

# CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

## Interpretation and implementation of the Convention

### Conservation of elephants and trade in elephant specimens

#### ILLEGAL IVORY TRADE AND CONTROL OF INTERNAL MARKETS

1. This document has been prepared by Kenya.

#### Introduction

2. The illegal trade in ivory and uncontrolled domestic markets for ivory around the world present a considerable problem, not only for the long term survival of many elephant populations, but also for wildlife law enforcement authorities in Range States and consumer countries. A survey of ivory markets in Africa and Asia by Esmond Martin and Daniel Stiles between 1999 and 2002 found over 259,000 ivory items displayed for sale in 1,591 outlets and shops in 28 countries visited, 61 % of which were in Asian markets and 30% in African markets.<sup>1</sup>

3. In their Africa survey conducted in 1999, Martin and Stiles found that the main retail buyers were visitors: tourists from France, Spain and Italy, as well as diplomats, foreign military, UN and NGO personnel. Abidjan in Cote d'Ivoire displayed the largest quantity of worked ivory seen (over 20,000 items), followed closely by Harare with just under 20,000 items. Demand in Cairo (Egypt), Lagos (Nigeria) and Abidjan was considerably higher than elsewhere. The table in Annex 1 draws on information from the survey to compare domestic markets in 15 African Range States. It is apparent that in several of the countries in West and Central Africa trade in raw ivory is strictly controlled, at least on paper, or in some cases illegal, while sales of worked ivory are legal. However, most of the ivory on sale in these countries appears to be from illegal sources. A follow-up survey by TRAFFIC in 2002 of three countries in West Africa found the situation to be little changed, and in two of the countries it appeared to have worsened (see note following the table in Annex 1).<sup>2</sup>

4. In their Asian surveys Martin and Stiles concluded that none of the governments in countries surveyed in South and South East Asia had proper legal control of the ivory trade within their boundaries, and that more needs to be done by East Asian governments to control the trade. In South and South East Asia over 80% of the ivory on sale was in Thailand while the largest amount of foreign worked ivory was from China. The main customers for ivory from Thailand and Vietnam were tourists and businessmen from Europe (especially French, Germans and Italians), other Asian countries and the USA. The most recent survey in East Asia found that Hong Kong had the most ivory on sale followed by China and Japan. The main buyers were ethnic Chinese of various nationalities and Japanese. China emerged as the main ivory manufacturing centre in Asia and was the main destination of illicit African ivory in 2002.

5. Uncontrolled domestic markets are not restricted to Africa and Asia. A recent survey by the International Fund for Animal Welfare (IFAW) of ivory trade in the UK found:

- the UK is the third biggest source of intercepted illegal ivory entering the USA
- nearly all ivory sold in antique shops, auctions and art centres in the UK is being sold illegally (IFAW investigators saw "thousands of pieces of ivory for sale in a period of just a few weeks")
- new ivory carved to look antique is being smuggled in, mostly from China

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<sup>1</sup> *The Ivory Markets of Africa, Save the Elephants, 2000; The South and South East Asian Ivory Markets, Save the Elephants, 2002; and The Ivory Markets of East Asia, Save the Elephants, 2003.*

<sup>2</sup> Courouble, M., Hurst, F. and Milliken, T., *More Ivory than Elephants: Domestic Ivory Markets in Three West African Countries*. TRAFFIC On-Line Report Series No. 8, December 2003.

- the internet has opened up a huge, unregulated highway by which ivory can enter the UK (and therefore the EU)
- systematic monitoring of the internet site eBay discovered an average of more than 2,000 ivory items newly listed per week; many look very new and the majority are sold without reliable proof of age
- several hundred stores based in China operate on eBay and other auction sites; most sell significant quantities of ivory items
- a Cameroonian woman who had placed a classified advertisement in a UK paper claimed to have a huge stock of raw and carved ivory that she could send to the UK<sup>3</sup>

