
SMUGGLING SNAKES OUT OF AUSTRALIA... HOW THE SYSTEM WORKS.

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Contents: Introduction - Splinter smuggling - Counter smuggling - Official smuggling - Trouble in Australia - How the wildlife leaves the country - CITES - Selling the smuggled fauna overseas - How to stop smuggling - References.

INTRODUCTION

This article deals with wildlife smuggling out of Australia. In my explaining of what goes on I will be simplifying a procedure too complicated to deal with in full detail. I am very familiar with the smuggling racket so far as snakes are concerned. It operates in a similar manner for other wildlife. My experiences however are principally limited to those of reptile smugglers. This article does not cover the general issue of reptile conservation. This was covered in another paper (Hoser, 1988). My knowledge of wildlife smuggling out of Australia stems primarily from the direct experience with corrupt state fauna authorities here, and my ceaseless efforts to expose the rackets. I have been party to tracking down reptiles being shipped out of Australia, and on one occasion (July 1981), managed to stop some snakes from leaving the country, (Snakes originally removed from a collection by National Parks and Wildlife Service (NPWS) officials), (Cumming, 1981a). Most of my evidence collected against NPWS and others has been stolen during a number of planned break ins by the men whom I accused of smuggling. Despite court orders (two subpoenas), most goods

stolen have not (and almost certainly will not) be returned, (NSW Government, 1984-5). Subsequent court cases, royal commissions, etc, have tended to verify many of my more seemingly outlandish claims; (Anonymous, 1982; NSW Government 1982; 1984; 1984-5; 1985a, b; Toohey, 1983; Wilson D et al, 1985, 1987). My beliefs that NPWS and customs officers are organising smuggling operations are hard to prove. However at this time some NPWS and customs people have been charged with a number of corruption offences including smuggling, (Anonymous, 1982b, c, 1985a, 1986a,b,c; Bottom, 1985a; Forbes, 1985). Bottom (1988), covers in detail the exposure of a number of international smuggling operations, and how some of these named men were brought to justice. I believe that those charged only represent the tip of the iceberg. Institutionalised crime and corruption is endemic in Australia, (Bottom 1985b; 1987). At any given time there are a number of "Royal Commissions" involving crime and corruption. Investigative journalists such as Bottom, Cumming, Hickey and others are constantly exposing new rackets, and being embroiled in court cases, (Whitton, 1987). Effectively no wildlife is smuggled into Australia. Local laws preventing this, coupled with the enormous diversity of wildlife here, (much still undiscovered), has kept Australians more interested in local species than foreign species. Unfortunately the very diversity of wildlife (all forms) in Australia has made foreign interest in our species huge. Price wise Australian species are consistently the most expensive. (Anonymous, 1982, 1983; Ballantyne, 1982; Bottom 1985a; Frail, 1984). The reason for this is because few foreigners (including institutions) hold Australian species, it is illegal to import them, and those held often fail to breed due to the practise of sterilisation of wildlife as it leaves Australia (carried out by the smugglers), (Bartlett,

1981; Cumming 1981a).

Wildlife smuggling can be split into three broad categories:

1: "Official smuggling". This accounts for over 90% of wildlife to illegally leave the country. The racket is run by senior officials in fauna authorities in most Australian states, in co-operation with corrupt officials in police, customs, telecom, outsiders, etc. (Cumming, 1981a). This is the only really sophisticated smuggling operation in this country.

2: "Counter smuggling", is the name given to smuggling carried out by experts or enthusiasts of rare and endangered species to foreign countries with the specific aim of breeding what is smuggled. Called "counter smuggling" because all "officially smuggled" fauna is sterilized as it leaves the country, and is therefore useless for this purpose. "Counter smugglers" and successful wildlife breeders pose the biggest long term threat to "official smuggling".

3: "Splinter" or "small time" smuggling. This encompasses all forms of smuggling except those previously covered.

SPLINTER SMUGGLING

This can be almost any form of smuggling. The ways in which wildlife can be smuggled are only limited by human imagination. The most well documented form of splinter smuggling is trappers in remote areas loading their hauls onto light planes or boats and going to South East Asia, where the wildlife passes into the hands of dealers. It then makes its way into the "end" countries of Europe and the USA where individuals pay huge sums for the wildlife involved. (Ballantyne, 1982; Kennedy, 1981; Teese, 1985). Australian wildlife authorities deliberately perpetuate the myth that most

