Abstract

Illegal hunting and trade in viverrids in Peninsular Malaysia, to supply international and local demand for meat, appears to be common and widespread. National legislative protection under the Protection of Wild Life Act 1972 is largely adequate to protect viverrids, but illegal trade continues, as evinced by a number of seizures. Further research is needed to assess the impact of illegal hunting and trade and to assist in improving the efficiency of legislation protecting these species.

Keywords: CITES, civet, hunting, linsang, wildlife trade

Introduction

In December 2008, an Orang Asli (aboriginal) man was fined MYR (Malaysian Ringgit) 3,000 (USD 857) for being in possession of 68 frozen Common Palm Civets Paradoxurus hermaphroditus in his home in Rompin, in the southern state of Johor. The civets were found in the 52-year-old man’s refrigerator by enforcement officers of the Department of Wildlife and National Parks Peninsular Malaysia. The man said the civets were hunted from forest reserves and oil palm plantations.

Domestic legal protection

The primary wildlife legislation for Peninsular Malaysia is the Protection of Wild Life Act 1972 (Act No. 76), which is enforced by the Department of Wildlife and National Parks Peninsular Malaysia. Separate laws enforced by different authorities protect wildlife occurring on Malaysian Borneo, which are not discussed here.

Common Palm Civets are protected under Schedule 2 of the Protection of Wild Life Act 1972 (as revised 2007). Of the 11 viverrids and linsangs (now generally placed in their own family, Prionodontidae) occurring in Peninsular Malaysia (Francis 2008), legal hunting is permissible of only this species and the Malay Civet Viverra tangalunga (Table 1). The remaining nine are classified as totally protected species under the Act. Totally protected animals are species which shall not be killed, taken, or held in possession by anyone. Protected animals are those which may be shot, killed or taken or held in possession by a licensed hunter, licensed dealer or others as provided by the Act, and the conditions prescribed in the licence must be met. Anyone found guilty of unlawfully shooting, killing or taking any of the nine totally protected viverrid or linsang species contravenes Section 64 of the Act, which provides for a maximum fine of MYR 5,000 (USD 1,429) or for a term of imprisonment not exceeding three years, or both. Further, Section 64(2) provides for a fine up to MYR 3,000 (USD 857) and/or imprisonment of up to two years for those found guilty of possession or of carrying on the business of a dealer or taxidermist of totally protected species.

Penalties are higher if the offence involves females and juveniles than if it involves only adult males. Unlawfully shooting, killing or taking of juveniles provides for a maximum fine of MYR 6,000 (USD 1,714) or to a term of imprisonment not exceeding six years, or both, under Section 65. Section 66 covers unlawful shooting, killing or taking of females, providing for a maximum fine of MYR 10,000 (USD 2,857) or for a term of imprisonment not exceeding 10 years, or both.

To hunt Common Palm Civets and Malay Civets, hunting licences must be obtained from the Department of Wildlife and National Parks Peninsular Malaysia. There is no hunting season imposed; hunting is permitted throughout the year. Each licence costs MYR 50 (USD 14) and enables five individuals to be hunted each month. This means the maximum number a single person can hunt in a year is 60 individuals.

In this case, however, the man was arrested and prosecuted for having no such licence for any of the animals found in his possession. Anyone found guilty of unlawfully shooting, killing, taking, or in possession of either Common Palm Civet or Malay
Civet without a licence, or in excess of the numbers permitted, violates Section 68 of the Act, entailing a maximum fine of MYR 3,000 (USD 857) or to a term of imprisonment not exceeding three years, or both. The man in this case received the maximum fine, but was not incarcerated.

The Act is currently being revised, but it is unknown if any clauses specifically relating to viverrids or linsangs will change, although the relevant authorities have assured that the proposed amendments will generally invoke higher penalties and wider protection of species.

**International legal protection**

In addition to national legislation, Malaysia has also committed to further protection of wildlife and regulation of wildlife trade through the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Of the 11 viverrids and linsangs, three are regulated by this Convention and are listed in Appendix II, including Banded Linsang *Prionodon linsang*, Banded Civet *Hemigalus derbyanus* and Otter Civet *Cynogale bennettii* (Table 1). This means that international trade in these species is permitted only with the required CITES permits, and if carried out in accordance with national legislation. A further five species have been listed in Appendix III by India, which means that permits are required for export of these species from India, and certificates of origin from other exporting states.

Of significant conservation concern are three species listed as Vulnerable, and one listed as Endangered, by the IUCN Red List of Threatened Species (IUCN 2008) (Table 1).

**Hunting and trade**

Viverrids are hunted and traded for local and international consumption throughout Southeast Asia (Schreiber *et al.* 1989, Corlett 2007, Shepherd 2008), and this indeed appears to be the case in Malaysia. The wild meat trade is the primary driver for the demand in viverrids. However, very little is known of the extent of hunting of these species in Malaysia, or the impact that hunting...
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(legal and illegal) has on wild populations.

Over the years, numerous seizures involving viverrids indicate the hunting pressure they are under in Peninsular Malaysia. Some examples of seizures between 2002 and 2008 are highlighted in Table 2.

Discussion

This particular case is considered extremely unusual: aboriginal people are rarely prosecuted for wildlife offences, because they are allowed to hunt species that are not totally protected for their own consumption. To hunt for commercial purposes, then they too need licences from the authorities. The aboriginal people, however, are often sought after by middlemen for their hunting skills, and the latter use them to poach a wide variety of species, from Tigers *Panthera tigris* and Leopards *P. pardus* to Sunda pangolins *Manis javanica* and all species of freshwater turtles that occur.

Illegal hunting and trade in viverrids in Peninsular Malaysia seems to be common and widespread, for domestic consumption, as wild meat restaurants within Peninsular Malaysia commonly offer civet meat. The demand for civet meat abroad is illustrated by seizures at or near border exit points.

Viverrids and linsangs are afforded a high legal protection under the Protection of Wild Life Act 1972, despite this legislation being outdated and requiring a major revamp to plug many other legal loopholes. Further, the permitted hunting of two species (Common Palm Civet and Malay Civet) is regulated through the Department of Wildlife and National Parks licensing system. If there is scientific evidence to suggest that wild populations of these two species are declining and therefore cannot be harvested sustainably, then recommendations should be made for these to be upgraded to Totally Protected species, or perhaps, for a temporary hunting moratorium, after which their status can be reassessed.

Research and monitoring efforts would be highly useful to assist in providing timely supporting data for determining policy with regard to the legal protection of viverrids and linsangs.

While legal protection, in theory, of viverrids is strong, enforcement efforts need to be intensified to prevent illegal hunting, and legal hunting should be effectively policed. Research and monitoring should be implemented to assist enforcement activities, and to better understand the trade dynamics and potential negative impacts on the conservation of viverrids in the wild.

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References


