

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

Sixth dialogue meeting of African elephant range States
Bangkok (Thailand), 28-30 September 2004

Trade in elephant specimens

CONTROL OF INTERNAL IVORY TRADE

1. This document has been prepared by the Secretariat.
2. Unregulated domestic ivory markets have been identified as the most significant source of illicit international trade in ivory. They undermine the efforts of elephant range States to conserve elephant populations and their existence aids wildlife criminals in circumventing the work of CITES, which is to prevent illegal and unsustainable international trade in ivory. It is likely that unregulated ivory sales in Africa are currently the biggest obstacle to conservation efforts by range States and CITES.
3. Commercial sales of ivory from Appendix-I elephant populations, whether they occur at the national or international level, are incompatible with such a protection status under the Convention.
4. The Conference of the Parties, in Resolution Conf. 10.10 (Rev. CoP12) (Trade in elephant specimens) and Decisions 12.36-12.39, has determined that special attention must be given to the control of internal ivory trade and it expects that relevant Parties will take actions beyond those that might normally be expected within CITES. The precedent for such a focus on domestic sales has already been taken by the Conference in relation to species such as the tiger and sturgeons.
5. At its 50th meeting (Geneva, March 2004), the Standing Committee endorsed a recommendation from the Secretariat that a continent-wide approach should be taken in Africa to eliminate unregulated domestic ivory markets. It was recognized that such markets are widespread and that insufficient action was being taken by many range States and States where illicit trade occurs. It was noted that many Parties already have national legislation that regulates domestic trade in and possession of ivory but that this is often not enforced. In some Parties enforcement is grossly inadequate. The Secretariat was directed to develop further its action plan to tackle illicit trade in ivory, in conjunction with African elephant range States.
6. The medium and long-term aim of the proposed plan in the Annex is to put in place controls that will prevent illegal and unsustainable trade in ivory.

Draft action plan for the control of trade in African elephant ivory

1. All African elephant range States¹ should urgently:
 - a) prohibit the domestic sale of ivory (raw, semi-worked or worked). Legislation should include a provision which places the onus of providing proof of lawful possession upon any person found in possession of ivory in circumstances from which it can reasonably be inferred that such possession was for the purpose of unauthorized transfer, sale, offer for sale, exchange, export of or transporting ivory for such purposes;
 - b) issue instructions to all law enforcement and border control agencies to enforce existing or new legislation rigorously; and
 - c) engage in public awareness campaigns publicizing existing or new prohibitions on ivory sales.
2. Parties should, by 31 March 2005, report to the Secretariat on progress made. Such reports should include details of seizures, copies of new legislation, copies of administrative instructions or orders to enforcement agencies and details of awareness campaigns. The Secretariat should report on Parties' progress at the 53rd meeting of the Standing Committee.
3. In the interim, the Secretariat should work with the relevant countries in Africa to provide any technical assistance that may be necessary to aid the implementation of the action plan.
4. The Secretariat should also engage in efforts to publicize the present action plan and the subsequent halting of domestic ivory sales in individual African countries through contacting relevant organizations such as airlines and IATA. It should also, via ICPO-Interpol and the World Customs Organization, communicate with the heads of police and Customs authorities in Africa, advising them of this initiative. Furthermore the Secretariat should request all Parties, on a worldwide basis, to publicize the action plan, particularly to discourage persons travelling to Africa from purchasing raw, semi-worked or worked² ivory and to encourage border control authorities to be alert to illegal imports of ivory and to make every effort to intercept illicit movements of ivory.
5. All elephant range States are recommended to cooperate with existing research projects studying the identification of ivory, especially by supplying relevant samples for DNA and other forensic science profiling.
6. The Secretariat should seek the assistance of Governments, international organizations and non-governmental organizations in supporting the work to eradicate illegal exports of ivory from the African continent and the unregulated domestic markets that contribute to illicit trade.
7. At the 13th meeting of the Conference of the Parties, the Secretariat should seek the agreement of the Parties that it would, from 1 June 2005, ensure that work is undertaken, including *in situ* verification missions where appropriate, to assess, on a country-by-country basis, progress made with the implementation of the action plan. Priority should be given to those Parties that are identified during research by the Secretariat and through other appropriate sources of information to have active and unregulated internal markets for ivory. Priority should be given to Cameroon, the Democratic Republic of the Congo, Djibouti, Nigeria and any other country identified through ETIS.
8. In cases where Parties or non-Parties are found not to implement the action plan, or where ivory is found to be illegally sold, the Secretariat should issue a Notification to the Parties advising them that the Conference of the Parties recommends that Parties should not engage in commercial trade in specimens of CITES-listed species with the country in question.
9. The Secretariat should report upon the implementation of the action plan at each meeting of the Standing Committee.

¹ Except any Party with an annotation authorizing trade in worked ivory.

² Except Parties where the export of worked ivory for non-commercial purposes is lawful.