6. A report for the 12<sup>th</sup> Conference of the Parties (CoP12) on data gathered by the Elephant Trade Information System (ETIS) stated that 150 countries are implicated in the illegal ivory trade<sup>4</sup>. Analysis of ivory seizure data demonstrated that illicit ivory trade is most directly correlated to the presence of large-scale, unregulated domestic ivory markets which exhibit a poor degree of enforcement effort. Such markets located in Africa and Asia have become increasingly active since 1996. Overall, ETIS data showed an increasing trend in ivory seizures from 1998 to 2002, which followed a period of stability from 1994 to 1998 and a declining trend from 1989 to 1994. The report linked the recent increasing trend with the emergence of demand for ivory in China rather than the one-off sale of ivory that took place in 1999. This finding has been contested by the Executive Director General of the CITES Management Authority of China who stated that many Chinese people misunderstood the decision to allow a one-off sale of ivory, and that the apparent legality of ivory on sale in some elephant Range States gives the wrong signal to Chinese people working or touring in those countries.<sup>5</sup> Furthermore, it is remarkably coincidental that the rise in seizures began the year following the 10<sup>th</sup> meeting of the Conference of the Parties in 1997 when the elephant populations of Botswana, Namibia and Zimbabwe were downlisted to Appendix II.

7. The increasing trend in illegal ivory trade presents a clear threat to elephant populations, particularly in areas most vulnerable to poaching. The crisis faced in Garamba National Park in the Democratic Republic of Congo (DRC) is a case in point. Located in the north east of the country on the border with Sudan, Garamba is currently experiencing the worst poaching since the late 1970s. In mid 2003, it “exploded in intensity” as gangs moved through the elephant and rhino southern sector of the park and a switch was seen from commercial meat poaching to poaching for ivory. Twelve years of law enforcement monitoring reports show how on average 80% of the poaching is by or backed by Sudanese influence, both from across the border and from a battalion of Sudan People’s Liberation Army (SPLA) currently based in DRC adjacent to the park. Reports indicate that ivory is traded in exchange for equipment as well as for arms and ammunition. The main routes are believed to be through Uganda and Khartoum.<sup>6</sup>

8. In June 2002, authorities in Singapore made the largest seizure of illegal ivory in recent years when they discovered 6.5 tonnes of raw ivory and 40,810 hanko seal blanks being transhipped through the country. The ivory had been sealed in a container in Malawi and passed through several border posts before leaving South Africa through Durban.<sup>7</sup> The seizure illustrates the lack of effective controls in the countries across whose borders the ivory was smuggled. This is attributable in part to reduced border controls in the Southern African Customs Union and the free trade area among members of the Southern African Development Community. However, the seizure also illustrates the potential of a mechanism for effective law enforcement coordination between different countries, the Lusaka Agreement Task Force having played a significant role in the case.

<sup>3</sup> *Elephants on the High Street: an investigation into ivory trade in the UK*. International Fund for Animal Welfare, London, UK, March 2004.

<sup>4</sup> CoP12 Doc. 34.1.

<sup>5</sup> Chen Jianwei, 2002. Letter to TRAFFIC, 14 October 2002.

<sup>6</sup> Ngoi, P. Tshikaya and Hillman Smith, K., 2003. *Briefing document and request for political support: Garamba National Park, DRC*; Tshikaya, C.P.P., Smith, F., Hillman Smith, K., Mboma, C.G., Ndey, C.A.A., and Ligilima, C., 2004. *Sudanese now using donkey trains to transport ivory and rhino horn from Garamba National Park*. Committee de Coordination de Site, ICCN and Garamba N.P.Project, April 2004. Hillman Smith, pers. Comm, April 2004.

<sup>7</sup> Hastie, J., Newman, J., and Rice, M. *Back in Business*. Environmental Investigation Agency, London and Washington, DC, 2002.

9. Based on the ETIS findings presented to CoP12, Decision 12.39 identified 10 countries with active internal ivory markets and directed the Secretariat to assess whether they have established the comprehensive internal legislative, regulatory and enforcement measures specified in Resolution Conf. 10.10 (Rev. CoP12) regarding compliance with control of internal trade. At SC50, the Secretariat reported on the findings of its desk study of the 10 countries and formulated recommendations.<sup>8</sup> Problems were identified in all countries, and it was generally observed that considerable work remains to be done. A draft Work Plan proposed a halt to all domestic sales of ivory in African countries (except in Zimbabwe), introduction of legislation where necessary, work with law enforcement and border control agencies, public awareness campaigns and *in situ* verification missions.<sup>9</sup> The Standing Committee decided the Work Plan should form the basis for discussion at a dialogue meeting of African elephant Range States prior to CoP13.<sup>10</sup>