smuggled wildlife leaves the country in this manner. The reality is that this form of smuggling is much more difficult than it seems and not very common. Most common "splinter smuggling" is when enthusiasts leave the country with specimens in their luggage, or on their person. Virtually all convicted smugglers in this country have been caught smuggling wildlife out in this manner. (Ballantyne, 1982; Hope, 1982). Those caught are usually non-Australians, and experienced enthusiasts in their fields. (Anonymous, 1983, 1985b, c, d, e, 1988; Teese, 1985). The only major smuggling rackets that have to my knowledge operated for some time outside of "official" channels have involved shipping specimens in containers in ships, often through an import/export company. This was more prevalent in the late 1960's and early 1970's before "official smuggling". (Hoser, 1977). Individual collectors will post reptiles in the mail to one another. This can be done within a country, or between countries. Assuming the recipient of the parcels is not a well known herpetologist then the odds of being caught through parcel search are remote. (Anonymous, 1984a; Orders & Bondy, 1988; Glascott, 1988).

COUNTER SMUGGLING

Methods used here vary, but are essentially the same as "splinter smuggling". I will deal with "Counter smuggling" when discussing "official smuggling".

OFFICIAL SMUGGLING

Most wildlife leaves Australia through this highly organised channel. The operation cannot be stopped in the conventional "law enforcement" sense because

the law enforcement agencies are the ones who are involved. (Anonymous, 1986c; McShane, 1970). Wildlife is typically obtained from keepers in Australia rather than trapped in the field, (Cumming, 1981a). It is then sent to an "intermediate" country, before going to a keeper or dealer in a third (end) country. It is sterilised as it leaves Australia. (Bartlett, 1981; Cumming, 1981a).

TROUBLE IN AUSTRALIA

By obtaining wildlife from keepers the smugglers are able to get top quality stock. It is well known that properly kept captive animals are usually vastly superior (health-wise) than their wild counterparts. By obtaining top health animals to smuggle out of the country, the animals are more likely to survive the three country trip to the final "keeper", (which could take a few months). The better the condition of the animal the more saleable it is. Keepers of snakes in general, do not give their prize stock away to smugglers, and will in general take steps to avoid coming into contact with smugglers, (Anonymous, 1985f; Purcell, 1978). In the early 1970's the officers in the various newly formed state wildlife Authorities (led by NSW), who were becoming the dominant force in smuggling were having problems obtaining stock to smuggle. Wild caught stock was not good enough, those species which were readily trappable were already common overseas, (not worth much). The corrupt officers neither had the resources nor inclination to keep large numbers of wild animals (particularly reptiles) for smuggling purposes, and public opinion was more than ever conservation minded, (Anonymous, 1984b). The crooks "killed all the birds with one stone". They brought in various licencing systems for all keepers of all forms of

wildlife. All keepers and what they held were immediately on NPWS (National Parks and Wildlife Service) lists. The authorities could then tell the public that they were genuinely keen on preserving wildlife. They stated that they would eradicate those people who failed to look after their stock properly. The specific eradication of "bad keepers" never occurred. NPWS stated that they would be able to prevent smuggling of wildlife out of the country as they now had lists of those who were likely to do so, or be a party to such activities. This statement was partly true. NPWS were then able to eliminate any competition they had. The elimination of competition was probably initially the major reason for NPWS introducing the so-called protection laws for most wildlife that was previously unprotected. Non Australians should realise that Australia is a large relatively unpopulated country, and there hadn't been (and still isn't) a need to protect by law most snake types from collectors. Collection by "hobbyists" threatens few if any reptile species, (Ehmann & Cogger, 1985). NPWS eliminated most "splinter" smugglers by the mid 1970's. They nevertheless had the recurring problem of shortages of wildlife to smuggle out of the country. In the mid 1970's a major change in NPWS activities occurred, (Orders & Bondy, 1988). To obtain wanted stock they simply broke into peoples houses and stole what they wanted, while the owners were out. Should the owners return to the house while the break in occurred the NPWS officers used legal and other treats to intimidate the persons involved. (Cumming, 1981a). The NPWS officers who travelled in groups of about ten, would vary the threats and false accusations to cover the actions to suit the occasion. For kids, the standard was that they had stolen stock from a zoo, and that the NPWS officers were taking back what was rightly theirs. For adults false

