

The Consistency Between Indonesian National Laws on Wildlife Trade and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Amelinda Qusnul Chotimah

Universitas Pelita Harapan, Tangerang, Indonesia

Email: amelindaqc@gmail.com

Abstract

The alignment between national legislation and international conservation agreements is critical for effectively managing wildlife trade, especially in biodiversity-rich countries like Indonesia. This article examines the consistency between Indonesian national laws on wildlife trade and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Through a review of existing literature and legal analysis, the study identifies significant gaps and challenges in Indonesia's implementation of CITES. Key issues include legal ambiguities, enforcement inconsistencies, and difficulties in verifying the legality of wildlife specimens. The article also explores emerging threats, such as the rise of online wildlife trade, and their implications for both national and international regulatory frameworks. The findings underscore the necessity for Indonesia to enhance its legal and enforcement mechanisms to improve adherence to CITES and contribute more effectively to global conservation efforts.

Keywords: *Wildlife Trade, CITES, Indonesia National Legislation.*



A. INTRODUCTION

As one of the world's most biodiverse countries, Indonesia and its tropical rain forest is a home to a wide variety of flora and fauna (Hakim, 2012), which many of them are rarely found somewhere else. This unique biodiversity makes Indonesia a critical player in global conservation efforts, particularly in the context of wildlife trade. Indonesia records of over 5,000 exports, and more than 500 import annually. This numbers provides only the records themselves. The actual trade volume or the number of individual wildlife involved, could be higher than this (Wyatt 2021). The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) serves as a key international framework designed to regulate and monitor the trade of endangered species to prevent their exploitation and extinction. As a signatory to CITES, Indonesia has shown its commitment to implementing its provisions within its national legal framework (Hutton and Dickson, 2000).

However, the effectiveness of this implementation is contingent upon the consistency and alignment between Indonesia's national laws and the international standards set by CITES. This position is not only a legal requirement but also a critical factor in the success of conservation efforts. Any gaps or inconsistencies in this alignment will weaken the effectiveness of national as well as international conservation strategies, potentially leading to the continuous decline of endangered

species. This situation will even worse when we are talking about the illegal hunting or capturing of wild animal's activities.

This article aims to explore the extent to which Indonesian national laws on wildlife trade are consistent with CITES, identifying key areas where improvements are needed. By examining the legal frameworks, enforcement practices, and challenges faced by Indonesia, this study seeks to provide a comprehensive understanding of the current state of wildlife trade regulation in the country. It also offers recommendations for enhancing the alignment between national laws and CITES, with the goal of improving conservation outcomes for Indonesia's unique biodiversity.

The research is grounded in a thorough review of existing literature, including key studies on CITES implementation, challenges in wildlife trade enforcement, and the socio-economic factors driving illegal trade. Additionally, the study also draws on recent analyses of the legal acquisition verification process under CITES, as well as insights into the complexities of global wildlife trade. The findings are intended to contribute to the ongoing discourse on wildlife conservation in Indonesia and provide a foundation for future policy and legal reforms.

B. LITERATURE REVIEW

1. International Legal Framework and CITES

CITES, established in 1973, is one of the most significant international agreements with the purpose of ensuring that international trade in specimens of wild animals and plants does not threaten their survival. The convention regulates trade through a system of permits and certificates, classifying species into three appendices based on the level of protection they need. Scholarly works, such as those by Reeve (2002), highlights the importance of CITES in global wildlife conservation and its role in harmonizing international efforts to regulate wildlife trade.

Since its signing in 1973, CITES has played an essential role in regulating the trade of endangered species. The convention has been widely studied, especially in terms of how well it prevents trade from endangering species' survival. Hutton and Dickson (2000) write a critical overview of CITES, discussing the challenges in balancing trade with conservation and the importance of international cooperation. Additionally, Fuchs (2019) explores the evolution of CITES and its role in addressing new threats to wildlife, such as cybercrime and the illegal online trade in endangered species.

CITES has been a key in regulating the international trade of endangered species, and its role has been extensively analyzed over the years. Andersson (2018) offers a comprehensive examination of the legal wildlife trade under CITES, providing valuable insights into the patterns and trends that have emerged over the past two decades. He highlights the complexities of global wildlife trade and underscores the need for more robust mechanisms to ensure that legal trade does not mistakeably contribute to the decline of species populations.

Similarly, Korwin (2020) argues that the current guidelines under CITES are insufficiently clear, leading to inconsistencies in how legality is determined across different countries. This lack of clarity can result in legal loopholes, which are sometimes exploited to launder illegally acquired wildlife through the legal trade channels and calls for the development of more detailed guidance to ensure that all Parties to CITES have a consistent and rigorous approach to verifying the legality of traded specimens.

