US\$50 and \$60 billion, subsequently). In 1995, of the 19 percent GDP growth (20 percent when oil is excluded), forestry contributed about 7 percent (about one-third of the total growth), according to the Indonesian Statistical Yearbook.

But degradation of forests is costly. The forest fires in the late 1990s cost the economy between \$5 and \$7 billion. Indonesia Corruption Watch estimates that Indonesia suffers losses of around Rp 14 trillion every year due to deforestation. Deforestation between 2005 and 2009 totaled 5.4 million hectares, valued at about Rp 71.28 trillion. Illegal logging alone may cost Indonesia somewhere between \$5 and \$15 billion a year.

Avoiding deforestation comes at a cost, but presents a lot more benefits. Avoiding deforestation starts out at \$1,800 and can go up to \$2,240 per hectare by 2050. But preventing carbon emissions through the Reduction of Emissions from Deforestation and Degradation of Forests (REDD+) scheme has a significant value. Halving emissions from deforestation would cut about 1 billion tons of carbon-equivalent greenhouse gas emissions. With a \$5 per ton shadow price for carbon, this means an additional income of \$5 billion per year from stopping deforestation.

Some say that this might not be enough to compensate any lost income that would have been gained from exploiting forests. But carbon is not the only ecosystem service forests provide. Forests also serve as water catchment and purification areas, hubs of biodiversity, nutrients, recreation areas and others. Added together, they serve as quite a competitive economic argument against destructive and exploitative practices.

A recent study by the University of Padjadjaran in Bandung for the Environment Ministry found some very interesting results in regards to a green economy. The study ran a scenario that includes improvements in energy efficiency by 25 percent, reducing coal-based fuel use by 50 percent, reducing the rate of deforestation by 10 percent, and implementing shadow carbon tax of \$50 per ton.

The result is that Indonesia would cut emissions of carbon dioxide by 177 million tons, increase its GDP by 2.7 percent (Rp 133 trillion) per year, create 3 million new jobs and reduce the number of poor people by more than 4 million per year.

If this model was put into practice, the President can be assured that his "7/26" target will be met. A green economy is not only possible, it is the only possibility.

*The writer, an environmentalist, runs green financing advisory Citizen Forest.*

[Back to list](#)

## **Environmental Law violations abound**

Viet Nam News, October 13, 2011

<http://vietnamnews.vnagency.com.vn/Domestic-Press-Highlights/216464/Environmental-Law-violations-abound.html>

### Environmental Law violations abound

In the last five years, the Ministry of Public Security's Environmental Crime Police Department has imposed a total of VND135 billion (US\$6.4 million) in fines for 11,224 violations of the Environment Law nationwide. About 220 exporting and processing zones and industrial parks nationwide release more than 1 million cubic metres of waste water, including 70 per cent of untreated water, to the environment per year. The number of companies which have not installed waste treatment systems account for 90 per cent.

### Sai Gon Giai Phong (Liberated Sai Gon)

#### Foundation to promote Viet Nam's history

The Viet Nam Association of History and Science announced that the non-profit Viet Nam History Promotion Foundation would be established in Ha Noi. The foundation aims to train history experts and promote Viet Nam's history. It will also provide scholarships for students majoring in history at graduate and post-graduate levels. The association received the Labour Medal, first class, on the occasion.

### Lao Dong (Labour)

#### Ministry to host seminar on worker housing

The Ministry of Construction will host a national seminar to promote workers' housing projects in Binh Duong Province on October 17. The seminar will discuss preferential policies for organisations involved in building housing for workers. The level of affordable rent will also be discussed.

Nguyen Trong Ninh, deputy director of the ministry's Housing Management Department, said the Government had issued preferential policies to encourage investors to invest in worker housing projects. However, investors lack interest because of the low profitability of such projects and the long time needed to make a return.

### Tuoi Tre (Youth)

[Back to list](#)

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