10. The proposed work plan represents the first concerted effort within CITES to clamp down on uncontrolled domestic markets and deal with the expanding illegal ivory trade. Kenya fully supports the effort and proposes that the Work Plan be incorporated into Resolution Conf. 10.10 (Rev. CoP12) with the exception of the exemption for Zimbabwe. In 2002, Zimbabwe reported to the CoP that, despite stricter domestic measures in some consumer countries such as the EU, there had been a steady growth in its domestic ivory industry.<sup>11</sup> There are concerns about control of this growing industry given the problem it poses for effective law enforcement and past abuse of the personal effects exemption to allow commercial-size exports of worked ivory discovered by the Panel of Experts in 1996. The Panel concluded that controls over the carving industry appeared to have “broken down” and that law enforcement with respect to the ivory trade had been “grossly inadequate”.<sup>12</sup> Although following its verification visit in 1998 the Secretariat found Zimbabwe’s controls to be adequate,<sup>13</sup> given the troubles faced by Zimbabwe in recent years and worrying news reports about the effects on Zimbabwe’s wildlife populations,<sup>14</sup> Kenya believes that ivory trade controls in the country should be reassessed as part of a wider programme to clamp down on domestic ivory markets, strengthen law enforcement coordination to combat illegal trade and institute public information campaigns on the laws concerning ivory trade. In the meantime, in the spirit of cooperation Kenya believes that Zimbabwe should refrain from exports of worked ivory and voluntarily submit itself to the same controls as other African countries.

11. Kenya is convinced that the proposed Work Plan will have more chance of success if one-off ivory sales cease once the sale approved at CoP12 is effected. Continued one-off sales send confusing signals to consumers, undermine law enforcement by making it more difficult to gather evidence and easier to commit fraud and sell ivory illegally, and provide opportunity for laundering illegal ivory into legal stocks. The situation concerning illegal trade and domestic markets is out of control and appears to be worsening. A defined period of time (Kenya suggests 20 years) during which Parties voluntarily commit to a moratorium on ivory trade, except for non-commercial trade in hunting trophies, will provide an opportunity for CITES to implement a comprehensive programme involving all Range States and countries with uncontrolled ivory markets as well as countries wanting to be designated as ivory importing countries in the future. The programme would be aimed at ending illegal ivory trade, building enforcement capacity in Range States, developing mechanisms for sharing information on illegal trade and coordinating law enforcement within and between Parties, bringing domestic ivory trade under stringent control in designated ivory importing countries and halting domestic ivory trade in other countries. With these aims in mind, three draft Decisions are proposed in Annex 2 and several amendments are suggested to Resolution Conf. 10.10 (Rev. CoP12) in Annex 3.

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<sup>8</sup> SC50 Doc. 21.1 (Rev. 1).

<sup>9</sup> SC50 Doc. 21.1 (Rev. 1) Annex.

<sup>10</sup> SC50 Sum. 4 (17/03/2004) (Rev. 1).

<sup>11</sup> Prop. 12.10.

<sup>12</sup> Report of the CITES Panel of Experts on the African Elephant, 7 Feb 1997.

<sup>13</sup> Doc. SC.41.6.1 (Rev.) Annex 2.

<sup>14</sup> *Safari Operators Lose 90% of Their Game*, Zimbabwe Independent, 21 June 2002; *The latest refugees from Mugabe’s lawless Zimbabwe - hundreds of elephants*, The Guardian, 29 December 2003.

12. Twenty years free of trade would also assist the development of the programme for Monitoring Illegal Killing of Elephants (MIKE) by allowing the collection of data during a period where it will not be affected by CITES decisions on elephants, and provide an opportunity to develop MIKE at sites where reliable baseline information did not exist prior to introduction of the programme with the aim of bringing all MIKE sites up to a similar level of implementation.