2. Indonesian National Laws on Wildlife Trade

Indonesia has developed a comprehensive legal framework to protect its biodiversity, with key regulations including Law No. 5 of 1990 on the Conservation of Living Resources and their Ecosystems, and Government Regulation No. 7 of 1999 concerning the Preservation of Flora and Fauna Species. These laws are intended to protect endangered species and regulate the trade in wildlife, aligning with international obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). However, the effectiveness of these laws has been subject to critique, particularly in terms of their adaptability to contemporary challenges and enforcement efficacy.

Nurhidayah (2018) provides a critical analysis of these regulations, arguing that while they set a strong legal foundation, they fall short in protecting endangered species from the pressures of illegal trade. She emphasizes that the enforcement of these laws is often hampered by limited resources, corruption, and a lack of coordination among the various agencies responsible for wildlife protection. In this regard, the existing legal framework needs significant strengthening, particularly in its capacity to address emerging threats such as the illegal online trade in wildlife.

Gunawan and Mahfud (2019) also critiques of Indonesia's wildlife protection laws by discussing the limitations of the current legislation in addressing illegal hunting and habitat destruction. Regardless the laws are comprehensive on paper, their implementation is often inconsistent, particularly in remote areas where enforcement is weak. Furthermore, the insufficient penalties for wildlife crimes, do not adequately deter illegal activities. They advocate for stronger legal measures, including more severe penalties and better resource allocation for enforcement agencies, to improve the protection of Indonesia's biodiversity.

Nijman (2010) focuses on the effectiveness of Indonesian legislation in curbing illegal wildlife trade, highlighting the need for stronger penalties and better coordination among enforcement agencies. He argues that while Indonesia has made significant progress in aligning its laws with CITES requirements, there remain critical gaps, particularly in enforcement. He notes that illegal wildlife trade continues to thrive due to weak penalties and the challenges posed by corruption and lack of capacity within law enforcement agencies. Nijman's work underscores the importance of not only having strong laws but also ensuring that these laws are enforced effectively across the country.

The challenges identified by these scholars point to a broader issue within Indonesia's legal framework: the need for continuous adaptation to new threats and better integration of enforcement mechanisms. For instance, Ardiansyah et al. (2015) discuss the increasing pressures on Indonesia's biodiversity from illegal logging and land conversion, which are often linked to the illegal wildlife trade. They argue that Indonesia's legal framework must evolve to address these interconnected threats, suggesting the need for integrated approaches that consider habitat protection alongside wildlife conservation.

Wright et al. (2014) examine the role of non-governmental organizations (NGOs) and community-based initiatives in supplementing government efforts to enforce wildlife protection laws. They find that while NGOs have been successful in certain areas, their efforts are often hampered by the same issues affecting government enforcement, including funding limitations and local resistance to conservation measures. This highlights the importance of a collaborative approach that involves various stakeholders in the enforcement of wildlife laws.

3. Consistency and Gaps Between Indonesian Laws and CITES

The alignment between Indonesian national laws and CITES has been the subject of various studies. A review by Sari (2017) highlighted that while Indonesia has made significant strides in incorporating CITES provisions into its national legislation, certain gaps remain, particularly in terms of enforcement and the legal framework's responsiveness to emerging threats, such as the rise in online wildlife trade. These gaps can undermine the effectiveness of both national and international conservation efforts.

The alignment between Indonesian national laws and CITES has been scrutinized by various scholars, with many identifying significant gaps. Soehartono and Mardiasuti (2002) provide a detailed analysis of how Indonesia's legal framework incorporates CITES provisions but also note the discrepancies in enforcement practices across different regions. Similarly, Ellis (2013) examines the challenges of implementing CITES in Indonesia, particularly in relation to the protection of marine species, and argues for the need to update national laws to better reflect CITES requirements.

Recent research by Keulartz and van der Windt (2018) highlights the issue of legal pluralism in Indonesia, where local customary laws sometimes conflict with national legislation and CITES regulations. This legal pluralism can complicate the enforcement of wildlife protection laws, leading to inconsistencies in how CITES is implemented across the country.

The alignment of Indonesian laws with CITES has been the subject of much debate, particularly regarding the verification of legal acquisition as analysed by Korwin (2020) which one of the key areas where Indonesian laws may fall short: the rigorous verification of the legality of wildlife specimens. This issue is compounded by the challenges identified by Soehartono and Mardiasuti (2002), who noted discrepancies in enforcement practices across Indonesia. The combination of legal

ambiguities and inconsistent enforcement creates gaps that can be exploited by wildlife traffickers.

