

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



Fifty-eighth meeting of the Standing Committee
Geneva (Switzerland), 6-10 July 2009

Interpretation and implementation of the Convention

Species trade and conservation

Elephants

CONTROL OF TRADE IN ELEPHANT IVORY

1. This document has been prepared by the Secretariat.

Introduction

2. This document focuses on implementation of the Action plan for the control of trade in elephant ivory adopted at the 14th meeting of the Conference of the Parties (CoP14, The Hague, 2007).
3. The Action plan requires the Secretariat to distribute a questionnaire seeking information about Parties' domestic ivory trade controls. Such a questionnaire was distributed with Notification to the Parties No. 2007/029 of 17 September 2007.
4. At CoP14, the Conference of the Parties decided that a recommendation to suspend commercial trade in specimens of CITES-listed species would take immediate effect in respect of elephant range States that featured in the ETIS report presented at the meeting that failed to submit a completed questionnaire by 31 December 2007. On 13 February 2008, the Secretariat issued Notification to the Parties No. 2008/011, recommending the suspension of commercial trade in CITES-listed species in respect of 13 range States. However, by the time of writing (April 2009), the recommendation remained in force in respect of only two range States: Gabon and Somalia.
5. The Secretariat has shared the completed questionnaires with TRAFFIC's East/Southern Africa Regional Office, which is responsible for the maintenance of the ETIS database, but an analysis of the information has yet to be conducted.
6. The Secretariat is aware of a number of surveys conducted by individuals and non-governmental organizations, which raise concern about the ready availability of ivory in the domestic markets in a number of countries of Asia (other than those designated as CITES 'trading partners'). To date, the Secretariat has had no resources available to look into such reports or conduct the *in situ* verification work called for in the Action plan.

Ethiopia

7. The Committee may recall that the Secretariat previously praised the work of the authorities in Ethiopia for their efforts to eradicate illegal domestic trade in ivory, particularly a major operation that was conducted in Addis Ababa in early 2005. It appears, however, that such trade has started to re-emerge.

8. The Secretariat wrote to the CITES Management Authority of Ethiopia in early October 2008, expressing its concern in relation to the findings of a survey conducted by TRAFFIC, which found large quantities of ivory openly on sale in Addis Ababa. The Secretariat reminded the authority that point 7 of the Action plan contains non-compliance measures. The Secretariat has yet to be advised by Ethiopia of what action it intends to take to address the re-emerging trade. It will report orally at the present meeting if information is received from Ethiopia.

Zimbabwe

9. At CoP14, the Secretariat reported in document CoP14 Doc. 53.1 on the work that it had conducted to verify that Zimbabwe's controls in relation to its domestic trade in ivory remained adequate. At the time it prepared that document, the Secretariat believed that they did.
10. However, the Secretariat has subsequently had reason to question whether the controls are being implemented adequately, as it is aware of at least two incidents where raw ivory has been exported, accompanied by the export permits that traders are authorized to issue for trade in ivory carvings. This demonstrates not only fraud on the part of traders but also that export permits and ivory are not being examined by Customs officers at the time of export, which is a mandatory requirement in Zimbabwe's control system.
11. The primary concern of the Secretariat is, however, that there seems little or no evidence that the prosecution or judicial authorities in Zimbabwe are responding in a meaningful manner to such cases. The Secretariat is aware of a major case that has apparently never reached conclusion in court and several others where those responsible for illegal trade have been identified, yet no one appears to have been penalized. The Secretariat suspects that the current lack of penalization of illegal activities offers no deterrent whatsoever to unscrupulous persons.
12. The Secretariat has advised the CITES Management Authority of Zimbabwe of its concerns and awaits further information. It will report further orally at the present meeting.