## Annex 1

Table: Status of domestic ivory trade in 15 African Range States<sup>#</sup>

<b>Country</b>	<b>Domestic trade in raw ivory</b>	<b>Internal sales of worked ivory</b>
Democratic Republic of Congo (DRC)	Apparently illegal. Raw ivory used for carving is from internal sources.	Apparently legal. Openly on sale. 4,324 items seen in 28 outlets. 13 workshops visited.
Gabon	Illegal	Illegal but 462 items seen in 8 outlets. No workshops found.
Central African Republic (CAR)	Approved ivory can be sold by government.	Openly on sale. Most ivory used for carving is illegal, apparently from internal and external sources. 2,219 items seen in 26 outlets. 3 workshops visited.
Cameroon	Can be possessed, transported and traded internally with Certificate of Origin.	Legal under permit. Openly on sale, all from illegal sources. 6,015 items seen in 43 outlets. 7 workshops visited.
Nigeria*	Apparently legal. DRC, CAR and Cameroon main sources.	Apparently legal. Openly on sale. 5,966 items seen in 40 outlets. 5 workshops visited.
Cote d'Ivoire*	Domestic trade in ivory tusks banned. DRC, CAR and Cameroon main sources.	Legal to possess and sell worked ivory. Openly on sale. 20,114 pieces seen in 52 outlets. 14 workshops visited.
Senegal*	Imports illegal. May be coming in from Sudan.	Legal. Openly on sale. 4,338 items seen in 30 outlets. 2 workshops visited.
Chad		Legal. Openly on sale, apparently from CAR or Cameroon. 1,000+ items seen in 24 outlets. No workshops found.
Sudan		1,500-3,000 items seen in 34 outlets (1997). 3 workshops visited.
Ethiopia	Trade permitted if ivory obtained before 1990.	Trade permitted if ivory obtained before 1990. Openly on sale. 9,996 items seen in 54 outlets. 4 workshops visited.
Kenya	Illegal	Illegal
Zimbabwe	Legal. Raw ivory sold by National Parks & Wildlife Management Authority to local registered ivory manufacturers.	Legal. Openly on sale. 19,958 items seen in 23 outlets. Ivory manufacturers can carve items for sale to tourists as personal effects (under CITES exemption). Were about 30 ivory craftsmen in 1999, and 65 registered carvers in 2002.
South Africa	Ivory from stockpile in Kruger National Park occasionally sold locally.	Domestic trade legal. Openly on sale. 7,383 items seen in 73 outlets. One craftsman found in Johannesburg.
Mozambique	Legal. All raw ivory claimed to come from Mozambique elephants.	Legal. Openly on sale. 3,619 items seen in 52 outlets. At least 100 craftsmen in Maputo.
Namibia	Transport and possession subject to permits.	Wants to develop ivory carving industry.

#Sources: Most information in the table is from the study by Martin and Stiles conducted in 1999.<sup>15</sup> Some countries may have passed legislation since then. Additional information on Namibia, South Africa and Zimbabwe is from CITES Proposals to CoP12.<sup>16</sup>

\* These three West African countries were visited by TRAFFIC investigators in 2002. They found the ivory industry in Cote d'Ivoire was still very active but had declined to some extent, possibly due to political unrest and disruption of tourism. Ivory traders continued to be supplied by ivory of illegal origin, in particular from Central African sources, especially DRC, Cameroon, Gabon and CAR. In Senegal, TRAFFIC found very weak enforcement and more lax controls over ivory than in 1999. Dakar is a key centre of wildlife trade in West Africa and the ivory trade is protected by powerful lobbies. Most ivory on sale is imported illegally, mainly from Côte d'Ivoire. There was no evidence that ivory trade had declined since 1999. In Nigeria, the domestic ivory trade appears to be growing. Most of the raw ivory entering Nigerian markets is illegally imported from Central African sources, particularly DRC, Congo (Brazzaville), Cameroon, CAR and Gabon.<sup>17</sup>

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<sup>15</sup> *The Ivory Markets of Africa, Save the Elephants*, 2000.

<sup>16</sup> Prop. 12.7, 12.8 and 12.10, 2002.

<sup>17</sup> Courouble, M., Hurst, F. and Milliken, T., *More Ivory than Elephants: Domestic Ivory Markets in Three West African Countries*. TRAFFIC On-Line Report Series No. 8, December 2003.

