

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

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STATEMENT OF THE DELEGATION OF INDIA REGARDING PROPOSALS FOR THE REOPENING OF INTERNATIONAL TRADE IN IVORY FROM THE AFRICAN ELEPHANT (*LOXODONTA AFRICANA*).

At the very outset, we will like to put on record that India is not immune to the concerns of the southern African countries. We share their concerns about the increasing population of their elephants and the need for generating revenue for managing these populations. We also appreciate many aspects of their elephant management system and will like to take advantage of their experience and skills. In fact both Kenya and India have been sympathetic and reasonably flexible to the needs of the southern African countries. In the joint meeting of the African and the Asian range countries held in Nairobi last September, Kenya and India had offered some concessions to the southern African countries. They had offered to consider the issue regarding non-ivory trade in such elephant derivatives as are not detrimental to elephants. India had, in particular, offered to consider with an open mind that part of the proposal from South Africa and other proponents which speaks about export of live animals for the purpose of re-introduction elsewhere. We still stand by that offer.

But as far as the trade in ivory is concerned, we are not convinced that the time for reopening of the international ivory trade has come. And this is one point about which we expect our friends from the southern African countries to understand our concerns. Here, we will also like to recall that India was one of the first countries to ban domestic trade in ivory after the inclusion of the African elephant in Appendix-I of CITES in 1989. This was done with a view to help in the protection of the African elephant. Now, it is natural to expect the African countries to understand our concerns.

India is not a range country for the African elephant, but we are definitely a major stakeholder in the international ivory trade. India has full respect for the management system selected by the southern African range countries for their elephants. But the world has become very small and very often, we are affected by the decisions taken by countries situated far away. International trade in the African ivory is one such issue which affects the status of the Asian elephants and that is why India became a party to the current debate.

The status of the Asian elephant is anything but satisfactory. In all the Asian range countries, elephant are already under tremendous pressure on account of loss of habitat, conflict with humans and various other factors. The proportion of adult bulls is already below the normal in many populations on account of poaching of tuskers in the past. Under such circumstances, even a small level of poaching for ivory may prove disastrous for the Asian elephants. It has been very clearly stated in the report prepared by Martin and Stiles that elephant populations in Cambodia, Laos and Vietnam have suffered greatly due to the trade in ivory. Same is the case with most other Asian range countries. Now the question is whether a decision by CITES to reopen ivory trade affects the Asian populations. Our experience in Asia says yes, it does. Martin & Stiles have recorded stockpiling of ivory by the traders in the wake of the CITES' decision for one-off export of ivory to Japan in 1999. There is no reason to believe that this stockpiling was only for the African ivory and not for the Asian ivory. In the illegal markets, nobody bothers to distinguish between the ivory from the Asian elephant and the African elephant. In the recent years, enforcement agencies in India have made some big seizures of the signature seals made of ivory commonly known as *hankos*. Apparently, these were meant for the Japanese markets because *hankos* have no use elsewhere. Investigators have also recorded *hankos* in various other carving centres in the Asian range countries. Therefore, there is a demand in Japan for the Asian ivory. We also have some circumstantial evidence to suggest that ivory from the elephants poached in the north-eastern India and Myanmar is going to China. In fact, the ETIS report submitted to this COP has identified China as a major player in the illegal ivory trade. And this COP has also been informed through a document circulated by the Chinese delegation that the ivory markets in their country have been stimulated by that controversial one-off sale of ivory from Africa to Japan in 1999 under the authority of CITES. Therefore, Asian elephants are definitely influenced by the decisions of CITES in respect of the African elephants. As we said earlier, elephant populations in many Asian countries are already paying a price for it. India, harbouring over 55% of the Asian elephants, is quite worried about these developments. This is despite the fact that India makes very serious efforts for the protection and management of her elephant population, which is fortunately stable at the moment. But all these efforts will go waste unless the ivory markets in the major consumer countries are brought under some discipline. We will like to point out that India does not manage elephants for making money. We manage them for their ecological and cultural values. We will also like to point out that unlike the African elephant which has many strongholds in Africa, India is perhaps the only hope for the Asian elephant in future. That is why we are alarmed by the proposals to reopen export of ivory from Africa.

