



“Working within CITES for the protection and conservation of species in international trade”

African Elephant

Loxodonta africana

Prop. 14.4 (Botswana and Namibia) Maintain populations of Botswana, Namibia, South Africa and Zimbabwe in Appendix II but replace all existing annotations with a new annotation that: 1) establishes annual export quotas for trade in raw ivory in accordance with Resolution Conf. 10.10 (Rev. CoP12); 2) restricts trade in raw ivory to trading partners certified by the Secretariat to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will be managed in accordance with Resolution Conf. 10.10 (Rev. CoP12) and will not be re-exported; and 3) requires that proceeds of the trade in raw ivory be used exclusively for elephant conservation and community development programmes.

Prop. 14.5 (Botswana) Amend annotation for the population of Botswana to permit international trade in: 1) hunting trophies for non-commercial purposes; 2-4) hides, leather goods and live animals for commercial purposes, with live animal trade restricted to appropriate and acceptable destinations; 5) up to 8 tons per year of raw ivory (whole tusks and pieces) from registered, government-owned for commercial purposes, with trade limited to trading partners certified by the Secretariat to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will be managed in accordance with Resolution Conf. 10.10 (Rev. CoP12) and not re-exported; and 6) up to 40 tonnes of raw ivory from registered, government-owned stocks for commercial purposes in a one-off sale immediately after the adoption of the proposal, subject to the same conditions set forth in 5) above.

Prop. 14.6 (Kenya and Mali) A. Amend the annotations for the populations of Botswana, Namibia and South Africa to: 1) prohibit trade in raw or worked ivory for a period of 20 years, except for raw ivory exported as hunting trophies for non-commercial purposes and ivory exported pursuant to the conditional sale of registered government-owned ivory stocks agreed at CoP12; 2) remove the provision of the annotation that currently allows trade in ekipas from Namibia. B. Amend the annotation for the population of Zimbabwe to: 1) limit trade to the export of live animals to appropriate and acceptable destinations, the export of hides, and the export of leather goods for non-commercial purposes; 2) regulate all other specimens under Appendix I, and prohibit trade in raw ivory for a period of 20 years; 3) Require, in cases involving exports of live animals to appropriate or acceptable destinations or involving imports for non-commercial purposes, that export permits and re-export certificates be issued only after the Management Authority of the State of import has certified, in the case of live animal exports, that the competent Scientific Authority has found the holding facility to be suitably equipped to house and care for the animals, or certified, in the case of non-commercial imports, that the specimens will not be used for primarily commercial purposes. Document 53.4, which complements Prop. 14.6, proposes an Action Plan for improving enforcement mechanisms during the moratorium period, and amendments to Resolution Conf. 10.10 to implement the moratorium and the Action Plan.

SSN VIEW: **SUPPORT** Adoption of Prop. 14.6 and related decisions in Document 53.4;
 OPPOSE Adoption of Prop. 14.4 and Prop. 14.5

THE INTERNATIONAL IVORY TRADE BAN IS STILL NECESSARY.

Prop. 14.4 and Prop. 14.5 propose to lift or partially lift the international ban on commercial trade in African elephant ivory adopted at CoP7 (1989). This ban was initiated in response to widespread poaching of elephants across most of Africa, which reduced the African elephant population by more than 50% in just a decade. Before the ban, CITES tried but failed to regulate the trade. The conditions that led to widespread poaching and illegal trade in ivory—strong markets, weak border patrols, and lack of resources to protect elephants in most range States—still exist today. Any relaxation of the ban could be detrimental to the survival of elephant populations across Africa and Asia, many of which remain particularly vulnerable to poaching.

ILLEGAL TRADE IN IVORY IS ESCALATING.

There have been more seizures of large quantities of ivory in the past two years than in any similar period since the CITES ivory trade ban was adopted. Since CoP13 (December 2004–December 2006) more than 41 metric tons of ivory have been seized (Prop. 14.6), compared to 98.5 metric tons seized from 1998–October 2004 (Tip of the Tusk, Born Free Foundation, 2004). . Recent seizures include a single, 3,000 kg shipment seized in Japan in August 2006, and three shipments originating in Tanzania and Zimbabwe, and ranging in size from 1,000 to 3,060kg, seized in Taiwan in July 2005 and July 2006. **As many as 23,000 elephants may have been poached between August 2005 and August 2006** (Wasser et al., 2007).

ELEPHANT POPULATIONS ARE UNDER THREAT.

According to the latest African Elephant Status Report (IUCN AfESG 2007) populations in Cameroon, Central African Republic, Republic of Congo, and Democratic Republic of Congo have declined significantly since the last report in 2003. Populations have also declined in Malawi, Niger and Nigeria. Escalating poaching and illegal ivory trade pose a serious risk to small and fragmented populations of African elephants in West, Central and parts of East Africa, as well as to the Endangered Asian elephant (*Elephas maximus*).

