

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



Nineteenth meeting of the Conference of the Parties
Panama City (Panama), 14 – 25 November 2022

Species specific matters

Elephants (Elephantidae spp.)

IVORY STOCKPILES:
IMPLEMENTATION OF RESOLUTION CONF. 10.10 (REV. COP18)
ON *TRADE IN ELEPHANT SPECIMENS*

1. This document has been submitted by Benin, Burkina Faso, Equatorial Guinea, Ethiopia, Gabon, Kenya, Liberia, Niger, Senegal and Togo.¹

Summary

2. The present document builds on the appeal from the Standing Committee at its 74th meeting (SC74, Lyon, March 2022) for “Parties to step up their efforts to comply with the provisions of paragraph 7 e) of Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens* concerning stockpiles, with a view of submitting the required information to the Secretariat every year” and the decision at SC74 to recommend renewal of Decisions 18.184 and 18.185 at CoP19.² This document proposes amendments to the Decisions proposed for renewal at CoP19 and suggests additional Decisions to enhance reporting and security of ivory stockpiles, along with changes to the declaration form the Secretariat provides by Notification to CITES Parties, with the goal of improving responses to and compliance with Resolution Conf. 10.10 (Rev. CoP18) paragraph 7.

Introduction

3. Asian elephants and African elephants are listed on Appendix I aside from four populations of African elephant listed on Appendix II.³ Population declines due to historic and sustained pressure from poaching and ivory trafficking to meet global demand for ivory led to these listings and the continued need for a commercial ivory trade ban.
4. Elephants in Africa were recently assessed by the African Elephant Specialist Group (AfESG) for IUCN's Red List, which concluded that savannah elephants (*Loxodonta africana*) are Endangered⁴ and forest

¹ The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

² SC74 Sum. 12 (Rev. 1) (11/03/2022) <https://cites.org/sites/default/files/eng/com/sc/74/exsum/E-SC74-Sum-12-R1.pdf>

³ CITES Appendices (valid from 11 June 2021) <https://cites.org/eng/app/appendices.php>

⁴ Gobush, K.S., Edwards, C.T.T., Balfour, D., Wittemyer, G., Maisels, F. & Taylor, R.D. 2021. *Loxodonta africana* (amended version of 2021 assessment). The IUCN Red List of Threatened Species 2021: e.T181008073A204401095. <https://dx.doi.org/10.2305/IUCN.UK.2021-2.RLTS.T181008073A204401095.en>.

elephants (*Loxodonta cyclotis*) are Critically Endangered.⁵ Asian elephants (*Elephas maximus*) were recently assessed as Endangered by IUCN's Asian Elephant Specialist Group (AsESG).⁶

5. While the reports to SC74 of the CITES Monitoring the Illegal Killing of Elephants programme (MIKE) and the Elephant Trade Information System (ETIS) indicate a potential decline in poaching of elephants in Africa from 2018 to 2020 and a static or slight decline for Asian elephants⁷, record setting ivory seizures in 2019 raise serious questions about the source of the ivory and leaks from stockpiles.⁸ The need to secure and inventory stockpiles, consider their destruction, and improve compliance with the reporting and inventorying measures in Resolution Conf. 10.10 (Rev. CoP18) are all critical.

Background on Poaching, Trafficking, and Seizures

6. One of the consequences of the on-going poaching of elephants is an increased supply of illegal ivory. When ivory is seized or confiscated it results in the proliferation and growth of government-held stockpiles of ivory in range States and transit countries. In range States, ivory collected from natural mortalities of elephants and other sources is also added to government-held stockpiles.⁹ This means that sizable ivory stockpiles are amassing in numerous countries that are Party to CITES.
7. The MIKE/PIKE analysis prepared for SC74 in Lyon, France, indicates that for Africa, by 2011, poaching reached the highest levels since the programme began in 2002, with a moderately declining trend thereafter.¹⁰ Poaching levels as indicated by the Proportion of Illegally Killed Elephants (PIKE) values from MIKE sites remained high and outnumber birth rates (indicated by PIKE >0.5) until 2018 and decreased in 2019 and 2020 (PIKE < 0.5). For Asia, the analysis documented a “relatively flat” continental PIKE trend from 2015 to 2019 with a slight decrease from 2018 to 2019 with 2020 data not being considered due to reporting issues from the pandemic.¹¹
8. For Africa, a recent scientific review of the methodology employed to prepare the CITES MIKE/PIKE analysis indicated that using a different model to get an accurate index of poaching rates, showed “that illegal killing has improved little or even worsened since 2011 in Southern, Western, and Central Africa.”¹²
9. Thus, poaching remains on-going and a concern throughout most of Africa as well as in Asia.

Seizures and Stockpile Leaks

10. The ETIS report prepared for SC74 considered “16,818 ETIS records from 68 countries spanning 2008 to 2020” and reported “a peak in ivory seizures in 2014 – 2015, after which there has been an overall decreasing trend in illegal ivory trade to 2020.”¹³ Although the Annex detailing the ETIS findings concludes that “illegal ivory trade activity remains high.”¹⁴

⁵ Gobush, K.S., Edwards, C.T.T, Maisels, F., Wittemyer, G., Balfour, D. & Taylor, R.D. 2021. *Loxodonta cyclotis* (errata version published in 2021). *The IUCN Red List of Threatened Species 2021*: e.T181007989A204404464. <https://dx.doi.org/10.2305/IUCN.UK.2021-1.RLTS.T181007989A204404464.en>.

⁶ Williams, C., Tiwari, S.K., Goswami, V.R., de Silva, S., Kumar, A., Baskaran, N., Yoganand, K. & Menon, V. 2020. *Elephas maximus*. *The IUCN Red List of Threatened Species 2020*: e.T7140A45818198. <https://dx.doi.org/10.2305/IUCN.UK.2020-3.RLTS.T7140A45818198.en>.

