



# Species Survival Network

CITES COP15 2010 • Doha, Qatar



## African Elephant

### *Loxodonta africana*

**CoP15 Proposal 6** (Congo, Ghana, Kenya, Liberia, Mali, Rwanda and Sierra Leone) To amend the footnote governing the nine-year resting period so that it applies to ALL elephant populations, to extend the resting period to twenty years, and to eliminate export of worked ivory products from Namibia and Zimbabwe.

**CoP15 Proposal 4** (United Republic of Tanzania) To transfer the population of the United Republic of Tanzania from Appendix I to Appendix II, and a one-off sale of 89,848.74kg ivory from registered government-owned stocks.

**CoP15 Proposal 5** (Zambia) To transfer the population of Zambia from Appendix I to Appendix II, and a one-off sale of 21,692.23 kg of ivory from registered government-owned stocks.

**SSN VIEW:** SUPPORT Adoption of Proposal 6 (Congo, Ghana, Kenya, Liberia, Mali, Rwanda and Sierra Leone) and OPPOSE Adoption of Proposal 4 (United Republic of Tanzania) and Proposal 5 (Zambia)

### PROPOSALS FOR DOWNLISTING AND LEGAL TRADE UNDERMINE THE SPIRIT AND EFFECTIVENESS OF THE MORATORIUM APPROVED AT COP14.

The purpose of the nine-year ivory moratorium approved at CoP14 in 2007 was to provide CITES Parties with a 'resting period' from debate on this issue – a period that is needed to tighten enforcement relating to poaching, illegal international trade and domestic ivory markets; to enable Parties to monitor the effect that a moratorium would have on illegal trade; and to enhance efforts to increase international awareness about restrictions on international ivory trade. Although the footnote approved at CoP14 is restricted to those populations already on Appendix II, all Parties present at the lengthy and difficult negotiations should recall the spirit of what was finally agreed – that there should be no further trade proposals for at least nine years.

The proposals from Tanzania and Zambia, which seek to transfer their elephant populations from Appendix I to Appendix II, with a one-off sale of ivory of 89,848.74 kg (for Tanzania) and 21,692.23 kg (for Zambia), completely undermine the spirit of this agreement, and render a valuable compromise entirely ineffective. If they are accepted, they may set a precedent for further downlisting proposals at the next CoP. The widely-supported "resting period" will, in effect, never have happened.

Prop 6, submitted by Congo, Ghana, Kenya, Liberia, Mali, Rwanda and Sierra Leone, on the other hand, seeks to ensure that the spirit of the agreement at CoP14 is adequately reflected in the footnote to the listing of the African elephant by ensuring that the moratorium on further downlisting proposals applies to all range States. In addition, it proposes an extension of the moratorium and removal of the paragraph of the footnote that allows legal trade in worked ivory products from Zimbabwe and Namibia. These changes are necessary because the continued presence

of legal ivory in the market, through stockpile sales and exemptions for trade in worked ivory from Namibia and Zimbabwe, renders effective enforcement impossible.

## **ILLEGAL TRADE STILL POSES A SERIOUS THREAT.**

Widespread poaching continues across Africa, and remains a serious threat to the long-term survival of some elephant populations. Poaching in Chad, for example, has reduced the population of Zakouma National Park from 3,885 in 2005 to just 617 in 2009. In September/October 2009 poachers killed the entire elephant herd in Sierra Leone's only wildlife park. In Nigeria's Sambisa National Reserve the population of elephants is also believed to have been lost entirely.

There has been a significant and alarming volume of illegal ivory seized since CoP14, with all four sub-Saharan regions being affected. Several large seizures between January and November 2009, totaling more than 20,000kg, indicate that large, sophisticated criminal syndicates are involved in the trade. Recent seizures include: **100 kg** (33 tusks) in Tanzania (November 2009), **36 kg** in Zambia (November 2009), **500kg** (98 tusks) in Cameroon (October 2009), **1,250kg** in Cameroon (September 2009), **2,000kg\*** in Vietnam (August 2009), **812.5kg** in Thailand (August 2009), **703kg** in Kenya (July 2009), **3,346kg\*** in the Philippines (April 2009), and **6,232kg\*** in Vietnam (March 2009).

Considerable quantities of ivory continue to be offered for sale in domestic markets, and prices are increasing. Reports indicate black market prices for ivory in Asia have reached as much as \$1,863/kg (TRAFFIC). This is a significant increase from 2006, when black market prices were reported to be around \$750/kg.

## **ENFORCEMENT PROBLEMS IN ZAMBIA AND TANZANIA ARE OF SIGNIFICANT CONCERN.**

The proposals from Tanzania and Zambia contain little information concerning elephant poaching in those countries. However, a significant proportion (totaling **11,678kg**) of ivory known to be seized in 2009 is reported to have originated in Tanzania. In addition, DNA analyses have identified both countries as sources of large amounts of illegal ivory.