MANY AFRICAN COUNTRIES SUPPORT MAINTAINING THE BAN ON INTERNATIONAL IVORY TRADE.

The **Accra Declaration** on the conservation of African elephants, signed in 2006 by representatives of 19 African elephant Range States (Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Cote d'Ivoire, Democratic Republic of Congo, Ethiopia, Ghana, Kenya, Liberia, Malawi, Mali, Niger, Republic of Congo, Senegal, Southern Sudan, Togo and Uganda) calls for a ban on the international trade in ivory.

TRADE CONTROLS IN EXPORTING COUNTRIES ARE NOT SUFFICIENT TO PREVENT ILLEGAL TRADE.

Poaching, ivory trade and sport hunting are all reported to be out of control in **Zimbabwe**. Ivory from government owned stocks has at least twice entered the illegal market. According to the African Elephant Status Report (IUCN 2007), population surveys in Zimbabwe in 2006 revealed notable increases in elephant mortality since 2001 in two of the four major populations. For example, a "2.5 fold increase in the number of dead elephants" was observed in the Sebungwe area. In Northwest Matabeleland, where the proportion of dead elephants also increased; tusks were missing in 90% of dead elephants found. At CoP13 in 2004, non-commercial export of ivory ekipas from **Namibia** was approved on the condition that such trade would be strictly controlled, including a requirement that ekipas be "*individually marked and certified*" and "*incorporated in finished jewellery*". On-the-ground research has documented considerable numbers of ekipas openly on sale to tourists in Namibia, and has gathered evidence they are being smuggled in from other countries. The agreed control system has yet to be implemented. Namibia has responded that the control mechanism agreed at CoP13 would only include trade in ekipas produced in partnership with the Ministry of Environment and Tourism, local communities and the Namibian Jewellers Association; that no exports of such ekipas have been authorized so far; and that "*ekipas currently offered for sale are not intended for export*". However, the annotation to Namibia's elephant population refers to all "*ekipas*" without limitation. Moreover, Namibia is obviously permitting uncontrolled sale of ivory ekipas and risking the laundering of illegal ivory into the legal trade.

EFFECTS OF ONE-OFF SALE OF IVORY APPROVED AT COP12, BUT NOT YET CARRIED OUT, ARE UNKNOWN.

No requests for annual sales should be considered by Parties until enough time has passed to observe the effects of the one-off sale of 60 tons of ivory conditionally approved at CoP12 but not yet carried out. MIKE and ETIS were developed for this precise purpose. If they are not given adequate time to monitor the effects of trade, this will undermine the considerable funds Parties have invested in these programmes.

A 20-YEAR MORATORIUM ON IVORY TRADE IS NEEDED.

SSN supports the proposal (Prop. 14.6) by Kenya and Mali (supported by Ghana and Togo) for a 20-year moratorium on ivory trade. The moratorium would provide a respite from trade that would allow Parties to respond effectively to the current escalation in illegal trade and poaching, including proper implementation of the Action Plan for the control of trade in African elephant ivory. It would also allow time for threatened populations to recover, and enhance efforts to increase international awareness about restrictions on international ivory trade.

A 20-YEAR MORATORIUM WOULD NOT PROHIBIT PARTIES FROM SUBMITTING PROPOSALS.

The CITES Secretariat has asserted that a 20-year moratorium on ivory trade is “*illegal*” because it limits Parties’ rights under Article XV to propose an amendment to Appendices I or II. However, the proposed 20-year moratorium would only mean that, in addition to the listing criteria in Resolution Conf. 9.24 (Rev. CoP13), Parties would also consider their agreement not to trade internationally in ivory for a 20-year period. Thus, a proposal to trade in ivory may be made, but it may be less likely to succeed. There is precedent for this approach in other Resolutions which limit the timing and manner in which Parties bring proposals. For example, Resolution Conf. 11.4 (Rev. CoP12) (and its predecessors) on whales, recommends that Parties not issue permits or certificates for any specimen of any species protected from commercial whaling by the International Whaling Commission (IWC). While not an actual prohibition on bringing proposals, this Resolution reflects the shared understanding of most CITES Parties that proposals contrary to the IWC moratorium are inappropriate; and, as a result, Parties have consistently rejected such proposals. The moratorium proposed by Kenya and Mali would establish a similar understanding with respect to elephant ivory.

AN INFUSION OF ENFORCEMENT AID IS NEEDED.

With the current high levels of poaching and illegal trade, Any further relaxation of the ivory ban would be irresponsible at this time. Instead, Parties need an infusion of enforcement aid on a scale comparable to 1989, coupled with a comprehensive approach combining law enforcement with DNA analyses, education, and improved management.