

The trade in Viverridae and Prionodontidae in Peninsular Malaysia with notes on conservation and legislation

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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

Perdagangan terhadap Viverridae dan Prionodontidae di Semenanjung Malaysia berserta maklumat mengenai pemuliharaan dan perundangan

Abstrak

Pemburuan dan perdagangan haram viverrid di Semenanjung Malaysia, sebagai penawaran kepada permintaan daging eksotik di peringkat antarabangsa dan tempatan, adalah umum dan berlaku di merata tempat. Perundangan perlindungan kebangsaan di bawah Akta Perlindungan Hidupan Liar 1972 adalah agak mencukupi untuk melindungi viverrid, namun perdagangan haram masih berterusan seperti yang dapat disaksikan daripada bilangan rampasan. Kajian lebih lanjut adalah perlu untuk menilai kesan pemburuan dan perdagangan haram serta untuk membantu memperbaiki keberkesanan perundangan untuk melindungi spesies ini.

Kata-kata kunci: CITES, musang, pemburuan, linsang, perdagangan hidupan liar

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 zibellina* (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

Table 1. Status of Viverridae and Prionodontidae in Peninsular Malaysia.

Species	Protection of Wildlife Act	IUCN Red List	CITES
Banded Linsang <i>Prionodon linsang</i>	Totally protected	Least Concern	II
Malay Civet <i>Viverra zibetha</i>	Protected	Least Concern	-
Large-spotted Civet <i>V. megaspila</i>	Totally protected	Vulnerable	-
Large Indian Civet <i>V. zibetha</i>	Totally protected	Near-threatened	III (IN)
Small Indian Civet <i>Viverricula indica</i>	Totally protected	Least Concern	III (IN)
Common Palm Civet <i>Paradoxurus hermaphroditus</i>	Protected	Least Concern	III (IN)
Masked Palm Civet <i>Paguma larvata</i>	Totally protected	Least Concern	III (IN)
Binturong <i>Arctictis binturong</i>	Totally protected	Vulnerable	III (IN)
Small-toothed Palm Civet <i>Arctogalidia trivirgata</i>	Totally protected	Least Concern	-
Banded Civet <i>Hemigalus derbyanus</i>	Totally protected	Vulnerable	II
Otter Civet <i>Cynogale bennettii</i>	Totally protected	Endangered	II

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*, Band-

ed 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

Table 2. Examples of seizures involving viverrids in Peninsular Malaysia between 2002 and 2008.

Details	Source
Civet meat of unknown quantity seized in shipment of 676 monitor lizards <i>Varanus</i> at Kuala Lumpur International Airport	The Star, 21 Dec 2008
Man fined MYR 5,000 (USD 1,429) and jailed for two weeks for possessing various species, including four dead Common Palm Civets	New Straits Times, 24 Dec 2007
Illegal possession of various species, including 9 dead Common Palm Civets; offender sentenced to MYR 6,000 (USD 1,714) fine or two months imprisonment on non-payment of fine	Department of Wildlife and National Parks Annual Report 2007
One dead Common Palm Civet and one dead Malay Civet seized along with various other species in a shipment heading for the Malaysia – Thailand border	New Straits Times, 19 July 2007
Mini-zoo fined MYR 6,000 (USD 1,714) for possessing various species, including one Common Palm Civet and a second Mini-zoo found with various species without permits, including three Binturongs, two Malay Civets and one Masked Palm Civet	The Star, 27 March 2007
Illegal possession various species, including four skinned civets; offender fined MYR 5,500 (USD 1,571)	Department of Wildlife and National Parks Annual Report 2005
Illegal possession of various species, including three civets; offender compounded MYR 3,500 (USD 1,000)	Department of Wildlife and National Parks Annual Report 2005
204.5 kg of wild meat (including serow <i>Capricornis</i> and Sun Bear <i>Ursus malayanus</i>) seized in a wild meat restaurant; 24.5kg identified as civet meat	Utusan Malaysia, 18 Jan 2003
Several confiscations totalling 287 skinned Common Palm Civets	Department of Wildlife and National Parks Annual Report 2002

(Source: Department of Wildlife and National Parks' Annual Reports and media reports)

(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 viverrid 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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