## Annex 2

### Dec. xx directed to the Secretariat regarding implementation of Resolution Conf. 10.10 (Rev. CoP13)<sup>18</sup> concerning compliance with control of internal ivory trade

- a) The Secretariat should identify those Parties, in addition to the 10 countries identified in Decision 12.39, who may not have legislative, regulatory and enforcement measures that enable them to comply with the provisions in Resolution Conf. 10.10 (Rev. CoP13) regarding control of internal ivory trade;
- b) Through a Notification to Parties the Secretariat should identify those Parties that wish to be designated as ivory importing countries;
- c) Regarding Parties identified according to paragraph a) in this Decision, as well as those who wish to export registered stocks of government-owned ivory and those who wish to be designated as ivory importing countries, the Secretariat should:
  - i) inform them of the provisions of Resolution Conf. 10.10 (Rev. CoP13) relating to controls of internal trade in ivory;
  - ii) verify with the assistance of on-site missions by independent experts whether controls of internal trade in ivory and related enforcement measures comply with Resolution Conf. 10.10 (Rev. CoP13), giving priority to Parties who wish to export registered stocks of government-owned ivory, Parties who wish to be designated as ivory importing countries and Parties with apparently high levels of illegal trade and active internal ivory markets; and
  - iii) report to the Standing Committee on the results of the missions;

### Dec. xx directed to the Standing Committee regarding implementation of Resolution Conf. 10.10 (Rev. CoP13) concerning compliance with control of internal ivory trade

The Standing Committee should:

- a) consider the result of on-site missions of independent experts to assess the controls of internal trade in ivory and related enforcement measures in Parties who:
  - i) may not have legislative, regulatory and enforcement measures that enable them to comply with the provisions in Resolution Conf. 10.10 (Rev. CoP13) regarding control of internal ivory trade
  - ii) wish to export registered stocks of government-owned ivory; and
  - iii) wish to be designated as ivory importing countries;
- b) only designate Parties as ivory importing countries if their legislative, regulatory and enforcement measures are verified as complying with the provisions in Resolution Conf. 10.10 (Rev. CoP13) regarding control of internal ivory trade; and
- c) only allow the sale of registered government-owned ivory stocks from Botswana, Namibia and South Africa if their legislative, regulatory and enforcement measures are verified as complying with the provisions in Resolution Conf. 10.10 (Rev. CoP13) regarding control of internal ivory trade.

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<sup>18</sup> Reference to Resolution Conf. 10.10 (Rev. CoP13) presumes amendments may be made to Resolution Conf. 10.10 (Rev. CoP12) at CoP13.

Dec. xx directed to Parties, donors and organizations

Parties, especially those designated as ivory importing countries, as well as donors and organizations are requested to provide urgent financial and technical support to strengthen the implementation of Resolution Conf. 10.10 (Rev. CoP13) regarding control of internal ivory trade in elephant range States for, *inter alia*:

- a) building capacity for law enforcement within elephant range States;
- b) improving public awareness of the law concerning ivory trade controls;
- c) developing appropriate mechanisms for coordination and cooperation among law enforcement agencies at national and international level;
- d) enacting and enforcing legislation in accordance with the provisions of Resolution Conf. 10.10 (Rev. CoP13);
- e) introducing in Parties whose elephant populations are listed on Appendix II computerised procedures for registering and recording government-owned stocks of raw ivory that comply with Resolution Conf. 10.10 (Rev. CoP13); and
- f) urgently strengthening the provisions in their legislation concerning the implementation of CITES in general.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Revision of the preamble and selected operative sections of  
Resolution Conf. 10.10 (Rev. CoP12) on trade in elephant specimens<sup>19</sup>

NOTING that the Asian elephant, *Elephas maximus*, has been included in Appendix I since 1973;

NOTING also that the African elephant, *Loxodonta africana*, was transferred from Appendix II to Appendix I at the seventh meeting of the Conference of the Parties (Lausanne, 1989) but some populations were transferred back to Appendix II, under a set of conditions, at the 10th meeting (Harare, 1997) and at the 11th meeting (Gigiri, 2000);

RECOGNIZING that elephant range States are the best protectors of their elephants but that the majority of them lack adequate enforcement capacity to ensure the security of their elephant populations;

AWARE that illegal trade in ivory and uncontrolled domestic markets for ivory around the world present a significant threat to elephant populations;

AWARE that monitoring systems should encompass capacity-building in range States, to provide information to facilitate elephant management, and to prioritize and guide enforcement initiatives and protection efforts;