DNA analysis undertaken by Professor Sam Wasser at the University of Washington has identified the Selous Ecosystem in Tanzania (spilling over to Niassa Game Reserve in Mozambique) as the source of 5.2 metric tons of ivory seized in Taiwan and 2.6 tons of ivory seized in Hong Kong in 2006 (Wasser *et al.* 2009).

The ETIS report prepared for CITES CoP15 (CoP15 Doc. 44.1 Annex) notes that Tanzania "remains heavily involved in the movement of large-scale consignments of illicit ivory", with 69% of the trade by weight involving large-scale ivory seizures, indicating the presence of active and entrenched "organized criminal syndicates." ETIS has received only four records of elephant product seizure cases since 2007, and since 2003 "only one out of the last eight (soon to be nine) large-scale ivory consignments have been interdicted before export by the Tanzanian authorities themselves." The ETIS Report concludes that, "such events, by definition, are suggestive of organised crime and the ability of the country to meet this challenge seems to have become significantly compromised."

Tanzania's enforcement failures also affect other range States across the continent. The ETIS Report states that "Tanzania clearly functions as an important transit country, with its ports of Dar es Salaam and Tanga in particular providing access to global markets for illicit ivory that is likely to originate, at least in some part, from other neighbouring countries in Africa, especially Central Africa."

Regarding Zambia, a 2007 study (Wasser *et al.*) identified Zambia as the source of an illegal shipment of 532 large tusks seized in Singapore and, the results of a 2008 study (Wasser *et al.*) suggest that 42,000 ivory hankos that were part of the same shipment, also originated in Zambia. The tusks and hankos totaled more than 6,500kg.

The ETIS report notes that Zambia belongs to a group of countries "linked to large-scale ivory seizure events, indicating that highly organised criminal activity is a major feature of ivory movements involving this group". The country is "currently active in the illicit ivory trade" and "illicit ivory trade remains a persistent challenge". Ivory from Zambia is "usually" illegally exported to neighboring Malawi. Even the then Director of the Zambia Wildlife Authority, Dr. Saiwana, recently acknowledged that elephant poaching in Zambia had become a problem (*The World Today*, Friday 16<sup>th</sup> October 2009).

Clearly, neither Tanzania nor Zambia meet the precautionary requirements in Resolution Conf. 9.24 (Rev. CoP14) Annex 4, paragraphs A) 2) (b), which require that Parties be satisfied that a range State seeking a downlisting from Appendix I is properly implementing the requirements of CITES and has "appropriate enforcement controls and

*\*reported to have originated in Tanzania*

compliance with the requirements of the Convention". Neither do they meet the specific requirements of Resolution Conf. 10.9 on Consideration of Proposals for the Transfer of African Elephant Populations from Appendix I to Appendix II requiring Parties to take into account "the affected range State's ability to manage and conserve its population effectively" and its "ability to control trade in elephant ivory".

#### **EFFECTS OF THE PREVIOUS ONE-OFF SALE HAVE NOT BEEN PROPERLY DOCUMENTED AND UNDERSTOOD.**

In October and November 2008, Botswana, South Africa, Zimbabwe and Namibia sold a total of 108 tons of ivory to China and Japan in a 'one-off' sale" approved by the CITES Parties. At the 58<sup>th</sup> meeting of the CITES Standing Committee it became clear that Decision 14.78, which calls for comprehensive reviews of the impact of legal trade, had yet to be implemented. SSN believes it would be inappropriate for any Party to support further trade or downlisting proposals without a full understanding the impact of the 2008 one-off sale.

It would be illogical to permit any further ivory trade before the Decisions agreed at CoP14 have been implemented, including the decision-making mechanism for a process of trade in ivory (Decision 14.77).

#### **PARTIES SHOULD FOCUS ON SUPPORTING AFRICAN ELEPHANT CONSERVATION THROUGH THE AFRICAN ELEPHANT ACTION PLAN AND AFRICAN ELEPHANT FUND.**

Decisions 14.75 and 14.79 direct the range States and the Secretariat to develop an African Elephant Action Plan and African Elephant Fund. While the African Elephant Action Plan is not yet fully operational at this time, it will require a meaningful, extended moratorium on ivory trade to ensure that the conservation initiatives in the Plan have maximum possible effect. Both the Action Plan and Fund are needed to assist the range States in developing a comprehensive approach to law enforcement and improved management including DNA analyses, education, and monitoring. Any decision to allow downlisting or ivory sales at CoP15 could undermine the efforts of range States to implement the conservation goals outlined in the Action Plan.

**The African elephant continues to be threatened by poaching and illegal trade. The nine-year ivory trade "resting period" agreed at CoP14 has not occurred. The resting period footnote should be amended, as in Proposal 6, to apply to all range States and extended to twenty years. Only this will provide the necessary "resting period" agreed in principle at CoP14 so that range States can tackle poaching and illegal trade in a trade-free environment. Transferring additional elephant populations from Appendix I to II, and/or allowing additional ivory trade, as proposed by Tanzania and Zambia, would not be supportive of the spirit in which the resting period was agreed at CoP14 and would seriously undermine the enforcement efforts of range States.**

-Revised 8 December 2009

*Photo credit: Born Free Foundation*