4. Challenges in Implementing CITES in Indonesia

Implementing CITES in a country as diverse and vast as Indonesia presents unique challenges. These include issues related to the capacity of law enforcement agencies, the need for public awareness, and the socio-economic factors driving illegal wildlife trade. In their study, Shepherd and Nijman (2008) discuss how these challenges are compounded by corruption and the lack of resources, which hinder effective implementation of CITES in Indonesia.

Implementing CITES in Indonesia involves navigating a numerous of challenges, ranging from geographical to socio-economic factors. The enormous and diverse archipelago presents logistical challenges for monitoring and enforcement, as noted by Lee et al. (2005), who explore the difficulties of controlling wildlife trade in remote areas. Other than that, economic factors, such as poverty and the reliance on wildlife trade for livelihoods in certain communities, exacerbate the challenges of enforcement, as discussed by Wicaksono and Nur (2020).

Another critical challenge is the role of corruption in undermining CITES implementation. In their study, Smith and Walpole (2005) examine how corruption within law enforcement agencies and the judiciary can impede efforts to combat illegal wildlife trade, despite the legal framework being in place. They argue that addressing corruption is essential for improving the effectiveness of CITES in Indonesia.

Furthermore, the rise of online wildlife trade poses a new set of challenges, as highlighted by Nekarlis et al. (2013). Their research on the online trade of slow lorises, a CITES-listed species, demonstrates how digital platforms facilitate illegal trade and complicate enforcement efforts, calling for a more robust legal and technological response.

Implementing CITES in Indonesia requires overcoming significant challenges, particularly in ensuring that legal trade does not facilitate illegal activities. Andersson's work highlights the importance of transparency and traceability in wildlife trade, which are areas where Indonesia's implementation of CITES could be strengthened. Moreover, the issues identified by Korwin regarding the verification of legal acquisition are directly applicable to the Indonesian context, where resources and capacity for rigorous enforcement are often lacking. Addressing these challenges requires a concerted effort to enhance both the legal framework and the enforcement mechanisms in place.

C. METHOD

The methodology employed in this study is a comparative legal analysis, focusing on the evaluation of Indonesian national laws in relation to CITES provisions. The primary Indonesian laws examined include Law No. 5 of 1990 on Conservation of Living Resources and their Ecosystems, Government Regulation No. 8 of 1999 on the Utilization of Wild Flora and Fauna, and other related regulations and decrees.

These national laws are compared against the text of CITES and its appendices, which categorize species into different levels of protection based on the degree of threat posed by international trade.

Additionally, the study incorporates data from enforcement reports, case studies, and assessments by non-governmental organizations (NGOs) to evaluate the practical implementation of these laws. This mixed-methods approach provides a holistic understanding of both the legal framework and its application on the ground.

D. ANALYSIS AND DISCUSSION

1. Alignment of Indonesian National Laws with CITES

Indonesia's primary legislation on wildlife conservation, Law No. 5 of 1990 on Conservation of Living Resources and their Ecosystems, provides legal framework for regulating wildlife trade in the country. This law associates closely with the principles of CITES, particularly in its provisions for the protection and management of endangered species. The law establishes the necessity for permits to trade species listed in CITES Appendices, thus ensuring that such trade does not threaten the survival of these species (KSDAE, 1990)

However, the implementation of CITES in Indonesia has faced significant challenges. Indonesia ratified CITES in 1978, it was not until 1990 that national legislation was enacted to support its implementation (Eryan, 2024). This delay highlights the difficulties in aligning national laws with international agreements.

Government Regulation Number 8 of 1999 on the Utilization of Wild Plants and Animals further elaborates on the permitting process, stipulating the conditions under which trade is allowed and the penalties for violations (BPHN, 1999). This regulation mirrors the structure of CITES by categorizing species into those that are fully protected and those that are conditionally protected based on their conservation status. The alignment of these national laws with CITES demonstrates Indonesia's commitment to fulfilling its international obligations. As also been highlighted by CITES (2024) that the effective implementation and enforcement of CITES requires comprehensive and up-to-date national legislation, which is essential for ensuring that trade in protected species is legal, sustainable, and traceable. Other than that, its is also necessary to empower government officials to regulate behavior, enforce conservation policies, and ensure compliance with the Convention's provisions.

However, while the legal framework is largely consistent with CITES, there are areas where it falls short. For example, certain species that are not listed in the CITES Appendices but are still at risk within Indonesia are not adequately protected under current national legislation. This gap suggests that the national laws may not fully reflect the reality of species endangerment within the country (Nijman, 2015).

