

CITES and the Ivory Trade

This fact sheet summarizes the major milestones in governments' attempts to secure the future of the African elephant through intergovernmental accord concerning the ivory trade. After more than two decades of contradictory policies and proposals, the illegal killing of elephants attendant to the ivory trade is accelerating, and most populations of elephants continue to be under serious threat from poaching.

Background

1. In 1979 there were an estimated 1.3 million African elephants. Today, fewer than 400,000 remain; some authorities estimate the number to be considerably lower.
2. The loss of a million elephants has been due primarily to killing for ivory. Natural habitat loss is a second important factor: human population has tripled in elephant range states since 1970.
3. Major public awareness campaigns have been launched worldwide to save the elephant and halt the illegal trade in ivory.
4. In October 1989, at the seventh meeting of the CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) Conference of the Parties (CoP7), governments banned international trade in ivory with effect from January 1990.
5. In November 2012 USA Secretary of State Hilary Clinton called on world leaders to halt the epic slaughter of elephants and underscored the connection between international illegal wildlife trade and increasing social and economic insecurity worldwide. In January 2013, Kenya's Prime Minister, Raila Odinga, stated that poaching in Kenya was clearly part of a growing global surge fuelled by the huge demand for ivory in Asia and that Kenya had a duty to secure her wildlife for posterity and for economic well-being. Also in January, the CITES Secretary General John Scanlon called the illegal ivory and rhino horn trade "serious crime", requiring "serious resources and serious penalties" to redress. He said finding better ways to crack down on the illegal trade of ivory and rhino horn were among the top issues on the current CITES agenda.
6. The links between the ivory trade and the illegal killing of elephants are evident (see KEF Fact Sheet 02-2013, *The Ivory Trade and Elephant Poaching*). Unless action is taken based on good information and sound policy, elephants will be gone from most of their former range within our lifetimes.

The International Mechanism

7. CITES is an international treaty ratified by 177 member countries or Parties. The aim of the treaty is to ensure that international trade in specimens of wild fauna and flora does not threaten the survival of species.
8. CITES works through a licensing system by which international trade in specimens of selected species of wild fauna or flora is authorized subject to conditions. The species covered by CITES are listed under three Appendices. Listing is determined by the degree of protection a species requires. Appendix I affords the highest level of protection. It is accorded to species threatened with extinction and it bans their commercial trade. Appendix II and Appendix III species are not necessarily threatened with extinction, but international trade in them needs to be controlled to ensure their survival. The Appendices are augmented in agreed-upon Annotations by the Parties.
9. Parties to CITES meet every two to three years at the Conference of Parties (CoP) to review the implementation of the convention. The last meeting was CoP15 held in Doha, Qatar, 13-25 March 2010. The next meeting will be held in Bangkok, Thailand, 3-14 March 2013.
10. Elephant issues have formed an important part of the discussion at CITES since the 1980s when intense poaching across Africa led to the near extinction of the elephant in parts of the continent and its subsequent listing in Appendix I at CoP7 in 1989 (see KEF Fact Sheet 02-2013, *The Ivory Trade and Elephant Poaching*).
11. Since 1989 when the Parties to CITES CoP7 listed the African elephant in Appendix I, there have been proposals to transfer some elephant populations to Appendix II and to allow international trade in ivory:
 - **1992 (CoP8).** Botswana, Malawi, Namibia and Zimbabwe presented a joint proposal to transfer their elephant populations from Appendix I to II. This proposal was withdrawn after discussions.
 - **1994 (CoP9).** Sudan and South Africa proposals to transfer their populations to Appendix II were withdrawn.
 - **1997 (CoP10).** Botswana, Namibia and Zimbabwe elephant populations were 'downlisted' from Appendix I to II (Annotation 5). They were allowed to sell 50 tonnes of raw ivory stocks to Japan.
 - **2000 (CoP11).** The South Africa elephant population was downlisted from Appendix I to II. Proposals from Botswana, Namibia and Zimbabwe to allow further trade in ivory were withdrawn.
 - **2002 (CoP12).** Namibia, Botswana and South Africa were allowed to trade 60 metric tonnes of ivory, subject to conditions to be verified. A proposal for an annual quota for export of raw ivory from Namibia was withdrawn. A proposal from Zambia to downlist its elephant population and proposals for sales of raw ivory from Zambia and Zimbabwe were rejected.
 - **2004 (CoP13).** Namibia and South Africa presented trade proposals. Namibia was only allowed trade in *ekipas* (traditional amulets) incorporated in finished jewellery for non-commercial purposes and trade in elephant leather and hair goods for commercial purposes. The South African proposal for commercial trade in leather and hair goods was adopted.

- **2007 (CoP14).** A nine-year moratorium on trade by current Appendix II countries was approved in Annotation 5 to the Appendices, intending to provide a 'resting period' during which the Parties would present no further ivory trade proposals for consideration. A one-off sale of 108 tonnes of ivory from Botswana, Namibia, South Africa and Zimbabwe was approved, including the 60 tonnes approved at CoP12 and expanded to all government owned stocks registered by 31st January, 2007.
- **2010 (CoP15).** The Tanzania and Zimbabwe proposals to transfer their elephant populations currently listed in Appendix I to Appendix II were rejected. They had requested to be allowed to sell between them approximately 120 tonnes of ivory to trading partners designated by the Standing Committee and to be allowed to trade in raw hides and live animals, and in hunting trophies for non-commercial purposes (see KEF Fact Sheet 04-2010 *Proposals on the African Elephant for CITES CoP16*).

Kenya withdrew its proposal (that had been supported by the 24 Range States of the African Elephant Coalition) for a twenty-year moratorium on the submission to the CoP of any further proposals to allow trade in elephant ivory from populations already in Appendix II.

- **2013 (CoP16).** Tanzania withdrew before the meeting a proposal similar to that submitted to CoP15, with the size of the Tanzania stockpile having increased from 90t to 101t.

Nigeria and Rwanda have submitted a proposal calling upon all parties to contribute to the African Elephant Fund to support implementation of the African Elephant Action Plan, and directing the Secretariat to include such fundraising into its overall CITES fundraising strategy.

Kenya and Burkina Faso, on behalf of the African Elephant Coalition, have submitted a proposal to amend Annotation 5 of the CITES Appendices (concerning the African elephant). The Annotation currently reads "no further proposals to allow trade in elephant ivory from populations *already* in Appendix I 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..." However, this wording opens the possibility that some populations could be downlisted after 2008 and not be subject to the moratorium. The proposed new wording closes this loophole by amending the Annotation to: "no further proposals to allow trade in elephant ivory from *any* populations in Appendix II".