⁷ SC74 Doc 68, *Elephants Report of the Secretariat*. Available at: <https://cites.org/sites/default/files/eng/com/sc74/E-SC74-68.pdf>

⁸ UNODC. 2020. *World Wildlife Crime Report. Trafficking in Protected Species. Chapter on Elephant and Rhino*. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/2020/WWLC20_Chapter_3_Elephant_and_Rhino.pdf; Stiles, D. 2021 *Black Market Brief, African Elephant Ivory*. Available at: <https://globalinitiative.net/wp-content/uploads/2021/08/Illegal-Wildlife-Trade-Elephant-Ivory.v4-web.pdf>

⁹ UNODC, 2016. *World Wildlife Crime Report*. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/World_Wildlife_Crime_Report_2016_final.pdf

¹⁰ SC74 Doc 68, *Elephants Report of the Secretariat*. Available at: <https://cites.org/sites/default/files/eng/com/sc74/E-SC74-68.pdf>

¹¹ Ibid.

¹² Schlossberg, S., Chase, M. J., Gobush, K. S., Wasser, S. K., & Lindsay, K. (2020). State-space models reveal a continuing elephant poaching problem in most of Africa. *Scientific reports*, 10(1), 1-9. Available at: <https://www.nature.com/articles/s41598-020-66906-w>; Wasser, S. K., & Gobush, K. S. (2019). Conservation: Monitoring Elephant Poaching to Prevent a Population Crash. *Current Biology*, 29(13), R627-R630.

¹³ SC74 Doc 68, *Elephants Report of the Secretariat*. Available at: <https://cites.org/sites/default/files/eng/com/sc74/E-SC74-68.pdf>

¹⁴ Ibid.

11. The ETIS report further elaborated that the 2020 data should be treated cautiously. The report highlights a significant reduction in tourism, air freight, and sea trade potentially coupled with decreased law enforcement effort because of the Covid-19 pandemic. Taken together, these factors indicate that 2020 “may represent an unusual outlier year for global trade and illegal ivory trade activities.”¹⁵
12. The ETIS report indicated that “[i]n 2019, the third highest weight of ivory seizures for the period 2008 to 2020 was reported to ETIS, with three record-setting seizures recorded in 2019, each totalling 7.5 tonnes or more.”¹⁶
13. The 2020 UNODC wildlife crime report noted “five large scale seizures made in 2019, totalling over 30 tons.”¹⁷ In discussing these seizures, the UNODC report raised that, given indications of potential downward poaching levels, the 2019 seizures could suggest “either improved interdiction (a higher share of the ivory flow being captured) or sourcing from stockpiles (not from recent illegal killings).”¹⁸
14. The UNODC report is not an outlier. Another recent report concluded that the large quantity of ivory especially seizures over 500 kg “strongly suggests that stockpiled ivory was being shipped out of Africa.”¹⁹
15. This raises the continued concern with the proliferation of stockpiles of seized (and other) ivory in range States and transit countries. It also raises the very real issue of on-going leaks of ivory from these stocks.

Problems presented by Ivory Stockpiles

16. Ivory stockpiles present a major security risk and a cost to authorities, particularly in developing countries.²⁰ Maintaining ivory stockpiles poses the risk of theft and laundering of ivory back on to the black market. The report on *Ensuring Effective Stockpile Management* for the SC Working Group on ivory stockpile guidance acknowledged the “often burdensome costs, risks and responsibilities associated with securing stockpiles.”²¹
17. Instances of stockpiled ivory disappearing or being stolen are reported regularly.²² For example, a 2010 TRAFFIC report suggested that almost one third of stockpiles had *decreased* through illegal leakage.²³ The 2016 UNODC report noted that “[i]vory has gone missing from government stockpiles in the past.”²⁴ A more recent report noted “ivory theft from official government stockpiles has also occurred in Mozambique, some of which was subsequently seized in a large-scale confiscation in Cambodia.”²⁵ Government-held stockpile thefts are not always reported at CITES meetings.²⁶ In 2019, ETIS reported to CoP18 that the Burundi stockpile, “one of Africa’s oldest, largest and often controversial CITES-registered ivory stockpiles ... is now steadily leaking into international trade.”²⁷ At SC74, the Standing Committee noted that the Secretariat will

¹⁵ SC74 Doc 68, *Elephants Report of the Secretariat*. Available at: <https://cites.org/sites/default/files/eng/com/sc/74/E-SC74-68.pdf>

¹⁶ SC74 Doc 68, *Elephants Report of the Secretariat*. Available at: <https://cites.org/sites/default/files/eng/com/sc/74/E-SC74-68.pdf>

¹⁷ UNODC. 2020. *World Wildlife Crime Report. Trafficking in Protected Species. Chapter on Elephant and Rhino*. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/2020/WWLC20_Chapter_3_Elephant_and_Rhino.pdf

¹⁸ UNODC. 2020. *World Wildlife Crime Report. Trafficking in Protected Species. Chapter on Elephant and Rhino*. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/2020/WWLC20_Chapter_3_Elephant_and_Rhino.pdf

¹⁹ Stiles, D. 2021 *Black Market Brief, African Elephant Ivory*. Available at: <https://globalinitiative.net/wp-content/uploads/2021/08/Illegal-Wildlife-Trade-Elephant-Ivory.v4-web.pdf>

²⁰ SC70 Doc 49.1, *Elephants* Available at: <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-49-01.pdf>; Harvey, R., Alden, C., & Wu, Y. S. (2017). *Speculating a fire sale: options for Chinese authorities in implementing a domestic ivory trade ban*. *Ecological Economics*, 141, 22-31 (“Storing ivory is expensive, and a potential liability”).

