

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

Fiftieth meeting of the Standing Committee
Geneva (Switzerland), 15-19 March 2004

Interpretation and implementation of the Convention

DETERMINATION OF DETRIMENTAL IMPACT

1. This document has been prepared by the Secretariat.
2. At its 49th meeting (Geneva, April 2003), the Standing Committee agreed that the Secretariat would prepare a discussion document for its following meeting that would detail how the Standing Committee might determine that a "detrimental impact on other elephant populations had occurred". Furthermore, this document should integrate the requirements of section 5) of the annotation in the Appendices regarding the populations of African elephant, *Loxodonta africana*, of Botswana, Namibia and South Africa (listed in Appendix II), and of Decision 12.34.
3. Decision 12.34 states that:

The Standing Committee shall determine how it would conclude that a detrimental impact on other elephant populations had occurred as a result of approved trade in ivory.
4. The relevant part of section 5) of the annotation for populations of *Loxodonta africana* of Botswana, Namibia and South Africa states that:

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.
5. This issue has been addressed previously by the Standing Committee, when it considered what would trigger action to cease the experimental trade in ivory that had been agreed at the 10th meeting of the Conference of the Parties [Harare, 1997; see document Doc. SC.41.6.4 (Rev.2) in the Annex].
6. The Secretariat suggests that the following procedure would satisfy the requirements of Decision 12.34 and of section 5) of the annotation to *Loxodonta africana* populations from Botswana, Namibia and South Africa:
 - a) The reporting and monitoring procedures already in place in MIKE and ETIS will provide the Secretariat with information on rates and levels of illegal hunting and trade in elephant specimens.

- b) The Secretariat will work with the Parties that report an important increase in illegal hunting of elephants or illegal trade in elephant specimens to establish the veracity of such reports and the linkage, if any, to the commercial trade in raw ivory.
- c) If the Secretariat determines that there is reason for concern, it will report to the Chairman of the Standing Committee and to the Parties concerned and will formulate recommendations, taking a precautionary approach acting in the best interests of conservation.
- d) If the Secretariat concludes that there has been an important increase in either illegal hunting of elephants or illegal trade in elephant specimens owing to the commercial trade, it will recommend to the Standing Committee that international trade in all specimens referred to in the annotation in the Appendices regarding the *Loxodonta africana* populations of Botswana, Namibia and South Africa be halted. Furthermore, the Secretariat will ask the Standing Committee to request the Depositary Government to propose, at the following meeting of the Conference of the Parties, that all Appendix-II populations of this species be transferred to Appendix I.

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

Forty-first meeting of the Standing Committee
Geneva (Switzerland), 8-12 February 1999

Issues relating to species

Elephants

OPERATIONAL PROCEDURE REGARDING IMPLEMENTATION OF
PARAGRAPH g) OF DECISION 10.1, PART A

1. Pursuant to paragraph 2(b) of the Decision of the Standing Committee taken at its 40th meeting 'Regarding Decisions Adopted at the 10th Meeting of the Conference of the Parties Relating to Elephants', with respect to the mechanism it was required to put in place to discharge the requirement of paragraph (g) of Decision 10.1, Part A, the Secretariat will adopt the following procedure.
2. The reporting and monitoring procedures already in place using the Incident Report Form on Illegal Hunting of Elephants and the National Reporting Form on Illegal Killing of Elephants and ETIS will provide the Secretariat with information on rates and levels of illegal hunting and/or trade in elephant specimens.
3. The Secretariat will work with the Parties that report an important increase in illegal hunting of elephants or illegal trade in elephant specimens, to establish the veracity of such reports and the linkage, if any, to the experimental commercial trade in raw ivory.¹
4. If the Secretariat determines that there is reason for concern, it will report to the Chairman of the Standing Committee and to the Parties concerned and will adopt a precautionary approach acting in the best interests of conservation in formulating its recommendations.
5. If the Secretariat establishes non-compliance with the conditions in Decision 10.1, Part A, by one or more of the Parties involved, it will recommend to the Standing Committee that international trade from the State or States concerned in specimens referred to in Annotation 604 of Appendices I and II be halted, pursuant to paragraph g) of the Decision.
6. If the Secretariat concludes that there has been an important increase in either illegal hunting of elephants or illegal trade in elephant specimens owing to the experimental commercial trade, it will recommend to the Standing Committee that international trade in specimens referred to in Annotation 604 of Appendices I and II be halted, pursuant to paragraph g) of the Decision.
7. The Secretariat will report to the Parties at least every six months on the implementation of this procedure.

¹ Information on escalation of illegal hunting of elephants will become more precise once MIKE begins to provide better information on 'background rates' of poaching.