Indonesia's alignment with CITES in regulating wildlife trade has both strengths and weaknesses. Law No. 5 of 1990 and Government Regulation No. 8 of 1999 show Indonesia's commitment by creating a legal framework that follows CITES principles, particularly in permitting and species classification. This demonstrates Indonesia's effort to meet international obligations by regulating trade to protect listed

species. However, implementing CITES has been challenging, especially with the slow enactment of supporting laws, which took over ten years after ratification. This delay, along with gaps in protecting species not listed in CITES but still at risk, highlights the difficulties in fully aligning national laws with international agreements. Therefore, it is essential for Indonesia to regularly review and update its laws to effectively meet its international commitments and protect biodiversity.

2. Enforcement Challenges

Despite the alignment of Indonesia's legal framework with CITES, enforcement remains a significant challenge. One of the primary challenges in enforcing wildlife trade regulations is the presence of legal loopholes and inconsistencies. For example, certain wildlife products, such as ivory and rhino parts, which are not native to Indonesia, are still traded legally, creating opportunities for illegal trade to grow (Elmanita, 2023).

In addition to that, the illegal wildlife trade continues to be a pervasive problem, driven by factors such as corruption, lack of resources, and insufficient training of enforcement officers (Shepherd, 2008). For an illustration, while permits are required for the legal trade of wildlife, the issuance of these permits is often undermined by corrupt practices, leading to the illegal export of protected species (WWF, 2020). A study by the Environmental Investigation Agency (EIA) revealed systemic corruption in wildlife law enforcement in Indonesia, where traffickers often escape punishment due to bribery and weak judicial systems (EIA report, 2018).

What is even more concerning is that the trade in protected animals is conducted quite openly and even takes place on social media platforms. Research conducted by Nijman et al. (2021) illustrates how over 100 apes were traded on platforms such as Facebook and Instagram.

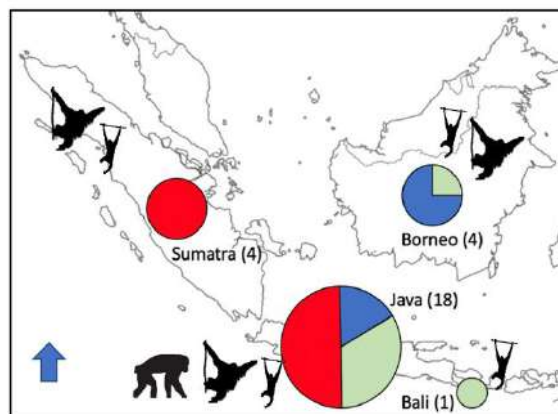


Figure 1. Between 2017-2018 and 2020-2021, 127 apes were found for sale by 27 traders on Indonesian Instagram and Facebook

Other than that, enforcement agencies are often under-resourced and do not have sufficient equipment to handle the scale of the illegal wildlife trade. This is particularly true in remote areas where the trade is most prevalent. The lack of proper monitoring and enforcement capacity has allowed illegal activities to persist, despite the existence of a comprehensive legal framework (CITES Secretariat, 2024). This

discrepancy between law and practice undermines Indonesia's ability to effectively implement CITES.

The limited resources allocated to enforcement agencies further exacerbate the issue. The Indonesian Ministry of Environment and Forestry, which is tasked with overseeing wildlife protection, faces significant budget constraints, limiting its capacity to conduct regular monitoring and enforcement operations. This is particularly problematic in remote regions, such as Sumatra and Kalimantan, where illegal logging and poaching are rampant. Studies have shown that these areas suffer from a lack of consistent enforcement, allowing illegal activities to flourish unchecked (Shepherd, 2008)

In addition to resource limitations, there is a lack of specialized training for law enforcement officers in handling wildlife crimes. The complexities of wildlife crime, which often involve organized networks and transnational trade routes, require a high level of expertise in both investigation and prosecution. However, many law enforcement agencies in Indonesia do not have access to the necessary training or resources to tackle these sophisticated crimes effectively. The Wildlife Conservation Society (WCS) has noted that without significant investment in capacity building, enforcement efforts are unlikely to improve (WCS Report, 2019)

Furthermore, the role of the judiciary is also critical in the enforcement of wildlife laws. However, there is often a disconnect between the laws and their interpretation in court. Sentencing for wildlife crimes in Indonesia is frequently inconsistent, with many offenders receiving light sentences or avoiding prosecution altogether. This undermines the deterrent effect of the law and encourages continued illegal activities (Bennet, 2019). Thus, even though Indonesia has adopted CITES regulations, but the country struggles with enforcement due to systemic challenges. These enforcement issues significantly hinder Indonesia's ability to effectively protect its wildlife from illegal trade (Wyatt 2021).