²¹ Milliken & Compton, 2021. *Ensuring Effective Stockpile Management: A Guidance Document*. Available at: https://cites.org/sites/default/files/eng/prog/elephant/Stock_management_guidance.pdf

²² See Stiles, D. 2021 *Black Market Brief, African Elephant Ivory*. Available at: <https://globalinitiative.net/wp-content/uploads/2021/08/Illegal-Wildlife-Trade-Elephant-Ivory.v4-web.pdf>; News24.com Concerns over stockpile ivory theft, June 2012. Available at: <http://www.news24.com/Africa/News/Concerns-over-stockpile-ivory-theft-20120622>

²³ Milliken, Tom. “Report on the results of the Elephant and Ivory Trade Questionnaire pursuant to Decision 13.26 (Rev. CoP14) on the Action plan for the control of trade in elephant ivory”. April 2010.

²⁴ UNODC, 2016. *World Wildlife Crime Report*. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/World_Wildlife_Crime_Report_2016_final.pdf

²⁵ Stiles, D. 2021 *Black Market Brief, African Elephant Ivory*. Available at: <https://globalinitiative.net/wp-content/uploads/2021/08/Illegal-Wildlife-Trade-Elephant-Ivory.v4-web.pdf>

²⁶ Stiles, D. 2021 *Black Market Brief, African Elephant Ivory*. Available at: <https://globalinitiative.net/wp-content/uploads/2021/08/Illegal-Wildlife-Trade-Elephant-Ivory.v4-web.pdf>

²⁷ CoP18 Doc. 69.3 (Rev. 1) Annex 1 <https://cites.org/sites/default/files/eng/cop/18/doc/E-CoP18-069-03-R1.pdf>

conduct a mission to Burundi to verify the current status of the stockpile and report to the Committee on its findings.²⁸

18. Maintenance of stockpiles diverts resources from wildlife conservation, including the direct protection of elephants and other seriously threatened species in the wild. The costs incurred to secure stockpiles are rarely acknowledged or accounted for in considering resources devoted to elephant conservation and anti-poaching efforts.
19. The existence of ivory stockpiles provides poachers, traders, speculators, and consumers with a reason to believe that global ivory trade may be restored.²⁹ This, in turn, maintains or expands demand for ivory products, increasing the pressure on elephant populations.
20. Given these concerns and others, United Nations Environment Programme (UNEP)³⁰ and many Parties endorse destruction of ivory stocks as discussed below.

Estimated Size of Ivory Stockpiles

21. Under reporting and lack of reporting of ivory stockpiles greatly hampers CITES ability to report on ivory stocks.
22. A 2014 estimate of global government-held ivory stockpiles put the minimum at 816 tonnes of African elephant ivory stockpiled or seized from 1989 through October 2013.³¹
23. A 2021 estimate put the number around “900 tonnes of government and private stockpiled ivory in Africa in 2021.”³²
24. Using data collected by CITES from reporting Parties, the following estimates of stockpiles are currently available:

	Ivory stockpiles (tons)			
	1997 ^{33*}	2010 ^{34**}	2019 ³⁵	2020 ³⁶
Total			621.04	796.02
Africa	462	421	547.52	503.04
Asia			56.59	275.3
Europe			14.71	15.45
North America			2.13	2.21
Oceania			0.09	0.02
Central and South America and the Caribbean			0	0
Number of declaring parties			17	21

²⁸ SC74 Sum. 12 (Rev. 1) (11/03/2022) <https://cites.org/sites/default/files/eng/com/sc/74/exsum/E-SC74-Sum-12-R1.pdf>

²⁹ Nadal, A., & Aguayo, F. (2016). Use or destruction: on the economics of ivory stockpiles. *Pachyderm*, 57, 57-67. Available at: <https://pachydermjournal.org/index.php/pachyderm/article/download/391/394>

³⁰ <https://news.un.org/en/story/2014/01/459192-un-agency-praises-chinas-destruction-ivory-stockpile>; <https://www.unep.org/news-and-stories/press-release/kenya-stages-largest-ever-ivory-destruction-unep-reiterates-zero>

³¹ SC65 Doc 42.7, Disposal of Ivory Stocks. Available at: <https://cites.org/sites/default/files/eng/com/sc/65/E-SC65-42-07.pdf>

³² Stiles, D. 2021 Black Market Brief, African Elephant Ivory. Available at: <https://globalinitiative.net/wp-content/uploads/2021/08/Illegal-Wildlife-Trade-Elephant-Ivory.v4-web.pdf>

³³ CoP 10 Doc. 10.46, Stockpiles of Ivory. Available at: <https://cites.org/sites/default/files/eng/cop/10/doc/E10-44to46.pdf>

³⁴ Milliken, Tom. Report on the results of the Elephant and Ivory Trade Questionnaire pursuant to Decision 13.26 (Rev. CoP14) on the Action plan for the control of trade in elephant ivory. TRAFFIC East/Southern Africa, April 2010. This report suggested that almost one third of stockpiles had decreased through illegal leakage.

³⁵ https://cites.org/sites/default/files/Stockpile/2019_ivory_stockpiles_by_region.png

³⁶ https://cites.org/eng/prog/terrestrial_fauna/elephants

Background on CITES and Ivory Stockpiles

25. Since 1997, CITES Parties have been requested to maintain an inventory of their raw ivory stocks and inform the CITES Secretariat annually of stock levels, and the source of the ivory.³⁷
26. Currently, Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens* provides in paragraph 2 regarding marking:

RECOMMENDS that whole tusks of any size, and cut pieces of ivory that are both 20 cm or more in length and one kilogram or more in weight, be marked by means of punch-dies, indelible ink, or other form of permanent marking, using the following formula: country-of-origin two-letter ISO code, the last two digits of the year / the serial number for the year / and the weight in kilograms (e.g. KE 00/127/14). It is recognized that different Parties have different systems for marking and may apply different practices for specifying the serial number and the year (which may be the year of registration or recovery, for example), but that all systems must result in a unique number for each piece of marked ivory. This number should be placed at the 'lip mark', in the case of whole tusks, and highlighted with a flash of colour.

