

SPECIAL REPORT

Straw-headed Bulbul *Pycnonotus zeylanicus*: legal protection and enforcement action in Malaysia

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The bulbuls are one of the bird families most threatened by the bird trade, with the Straw-headed Bulbul *Pycnonotus zeylanicus* being the most sought after (Nash 1993, Shepherd 2006, BirdLife International 2013)—its rich, melodious song makes it extremely popular in songbird competitions and to hobbyists, which has resulted in intense trapping for both the domestic and the international trades (BirdLife International 2001, 2013, Shepherd *et al.* 2004, Jepson & Ladle 2005). Whilst habitat loss has played a subsidiary role in the demise of this species, demand from the trade has decimated the Straw-headed Bulbul throughout much of its range (Shepherd 2006, BirdLife International 2013).

The species was formerly native to southern Myanmar and southern Thailand, Peninsular Malaysia and Singapore, the island of Borneo (except the southern part of Kalimantan), and the

islands of Java and Sumatra. As recently as two decades ago it was considered to be widespread and common across much of its range, but today it is thought to be extinct in Thailand, and its status in Myanmar and Brunei is not known. In Indonesia it was extirpated from Java by the middle of the twentieth century (van Balen 1999), quite possibly it is now extirpated from Sumatra (N. Brickley *in litt.* 2007) and surviving only in remote parts of Kalimantan (Meijaard *et al.* 2005, BirdLife International 2013). Remaining populations in Malaysia and Singapore are under severe threat from poaching for the trade, and are thought to be in serious decline.

The Straw-headed Bulbul is primarily found at low elevations in scrub and woodland, including secondary and disturbed forests, and occurs most often near rivers and other open water bodies (Fishpool & Tobias 2005). Loss of habitat, especially

Plate 1. Straw-headed Bulbul *Pycnonotus zeylanicus*, Singapore, January 2008.



the destruction of lowland forest along rivers, has undoubtedly contributed to its rapid decline. However, it is the popularity of its beautiful song, rising value in the markets, and the lack of sufficient legal protection in parts of its range that is pushing this species towards extinction in the wild.

The Straw-headed Bulbul was first categorised as Vulnerable in the IUCN Red List of Threatened Species in 1994. Nash (1993) stated that the conservation of the Straw-headed Bulbul was of immediate concern as capture for trade had already largely extirpated the species from Indonesia, where there is the greatest demand, resulting in the need for constant imports for birds illegally captured in Malaysia. It was included in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) at the 10th Conference of the Parties in September 1997. International trade in Appendix II-listed species is permitted when carried out in accordance with the rules of the Convention and only if not in violation of national legislation. All states in the range of the Straw-headed Bulbul are party to CITES.

In Peninsular Malaysia, Straw-headed Bulbuls are totally protected under the Wildlife Conservation Act 2010, prohibiting the capture, trade and possession of the species. Prior to this new legislation taking effect, the species was not totally protected, and therefore individuals could apply for licences and permits from the authorities to trade and keep this bird. The Department of Wildlife and National Parks Annual Report 2010 shows a total of 874 Straw-headed Bulbuls kept in captivity by individual licence-holders as permitted by the previous law. The species is protected in the Malaysian Borneo state of Sabah, under the Wildlife Conservation Enactment 1997, and totally protected in the Malaysian Borneo state of Sarawak, under the Wild Life Protection Ordinance 1998. Further, Malaysia also recently enacted its CITES-implementing legislation, the International Trade in Endangered Species Act 2008, which covers the import and export of CITES-listed species.

Some legal export of Straw-headed Bulbuls from Malaysia was permitted in the past, but involved very few birds. According to the UNEP-WCMC CITES trade database Malaysia exported 15 live wild-caught Straw-headed Bulbuls to Singapore in 2000. The purpose stated on the export licence was 'commercial trade'. No other legal international trade has been recorded (<http://www.unep-wcmc.org/cites-trade-database>).

Despite legal protection in Malaysia, illegal capture and trade continues, with much of the demand coming from neighbouring countries. Illegally sourced Straw-headed Bulbuls are occasionally available from bird dealers in

neighbouring Singapore and Thailand. During a spot check carried out by TRAFFIC Southeast Asia in 2010, 10 Straw-headed Bulbuls for sale in a shop in Betong, Thailand, close to the Malaysian border, were all said to have come from Peninsular Malaysia. Sources claim that this species is frequently observed for sale in the Betong bird shops. Although no recent surveys have been carried out on the cage-bird trade in Singapore, bird dealers and local bird enthusiasts alike claim that occasionally Straw-headed Bulbuls are smuggled into the country from Peninsular Malaysia. There is a natural wild population of the species in Singapore, but it is not known to what extent it is threatened by trapping for trade. Bird dealers in Singapore claimed to prefer Straw-headed Bulbuls from Malaysia, as they are thought to be larger and sing the loudest.