The proponents of ivory trade have argued that the trade will be restricted to countries with relevant legislation and domestic trade control. They have also said that this ivory will not be re-exported and the provisions of resolution 10.10 (Rev.) will be followed. But they have not specified which are their prospective buyers. Probably they have Japan or China in mind. There is, however, sufficient information in the reports of the ETIS, Martin & Stiles, Environmental Investigation Agency, Japan Wildlife Conservation Society and many other investigators that the so called ivory-control measures in Japan and China are anything but satisfactory and their traders have no hesitation in accepting illegal ivory from whatever source and at whatever price. It does not give us confidence to know that the southern African countries will be exporting their ivory to Japan or China or, for that matter, to any other major consumer country. Recent seizure of 6 tonnes of ivory in Singapore and other major ivory seizures in China and various other countries prove without doubt that there is total anarchy in the international ivory markets. The legally acquired ivory is being used for providing a cover to the illegal stocks of ivory. Any further addition of ivory to these markets under the authority of CITES will further compound the problem. We are of the view that this COP should have paid its attention to finding ways for bringing the consumer countries under discipline rather than to opening of the ivory trade. This COP should have confined itself to dealing with the ivory mafias and enhancing the enforcement capability of the Parties to clean up the mess that we see in the international ivory markets today.

The proponents of ivory trade have offered to defer the export of ivory from their countries to a period of 18 months from the date of approval of their proposals. They have argued that by this time, results of MIKE would be available. This is a cruel joke. We will like to point out that the COP had instituted MIKE as a monitoring system in 1997 to generate reliable data for making intelligent decisions about the ivory trade. But in 1999, a decision to export ivory to Japan was made without the help of MIKE, which, as the subsequent developments have shown, was a big mistake. This time again, the COP has been asked to permit ivory trade without the benefit of MIKE. What use is MIKE after 18 months from now if the ivory trade is already permitted? The proponents of ivory trade are trying to present the COP with a fait accompli. The COP can not be expected to take a balanced decision on the issue of ivory trade until the results of MIKE are received. The proponents of ivory trade should also not set up arbitrary and unrealistic time limit for MIKE. Mr. Nigel Hunter, the Director of MIKE, has stated in one of his reports that MIKE would not be able to give a meaningful and objective report before the COP13. So, in the fitness of things, the question of opening ivory trade should have been deferred till the next COP.

Some of the proponents of ivory trade have mentioned about sharing the benefits of conservation of elephants with the local communities. It is indeed a noble idea. We can not afford to ignore the local communities. But the fact remains that a large chunk of the benefits from the ivory trade goes to poachers, smugglers, mafias and other unscrupulous businessmen and the local communities get only the peanuts. In India, we sometimes get news about the involvement of some groups of terrorists and insurgents in the smuggling of ivory for the purpose of procuring weapons. Similar news is often received from various other Asian and African countries. It must be remembered that by legitimising ivory trade, we might be inadvertently helping various illegal elements.

As far as the communities are concerned, there may be better alternatives for helping them. They may be helped through eco-development works, eco-tourism activities or usufruct-sharing from the forests. There are many good models for this purpose in different countries. We are sure, the elephant-managers of the southern African countries are capable of developing some alternative models for community development which do not depend on ivory trade. We are also sure that they will get the support of the NGOs and donor agencies in this venture.

India does not believe in using the laws of economics for justifying the conservation of elephants. But we have no intention of imposing our belief on other countries. However, somewhere in the proposals of the proponent countries lies an implicit argument that the elephants should pay for their conservation. They have been taking the plea that they can not protect their elephants unless they earn money from selling ivory. This we feel is a dangerous proposition because it implies that elephants will not be protected by the concerned governments if, at some point of time in future, the ivory ceases to be a profitable commodity. We sincerely believe that the southern African countries are aware of the dangers inherent in following such a policy. We also believe that, with their scientific competence, they have the capability of finding alternative solutions to the problems of over-abundance of elephants. Elephants can be conserved even without depending upon the ivory trade. It may be a difficult task, but it is safer than trying to conserve elephants through ivory trade. And it is always prudent to follow a safer path.

India remains committed to the cause of conservation of both the Asian and the African elephants irrespective of the decisions of COP 12.