27. And paragraph 7 e) states:

FURTHER URGES those Parties in whose jurisdiction there is an ivory carving industry, a legal domestic trade in ivory, an unregulated market for or illegal trade in ivory, or where ivory stockpiles exist, and Parties designated as ivory importing countries, to ensure that they have put in place comprehensive internal legislative, regulatory, enforcement and other measures to:
[...]

- e) *maintain an inventory of government-held stockpiles of ivory and, where possible, of significant privately held stockpiles of ivory within their territory, and inform the Secretariat of the level of this stock each year before 28 February, inter alia to be made available to the programme Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) for their analyses, indicating the number of pieces and their weight per type of ivory (raw or worked); for relevant pieces, and if marked, their markings in accordance with the provisions of this Resolution; the source of the ivory; and the reasons for any significant changes in the stockpile compared to the preceding year;*

28. The CITES Secretariat has issued notifications in December 2013, January 2015, January 2017, and December 2021 reminding CITES Parties of these marking and reporting provisions. In its last Notification in 2021, the Secretariat indicated:

1. *The purpose of the present Notification is to remind Parties that Resolution Conf. 10.10 (Rev. CoP18) on Trade in elephant specimens contains, amongst other provisions:*

- a) *a recommendation to mark elephant ivory tusks and cut pieces;*
- b) *a deadline of 28 February each year for the submission of an inventory of government-held ivory stock and significant privately held ivory stocks, and the reasons for any significant changes in the stockpile compared to the preceding year.*

2. *The request to submit an inventory is directed to "Parties in whose jurisdiction there is an ivory carving industry, a legal domestic trade in ivory, an unregulated market for or illegal trade in ivory, or where ivory stockpiles exist, and Parties designated as ivory importing countries".³⁸*

29. At the 18th Conference of the Parties (CoP18, Geneva 2019), amid concerns about low levels of compliance with paragraph 7 e) and the security of ivory stockpiles, Parties agreed to the following Decisions:

³⁷ Resolution Conf. 10.10 Available at: <https://cites.org/sites/default/files/eng/cop/10/E10-Res.pdf>

³⁸ Notification to the Parties, No. 2021/077

Directed to the Secretariat

18.184 *The Secretariat shall:*

- a) *identify those Parties that have not provided information on the level of government- held stockpiles of ivory and significant privately held stockpiles of ivory within their territory or where stockpiles are not well secured and report to the 72nd and 73rd meetings³⁹ of the Standing Committee with recommendations as necessary; and*
- b) *annually publish updated summary data based on the inventories submitted by Parties, disaggregated to regional but not country level, including the total ivory stockpiles by weight.*

Directed to the Standing Committee

18.185 *At its 72nd and 73rd meetings,⁴⁰ the Standing Committee shall consider the report and recommendations of the Secretariat in Decision 18.184 and determine whether any further actions are necessary in the case of Parties who fail to provide annual inventories of government-held stockpiles of ivory and significant privately held stockpiles of ivory within their territory or where stockpiles are not well secured.*

30. Decision 18.184 b) enabled the Secretariat to compile regional levels of ivory stockpiles reported by Parties to the Secretariat for the first time (see regional levels for 2019 and 2020 in Table 1 above); however, actual levels are almost certainly higher given the lack of reporting (see below). At its 74th meeting in March 2022 in Lyon, France, the Standing Committee agreed that Decisions 18.184 and 18.185 should be renewed at the 19th Conference of the Parties (Panama, November 2022).⁴¹

The Need for More Comprehensive Reporting and Information on Ivory Stockpiles

31. Despite a reporting obligation for ivory stockpile since 1997, the response to this reporting request has been consistently low albeit increasing marginally most years. As a result, comprehensive CITES data on ivory stockpiles (both raw and worked ivory stocks) is unavailable including to CITES Parties.
32. The CITES Secretariat does not publish country-specific ivory stockpile data. It provides overall reporting numbers and, since November 2019, regional summaries.
33. For example, in the report to SC74,⁴² the Secretariat summarized as follows:

[S]ince 2014[,] . . . 39 (21%) Parties have declared their ivory stocks for one year or another, but only two Parties have declared their stockpiles every year. Of those 39 Parties, 20 are from the African region, 11 from Asia, 5 from Europe, 2 from Oceania, 1 from North America and none from Central and South America and the Caribbean. Eight of these 39 Parties have submitted information about significant privately held stockpiles of ivory since 2014.

Table 1. Number of Parties informing the Secretariat of stockpiles of ivory within their territory.*

2014	2015	2016	2017	2018	2019	2020	2021
4	24	15	16	23	17	16	22

* *China and the Hong Kong Special Administrative Region were counted separately as they made separate submissions.*

34. In sum, in 2021, 796 tonnes of ivory stocks were declared by 21 CITES Parties. However, the number of CITES Parties with stockpiles is likely much higher. The Secretariat's report to SC74 infers that at least 44

³⁹ *Intended to refer to the 73rd and 74th meetings of the Standing Committee*

⁴⁰ *Ibid.*

⁴¹ SC74 Sum. 12 (Rev. 1) (11/03/2022) <https://cites.org/sites/default/files/eng/com/sc/74/exsum/E-SC74-Sum-12-R1.pdf>

⁴² SC74 Doc. 61.2, *Stocks and stockpiles (elephant ivory)*. Available at: <https://cites.org/sites/default/files/eng/com/sc/74/E-SC74-61-02.pdf>

other CITES Parties are likely to have stockpiled ivory that should be inventoried and reported upon. This inference is based on: recovered ivory from elephant carcasses reported at MIKE sites; Party participation in the National Ivory Action Plan (NIAP) programme which contains stockpile measures; and/or seized or confiscated ivory that was reported to ETIS by CITES Parties.⁴³

35. The Secretariat further explained that:

*The Secretariat is currently not able to identify all those Parties which are urged to make submissions based on the criteria outlined in paragraph 7 e) of Resolution Conf. 10.10 (Rev. CoP18).*⁴⁴

36. The lack of sufficient let alone detailed information on ivory stockpiles is a long-standing concern as is the lack of reporting on changes to ivory stockpiles (increases or decreases) and the reason for such changes.