CONVINCED that the enhancement of elephant security in Africa and Asia would be facilitated by cooperation, data-sharing and mutual assistance between and among the range States;

**THE CONFERENCE OF THE PARTIES TO THE CONVENTION**

***Regarding control of internal ivory trade***

RECOMMENDS that all Parties in Africa and other Parties not designated as ivory importing countries:

- a) halt all domestic sales of raw and worked ivory;
- b) where necessary, introduce legislation making domestic sale of ivory illegal, including placing the onus of providing proof of lawful possession upon any person found in possession of ivory in circumstances from which it can be reasonably inferred that such possession was for the purpose of transfer, sale or offer for sale, exchange, import or export, or of transporting it for such purposes;
- c) issue instructions to all law enforcement and border control agencies to enforce existing or new legislation rigorously; and
- d) engage in public awareness campaigns publicizing existing or new bans on ivory sales;

~~RECOMMENDS to those Parties in whose jurisdiction there is an ivory carving industry that is not yet structured, organized or controlled~~ and to those Parties designated as ivory importing countries, that comprehensive internal legislative, regulatory and enforcement measures be adopted to:

- a) register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products;
- b) restrict ivory imports to:

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<sup>19</sup> Annexes 1 and 2 and all other operative sections of the Resolution remain unchanged.

- i) registered government-owned stocks of raw ivory marked in accordance with this Resolution (excluding seized ivory and ivory of unknown origin) in countries whose elephant populations are listed on Appendix II and from which exports have been approved by the Conference of the Parties; and
- ii) hunting trophies for non-commercial purposes in accordance with the provisions of this Resolution;
- c) restrict domestic sales of worked ivory to certified pieces than can be traced through the registration and reporting system to raw ivory that was imported legally;
- d) engage in public awareness campaigns to inform consumers that they should only purchase worked ivory which has been certified as originating from legally imported stocks;
- be) establish a nationwide procedure, particularly in retail outlets, informing tourists and other non-nationals that they should not purchase ivory in cases where it is illegal for them to import it into their own home countries; and
- ef) introduce computerised recording and inspection procedures to enable the Management Authority and other appropriate government agencies to monitor the flow of ivory within the State and to trace worked ivory back to the tusk or piece of raw ivory and the country from which it originated, particularly by means of:
  - i) compulsory trade controls over raw ivory; and
  - ii) a comprehensive and demonstrably effective certification, reporting and enforcement system for worked ivory;

RECOMMENDS that Parties whose elephant populations are listed in Appendix II:

- i) introduce computerised procedures for registering and recording government-owned stocks of raw ivory that are compatible with such procedures in designated ivory importing countries; and
- ii) enable all worked ivory on sale in designated importing countries to be traced back to the tusk or piece of raw ivory and the country from which it originated;

RECOMMENDS that all Parties, particularly elephant Range States, those that have been designated ivory importing countries and those involved in illegal ivory trade, should:

- a) take effective measures to prevent illegal export, transit and import of ivory;
- b) ensure that wildlife law enforcement agencies:
  - i) provide information on incidents of illegal ivory trade to Interpol, the CITES Secretariat and relevant authorities in other countries involved in the illegal trade using the ECOMESSAGE format; and
  - ii) are responsive and act upon information provided to them on illegal ivory trade;
- c) work together to develop appropriate mechanisms for cooperation and coordination between wildlife law enforcement agencies, at both national and international level, to combat illegal ivory trade; and
- d) provide the necessary political and financial support to their wildlife law enforcement agencies to enable them effectively to combat illegal trade in ivory;

URGES the Secretariat, where possible, to assist Parties in introducing and, where necessary, improving these legislative, regulatory and enforcement measures; and

DIRECTS the Standing Committee to undertake a regular review of actions taken by consumer States all Parties to improve legislation and enforcement measures and to report the results at each meeting of the Conference of the Parties;

### ***Regarding compliance with control of internal trade***

DIRECTS the Secretariat, with reference to the findings of ETIS and MIKE and within available resources to:

a) identify all Parties whose legislative, regulatory and enforcement measures may not enable them to comply with the provisions in this Resolution regarding control of internal ivory trade;

~~a) to identify those Parties with an ivory carving industry and internal ivory trade whose domestic measures do not provide them with the authority to:~~