Although Indonesia's laws align with CITES, enforcing wildlife trade regulations faces significant challenges. Legal loopholes and inconsistencies allow certain wildlife products, like ivory and rhino parts, to be traded legally, which encourages illegal trade. Corruption, limited resources, and insufficient training for enforcement officers worsen the problem, with permits often issued through corrupt practices, enabling the illegal export of protected species. The open sale of protected animals on social media further shows enforcement weaknesses. Under-resourced enforcement agencies, especially in remote areas, struggle to combat illegal trade effectively, leading to ongoing illegal activities despite strong laws. Additionally, inconsistent sentencing by the judiciary weakens the deterrent effect of these laws, allowing offenders to escape serious punishment. These issues make it difficult for Indonesia to enforce CITES regulations and protect its wildlife.

3. Socio-Economic Factors and Community Involvement

A critical aspect of wildlife trade enforcement in Indonesia lies in the socio-economic context within which these laws operate. Many rural communities rely on

wildlife trade, both legal and illegal, as a primary source of income. The strict enforcement of trade restrictions, while necessary for conservation, often clashes with the economic realities faced by these communities. The current legal framework does not fully address the need for alternative livelihoods, which is essential for the sustainable enforcement of wildlife trade laws. According to a World Bank Report (2020), without providing viable economic alternatives, enforcement efforts risk exacerbating poverty in these regions, thereby undermining the very conservation goals they aim to achieve.

The socio-economic dynamics of wildlife trade in Indonesia add another layer of complexity to enforcement. Many rural communities depend on wildlife trade, both legal and illegal, as a means of livelihood. This economic dependency creates resistance to enforcement efforts, as strict application of the law could lead to significant economic hardship for these communities. A study by the International Union for Conservation of Nature (IUCN) found that in areas where alternative livelihoods were not provided, enforcement of wildlife laws often led to increased

To address these challenges, community-based conservation initiatives have been proposed and implemented in various parts of Indonesia. These initiatives involve local communities directly in the management and protection of wildlife, often by providing alternative sources of income, such as eco-tourism, sustainable agriculture, or handicrafts. For example, in some regions, eco-tourism has offered a sustainable economic alternative to illegal wildlife trade, leading to a significant decrease in poaching and illegal hunting. However, while the success of these initiatives has been documented, they require substantial investment, long-term commitment, and effective integration into the broader legal and policy framework (Wells & McShane, 2000).

The potential of community-based conservation initiatives to reduce illegal wildlife trade is significant. By involving local communities in conservation efforts and providing them with alternative income sources, these initiatives help decrease dependency on illegal activities while reinforcing the enforcement of national conservation laws. Roe and Booker (2019) argue that these programs, when successfully implemented and scaled up, can lead to lasting positive impacts on both conservation and community well-being. However, the challenge lies in scaling up these programs effectively. They require coordination across various levels of government, consistent funding, and integration into national and regional development plans to ensure their sustainability and impact.

Enhancing community-based conservation efforts is not just a financial or logistical challenge; it is also a policy challenge. These initiatives must be supported by national and local policies that prioritize sustainable development and conservation equally. Without such policy integration, even the most successful community-based programs risk being unsustainable in the long term. Furthermore, the involvement of various stakeholders, including NGOs, government agencies, and the private sector, is crucial to provide the necessary resources and expertise to support these initiatives on a larger scale.

Enforcing wildlife trade laws in Indonesia is challenging because many rural communities depend on both legal and illegal wildlife trade for income. Strict enforcement could threaten their livelihoods, making it important to create a legal framework that enforces conservation laws while also offering alternative livelihoods. Without these alternatives, enforcement could worsen poverty and harm conservation efforts, as highlighted by a World Bank report (2020). Community-based conservation programs, which involve local communities in wildlife management and provide alternative income sources like eco-tourism and sustainable agriculture, have successfully reduced illegal wildlife trade. However, expanding these programs requires significant investment, long-term commitment, and integration into national policies. Collaboration between government agencies, NGOs, and the private sector is crucial to provide the resources and expertise needed to ensure these initiatives balance conservation with community well-being.

4. International Cooperation

Given the transnational nature of wildlife trade, international cooperation is crucial for effective enforcement. Indonesia has made efforts to collaborate with neighboring countries and international organizations, but these efforts need to be intensified. For example, the collaboration between Indonesia and Malaysia to protect the critically endangered Sumatran rhinoceros has been a positive step, but similar efforts are needed for other species and regions (Milner-Gulland, E.J., & Bennett, E.L, 2003)

Given the transnational nature of illegal wildlife trade, international cooperation is vital for effective enforcement. Indonesia has engaged in several regional and international partnerships aimed at curbing wildlife trafficking. For example, the ASEAN-Wildlife Enforcement Network (ASEAN-WEN) facilitates cooperation among Southeast Asian nations to combat wildlife crime. However, the effectiveness of such cooperation is often hindered by differing legal frameworks, enforcement capacities, and political will among member states (ASEAN-WEN Report, 2020).