Challenges and Signals Sent from Stockpiling Ivory

37. Stockpiling of ivory also sends signals regarding anticipated or hoped for future sales or markets.⁴⁵

38. The holding of ivory stockpiles in anticipation of future commercial use thus, has consequences. It appears undeniable that the total ban on ivory sales in 1989 had the effect of rapidly and dramatically reducing the poaching of elephants for ivory.⁴⁶ In contrast, the second one-off sale of ivory in 2008 was followed by a poaching increase.⁴⁷ The one-off sales and the temporary nature of the 'moratorium' on proposals to trade in ivory from Appendix II elephant populations for nine years from 2008, likely sent a signal to consumers that sales could be allowed after it ended in 2017. These events may have signalled to traders and processors to maintain their levels of operation and even to engage in new investments giving the false impression to consumers that ivory trade would or could be legalized.

39. In 2016 and 2017 respectively, the United States and China⁴⁸ closed their domestic ivory markets and were followed by many other countries. In 2016 and 2019, a lack of support for reopening ivory trade was apparent at the CITES meetings. At the same time, ivory prices were reported to decrease. The 2020 UNODC report noted a tripling of ivory prices in China from 2010 to 2014 with a drop to pre-2010 levels by 2018⁴⁹ and a similar drop in ivory prices in Vietnam.⁵⁰ In the same time frame, increased enforcement efforts led to seizures and increased government-held stockpiles. Meanwhile, significant prosecutions of ivory traffickers from transnational organized criminal networks disabled or hampered many networks.⁵¹

40. Taken all together, these factors may have contributed to momentum for leaking or offloading stockpiled ivory in 2019. The record seizures in 2019 and early analysis of those seizures indicates the likely presence

⁴³ SC74 Doc 61.2 para 9, *Stocks and stockpiles (elephant ivory)*. Available at: <https://cites.org/sites/default/files/eng/com/sc/74/E-SC74-61-02.pdf>

⁴⁴ SC74 Doc. 61.2, *Stocks and stockpiles (elephant ivory)*. Available at: <https://cites.org/sites/default/files/eng/com/sc/74/E-SC74-61-02.pdf>

⁴⁵ Nadal, A., & Aguayo, F. (2016). *Use or destruction: on the economics of ivory stockpiles*. *Pachyderm*, 57, 57-67. Available at: <https://pachydermjournal.org/index.php/pachyderm/article/download/391/394>

⁴⁶ UNEP, CITES, IUCN, TRAFFIC (2013) *Elephants in the Dust – The African Elephant Crisis. A Rapid Response Assessment*. United Nations Environment Programme, GRID-Arendal. Available at: www.grida.no

⁴⁷ CoP17. Inf. 96 (Hsiang & Sekar. 2016. *Evidence should be used in global management of endangered species: Reply to the CITES Technical Advisory Group, Document CoP17 Inf. 42*) Available at: <https://cites.org/sites/default/files/eng/cop/17/InfDocs/E-CoP17-Inf-96.pdf>; Hsiang, S., & Sekar, N. (2016). *Does legalization reduce black market activity? Evidence from a global ivory experiment and elephant poaching data* (No. w22314). National Bureau of Economic Research. Available at: https://www.nber.org/system/files/working_papers/w22314/w22314.pdf

⁴⁸ *Following China's domestic ivory market closure in 2017 there was speculation over its benefits depending on the duration of the closure*. Harvey, R., Alden, C., & Wu, Y. S. (2017). *Speculating a fire sale: options for Chinese authorities in implementing a domestic ivory trade ban*. *Ecological Economics*, 141, 22-31. *That closure is now being held up as a significant conservation gain for elephants*. Do, Q. T., Levchenko, A. A., Ma, L., Blanc, J., Dublin, H., & Milliken, T. (2021). *The price elasticity of African elephant poaching*. *The World Bank Economic Review*, 35(3), 545-562.

⁴⁹ UNODC. 2020. *World Wildlife Crime Report. Trafficking in Protected Species. Chapter on Elephant and Rhino*. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/2020/WWLC20_Chapter_3_Elephant_and_Rhino.pdf

⁵⁰ UNODC. 2020. *World Wildlife Crime Report. Trafficking in Protected Species. Chapter on Elephant and Rhino*. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/2020/WWLC20_Chapter_3_Elephant_and_Rhino.pdf

⁵¹ <https://globalinitiative.net/wp-content/uploads/2021/08/Illegal-Wildlife-Trade-Elephant-Ivory.v4-web.pdf>

of leaked ivory from stockpiles.⁵² If so, securing stockpiles including through inventories and reporting is critical right now.

41. It is unclear if increased trafficking in ivory from stockpiles is a trend. If it is, then in the future PIKE will decline while confiscations reported to ETIS increase or are maintained. But given the intervening pandemic and its economic consequences as well as other factors (such as ivory prices), the continuation of such a trend is difficult to predict. A recent report raised concerns about the potential for increased poaching citing the potential reorganization of criminal networks following convictions being overturned and fines paid, as well as price points showing increased ivory prices (both paid to poachers in Kenya and increasing wholesale prices in Vietnam and China) in 2020.⁵³ Whether ivory from poaching or stockpiles feeds the trade, or more likely both do, the need to secure ivory stockpiles is crucially important especially following the 2019 seizures.
42. Irrespective of any trends, considering destruction of stockpiles may be very important for helping to prevent leaks of ivory and particularly seized and confiscated ivory, from entering the black market and to signal the low likelihood of future legal trade.⁵⁴

