

Proposals on the African Elephant for CITES CoP15

This fact sheet presents the proposed amendments relating to the African Elephant that have been presented for consideration to the 15th meeting of the Conference of Parties to CITES. 13-25 March 2010, Doha, Qatar. It provides views from the African Elephant Coalition on reasons for accepting or rejecting the proposals.

See other KEF Fact Sheets for background: 01 The African Elephant Coalition
02 Elephant Poaching & the Ivory Trade
03 CITES and the Ivory Trade

The African Elephant Coalition firmly believes that two of the current proposals (from Tanzania and Zambia, see overleaf) will increase demand for ivory and hence further encourage illegal killing of elephants. An alternative proposal (also overleaf) has been tabled by eight Coalition members to extend the ivory trade moratorium to 20 years.

Oppose Tanzania and Zambia proposals

1. The proposals go against the spirit of the negotiated moratorium and undermine the limited gains made towards developing the Action Plan.
2. Both countries actively participated in the discussions that led to the CoP14 decision to institute a nine-year 'resting period' during which African Range States agreed to develop an African Elephant Action Plan and Fund without the systemic disruption of further trade.
3. Reports indicate that poaching and trafficking of ivory are major problems in both Tanzania and Zambia, wherein some of the largest ivory seizures in the recent past have originated. Zambia was identified as the source of an illegal shipment of 532 large tusks and 42,000 *hankos* (Japanese signature seals) seized in Singapore in 2002. 11.7 tonnes of ivory seized in 2009 are reported to have originated in Tanzania.
4. The proposals are not supported by evidence of 'appropriate enforcement controls' required to be in place before a species is downlisted

Support the proposal by Congo, Ghana, Kenya, Liberia, Mali, Rwanda, Sierra Leone & Togo

5. The proposal is made on behalf of 24 of the 37 African Elephant Range States that support lengthening of the moratorium from 9 to at least 20 years.
6. A nine-year moratorium period has no discernible biological basis. The mean age of first conception of a young female is generally around 12 years. A resting period commensurate with an average elephant generation time should be based on mean female reproductive age (ca. 20 years) and mean age of first male reproduction (ca. 35 years).
7. The nine-year CoP14 compromise that allowed Botswana, Namibia, South Africa and Zimbabwe to sell government-owned stocks presumed a comprehensive resting period after those sales. The tenor of the compromise was that no further ivory trade proposals would be presented for consideration before the end of the resting period.
8. The proposal by the African Elephant Coalition members includes elephant populations in both Appendix I and Appendix II in order not to dilute the effectiveness of the moratorium.
9. All indications from African Range States are that poaching is increasing at an alarming rate, and organized crime syndicates are involved in both poaching and the ivory trade. The negative impact of the sales conducted in October-November 2008, though not yet fully quantified, are being felt across Africa. The proposals from Zambia and Tanzania will encourage traders to undermine further the purpose of a moratorium.
10. It has been suggested that the proposal is incompatible with the Parties' right under Article XV of the Convention to propose amendments at any CoP meeting. However, a moratorium would constitute an agreed mutual understanding that Parties will limit their rights under Article XV, as they have done on other occasions in the past.
11. Acceptance of a moratorium of appropriate length sends a strong signal of the resolve of the Parties to ensure the future of African elephants.

Tanzania Proposal

Transfer the population of the United Republic of Tanzania from Appendix I to Appendix II with an annotation to read:
"For the exclusive purpose of the following:

- a) trade in hunting trophies for non-commercial purposes;
- b) trade in registered raw ivory (whole tusks and pieces) subject to the following:
 - i) a one-off sale of 89,848.74 kg from registered government-owned stocks, originating in Tanzania (excluding seized ivory and ivory of unknown origin);
 - ii) only to trading partners that have been already designated by the Standing Committee, as having sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP14) concerning domestic manufacturing and trade. These are Japan designated as a trading partner at the 54th meeting (Geneva, October 2006), and China designated as a trading partner at the 57th meeting (SC57, Geneva, July 2008);
- c) trade in raw hides;
- d) trade in live animals to appropriate and acceptable destinations, as defined in Resolution Conf. 11.20.

The Standing Committee can decide to cause the trade in a), b), c) and d) above to cease partially or completely in the event of non-compliance by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations as may be proposed by the CITES Secretariat.

All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly".

Zambia Proposal

Transfer of the population of Zambia from Appendix I to Appendix II for the exclusive purposes of allowing:

- a) trade in hunting trophies for non-commercial purposes;
- b) trade in live animals to appropriate and acceptable destinations, as defined in Resolution Conf. 11.20;
- c) trade in raw hides;
- d) trade in registered raw ivory subject to the following:
 - i) a one-off sale of 21,692.23 kg as ivory from registered government-owned stocks, originating in Zambia (excluding seized ivory and ivory of unknown origin);
 - ii) only to trading partners that have already been designated by the Standing Committee, as having sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP14) concerning domestic manufacturing and trade: these are Japan designated as a trading partner at the 54th meeting (SC54 Geneva, October 2006), and China designated as a trading partner at the 57th meeting (SC57, Geneva, July 2008);
 - iii) not before the Secretariat has verified the registered government-owned stocks;
 - iv) the proceeds of the trade are used exclusively for elephant conservation and community conservation and development programmes within or adjacent to the elephant range in Zambia;
 - v) on a proposal from the Secretariat, the Standing Committee can decide to cause this trade to cease partially or completely in the event of non-compliance by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.

Proposal by Congo, Ghana, Kenya, Liberia, Mali, Rwanda, Sierra Leone and Togo

i) Remove the following paragraph from the annotation regarding the populations of *Loxodonta africana* of Botswana, Namibia, South Africa and Zimbabwe:

h) *no further proposals to allow trade in elephant ivory from populations already in Appendix II shall be submitted to the Conference of the Parties for the period from CoP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g) i), g) ii), g) iii), g) vi) and g) vii). In addition such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78.*

ii) Include an annotation regarding all populations of *Loxodonta africana*, as follows:

"No further proposals concerning trade in African elephant ivory, including proposals to downlist elephant populations from Appendix I to Appendix II, shall be submitted to the Conference of the Parties for the period from CoP14 and ending twenty years from the date of the single sale of ivory that took place in November 2008. Following this twenty year resting period, any elephant proposals shall be dealt with in accordance with Decisions 14.77 and 14.78."

iii) Remove paragraph (f) in the annotation to the CITES Appendices governing the elephant populations of Namibia and Zimbabwe:

f) *trade in individually marked and certified ekipas incorporated in finished jewellery for non-commercial purposes for Namibia and ivory carvings for non-commercial purposes for Zimbabwe.*