smuggling accusations were the norm. Permit violations became a more common accusation in the late 1970's when the NPWS officers realised that by stalling permit renewals and registering newly bred stock, etc, they could convince many people that they were breaking laws when in fact they weren't; (Cumming, 1981a; Livingstone, 1987a,b). Through intimidation, NPWS officers could cover themselves successfully when caught burgling peoples houses, (Cumming, 1981a). A few people including myself took successful action against NPWS officers when they staged illegal break ins. If NPWS officers were not caught breaking into ones house redhanded, then there would be effectively no proof that NPWS had broken in, and therefore they were free to deny any "prior" knowledge of the break in. NPWS break ins and thefts have been repeatedly documented in the Australian press. (Cumming, 1981a; Purcell, 1978). NPWS had a perfect system of supply for all reptiles and other animals that they wanted to send overseas. By harvesting the average enthusiast every 18 months or so for most of what they had, things seemed to work well, (Cumming, 1981a). By the 1980's in NSW at least, everybody knew what the NPWS officers were up to so the only way NPWS could cover themselves in the event of being caught doing a break in was to give mafia style threats and action when necessary, (Cumming, 1981a). In 1978 there had been a rebellion against NPWS where all NSW reptile keepers refused to disclose to NPWS what they held to reduce the risk of planned break ins, (Ehmann & Cogger, 1985). NPWS officials needed stock to fill overseas orders. They suffered from a lack of manpower to mount random break ins in the hope of securing a given animal, (Ballantyne, 1982). So by 1980 NPWS officers, like the police had resources to tap phones (through customs and telecom officials), illegally of course. (Toohey, 1983; Anonymous,

1986b; Bottom, 1985b; 1987; Cumming, 1981a, b, c; Penberthy, 1982). Also they had a system of bribing vulnerable herpetologists, to inform on what stock other herpetologists held, (Cumming, 1981a; Hoser, 1981). Not only did this enable NPWS to break into the "right" peoples houses, but because they could more accurately trace peoples movements, they could reduce their odds of being caught staging break ins. A number of specific cases of NPWS phone tapping and associated break ins, were documented by Cumming (1981). In mid 1984, it was again reported widely in the Australian media that NPWS bugged phones, (Willissee, 1984).

HOW THE WILDLIFE LEAVES THE COUNTRY

The wildlife is simply sent out of the country by placing them on commercial jets that fly to a country (intermediate) usually in Europe. This is because senior customs officials are also involved in the racket, (Orders & Bondy, 1988; Teese, 1985). What makes anything valuable is it's rarity, so NPWS and co. go to great lengths to maintain the rarity of what they export, (Ballantyne, 1982). By X-raying all stock that they are exporting they sterilise it leaving no visible scars. The buyers overseas (who most of the time purchase the wildlife for breeding purposes), continue to buy stock sometimes for thousands of dollars a piece with the vain hope of breeding the wildlife, (Bartlett, 1981; Bouts, 1987; Glascott, 1988). By not breeding Australian fauna overseas, NPWS are assured a future market for their stock as the originally exported wildlife die natural deaths. Competition in smuggling is dangerous to NPWS, not so much because of the direct threat of similar species being sold to enthusiasts at the given time, but rather the threat of the pur-

chasing individuals breeding the given species and thereby making it "common overseas". By breeding alone, a species can go from "top price" rare to "common" within 4 years, (Frail, 1984). It is here that "counter smuggling" is such a threat to NPWS. "Counter smugglers" made the Diamand Python (*Morelia spilota*) go from rare to common in the United States almost overnight. Previously NPWS officers had made a "killing" on the species.

CITES

To protect a rare species in a given country from being smuggled out and made rarer, the country can do more than protect the species by "internal" protective legislation. The country can become a signatory of "CITES". CITES stands for "Convention in (International) trade in Endangered Species". It is a non-political treaty, to which most countries of the world are signatories, (Incl. EEC, Nth. America, Australia, etc), (Nichol, 1987). CITES rules mean that if a given species unique to a country is protected then, that species is protected everywhere. It means for example, that if a protected Anthill Python *Bothrochilus perthensis*, (appendix 2, species), is illegally smuggled out of Australia, then that snake will be "illegal" wherever it is and regardless of who has it. Should the snake be detected then it becomes the property of the Australian authorities and in turn the Australian government. The snake is therefore "HOT". In other words the theory is that "once a smuggled snake, always a smuggled snake". The principal aim of CITES was to stop smuggling. In 1988 we know the treaty has failed to stop the trade, (Anonymous, 1982; Ballantyne, 1982; Hope, 1982; Wild, 1982; Kennedy, 1981; Nichol, 1987).



Foto 1. *Morelia spilotes macropsila*, Bundaberg (Qld). Foto: Raymond Hoser.



Foto 2. *Boiga irregularis*, Arnhem Hwy (N.T.). Foto: Raymond Hoser.