The greatest demand for, and threat to, the Straw-headed Bulbul is from Indonesia; surveys and spot checks in the bird markets by TRAFFIC Southeast Asia in Medan, North Sumatra, and Jakarta, Java, found this species to be frequently available (Shepherd *et al.* 2004, Shepherd 2006). Monthly surveys carried out in 2000 and 2001 in Medan alone found 421 Straw-headed Bulbuls for sale (Shepherd 2006). Dealers in both cities claimed that some of the birds had been captured in Kalimantan and Sumatra, but birds from these locations were becoming increasingly scarce. Also, increasingly birds were bred in captivity by hobbyists, especially in Java. The dealers also stated that an unquantified number of the birds for sale had been smuggled into Indonesia from Malaysia, claiming the birds were from Peninsular Malaysia and Sabah. Increased sourcing of birds from Malaysia, due to population decline in Indonesia, is not new and was highlighted by Nash (1993). Unfortunately, very little seems to have been done in response to those warnings and the situation since has only worsened—and the species is still not provided with legal protection in Indonesia, and therefore unless culprits are detected smuggling birds into the country at points of entry (in violation of CITES), legal action is virtually impossible.

Straw-headed Bulbuls are rarely seen in bird shops in Malaysia. A random survey of shops in Kuala Lumpur was carried out by TRAFFIC Southeast Asia in April 2010; no Straw-headed Bulbuls were found in the five shops assessed. In 2011, a random check of five shops in Ipoh, Perak, found four Straw-headed Bulbuls in one shop and in May 2012, three Straw-headed Bulbuls were seen in a shop in Ipoh (A. Jeyarajasingam pers. comm. 2013). Although very few are openly displayed, there is an active 'underground' trade in this

species—bird hobbyist forums, trading websites and social networking sites facilitate the trade, but its extent and exact nature are unknown.

Actions have been taken in Malaysia against the illegal trade. In Peninsular Malaysia, the Department of Wildlife and National Parks (DWNP) seized at least 42 Straw-headed Bulbuls between 2006 and 2011 (Table 1). It is highly likely that more were seized but unfortunately seizures have in the past sometimes not been reported to species level and very little information regarding the status of the cases is available in the public domain. Straw-headed Bulbuls are often seized with other species. There have been no seizures of the species in Sarawak (Oswald Braken Tisen *in litt.* 4 February 2013) and there is no information at the time of writing regarding seizures in Sabah.

Table 1. Seizures of Straw-headed Bulbuls in Peninsular Malaysia

Year	Location	Number
2006	Malacca	21
2010	Kuala Lumpur	3
2010	Kuala Lumpur	2
2010	Kedah	1
2010	Kelantan	3
2010	Malacca	11
2011	Pahang	1
Total		42

An example of a seizure of Straw-headed Bulbuls and other species

In October 2010, DWNP raided a business premise in Kuala Lumpur, and found 34 protected and totally protected animals, including two Straw-headed Bulbuls, Palm Cockatoos *Probosciger aterrimus*, Yellow-crested Cockatoos *Cacatua sulphurea*, a Leopard Cat *Prionailurus bengalensis* and giant squirrels *Ratufa* spp., amongst others (DWNP 2010). Two people were arrested and charged. At the time, the new Wildlife Conservation Act was not yet in force and therefore the two offenders were liable to a fine of not more than MYR 3,000 or three years jail under the Protection of Wild Life Act 1972. However, they were also charged under the International Trade in Endangered Species Act 2008, where they faced a fine of MYR 100,000 for each animal (up to MYR 1 million) or imprisonment for up to seven years. The offenders were found guilty, and were fined a total of MYR 45,600 (US\$14,720).

As demand for this species and attempts to smuggle it out of the country continue, and as it is pushed ever closer to the brink of extinction, monitoring and enforcement efforts need to be stepped up. Successful convictions and strong penalties must go hand-in-hand with increased

enforcement efforts, in order to serve as deterrents. Protection of the Straw-headed Bulbul needs to be improved and an analysis undertaken to assess whether the species meets the criteria for its transfer from CITES Appendix II to Appendix I. More importantly, penalties for individuals found keeping, smuggling or trading the species illegally must be increased significantly if they are to be deterrents and ultimately reduce the trade.

Research to identify collection sites and trade routes as well as a trade forensic study is urgently needed. Neighbouring countries should be encouraged to increase their own enforcement efforts and Indonesia should provide the Straw-headed Bulbul with full legal protection. In Malaysia, the public should not only avoid shops selling Straw-headed Bulbuls, but all incidents of trapping, trading and buying this species should be reported to the national Wildlife Crime Hotline by sending a text message or calling 019 356 4194, or by Email to report@malayantiger.net.

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