Disposal of ivory stockpiles: the destruction option

43. In light of on-going elephant poaching and to reduce the burden of maintaining and securing their stockpiles, over the last decade several CITES Parties have destroyed parts of their stockpiles,⁵⁵ usually as part of high-profile events designed to educate the public about the threat to elephants from poaching and ivory trafficking. The intention of these Parties is also to send a clear, international message that ivory is not a commodity and should be put beyond commercial use.
44. Prior to 2011, there had been just three public destructions of ivory: two by Kenya in 1989 and 1991 totalling 18.8 tonnes,⁵⁶ and one by Zambia totalling 9.5 tonnes in 1992.⁵⁷ After a gap of almost two decades, at least 34 ivory destruction events took place across four continents between 2011 and October 2018.⁵⁸ These actions involved the crushing or burning of ivory and include range States, transit countries, and consumer countries spanning developed and developing countries. In recent years, Singapore destroyed 9 tonnes of ivory in 2020,⁵⁹ New Zealand destroyed an unspecified amount of ivory in September 2020,⁶⁰ 120 kg were destroyed in Australia in 2018,⁶¹ and 4 tonnes were destroyed by Malaysia in 2019.⁶²
45. Many countries have retained some raw and worked ivory for public awareness, education, and research purposes, but only small quantities should be needed for these uses. The United States anticipates using crushed ivory for educational purposes; while the Philippines announced it will mix its crushed ivory with concrete and turn it into a sculpture of an elephant protecting its calf as a monument and reminder of its historical action.
46. While a small proportion of seized ivory is destroyed by Government authorities directly after seizure, in most cases, especially in countries on the main global ivory smuggling routes, seized ivory is added to official stockpiles, posing significant logistical and financial challenges to governments. In many cases, seized ivory

⁵² UNODC. 2020. *World Wildlife Crime Report. Trafficking in Protected Species. Chapter on Elephant and Rhino*. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/2020/WWLC20_Chapter_3_Elephant_and_Rhino.pdf; Stiles, D. 2021 *Black Market Brief, African Elephant Ivory*. Available at: <https://globalinitiative.net/wp-content/uploads/2021/08/Illegal-Wildlife-Trade-Elephant-Ivory.v4-web.pdf>

⁵³ <https://globalinitiative.net/wp-content/uploads/2021/08/Illegal-Wildlife-Trade-Elephant-Ivory.v4-web.pdf>

⁵⁴ Nadal, A., & Aguayo, F. (2016). *Use or destruction: on the economics of ivory stockpiles*. *Pachyderm*, 57, 57-67. Available at: <https://pachydermjournal.org/index.php/pachyderm/article/download/391/394>

⁵⁵ Nadal, A., & Aguayo, F. (2016). *Use or destruction: on the economics of ivory stockpiles*. *Pachyderm*, 57, 57-67. Available at: <https://pachydermjournal.org/index.php/pachyderm/article/download/391/394>

⁵⁶ Perlez, Jane. "Kenya, in gesture, burns ivory tusks", July 1989. Available at: <https://cites.org/sites/default/files/eng/com/sc/66/ExSum/E-SC66-Sum-03.pdf>

⁵⁷ Jackson, Tim. "Ivory apocalypse", *Africa Geographic*, April 2013. Available at: <http://www.elephantswithoutborders.org/downloads/papers/Ivory%20Apocalypse.pdf>

⁵⁸ Table 1 CoP18 Doc. 69.4 records ivory destructions from 2011 - October 2018 <https://cites.org/sites/default/files/eng/cop/18/doc/E-CoP18-069-04.pdf>

⁵⁹ <https://www.euronews.com/green/2020/08/12/11-million-worth-of-ivory-crushed-in-singapore-to-stop-illegal-elephant-trade>

⁶⁰ Pers. com. from New Zealand Department of Conservation, December 2020 response to an OIA request (dated 2 Nov 2020).

⁶¹ <https://www.smh.com.au/national/ivory-trinkets-crushed-en-masse-in-bourke-street-mall-20180303-p4z2oz.html>

⁶² <https://www.traffic.org/news/malysias-second-ivory-incineration-marks-13-tonnes-destroyed-since-2016/>

is added to government stockpiles while criminal cases are investigated and prosecuted; however, the storage or disposal of seized ivory stockpiles remains a problem long after legal cases are closed.

47. It is essential that CITES, as the pre-eminent global treaty regulating wildlife trade, supports best practice in the management and disposal of stockpiles, including destruction where Parties decide on that option.

Recommendations

48. The Conference of the Parties is invited to urge Parties and the CITES Secretariat to use the updated DECLARATION OF IVORY STOCKS AND MODEL INVENTORY contained in Annex 1.⁶³
49. This revised reporting form will ensure better compliance with the requirements of Resolution Conf. 10.10 (Rev. CoP18) as it more closely tracks its language and directions and will provide information to help determine whether ivory stocks are well secured. The revisions encourage all CITES Parties to report and indicate whether or not an inventory is required. This will aid the Secretariat in discerning which CITES Parties should be urged to make future submissions. Only where reporting is indicated, does a declaration need to be made and an inventory provided.
50. To enable the Secretariat to provide technical assistance to Parties in accordance with paragraph 11 of Resolution Conf. 10.10 (Rev. CoP18), the form also requests information on measures taken to ensure stockpiles are well secured and enables CITES Parties to indicate when resources are needed to aid in the reporting and inventorying of ivory.
51. The Conference of the Parties is further requested to adopt the following draft Decisions and amend Decisions 18.184 and 18.185 that were agreed should be renewed at SC74, as follows (new provisions are underlined):

Directed to the Parties

19.AA Parties are urged to:

- a) comply with the provisions of paragraph 7 e) of Resolution Conf. 10.10 (Rev. CoP18) on Trade in elephant specimens concerning reporting on stockpile inventories to ensure the required information is submitted to the Secretariat every year using the Declaration of Ivory Stocks and Model Inventory Form proposed in Annex 1 to document CoP19 Doc. 66.2.1; and
- b) consider whether destruction of some or all of their government-held ivory stockpiles will reduce costs associated with securing stockpiles, free resources for elephant conservation, prevent seized and other ivory from re-entering the market, and provide useful messaging to discourage the commercialization of ivory.