Strengthening international cooperation would involve sharing intelligence, harmonizing enforcement practices, and coordinating cross-border operations to dismantle wildlife trafficking networks. This level of cooperation is necessary to address the illegal wildlife trade, which often involves sophisticated and well-organized criminal networks that operate across multiple countries (INTERPOL Report, 2019).

Interpol and other international law enforcement bodies have conducted joint operations with Indonesian authorities to target wildlife trafficking networks. These operations have had some success in disrupting illegal trade routes and apprehending key figures in wildlife trafficking rings. However, these efforts are often reactive rather than proactive, focusing on individual operations rather than sustained, long-term strategies to dismantle entire networks (INTERPOL Report, 2021)

Moreover, the illegal wildlife trade often involves complex supply chains that span multiple countries, requiring coordinated international efforts to track and disrupt these networks. The United Nations Office on Drugs and Crime (UNODC) has emphasized the need for enhanced intelligence sharing and joint investigations to address these challenges. Indonesia's cooperation with international bodies like the UNODC is crucial, but it requires continuous commitment and resources to be effective (UNODC Report, 2020).

The role of non-governmental organizations (NGOs) in fostering international cooperation should also be acknowledged. NGOs such as TRAFFIC and the World Wildlife Fund (WWF) play a critical role in monitoring illegal trade, providing data and expertise to both national and international enforcement bodies. These organizations often act as intermediaries, facilitating communication and coordination between different countries' enforcement agencies (TRAFFIC Report, 2018). However, reliance on NGOs also underscores the gaps in state capacity, indicating a need for stronger governmental frameworks for international cooperation.

International cooperation is crucial for effective wildlife trade enforcement, but Indonesia needs to do more despite its commendable efforts. The collaboration between Indonesia and Malaysia to protect the Sumatran rhinoceros is a good example of bilateral cooperation, but similar initiatives are needed for other species and regions. Regional partnerships like the ASEAN-Wildlife Enforcement Network (ASEAN-WEN) aim to combat wildlife crime in Southeast Asia, but they face challenges due to different laws, enforcement capabilities, and varying political commitment among member countries. Strengthening cooperation requires better intelligence sharing, aligning enforcement practices, and coordinating cross-border operations to tackle wildlife trafficking networks. Organizations like INTERPOL and the UN Office on Drugs and Crime (UNODC) emphasize the need for improved intelligence sharing and joint investigations. NGOs also play a key role by providing data and facilitating communication between enforcement agencies, but the reliance on NGOs highlights the need for stronger government-led international cooperation frameworks.

E. CONCLUSION

Indonesia has made commendable strides in aligning its national laws on wildlife trade with the requirements of CITES. The legal framework, particularly through Law No. 5 of 1990 and Government Regulation No. 8 of 1999, largely reflects the principles set out by CITES. However, despite this alignment, significant challenges remain, especially in enforcement, protection of species not covered by CITES, and the need for stronger international cooperation. Enforcement issues, such as corruption, lack of resources, and inadequate training, continue to undermine the effectiveness of these laws². Additionally, many rural communities in Indonesia rely on wildlife trade for their livelihoods, making strict enforcement difficult without causing economic hardship. While there are gaps in protecting species not listed under

CITES, Indonesia's national laws should be expanded to cover these vulnerable species. Community-based conservation efforts show promise in addressing some of these challenges, but they need more support and integration into national policies. On the international front, Indonesia's participation in regional and global initiatives is crucial, but these efforts require enhanced collaboration and consistency among participating nations. To address these challenges, Indonesia should focus on closing legal gaps, improving enforcement, expanding community-based programs, and strengthening international cooperation. By doing so, Indonesia can better protect its biodiversity and fulfill its obligations under CITES.