~~i) register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products;~~

~~ii) assert compulsory trade controls over raw ivory; and~~

~~iii) establish a comprehensive and demonstrably effective reporting and enforcement system for worked ivory;~~

~~b) to seek from each Party so identified information indicating the procedures, action and time frames that are needed in order to establish the measures necessary to properly effect the recommendations regarding internal ivory trade; and~~

~~c) to report its findings, recommendations or progress to the Standing Committee, which shall consider appropriate measures, including restrictions on the commercial trade in specimens of CITES-listed species to or from such Parties; and~~

URGES countries designated as ivory importing countries to provide financial assistance to enable the Secretariat and Standing Committee to conduct effective verification, through on-site missions where necessary, of whether Parties comply with the provisions in this Resolution regarding control of internal ivory trade; and

DIRECTS the Secretariat, dependent on available resources, to provide technical assistance to Parties to develop practical measures to regulate their internal ivory trade;

### ***Regarding quotas for raw ivory and trade in raw and worked ivory***

RECOMMENDS that:

a) Parties whose elephant populations are listed on Appendix II set zero quotas for exports of raw and worked ivory, except raw ivory exported as hunting trophies for non-commercial purposes, for a period of 20 years following the conditional sale of registered ivory stocks agreed at the 12<sup>th</sup> meeting of the Conference of the Parties;

~~a b) each State that has a population of African elephants and wishes to authorize export of raw ivory as hunting trophies for non-commercial purposes establish, as part of its management of the population, an annual export quota for raw ivory such trade expressed as a maximum number of tusks;~~

~~b c) each export quota be communicated to the CITES Secretariat in writing by 31 December for the next calendar year;~~

~~e d) Parties ensure that significant amounts of confiscated ivory are notified separately to the Secretariat and are not incorporated in quota submissions;~~

~~d e) the CITES Secretariat assist in the implementation of the quota system by: reviewing information submitted on each quota, together with any information received about the status of the population in question; discussing any concern with the relevant State; and, if there is no cause for concern, communicating the current quota to the Parties not later than 31 January of each year;~~

e f) the Secretariat maintain its Ivory Trade Control Procedures Manual and that the Parties follow the procedures for quota submissions documented in this Manual;

f g) if the quota is not submitted by the deadline, the State in question have a zero quota until such time as it communicates its quota in writing to the Secretariat and the Secretariat in turn notifies the Parties;

g h) no export, re-export or import of raw ivory be authorized unless it is marked in accordance with this Resolution or in accordance with the Secretariat Manual;

h i) After the conditional sale of ivory stocks agreed at the 12<sup>th</sup> Conference of the Parties has taken place, Parties accept raw ivory only as hunting trophies for non-commercial purposes from producer States and only where the export permit was issued in a year for which a quota for the State in question has been communicated to the Parties in accordance with this Resolution;

i j) Parties may only accept raw ivory as hunting trophies for non-commercial purposes from a producer non-party State and only if a quota for that State has been reviewed by the Secretariat and communicated to the Parties and if the Secretariat has received from the State an annual report on its ivory trade, and if the State meets all the other conditions in this Resolution and Article X of the Convention (as interpreted by Resolutions of the Conference of the Parties);

j k) in compiling their annual reports, producer party and non-party States that have authorized the export of raw ivory relate such exports to their quota for any given year, providing the Secretariat with as much relevant information as possible, including, as a minimum, the number of whole or substantially whole tusks and their individual weights and identification numbers;

k l) all Parties maintain an inventory of the stock of raw ivory held within their territory, and that they inform the Secretariat of the level of this stock each year before 31 January, indicating the source of the ivory;

m) the Secretariat reports to each Conference of the Parties on the levels of raw ivory stocks held within the territories of Parties; and

l n) Parties assist the Secretariat to ensure that the duties set out in this Resolution are carried out; and

***Regarding resources required for implementation of this Resolution***

APPEALS to all governments, intergovernmental organizations, international aid agencies, non-governmental ~~conservation~~ organizations and other appropriate agencies to provide funds for the resources required in the Secretariat and producer elephant Range States to ensure that the recommendations in this Resolution can be effectively implemented; and

REPEALS Resolution Conf. 9.16 (Fort Lauderdale, 1994) – Trade in African elephant ivory.