All Parties and CITES stakeholders are encouraged to ensure that adequate funding, capacity building and training are available to ensure ivory stockpiles are inventoried, secured, and when appropriate, properly disposed of for non-commercial purposes.

Directed to the Secretariat (Decision 18.184 with new provisions underlined)

19.BB The Secretariat shall:

- a) issue a Notification to all Parties requesting them to provide a declaration of ivory stocks and in the case of "Parties in whose jurisdiction there is an ivory carving industry, a legal domestic trade in ivory, an unregulated market for or illegal trade in ivory, or where ivory stockpiles exist, and Parties designated as ivory importing countries" submit an Inventory, using the Declaration of Ivory Stocks and Model Inventory Form proposed in Annex 1 to document CoP19 Doc. 66.2.1;
- b) identify those Parties that have not provided information on the level of government-held stockpiles of ivory and significant privately held stockpiles of ivory within their territory or

⁶³ This builds on the current model inventory which can be found in Notification No. 2021/077: <https://cites.org/sites/default/files/notifications/E-Notif-2021-077.pdf>

where stockpiles are not well secured and report to the 77th and 78th meetings ~~72nd and 73rd meetings*~~ of the Standing Committee with recommendations as necessary; and

- c) annually publish updated summary data based on the inventories submitted by Parties, disaggregated to regional but not country level, including the total ivory stockpiles by weight.

Directed to the Standing Committee (Decision 18.185 with new provisions underlined)

- 19.CC At its ~~72nd and 73rd meetings~~ 77th and 78th meetings, the Standing Committee shall consider the report and recommendations of the Secretariat in Decision ~~18.184~~ 19.BB and determine whether any further actions are necessary in the case of Parties who fail to provide annual inventories of government-held stockpiles of ivory and significant privately held stockpiles of ivory within their territory or where stockpiles are not well secured.

COMMENTS OF THE SECRETARIAT

- A. The Secretariat recommends that the Conference of the Parties do not adopt the recommendations in paragraph 48 to 50 since the Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens* and the Notification issued by the Secretariat address the issues raised.
- B. The Secretariat furthermore recommends that the Conference of the Parties consider the amendments to the proposed decisions contained in paragraph H below.
- C. The Secretariat is of the view that the provisions relating to the reporting on ivory stockpiles and provision of technical support relating to stockpile management as contained in paragraph 7 e) and paragraph 11 of Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens* are adequate and, if implemented by Parties, there is no need to adopt decisions on the same issues.
- D. The Secretariat developed the model inventory shared with Parties through the Notification to remind Parties about the submission of ivory stockpiles as required in terms of the Resolution. This inventory was first used in Notification to the Parties No. 2015/055 and takes into consideration the various inventory systems Parties may have in place. The intention was not to make the use of this particular model inventory mandatory. The Secretariat could consider the proposed changes to the model inventory presented in Annex 1 to the present document when it prepares the Notification to the Parties later this year and include those aligned with the Resolution, as appropriate.
- E. The Secretariat proposes an amendment to paragraph a) in draft decision 19.AA based on the above explanation and proposes the deletion of paragraph b) in draft decision 19.AA based on the following considerations: Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species* provides guidance to Parties relating to the disposal of both confiscated and accumulated dead specimens. Furthermore, the Chair of the Standing Committee reflects in her report to CoP19 (see document [CoP19 Doc. 9.1.1](#)) on the work on stocks and stockpiles that must still be concluded and includes considerations relating to costs associated with the maintaining and securing stockpiles. Revised decisions to continue work on stocks and stockpiles are proposed in document CoP19 Doc.9.1.1. The Standing Committee also approved at SC74 “Practical guidance on ivory stockpile management” in Annex 1 to document SC74 Doc. 61.1 and the “Review of elephant destruction methods” in Annex 2 to the same document.
- F. The Secretariat would like to bring to the Parties’ attention the importance of submitting detailed inventories, rather than aggregated summaries. If aggregated summaries are submitted, it is impossible to determine whether changes in the stockpile took place, because ivory could have been added and removed with no change in the overall total reported. Parties should therefore provide the detailed information contained in their respective inventories as provided for in paragraph 7 e) of Resolution Conf. 10.10 (Rev. CoP18). Aggregated summaries also make it extremely difficult to integrate this information in the MIKE and ETIS analysis.
- G. The Secretariat would also like to bring to the Parties’ attention the proposed new and revised decisions on *Stocks and stockpiles (elephant ivory)* proposed by the Standing Committee in Annex 4 of document CoP19 Doc. 66.1. The Secretariat supports the adoption of the draft decisions contained in the aforementioned document.

- H. The Secretariat proposes the following amendments to the draft decisions contained in paragraph 51 of the present document:

Proposed new text is **bold and underlined**, proposed deletions are indicated in **~~bold and strikethrough~~**.

Directed to the Parties

19.AA Parties are urged to:

- a) comply with the provisions of paragraph 7 e) of Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens* concerning reporting on stockpile inventories to ensure the required information is submitted to the Secretariat every year **using the Declaration of Ivory Stocks and Model Inventory Form proposed in Annex 1 to document CoP19 Doc. 66.2.1**; and
- ~~b) consider whether destruction of some or all of their government-held ivory stockpiles will reduce costs associated with securing stockpiles, free resources for elephant conservation, prevent seized and other ivory from re-entering the market, and provide useful messaging to discourage the commercialization of ivory.~~
- b) All Parties and CITES stakeholders are encouraged to ensure that adequate funding, capacity building and training are available to ensure ivory stockpiles are inventoried, secured, and when appropriate, **disposed of** properly ~~disposed of for non-commercial purposes~~.