REFERENCES:

1. Andersson, A., Tilley, H.B., Lau, W., Dudgeon, D., Bonebrake T.C., & Dingle, C. (2018). CITES and Beyond: Illuminating 20 Years of Global, Legal Wildlife Trade. *Frontiers in Ecology and the Environment, Global Ecology and Conservation* 16(1), 49-55.
2. Ardiansyah, F., Marthen, A. A., & Amalia, N. (2015). Forest and Land-Use Governance in a Decentralized Indonesia: A Legal and Policy Review. CIFOR (Center for International Forestry Research). Bogor, Indonesia: CIFOR.
3. ASEAN-Wildlife Enforcement Network (ASEAN-WEN). (2020). Annual Report on Regional Wildlife Enforcement. ASEAN-WEN Report.
4. Bennett, Elizabeth L., and Milner-Gulland, Eleanor J. Judicial Inconsistencies in Wildlife Crime Sentencing in Indonesia. *Biological Conservation* 236 (2019): 569-575.
5. CITES (2024). National laws for implementing the Convention, accessed on August 20, 2024 from <https://cites.org/eng/legislation>
6. Ellis, S. (2013). Marine Species and CITES: Implementing the Convention in Indonesia. *Marine Policy*, 39, 75-82.
7. Elmanita, S., & Listriani, S., (2023). Understanding The Convention on Species of Wild Fauna and Flora (Cites): A Study on The Illegal Wildlife Trade in Sumatra Helmeted Hornbill. *Student Journal of International Law* Vol. 03, No. 1, pp. 69-85.
8. Environmental Investigation Agency (EIA). Corruption in the Indonesian Forestry Sector. EIA Report, 2018.
9. Eryan, A. (2024). Review on Illegal Wildlife Trade Provisions in Indonesia: Cost-Benefit Analysis and Law Enforcement. *Indonesian Journal of International Law*: Vol. 21: No. 5, Article 4. DOI: 10.17304/ijil.vol21.5.1877
10. Fuchs, E. (2019). CITES and the Evolution of International Wildlife Trade Law. *Journal of International Wildlife Law & Policy*, 22(1), 1-25.
11. Government Regulation No. 8 of 1999 on the Utilization of Wild Flora and Fauna (Indonesia) . from <https://bphn.go.id/data/documents/99pp008.pdf>
12. Gunawan, H., & Mahfud, M. (2019). Challenges in the Enforcement of Indonesia's Wildlife Protection Laws. *Indonesia Law Review*, 9(2), 159-182.

13. Hakim, L. Marno Soemarno, and Sun-Kee Hon (2012). Challenges for conserving biodiversity and developing sustainable island tourism in North Sulawesi Province, Indonesia: J. Ecol. Field Biol. 35(2): 61-71, 2012
14. Hutton, J., & Dickson, B. (2000). Endangered Species, Threatened Convention: The Past, Present and Future of CITES. New York: Earthscan.
15. International Criminal Police Organization (INTERPOL). (2019). Operation Thunderball: A Global Operation to Combat Illegal Wildlife Trade. INTERPOL Report, 2019.
16. International Union for Conservation of Nature (IUCN). (2020). *Socio-Economic Dynamics of Wildlife Trade: Implications for Conservation and Enforcement*. IUCN Report. Available at: <https://www.iucn.org/resources/publication/socio-economic-dynamics-wildlife-trade>
17. INTERPOL. (2021). Operation Thunderstorm: Tackling Global Wildlife Crime through International Cooperation. Interpol Report 2021.
18. Keulartz, J., & van der Windt, H. (2018). Legal Pluralism and the Governance of Indonesia's Wildlife Trade. Asian Journal of Law and Society, 5(2), 389-414.
19. Korwin, S. (2020). Verification of Legal Acquisition under the CITES Convention: The Need for Guidance on the Scope of Legality. Journal of International Wildlife Law & Policy, 23(1), 32-47.
20. Korwin, S., Denier, L., Lieberman, S., & Reeve, R (2019). Verification of Legal Acquisition under the CITES Convention: The Need for Guidance on the Scope of Legality, Journal of International Wildlife Law & Policy, 22:3, 274-304, DOI: 10.1080/13880292.2019.1695718 To link to this article: <https://doi.org/10.1080/13880292.2019.1695718>
21. Law No. 5 of 1990 on Conservation of Living Resources and their Ecosystems (Indonesia); Government Regulation No. 8 of 1999 on the Utilization of Wild Flora and Fauna
22. Lee, R. J., Gorog, A. J., Dwiyahreni, A., Siagian, A., Riley, J., Alexander, H., Paoli, G. D., & Ramono, W. S. (2005). Challenges to Wildlife Trade Enforcement in Indonesia. TRAFFIC Bulletin, 20(1), 8-16.
23. Milner-Gulland, E.J., & Bennett, E.L. Wildlife Trade and Human Livelihoods.(2003). Conservation Biology 17, no. 3 (2003): 626-629.
24. Nekaris, K. A. I., Shepherd, C. R., Starr, C. R., & Nijman, V. (2013). Exploring Cultural Drivers for Wildlife Trade via an Ethnoprimatological Approach: A Case Study of Slow Lorises in Southeast Asia. American Journal of Primatology, 75(10), 1029-1039. <https://doi.org/10.1002/ajp.22178>
25. Nijman, V. (2010). An Assessment of Wildlife Trade Enforcement in Indonesia. TRAFFIC Bulletin, 23(1), 35-44.
26. Nijman, V., & Shepherd, C R. Trade in Tigers and Other Wild Cats in Myanmar and Thailand. Global Ecology and Conservation 4 (2015): 32-42.
27. Nijman, V., Morcatty, T., Feddema, K., Campera, M., & Nekaris, K. A. I. (2022). Disentangling the Legal and Illegal Wildlife Trade—Insights from Indonesian Wildlife Market Surveys. Animals, 12(5), 628. <https://doi.org/10.3390/ani12050628>

