

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



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Panama City (Panama), 14 – 25 November 2022

JAPAN'S REPORT ON CHARACTERISTICS OF THE IVORY MARKET AND MEASURES TAKEN

This document has been submitted by Japan in relation to agenda item 66.1.*

* *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.*

Japan's report on Characteristics of the ivory market and measures taken

Japan has been implementing stringent measures to ensure that its domestic ivory market is not contributing to poaching or illegal trade and explaining these for some time (see [SC74 Doc.39 Annex5](#)). On CoP19, we reiterate that the exceptional domestic ivory market in Japan and stringent measures to ensure that its domestic ivory market is not contributing to poaching or illegal trade as following.

Please refer to CoP19 Inf. 47 on *Progress report of the public-private council for the promotion of appropriate ivory trade measures* regarding specific measures to strengthen control of domestic ivory trade.

Characteristics of the ivory market in Japan

Firstly, ivory trade is prohibited within Japan in principle, and the ivory market is not an open market. Nor is Japan a destination for ivory acquired through poaching or illegal trade in international trade. The core of the reason is as follows.

- Under the Act on the Conservation of Endangered Species of Wild Fauna and Flora (ACES), ivory trade (including whole tusks and ivory products) and advertising for sale is prohibited. The ivory industry is small-scale, and businesses in this industry are required to be registered through strict examination. Thereafter, their trade activities can only be carried out under a strict mechanism as a narrow exception. In addition, a whole tusk shall be registered.
- Japan is not a targeted Party of NIAP. This clearly shows Japan is not a country involved in the world's major illegal ivory trade.

In addition, Japan maintains an exceptional legal market using ivory stock that was legally imported in the past. The core of the reason is as follows.

- The ivory stock was legally imported to Japan in the past. This clearly shows that Japan does not contribute to current poaching in range countries of elephant.
- Japan recognizes that some criticism has been leveled at it because of the amount of private ivory stock in Japan. However, these critics must understand that Japan is able to report private inventories because of its law enforcement capabilities. It is not fair to structure a country with a high level of transparency to be subjected to criticism for publishing various data that other countries do not submit.
- It is estimated that the size of the ivory market in Japan has shrunk by one-tenth since the total ban on international ivory trade was decided in 1989. Although extremely small in scale, this trend is expected to continue¹.
- In Japan, there are records of ivory product manufacturing as early as the 8th century, and the culture of utilizing ivory as a daily commodity and personal item has continued since the 17th century Edo period. This needs to be protected as a culture that embodies sustainable use of biological resources.

Measures taken

1. Tightened legislation on ivory control (outline of the ACES relating to raw and worked ivory)

(1) The points of the tighter control measures on ivory transactions within its own borders of the Act on the Conservation of Endangered Species of Wild Fauna and Flora (ACES) is following.

- ① Transfer, deliver, receive a transfer or delivery of, and display for the purpose of selling of raw and worked ivory is principally prohibited.

¹ https://www.trafficj.org/publication/16_Setting_Suns.pdf

- ② As exception of such prohibition, raw and worked ivory business operators are able to transfer ivory through tighten examination for registration which requires to be renewed every five years. Business operators must fulfil all requirements for registration, including traceability, which include following;
- Business operators must register all tusks of their possession. Since July 2019, registration of a whole tusk requires the result of scientific radiocarbon dating or other equivalent proof that shows the tusk was imported before the adoption of CITES trade ban for Japan, unless an applicant submits a customs document or an import permit. A third-party affidavits becomes no longer sufficient enough to prove the legitimacy of a tusk without additional official evidence.
 - Business operators must prepare and keep inventory data including transaction records and traceability information records for cut pieces.
- ③ Measures taken to ensure the transparency to consumers include following:
- Business operators must indicate information including their business registration number and business operator's name, at the time of display or advertisement.
 - The Japanese government publishes a list of registered business operators.
- ④ Heavier penalties are to be imposed on business operators' offense. i.e. An operator in breach of these obligations is liable to a maximum fine of up to about USD 690,000 and/or a maximum prison sentence of up to five years, while the registration for business operations of such an operator will be nullified.

Details of the amended law, came into effect in June 2018 are available in Japan's report submitted as Doc. 27.4 A11 at SC70.

- (2) Exhaustive measures taken by governments to enhance comprehension and compliance of the business operators include following:
- More effective and intensive on-site inspections and patrols at antique markets by the competent authorities are continued to be conducted in order to ensure strict compliance within the borders.
 - The government is initiating digitalization of business operators' reporting system on transactions and inventories in order to enhance the traceability of ivory products. It will enable more accurate stocktaking of domestic ivory product distribution, and facilitate more effective control on ivory products which lack enough traceability.
 - Competent authorities enhance and improve website and online public relations to raise public awareness, and disseminate information on CITES and related domestic legislation regarding wildlife transactions as well as regulations on ivory products.
 - Capacity building training programs are consecutively implemented for officials in charge of monitoring and control on transactions of ivory.

2. Strengthened management measures on domestic ivory transactions

In order to ensure appropriate trade in ivory products, the Ministries and Agencies concerned and the relevant bodies have hitherto made strict control of domestic trade, which include i) monitoring transactions on Internet sites and establishing a system to eliminate illegal exhibits in cooperation with platform and form providers; ii) strictly dealing with violations by business operators iii) conducting patrols at antique fairs and instructing and monitoring vendors to ensure that transactions comply with ACES; and iv) further promoting the use of the mark on ivory products.