Directed to the Secretariat (Decision 18.184 with new provisions underlined)

19.BB The Secretariat shall:

- a) **issue a Notification to all Parties requesting them to provide a declaration of ivory stocks and in the case of "Parties in whose jurisdiction there is an ivory carving industry, a legal domestic trade in ivory, an unregulated market for or illegal trade in ivory, or where ivory stockpiles exist, and Parties designated as ivory importing countries" submit an inventory, using the Declaration of Ivory Stocks and Model Inventory Form proposed in Annex 1 to document CoP19 Doc. 66.2.1;**
- b) identify those Parties that have not provided information on the level of government-held stockpiles of ivory and significant privately held stockpiles of ivory within their territory or where stockpiles are not well secured and report to the 77th and 78th meetings ~~72nd and 73rd meetings~~ of the Standing Committee with recommendations as necessary; and
- c) annually publish updated summary data based on the inventories submitted by Parties, disaggregated to regional but not country level, including the total ivory stockpiles by weight.

Directed to the Standing Committee

- 19.CC** At its ~~72nd and 73rd meetings~~ 77th and 78th meetings, the Standing Committee shall consider the report and recommendations of the Secretariat in Decision 18.184 19.BB and determine whether any further actions are necessary in the case of Parties who fail to provide annual inventories of government-held stockpiles of ivory and significant privately held stockpiles of ivory within their territory or where stockpiles are not well secured.

DECLARATION OF IVORY STOCKS AND MODEL INVENTORY FORM

Country Reporting _____

Please email: info@cites.org or fax: Fax: +41 (22) 797 34 17 this report on or before 28 February each year.

Does the country reporting (please check all relevant boxes):

- Have ivory stockpiles,
- Contain an ivory carving industry,
- Contain a legal domestic trade in ivory,
- Contain an unregulated market for or illegal trade in ivory,
- Have the designation ivory importing country
- Have none of the above

Total weight or level of stock (kg) _____

Change from last report _____. Reason for change _____.

Note the total weight or level of stock and ivory stockpile change information is being shared with the CITES Secretariat who will make it available to the Monitoring the Illegal Killing of Elephants (MIKE) programme and the Elephant Trade Information System (ETIS) for their analyses in accordance with Resolution Conf. 10.10 para. 7 e).

Do you: maintain an inventory of government-held stockpiles? Y / N: ____ maintain an inventory of privately held stockpiles? Y / N: ____

Are inventory details provided? Y / N: _____. If not, please explain why, and if ivory stockpiles are being held, please estimate when inventory information will be available.

What measures are being taken to ensure government-held and privately held stockpiles are well secured?

Please indicate whether funding, capacity building or training are required to complete inventories of ivory stockpiles and ensure their security.

Inventories submitted to the Secretariat may be summarized.

The following table gives an example that could be used to provide a full inventory. Parties may provide copies or summaries of their inventories using other inventory methodologies that comply with the provisions in Resolution Conf, 10.10 (Rev.CoP18).⁶⁴

GOVERNMENT-HELD STOCKS OF ELEPHANT IVORY								
For RAW IVORY								
Identification number (tusk number)	Date ivory was received (dd.mm.yyyy)	Date ivory was inventoried (dd.mm.yyyy)	Country of origin (country name or 'unknown') ⁶⁵	Type of specimen (e.g., whole tusk or broken piece)	Acquisition (e.g., seized, confiscated, found or PAC ⁶⁶)	Weight (kg)	Length (cm) (straight line from base to tip)	Circumference at widest part (cm)

For WORKED IVORY							
Identification number	Description	Date ivory was received (dd.mm.yyyy)	Date ivory was inventoried (dd.mm.yyyy)	Country of origin (country name or 'unknown')	Source (e.g., seized, confiscated, found or other)	Weight (kg)	Length (cm)

⁶⁴ Resolution Conf, 10.10 (Rev. CoP18), para e urges Parties to indicate “the number of pieces and their weight per type of ivory (raw or worked); for relevant pieces, and if marked, their markings in accordance with the provisions of this Resolution; the source of the ivory; and the reasons for any significant changes in the stockpile compared to the preceding year”: <https://cites.org/sites/default/files/document/E-Res-10-10-R18.pdf>

⁶⁵ Abbreviations for CITES Parties can be found: https://trade.cites.org/cites_trade_guidelines/en-CITES_Trade_Database_Guide.pdf

⁶⁶ Problem Animal Control.

PRIVATELY HELD STOCKS OF ELEPHANT IVORY								
For RAW IVORY								
Identification number (tusk number)	Date received (dd.mm.yyyy)	Date ivory was inventoried (dd.mm.yyyy)	Country of origin (country name or 'unknown') ⁶⁷	Type of specimen (e.g., whole tusk or broken piece)	Acquisition (e.g., seized, confiscated, found or PAC ⁶⁸)	Weight (kg)	Length (cm) (straight line from base to tip)	Circumference at widest part (cm)

For WORKED IVORY							
Identification number	Description	Date received (dd.mm.yyyy)	Date ivory was inventoried (dd.mm.yyyy)	Country of origin (country name or 'unknown')	Source (e.g., found, inherited, purchased or other)	Weight (kg)	Length (cm)

⁶⁷ Abbreviations for CITES Parties can be found: https://trade.cites.org/cites_trade_guidelines/en-CITES_Trade_Database_Guide.pdf

⁶⁸ Problem Animal Control.

TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP18) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding.

The present document primarily reiterates terms from Resolution Conf. 10.10 (Rev. CoP18) and proposes Decision text directed to the Parties to prompt improved reporting. The additional Decision text directed to the Secretariat calls for a Notification, which the Secretariat already issues. The revised ivory declaration form may result in additional data being provided to the Secretariat but this data will likely have minimal, if any, workload implications for the Secretariat.

Secretariat's comments: There will be workload implications for the Secretariat and the Standing Committee, but it is expected that these can be delivered using existing resources.