28. Nijman, V., Smith, J. H., Foreman, G., Campera, M., Feddema, K., & Nekaris, K. A. I. (2021). Monitoring the Trade of Legally Protected Wildlife on Facebook and Instagram Illustrated by the Advertising and Sale of Apes in Indonesia. *Diversity*, 13(6), 236. <https://doi.org/10.3390/d13060236>
29. Nurhidayah, L. (2018). Legal Framework for the Protection of Endangered Species in Indonesia: Challenges and Prospects. *Environmental Policy and Law*, 48(5), 282-294.
30. Reeve, R. (2002). *Policing International Trade in Endangered Species The CITES Treaty and Compliance*. London: Routledge.
31. Roe, D., & Booker, F. (2019). Engaging Local Communities in Wildlife Conservation: Strategies for Reducing Illegal Wildlife Trade. *Conservation Science and Practice*, 1(6), e24. <https://doi.org/10.1111/csp2.24>
32. Sari, A. (2017). National Legislation and International Commitments: The Implementation of CITES in Indonesia. *Journal of Environmental Law and Policy*, 19(2), 175-200.
33. Shepherd, C. R., & Nijman, V. (2008). The Trade in Bear Parts from Myanmar: An Illustration of the Ineffectiveness of CITES. *Biodiversity and Conservation*, 17(1), 35-42.
34. Shepherd, Chris R. (2008). The Illegal Wildlife Trade in Indonesia: A Case Study. *TRAFFIC Bulletin* 22, no. 1 (2008): 29-33.
35. Smith, R. J., & Walpole, M. J. (2005). Should Conservationists Pay More Attention to Corruption? *Oryx*, 39(3), 251-256.
36. Soehartono, T., & Mardiasuti, A. (2002). CITES Implementation in Indonesia: Lessons Learned and Future Challenges. *Biodiversity and Conservation*, 11(10), 1949-1961.
37. TRAFFIC. (2018). *The Role of NGOs in Combatting Wildlife Crime in Southeast Asia*. TRAFFIC Report 2018.
38. United Nations Office on Drugs and Crime (UNODC). *Global Report on Wildlife Crime*. UNODC Report, 2020.
39. Wells, M. P., & McShane, T. O. (2004). Integrating Protected Area Management with Local Needs and Aspirations. *Ambio: A Journal of the Human Environment*, 33(8), 513-519. <https://doi.org/10.1579/0044-7447-33.8.513>
40. Wells, M. P., & McShane, T. O. (2004). Integrating Protected Area Management with Local Needs and Aspirations. *Ambio: A Journal of the Human Environment*, 33(8), 513-519.
41. Wicaksono, A., & Nur, I. A. (2020). Socio-economic Factors Influencing Illegal Wildlife Trade in Indonesia. *Journal of Environmental Management*, 261, 110237.
42. Wildlife Conservation Society (WCS). (2019). *Capacity Building for Wildlife Law Enforcement in Indonesia*. WCS Report, 2019.
43. World Bank. (2020). *Indonesia: The Role of Socio-Economic Factors in Wildlife Conservation*. World Bank Report. Available at: <https://www.worldbank.org/en/topic/environment/publication/indonesia-wildlife-conservation-socioeconomic-factors>

44. World Wildlife Fund (WWF). (2020). The State of Indonesia's Wildlife Trade." WWF, 2020. Accessed on August 17, 2024. <https://wwf.panda.org/>.
45. Wright, B., Priston, N., & Shepherd, C. R. (2014). The Role of NGOs in the Enforcement of Wildlife Laws in Indonesia: Challenges and Successes. *Biodiversity and Conservation*, 23(6), 1339-1355.
46. Wyatt, Tanya. (2021). *Is CITES Protecting Wildlife? Assessing Implementation and Compliance*. New York: Routledge.