Please refer to CoP19 Inf.47 on *Progress report of the public-private council for the promotion of appropriate ivory trade measures* regarding specific measures to strengthen control of domestic ivory trade.

Note: Major large-scale online shopping platform organizers such as Mercari and Rakuten in 2017 and Yahoo in 2019 have completely halted trading ivory products on their markets.

3. International cooperation including border control

(1) Japan is taking strict border control measures, including further strengthening control of illegal trade cases and strengthening control of the domestic market by thoroughly disseminating the contents of the laws and regulations. The following measures are being taken in cooperation with relevant ministries and agencies, the private sector, and the governments of relevant countries, and are backed up by severe penalties.

- Japan has been strengthened border control measures through the promotion of cooperation between the administrative authorities of China and Japan, and continues to have online bilateral meetings between both Management Authorities in order to prevent illegal trade in ivory products effectively.
- UK-Japan Round table on ivory was held by relevant authorities in both side thorough online format and exchange their practices and information.
- Competent authorities reiterate to widely announce a prohibition on bringing ivory products in/out of Japan targeting those who travel across the borders.
- Posters to raise attention are displayed in neighboring countries where Japan is placed among popular tourist destinations. The competent authorities also have formally requested businesses to prevent ivory products from bringing out of Japan without permissions.
- Notice on ivory trade regulations was announced at major tourist attractions in Japan in cooperation with local governments of several big cities and the Tokyo Metropolitan Government, which was a host of the 2021 Olympic and Paralympic Games. The Japan National Tourism Organization post related information on its website and app for foreign visitors.
- Regarding import and export of musical instruments for non-commercial purpose, Japan introduced the scheme which enable to use musical instrument

certificate in order to promote appropriate import and export control. (As of October 2022, Japan has introduced mutual recognition treatment with eight Parties – Canada, China, France, Germany, Korea, Spain, UK, and U.S.A).

- Regarding penalties without obtaining permit of importing and exporting ivory by Minister of Economy, Trade and Industry, the violation is liable to a maximum fine of up to about USD 3,450,000 according to the Foreign Exchange and Foreign Trade Act

(2) Japan contributes to Range States' anti-poaching endeavor through the CITES Monitoring the Illegal Killing of Elephants (MIKE) Programme.

Please refer annex of this article.

Japan's Efforts to Support Range States in the Fight against Poaching of Elephants

- ◆ Illegal wildlife trade is an urgent global issue. The Government of Japan is deeply committed to the cause of protecting elephants from atrocious acts of poaching by international criminal organizations among others, and attaches great importance to supporting range states in the fight against poaching of elephants.
- ◆ As part of this commitment, the Government of Japan assisted the government of Zimbabwe in 2016, the governments of Uganda and Mozambique in 2018, the government of Zambia in 2019, the government of Rwanda in 2020, and the government of Botswana in 2021 in developing their posts for field rangers conducting anti-poaching operations.
- ◆ The Government of Japan will continue to make utmost efforts in assisting range states in their fight against poaching of elephants.

(Ex.) the Establishment of a scout base and entrance gate in eastern side of the Lower Zambezi National Park bordering the Rufunza game management area, Zambia

- ◆ In 2019, Japan contributed USD 76,798 through the CITES Monitoring the Illegal Killing of Elephants (MIKE) Programme, for a project to establish a scout base and entrance gate in eastern side of the Lower Zambezi National Park, Zambia.
- ◆ This base and entrance gate is expected to enhance the presence, protection and management of the park, thereby reducing Human-Wild life Conflict and risks associated with poaching.
- ◆ Although there was some delay due to the COVID-19 Pandemic, this base has established in September 2022.



Photo of office/store as the entrance of the LZNP

2022年9月2日付 Daily Mail (11面) www.daily-mail.co.zm Friday, September 2, 2022

Japan realises wildlife protection project

NKOMBO KACHEMBA
LUSAKA

JAPAN, through Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), has finished implementing the US\$76,798 Monitoring the Illegal Killing of Elephants (MIKE) project in Lower Zambezi National Park.

Under the project, a scouts' base and entrance gate have been built on the eastern side of the national park to curb poaching of wildlife. Main roads connecting the newly-built gate to another one in Chongwe h been rehabilitated and new

of improved access roads. "Due to travel restrictions as a result of COVID-19, I had an opportunity to explore some of the natural resources that are in Zambia. In the past two years, I have visited the Kafue National Park and the South Luangwa National Park three times. I have learnt a lot about Zambia's natural beauty, which should be conserved and protected," he said.

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illegal trafficking and trade of wildlife. He said through the Lusaka Agreement Task Force (LATF) meeting he attended in Livingstone last year, he learnt about the MIKE project in Lower Zambezi National Park and a decision was made by Japan to fund the project.

Mr Ryuta said Japan is committed to work with Government and the international community to

CITES COP19 to be held in Panama in November this year, we will make our utmost hand in hand with Zambia and other friends in Africa to achieve this objective of protecting endangered wild fauna and flora from excessive international trade," he said.

Mr Ryuta said biodiversity is a valuable gift which should be passed on to the future generation.

And Minister of Tourism

Mr Sikumba is optimistic that the new infrastructure will help to minimise the killing of elephants in the national park. "The boom gate built at the park will help to restrict entry into the national park. It will also prevent revenue leakages that have been there as a result of lack of infrastructure," he said.

Mr Sikumba said Government is working on actualising the general management plan to



RYUTO

From a newspaper "Daily mail " dated at 2 September 2022