SELLING THE SMUGGLED FAUNA OVERSEAS

Because foreign keepers will not dabble in "HOT" stock the problem of legality has to be overcome. This is fairly easy. In the Northern Hemisphere there is essentially a "free trade" in Australian wildlife species that are legally held, (Those held in collections for several years, collected under legal Australian permits, etc, and all offspring). What the smugglers do to avoid being "busted" through CITES is the following. Upon arrival to the "intermediate" country (commonly in East Europe, or even South-east Asia), the animals are given bogus local certification as being captive bred. The fauna is now "legal". However to avoid complications in the "intermediate" country the wildlife is then immediately sent to a third country, (exported legally in this case), (Orders & Bondy, 1988). For example the authorities from the United States are not going to rush into the middle of say, Poland to check on the authenticity of some certificates which say a newly imported Diamond Python *Morelia spilota*, is captive bred. Wildlife can always be legally sent back to "intermediate countries" at a later date. Because most wildlife matures rapidly, and improves in health in captivity within months, it soon becomes impossible to tell the difference between wild caught and bona-fide captive bred wildlife on the grounds of size and/or health. This system is usually watertight in preventing detection of smuggling intermediates, and works beautifully in obtaining maximum prices for smuggled stock. Because of the relative speed in which stock reaches dealers (mainly in North America), it is still in relatively good health and still saleable. Also because it is "100% legal" even the most wary buyers will purchase the

wildlife. Many keepers would rather risk buying potentially sterilised stock than illegal or smuggled stock. (you won't go to jail for not breeding your pets). In 1973, the "Swiss connection" was exposed, and typified the "official style" smuggling operation just documented. A number of prominent people in Australia, an intermediate country and the United States were charged with smuggling Australian snakes. The racket came unstuck when a five foot taipan escaped from it's container, (Haupt, 1973).

HOW TO STOP SMUGGLING

There is no sure fire way to stop smuggling and protect the wildlife involved. My suggestions are as follows.

- 1: Increasing penalties will not work. The only way to stop smugglers is to put them out of business commercially. This can be done (whilst ensuring maximum benefit for our wildlife) by doing the following;
- 2: Scrap all "unnecesarry" so-called protective legislation within Australia, and only have those species under immediate threat of extinction protected locally. All "desirable" (traded) snake species in this country would be "unprotected". This would immediately remove the need in all states for most keepers to register with state wildlife authorities, thereby making it much harder for them to obtain suitable stock to export. Such a move (I emphasise) will not threaten any of these species as collecting by hobbyists are related dealers, has not to date threatened any Australian snake. By designating little known and remote area species as "rare" only gives them unnecessary attention, to the benefit of potential traders and smugglers.
- 3: Legalise the export of all non-protected fauna

on a reasonably large scale. Assuming that 1,000 specimens per year of most of the sought after species (including most types of python) were exported per year, no real threat would be made on local (Australian) species numbers. Such a move would reduce the "rare" status of most of Australia's snakes and thereby reduce (if not stop) any incentive to illegally smuggle the wildlife out of the country. Some safeguards here would be needed to prevent any individual, (trader, etc) from taking too great a quantity, directly or through proxies, thereby flooding overseas markets. (When a market is flooded the return per specimen is reduced and when an animal is sold too cheaply the mortality rate in captivity reaches "unacceptable" levels). Keepers do get the "easy come, easy go" syndrome

4: An example of good safeguard would be to impose a \$ 400 per specimen export tax on every specimen to leave the country (1988 values, indexed to inflation). This would ensure that those who obtained most Australian species would continue to look after their stock properly. I have no idea of how to administer the above "tax" without preventing specimens from slipping through, etc, but the idea behind the suggestion is important in saving Australian fauna from over-collection by certain unscrupulous Northern hemisphere dealers: (example: Tortoises in North Africa).

5: Largely as a result of NPWS activities in Australia in the last 15 years, fewer people are actively studying snakes now than then. The damage to Australia is huge and we therefore have a deficiency in knowledge in relation to all of our snakes. Even now most research on Australian species is done outside of this country. By legalising export of our snakes we would be rapidly accelerating the rate of captive breeding and research on All forms of Australian snakes,

both within Australia and outside. The more we know about our snakes (and the more that are breeding in captivity), the more we can do to protect them when they are threatened in any way. Ehmann & Cogger (1985), document how researchers and enthusiasts have been forced out of the field of herpetology by deliberate NPWS actions. The reasons why smuggling snakes from Australia must be stopped are many. The current situation exists "because too many people are making too much money the way things are at the moment" (Orders & Bondy, 1988). It is hoped that all who read this paper realise what the situation is, and when possible take action for the long term good of Australia's persecuted snakes, and snake researchers.



Foto 3. *Cacophis krefti*, Wyong (N.S.W.). Foto: Raymond Hoser.



Foto 4. *Hoplocephalus stephensi*, Ourimbah (N.S.W.)
Foto: Raymond Hoser.

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